



SALINE COUNTY EMPLOYEE HANDBOOK & SAFETY MANUAL

EFFECTIVE DECEMBER 31, 2020
SALINE COUNTY, NEBRASKA

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EMPLOYMENT NOTICE

Nebraska is an “employment-at-will” state. Therefore, the County may generally terminate an employment relationship at any time and for any reason unless an agreement or statute provides otherwise. Likewise, an employee has the right to terminate employment with the County for any reason, or for no reason.

INTENT AND PURPOSE

It is the purpose of this handbook to set forth the principles, procedures and policies to be followed by Saline County in the administration of personnel. Personnel administration in all aspects shall be based on the principles of merit and equal opportunity employment.

It is also important to understand that the Saline County Employee Handbook does not constitute a contract between the Board and the County employees. Rather, the information contained in this handbook reflects a general description of the policies, procedures and benefits currently in effect in the County. The Board retains the right to modify or abolish these policies, procedures and benefits and reserves the right to adopt new policies, procedures and benefits. In accordance with the above, the County also has the exclusive right and authority to exercise the customary functions of management, including, but not limited to, the right to manage and control the premises and equipment, the right to select, hire, promote, suspend, dismiss, assign, supervise and discipline employees, and the right to determine, effectuate and implement the objectives and goals of the County.

The objectives of this handbook include the following:

- a. To inform employees of Saline County of their rights and obligations in relation to the County
- b. To inform department heads of their obligations toward, and their right to assign, instruct and discipline subordinate personnel and
- c. To ensure compliance with applicable policies and procedures.

STATE STATUTES, BARGAINING AGREEMENTS AND INDIVIDUAL EMPLOYEE CONTRACTS

The provisions of this policy manual shall be followed except where these provisions are in conflict with existing and current Nebraska Statutes, collective bargaining agreements and/or any individual employee contracts. In such instances where a conflict exists, the current statutes, collective bargaining agreements and/or individual employee contracts shall take precedence over the provisions of this policy manual.

AMENDMENTS TO THE COUNTY EMPLOYEE HANDBOOK

The County shall have a committee consisting of the County's Human Resource Director and all department heads to review the County Employee Handbook on an annual basis.

The purpose of the committee will be to maintain the applicability of the benefits and the policies contained in the County Employee Handbook and to update any material as necessary. The committee shall recommend revisions, additions, or deletions to the County Board.

Any county employee may also suggest to any committee member or to the County Board, amendments to the County Employee Handbook.

Amendments shall become effective upon resolution by the County Board. All such amendments shall be provided to all department heads for inclusion in their master copies of the County Employee Handbook. Copies of amendments will be given to each employee for insertion in their handbook.

EQUAL EMPLOYMENT OPPORTUNITY

Saline County continues its firm commitment to the principle of equal employment opportunity. The County will provide equal employment opportunity for all employees and applicants for employment, without regard to race, color, age, sex, national origin, religion, disability, genetic information (as defined in the Genetic Information Nondiscrimination Act), marital status, pregnancy, military status, or any other prohibited basis of discrimination under applicable local, state, and federal law. The County will make employment decisions consistent with this principle of equal opportunity. The policy applies to all terms and conditions of employment.

The County will make reasonable accommodation for the impairments of qualified individuals with disabilities to the extent required by law, unless undue hardship to the County would result. If any applicant or employee believes in good faith that he/she needs a reasonable accommodation because of a disability, he/she must contact the Human Resources Director and request an accommodation. Requests for accommodations are not to be made to any supervisor. If any supervisor receives what they believe may be a request for an accommodation, the supervisor should contact or refer the employee to the Human Resources Director.

The County is committed to participating in an interactive accommodation process with the employee. An individual who requests a reasonable accommodation will normally be required to meet with the Human Resources Director to discuss the need for accommodation and to complete a written request for accommodation, to include information regarding the nature of the disability, how it affects the employee's ability to perform all essential job duties, information regarding medical treatment of the disability or impairment, information regarding the health care provider who has provided such treatment, the employee's suggestions for reasonable accommodation, and other relevant information. The County may also contact the individual's health care provider or other

third parties (such as rehabilitation counselors) to verify the existence of the disability or impairment, obtain relevant medical information and/or records, and suggestions for accommodation.

Requests for accommodation will be processed as quickly as reasonably practicable under the circumstances. Any individual who requests an accommodation is required to fully cooperate in the process, including providing relevant information and providing any required HIPAA consent in order for the County to contact and obtain information from the employee's health care provider. If the individual fails or refuses to provide any needed HIPAA consent, the County will terminate its processing of the individual's request for accommodation. In that event, if the individual is an employee, he/she will be expected to fully perform all essential functions of his/her job without accommodation and may be subject to disciplinary or performance-related actions, up to and including discharge, if he/she is unable to perform all essential functions of the job. If the individual is an applicant, his or her application for employment will be withdrawn from consideration.

While a request for accommodation is being processed, an employee may be placed on paid or unpaid leave of absence, assigned to a different job, or provided with light or modified duty, as determined by the County. An employee's base rate of pay will not normally be changed while the employee's request for accommodation is being processed.

Although it is not possible to make a comprehensive list of all possible accommodations that might be reasonable, the following are among those accommodations (depending on the circumstances): modifications to the job application process, modifications to the work environment, modifications to the methods by which a job is performed, providing special equipment or devices to perform a job, reassignment to an open job for which an employee is qualified and for which the employee can perform the essential job duties, providing a part-time or modified work schedule, modifying training methods and/or materials, providing readers or interpreters, and/or placing an employee on short-term leave of absence.

Employees should understand that not all possible accommodations are reasonable in nature. For example, the County is not required to lower its performance or behavior standards, eliminate essential job duties, bump another employee from a job, maintain an employee's compensation rate, or permit unscheduled (or erratic, unpredictable, intermittent) or excessive absenteeism or tardiness as a reasonable accommodation. In addition, working from home, obtaining regular assistance from another employee to perform essential job duties, and eliminating certain duties in a job rotation are generally not reasonable accommodations except in extraordinary circumstances. The ability of an employee to perform essential duties with the use of mitigating measures or devices (such as medication or special equipment) may be taken into account if determining whether an accommodation is needed or reasonable. For example, if an employee can control an impairment with medication or assistive devices and thereby perform essential job duties, no reasonable accommodation would normally be needed or reasonable.

The County will determine if a reasonable accommodation is available. If more than one reasonable accommodation is available, the County may take into account the employee's preference of accommodation, but the County has the right to make the final selection of

the accommodation to offer to the employee. An employee has the right to refuse any accommodation that is offered by the County under this policy. However, the employee will be expected to fully perform all essential functions of the job without accommodation and may be subject to disciplinary and/or performance-related actions, up to and including discharge, if the employee is not able to perform all essential functions in a manner acceptable to the County and as expected from other employees who hold the same job.

The County wants its commitment to equal employment opportunity to be a success. If an employee feels the County is failing in its duty and promise of equal opportunity to all applicants or employees, it should be reported at once to their supervisor, the Human Resource Director or any board member with whom they feel comfortable discussing the matter. The County will take every reasonable measure to correct any unfairness. Any employee subjected to retaliation for bringing such matters to the County's attention in good faith will not be tolerated. The County will treat all such concerns with the utmost confidence to the extent reasonably possible and consistent with a fair resolution of the problem.

Saline County will follow affirmative action obligations in a federal or state grant or contract.

CODE OF ETHICS FOR COUNTY EMPLOYEES

- A. Employees shall not hold financial interests that conflict with the performance of their official duties.
- B. Employees shall not engage in financial transactions using non-public governmental information nor allow the improper use of such information to further any private interest.
- C. Employees shall not, except as may be otherwise provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employees' agency or department, or whose interests may be substantially affected by the performance or non-performance of the employees' duties.
- D. Employees shall not use public office for private gain.
- E. Employees shall act impartially and not give preferential treatment to any organization or individual.
- F. Employees shall protect and preserve County property and shall not use it for unauthorized activities.
- G. Employees are expected to disclose waste, fraud, and corruption to appropriate authorities.
- H. Employees shall adhere to all laws and regulations including those that mandate equal opportunity and treatment, regardless of race, color, religion, sex, national origin, age, disability, marital status, pregnancy, military status, or any other prohibited basis of discrimination under applicable local, state, and federal law.

HARASSMENT IN EMPLOYMENT

A. POLICY

Employees and non-employees are prohibited from engaging in any form of unlawful harassment in the workplace as well as any behavior that would be inconsistent with the spirit and intent of this policy.

B. DEFINITION

Harassment is unlawful when it: (1) is based on age, race, color, sex, religion, national origin, disability, pregnancy, genetic information or any other characteristics protected by law; (2) is unwelcomed; (3) is severe or pervasive in nature; and (4) is made a condition of employment, unreasonably interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment. In addition, this policy prohibits retaliation against any employee because he/she files a report under this policy, cooperates with any internal investigation, or otherwise pursues his/her legal rights.

It is not possible to define every action or work that could be interpreted as harassment. Harassment may encompass a wide range of verbal, physical and/or visual behaviors and may be sexual or non-sexual in nature. Each situation depends on a number of factors. Even if the behavior in question may not constitute harassment under this policy, it may still be inappropriate in the workplace and subject to disciplinary action.

Examples of harassment could include, but are not limited to, the following:

1. Sexual comments of a provocative or suggestive nature.
2. Jokes or innuendos of a sexual nature.
3. Suggestive or demeaning looks or leering.
4. Creating an intimidating, hostile or offensive working environment.
5. Unwelcome sexual conduct or advances or requests for sexual favors.
6. Physical contact such as patting, pinching, hugging or brushing up against another body.
7. Materials or photographs of a sexual nature in the workplace.

Examples of behaviors that might constitute harassment of a non-sexual nature may include, but are not limited to, the following:

Conduct that is offensive, derogatory or shows hostility toward an employee because of his/her race, color, religion, sex/gender, sexual orientation, national origin, ancestry, disability, age or other characteristic protected by the law. This includes slurs, epithets, negative labeling or stereotyping, and jokes, whether oral or written.

Conduct of this type is improper if:

1. Submission to the conduct is either an explicit or implicit term or condition of employment.

2. Submission to or rejection of the conduct is used as a basis for employment decisions affecting the person involved.
3. The conduct has the purpose or effect of substantially interfering with an individual's work performance or environment.

C. REPORTING PROCEDURE

Should an instance of unlawful or sexual harassment occur, both the employee and County play a role in correcting the harassment.

An employee is responsible for pointing out the harassment. Any employee who believes he/she is being harassed is encouraged to:

1. Point out the offensive behavior to the person responsible for the behavior and;
2. Request that the offensive behavior stop.

Any employee who is not comfortable approaching the person responsible for the offensive behavior, or whose request to stop was unsuccessful should notify any or all of the following:

1. The employee's immediate supervisor.
2. The supervisor of the person responsible for the offensive behavior.
3. The employee's department head.

Any employee, who believes he/she is being harassed by a department head, should notify a member of the County Board, the County Attorney or the Human Resource Director.

No employee will be retaliated against for reporting harassment.

Saline County is responsible for promptly correcting any harassment. When one of the supervisory individuals mentioned above is notified or becomes aware of possible harassment, he/she shall promptly investigate the situation. Corrective action shall promptly be taken whenever any harassment or inappropriate behavior has occurred.

D. INVESTIGATION PROCEDURE

A supervisory official as designated in Section C will ensure that a thorough investigation is carried out that respects the rights and dignity of all individuals concerned. The investigation will be conducted quickly, thoroughly and confidentially, and every effort shall be made to protect the rights of the accuser, as well as the accused. The following procedures will be followed in the investigation of a report of harassment:

1. If at all possible, the investigation shall begin the day the conduct is reported or discovered.
2. The employee will be encouraged to put the report in writing.
3. The supervisory official, the Chairperson of the County Board, the County Attorney and the Human Resources Director will interview the complainant in

- a private area. The interview will be thoroughly documented and reviewed for accuracy with the complainant at the end of the interview.
4. The supervisory official, the Chairperson of the County Board, the County Attorney and the Human Resources Director will interview the alleged harasser in a private area. The interview will be thoroughly documented and reviewed for accuracy with the alleged harasser at the end of the interview.
 5. The supervisory official, the Chairperson of the County Board, the County Attorney and the Human Resources Director will interview witnesses and others with relevant information in a private area. The interview will be thoroughly documented and reviewed for accuracy with the witnesses or other individuals interviewed.
 6. Upon completion of a thorough investigation, the investigators will determine whether the report is substantiated or unsubstantiated.
 - a. Substantiated Report: If it is determined that there is evidence to substantiate the report, disciplinary action will be taken. The disciplinary action taken will depend upon the severity of the harassment; however, the disciplinary procedure outlined in this manual will be followed in all cases. A record of disciplinary action taken will become a part of the harasser's personnel file. Once disciplinary action is taken, supervisory personnel will ensure its effectiveness by continuing to monitor the situation.
 - b. Unsubstantiated or Inconclusive Report: If it is determined that the report is unsubstantiated or if investigators are unable to conclude whether harassment did or did not occur, both the complainant and the alleged harasser will be informed of the findings. The County's policy against harassment will continue to be enforced and the complainant will be encouraged to come forward again if he/she perceives harassment.
 7. Whether substantiated or unsubstantiated, the investigators will meet with both the complainant and alleged harasser to notify them of the results of the investigation and any disciplinary measures that will be taken.
 8. An investigation report will be prepared summarizing interviews, conclusions and discipline taken, if any. This report, along with notes, written complaints, statements and copies of relative documents will be maintained in a separate, confidential file by the department head and/or Human Resources Director.

SAFETY POLICY

Safety is important to the County and to all employees. It is the County's intent to provide a safe workplace for an employee's protection. Accidents cost the county money through property loss, lost time from work and increased insurance costs. All employees are expected to participate in safety programs and meetings, promote safety awareness, bring forth safety suggestions, wear protective equipment as provided and follow safety rules. Safe work practices protect employees, their families, fellow employees and the County.

Each employee will be evaluated on safety activities, which will be recorded in their performance review. Failure to follow safety rules or using poor safety judgment can result in disciplinary action, up to and including termination of employment.

Safety Equipment: The County shall provide goggles, safety glasses, and hard hats, if deemed by the County to be necessary when warranted by working conditions. Employees shall be accountable for protective clothing and safety equipment issued to them, less normal wear and tear. If there is a termination of employment, the safety equipment shall be returned by the employee to the County.

First Aid Supplies: Reasonable first aid supplies shall be available to employees during working hours.

Safety Committee: A Safety Committee has been established to communicate and address concerns about workplace safety and health issues.

Employee Duty: Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including dismissal of employment.

Reporting of Accidents and Injuries: In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees shall immediately notify the supervisor or appropriate department head. Such reports are necessary to comply with the laws and initiate insurance and workers' compensation benefits procedures. Employees who have an accident with a County-owned vehicle shall first notify a law enforcement agency and then his/her supervisor or department head.

DRUG-FREE WORKPLACE POLICY

A. PREFACE

Saline County has adopted a Drug-Free workplace policy effective May 18, 1993. This policy is to protect and benefit Saline County, along with all its personnel, in creating a safe and efficient work environment.

For the purposes of clarification, alcohol is considered a drug under this policy.

B. IMPAIRMENT PROHIBITED

No employee shall report for work, or work impaired by any substance that is legal or illegal. "Impaired" means under the influence of a substance such that the employee's motor senses (i.e., sight, hearing, balance, reaction and reflex) or judgment either are, or may be, reasonably presumed to be affected.

C. POSSESSION PROHIBITED

No employee at any work site will possess any quantity of any substance, legal or illegal, which in sufficient quantity could cause impaired performance. "Work site" means any office, building, or property (including parking lots) owned or operated by Saline County or any other site at which an employee performs work for Saline County. "Possess" means to have a drug or drugs either in or on an employee's person, personal effects, motor vehicle, tools, and areas entrusted to the employee such as desks, files and Saline County vehicles. The above provision is exempt from storing or holding a controlled substance due to the operation of law.

D. INSPECTIONS

An employee's person, work area, desk, files, Saline County motor vehicle, and similar areas are subject to inspection for drugs at any time on a random or any other nondiscriminatory basis for purpose of complying with this policy. Similarly, an employee's own car, lunch box, personal containers, etc. may be inspected for drugs when brought onto any work site.

E. HELP AND MEDICAL TREATMENT

1. Saline County believes that drug use and abuse can be an illness requiring medical treatment. In this regard, Saline County will:
 - a) encourage affected individuals to voluntarily seek medical help.
 - b) assist supervisors in dealing with associated problems related to the employees work performance.
 - c) discourage supervisors, fellow employees, and possibly family members from "covering up" for the affected individual.
2. If the employee seeks help prior to the discovery of drug use and abuse, then confidentiality, job security and promotional opportunities of the employee will be protected. If the employee does not seek help for drug abuse, and the problem comes to the attention of Saline County, the employee will be subject to disciplinary action.
3. Saline County may refer an employee to a drug use and abuse counseling agency for help because of deteriorating job performance or excessive absenteeism of the employee associated with use and abuse of drugs.

F. ELIGIBILITY FOR BENEFITS

Since misuse of drugs may be a treatable illness, an employee participating in Saline County's medical insurance program may be eligible for insurance benefits, if the same is allowed by the insurance policy schedule.

G. EFFECT ON SALINE COUNTY'S RULES

It is emphasized that recognizing drug use and abuse as an illness does not detract from Saline County's rules and regulations in respect to intoxication on the job, or having drugs on Saline County property, which will continue to be enforced.

H. DISCIPLINE

Any violation of this policy may result in discipline for the employee, up to and including discharge.

I. TESTING

It shall be the right of the elected/appointed official at any time, at his/her discretion, to test his/her employees for the use of illegal substances or legal substances while on duty.

INTRODUCTORY PERIOD

The introductory period is used by the department head to observe the employee's ability to satisfactorily perform assigned duties and responsibilities. During the introductory period, the employee is expected to demonstrate the necessary skills and abilities to perform the duties for which he/she is employed. The department head, when assessing the employee's performance and suitability for continued employment, will pay particular attention to punctuality, attendance, willingness to work with others, and positive response to supervision. Successful completion of an introductory period does not imply guaranteed continued employment with the county.

A. New Hire (including re-hire)

New full-time and part-time employees shall be required to serve an introductory period as defined by their Department Head. An employee shall be removed from original status on the day following the end of the introductory period, unless notified of extension or dismissed by the department head. Full-time and part-time new hires must complete and pass a mandatory Physical Capacity Profile test at a company designated by the County, as a condition of employment. The costs of the test will be paid by the County.

B. Introductory Period for Promotions

All employees who are promoted shall be required to serve an introductory period as defined by their Department Head in the new job classification before being confirmed in the new appointment.

C. Transfer During Introductory Period

An employee who is transferred (promotion, demotion, lateral move or move to a lower position) within a department while serving an introductory period may have his/her introductory period extended, at the discretion of the department head.

D. Extension of Introductory Period

A department head may extend the introductory period of an employee for reasons of performance or transfer for a period not to exceed a total of one (1) year from the date of hire or rehire or transfer. The employee shall be notified in writing of the extension.

- a. The notification of extension shall include the specific period of extension. In cases of extension for performance reasons, the employee shall be provided specific performance improvement requirements.
- b. Notification of extension must be accomplished before the expiration of the introductory period and shall NOT be backdated once the introductory period has ended.

E. Completion of Introductory Period

Completion of the introductory period in no way implies either a contract of continued employment with the county or creation of a property interest in employment with the county. The employee and employer relationship is for the mutual benefit of both parties and either party may sever the relationship at their will at any time.

E. Transfer Introductory Periods

In the case of personnel actions (lateral move, or move to a lower position), employees MAY be required by the elected or appointed official to serve an introductory period. The length of the introductory period is at the department head's discretion.

If an employee cannot or does not perform satisfactorily in the position to which he/she is transferred, the elected or appointed official may transfer the employee to another position of either the same salary grade or a lower salary grade. If no other position is available for transfer, the department head may reassign the duties of the employee, reclassify the employee to a classification of a lower salary grade, or dismiss the employee.

PERSONNEL

A. FULL TIME EMPLOYEE

An employee who is hired to work a minimum of 40 hours per week, 52 weeks per year or the equivalent and is entitled to all employee benefits.

B. PART TIME EMPLOYEE AND TEMPORARY EMPLOYEE

An employee hired on a part time or temporary basis, less than 40 hours per week, and whose hourly rate of pay and term of employment is determined by the department head/elected official. There shall be four (4) classes of part time employees.

1. Class A part time employee shall be those employees who work at least 50 hours per pay period but less than 80 hours per pay period. These employees shall be identified as regular part time employees. Their holiday pay and vacation shall be prorated to the number of hours per pay period normally worked.
2. Class B part time employee shall be an employee who works 40 hours or more per pay period but less than 50 hours per pay period on a regular basis. The part time employee may from time to time work in excess of 50 hours per pay period but will be considered as a Class B part time employee until said employee works as a regular part time employee a minimum of 50 hours per pay period. Said Class B part time employee shall have their holiday pay and vacation time prorated to the number of hours per pay period normally worked.
3. Class C part time employees shall be those employees who work less than 40 hours per pay period on an occasional basis. Class C employees are not entitled to holiday pay, vacation time or sick leave.
4. Class D employees shall be identified as seasonal and/or temporary employees and will be hired on a temporary/seasonal basis only. Class D employees are not entitled to holiday, vacation time or sick leave.

Part time Class A, B, C & D employees should reference the appropriate sections in this handbook for possible retirement, insurance and sick leave benefits.

Examples of pro-rating for holiday pay and vacation time for Class A and Class B part-time employees:

- 50 hours worked per period times 26 periods = 1300 hours per year.
- 1300 hours divided by 2080 hours per year = .625% part-time hours per year.
- 10 days' vacation times 8 hours per day times .625% = 50 hours allowed vacation time for a part-time 25 hour per week employee.
- 12 days' holiday time times 8 hours per day times .625% = 60 hours of holiday pay.
- 12.5 days' holiday time times 8 hours per day times .625% = 62.5 hours of holiday time.

HOURS OF WORK

For most fulltime County Employees, regular hours of work each day shall be consecutive (except interruption for lunch periods) and shall consist of 40 hours to be worked normally in 5 consecutive 8-hour days. The workweek will commence at 12:01 a.m. on Saturday and end at 12:00 midnight on Friday. All employees shall be scheduled to work on a regular work shift, as designated by the respective department head/elected official, and each shift will have a regular starting and quitting time.

It is the policy of the County to keep accurate records regarding time worked (including overtime hours where applicable) and work attendance for non-exempt employees so that they may be compensated in compliance with Federal, State, and local guidelines concerning wages and compensation. Each employee is expected to record their own time on a County approved time-sheet. Employees must record their time before beginning work, at the beginning of the lunch period, upon returning from lunch and after finishing work. The County will round employee timesheets to the nearest 1/100 of an hour. Each pay period shall consist of two weeks. It is the responsibility of each employee to see that their time sheet is completed accurately and to verify such accuracy, by their signature, prior to their time sheet being remitted for such pay period. It is also the responsibility of the employee's supervisor, or their designated deputy – when such work environments allow their availability, to certify the accuracy of the timesheet by affixing their signature prior to submission. Time sheets shall be turned in to the County Clerk's office on or before 9:00 a.m., the Monday following the end of the pay period. Employees will be paid on the second Friday after turning in their timesheet.

An employee will be granted a fifteen (15) minute rest period, restricted to the job site, during the approximate middle of each one-half (½) shift; provided, however, that the needs of the public are met.

Employees shall be given a reasonable notice of shift changes and starting times except in case of emergency to include but are not limited to snow, flood, tornado, wind damage, etc.

Due to the nature of our organization and in order to meet the needs of our citizens, it may be necessary to work at times or on days normally not scheduled.

*Road and bridge employees may have a summer work schedule which may vary from the regular hours described above.

*Sheriff department employees may have a work schedule that differs from the regular hours of work described above.

In such cases where a county employee is called upon or dispatched to assist during a local emergency in his or her voluntarily assigned capacity, such as a firefighter/EMT, that employee shall receive their regular pay just as if they had performed their normal county related duties when such duty is requested during the employee's normal work hours.

COMPENSATION

Generally, adjustments to employee's wage levels are made at the beginning of each calendar year. In such cases, as is often measured in advance to ensure timely implementation, notification of such changes shall be made to the County Clerk's Office prior to the final pay period of the preceding year.

A. OVERTIME

Employees that are deemed non-exempt under the Fair Labor Standards Act (FLSA) and who work in excess of forty (40) hours per week, shall receive overtime pay or compensatory time at a rate of time and one-half (1 ½) for all hours worked over forty (40) in a work week.

The FLSA provides certain exemptions to these overtime provisions when it comes to Public Agency Law Enforcement personnel. In particular, the FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement, including security personnel in correctional institutions, if that public agency employs fewer than five such employees during the work week. See 29 U.S.C. 213 (b) (20); 29 C.F.R. 553.200 et seq.

For the purpose of computing overtime, the work week will commence at 12:01 a.m. Saturday and end at 12:00 midnight on Friday. Days off, such as vacation, sick leave, and holidays, shall not be included in the accumulation of hours worked.

Adjustments may be made to an employee's hours in an effort to maintain the hours worked by an employee at or below forty (40) in a week. Such adjustments must be made prior to the time an employee works forty (40) hours in a week. Once an employee has worked over forty (40) hours, payment for time in excess of forty (40) hours must be at time and one-half (1 ½) or given in compensatory time at time and one-half (1 ½). The department head and the employee shall agree to the method in which payment is to be made at the time the overtime hours are worked. Any adjustment to which method of compensation is agreed upon shall also be provided to the payroll clerk in writing no later than, and so indicated on, the submission of the timesheet.

If an employee has any questions about their paycheck, or believes that a mistake has been made on their paycheck, they should contact the County Clerk immediately. The County wants all its employees to receive everything they have earned.

B. REGULATIONS

1. Authorization to work overtime shall be obtained from the employee's immediate supervisor prior to working overtime hours.
2. Failure to obtain authorization before working overtime may subject the employee to disciplinary action.

3. Employees working more than forty (40) hours per week must be credited overtime during the week in which it was earned; except in cases where compensatory time has been previously agreed upon in lieu of overtime payment.
4. At no time will previously accrued compensatory time be converted to cash payments, with the exception of an employee's separation from employment.

C. COMPENSATORY TIME

Upon proper authorization, up to 116 hours of compensatory time may be accumulated by an employee. Time accumulated over the above noted amount shall be paid at time and one-half rate. Payment of overtime shall be paid at the employee's current hourly rate. The county will allow the employee reasonable use of compensatory time. All unused compensatory time remaining when the employee leaves the employment of the county shall be paid at the employee's current hourly rate, or at the average rate for the final three years of employment, whichever is greater.

Employees who have accrued compensatory time off may request the use of compensatory time and shall be permitted to use such time if its use does not unduly disrupt the operations of the department and upon notification and approval of their supervisor.

TRAVEL TIME

Generally, travel from home to work is non-compensable. Travel that is required by the County during an employee's workday ordinarily is compensable (such as travel from one work site to another).

For travel away from home community for non-exempt employees:

- For special *one-day assignment* to another city, all travel time is compensable.
- For *overnight* travel, away from the normal workplace, all travel time which occurs is compensable (even if travel time occurs on Saturday, Sunday or holiday). However, regular meal period time is not counted.
- While away from home, non-work time is non-compensable (i.e., sightseeing, regular meal periods, etc.).

All compensable travel time is included in hours worked for purposes of determining any overtime pay due during a workweek. Employees must accurately record compensable travel time hours just as they record other hours worked. Employees should contact the Saline County Clerk's Office at 402-821-2374 if any other questions about recording or compensation for travel-related time arise.

TRAVEL EXPENSES

1. **Conferences** - County representative expenses - Expenses incurred by a County officer, employee, or such representative while attending a County Association agency sponsored conference may be paid. Payment may be made directly to a vendor or as reimbursement to an employee for expenses incurred on behalf of the County. Original invoices, receipts, or statements showing the date and purpose of the conference must be attached to the payment document.

The payment of meals and nonalcoholic beverages for County employees attending a County Association agency sponsored conference is allowable if the employee is in travel status or the meal is included in the overall conference pricing.

2. **Lodging** - Employees shall report only actual expenses paid for lodging. Business telephone calls and parking charges incurred at the lodging site may be included on the lodging bill. Lodging expenses may either be directly billed to the County or claimed on an expense reimbursement sheet. If claimed on an expense reimbursement sheet, detailed receipts for lodging are required to be filed with the claim. Lodging may be reimbursed when an employee is "away from home overnight". The Internal Revenue Service states: "You are away from home overnight if your duties require you to be away from the general area of employment for a period substantially longer than an ordinary day's work and, during released time while away, it is reasonable for you to need and to get sleep or rest to meet the demands of your employment or business. The absence must be of such duration that you cannot reasonably leave and return to that location before and after each day's work."

Sales to the County are exempt from Nebraska sales, use and lodging tax. Therefore, if in-state lodging expenses are directly billed to the County, the employee should present a completed copy of the Nebraska Resale or Exempt Sale Certificate to the lodging establishment if they have not previously possessed this information.

County representatives should generally be more than 60 miles from his or her workplace in order to be eligible for lodging. The County realizes there may be reasons to pay for lodging for distances less than 60 miles. Such reasons include, but are not limited to work requirements, medical conditions or weather; in those instances, the reason must be clearly stated on the disbursement/claims document.

3. **Substantiation of Expenses** - Under our accountability plan, the Internal Revenue Service requires employees to substantiate the cost for travel, lodging, meals, and other expenses. To be reimbursed, the expense must be a necessary expense, incurred in the line of duty, reason/purpose of the expense must be clearly stated, all start/stop dates and times must be recorded, and the amount of the expense must be substantiated.

4. Meals

- a. **Overnight Travel** - Employees traveling on County business shall claim only actual amounts paid for food/meals. Employees should not submit claims based on any per diem amount. No reimbursement may be made for alcoholic beverages or tips.

County Departments/Employees are responsible to see that all submitted claims for food/meals are adequately substantiated. Unsubstantiated food/meals should not be reimbursed. Receipts are required.

- i. Breakfast - When an employee leaves for overnight travel at or before 0630, breakfast may be reimbursed.
 - ii. Lunch - When an employee leaves for overnight travel at or before 1100 or returns from overnight travel at or after 1400, the noon meal may be reimbursed.
 - iii. Supper - When an employee leaves for overnight travel at or before 1700 or returns from overnight travel at or after 1900, the evening meal may be reimbursed.
- b. **One-Day Travel** - At the Department Head's discretion, one-day travel meal expenses may be reimbursed when it is deemed necessary for the working conditions of the employee. All one-day travel meals are to be considered a taxable fringe benefit. Only actual amounts paid for meals may be claimed. No reimbursement may be made for alcoholic beverages or tips.

NOTE: Meal expenses incurred in the city or town in which the residence or primary work location of the employee is located, are not reimbursable.

The IRS has taken the position that reimbursement for meal expenses incurred on one-day travel is taxable income to the employee. The reimbursements will be added to the employee's gross wages and payroll taxes will be withheld accordingly. Reimbursement to one employee for two or more employee's expenses will not be allowed for one-day travel food/meals because of this provision.

- i. Breakfast - When an employee leaves for one-day travel at or before 0630 or 1 1/2 hours before the employee's shift begins, whichever is earlier, breakfast may be reimbursed.
- ii. Lunch - Noon meals for one-day travel may be reimbursable if approved by the Department Head when found necessary for the working conditions of the employee.
- iii. Supper - When an employee returns from one-day travel at or after 1900 or 2 hours after the employee's shift ends, whichever is later, the evening meal may be reimbursed.

NOTE: The time limitations set forth in this policy do not include the time taken for the meal.

5. **Personal Automobiles** - An employee will be reimbursed for use of a personal vehicle while on County business (this does not include commuting miles) at the prevailing standard rate as established by the Internal Revenue Service through its Revenue Procedures. However, the County may, at its determination, require employees to utilize county-owned vehicles (as opposed to personal vehicles) if the use of the county-owned vehicle would be equally practical and more economical.

6. **Receipts**

- a. Detailed receipts are required as support for all expenditures. Detailed receipt is defined as a receipt that shows a listing of each item purchased and the related cost. Detailed receipt does not include the receipt copy that only identifies an amount that is being charged to the employee's credit card.
- b. In the absence of detailed receipts supporting an employee's claim, the County will require a written acknowledgment that after-the-fact documentation will be provided. This documentation may be a copy of:
 - i. Cancelled check;
 - ii. Charge card slip and signed written explanation; or
 - iii. Subsequently acquired receipt and signed written explanation.
 - iv. If receipts have been lost, or where a receipt was not provided (such as when only one meal receipt is provided per table), the employee should create and present an affidavit.

NOTE: This policy is for the convenience of the County and the employee. The absence of after-the-fact documentation may necessitate the discontinuation of this process and the subsequent inability to reimburse employees when receipts are not available.

7. **Reimbursement to One Employee for Two or More Employee's Expenses** - One employee may be reimbursed for actual expenses incurred on behalf of another County employee, such as when two employees sharing a motel room are billed jointly and one employee pays the bill. The employee to be reimbursed must provide the same detailed information that would have been required of each County employee had they been billed individually. In all cases when one employee is requesting reimbursement for expenses of more than one County employee, detailed receipt policies must be adhered to, employees' names listed and documents cross-referenced, when applicable. If two employees are billed jointly, but each pays half and each requests reimbursement separately, the documents must be cross-referenced, since one employee usually may not have a detailed receipt.

8. **Employee Signatures** - The employee claiming reimbursement of expenses must provide an original signature on the expense document or submit the document with an electronic signature. Supporting documentation must be

maintained by the agency for those documents submitted with an electronic signature.

BENEFITS

This section of our handbook is meant to highlight some features of county benefit programs.

In the event of any contradiction between the information appearing in this handbook, and the information that appears in the master contract/document, the master contract/document will govern.

To ensure that the County complies with all requirements of the various benefit companies, changes should be made during the enrollment periods, except to accommodate legitimate life-changing events. In such cases, every effort should be made to notify the County Clerk's Office a minimum of 15 days in advance of changes in benefit enrollment.

The right to amend or terminate any of these programs or to require increases in employee premium contributions toward any benefits is at the County's discretion.

A. WORKERS COMPENSATION BENEFITS

Employees may receive worker's compensation benefits if injured on the job, or if they contract an employment-related disease. Worker's compensation benefits shall not be received if the employee was willfully negligent at the time of injury or under the influence of drugs or alcohol.

Employees shall report all such incidents or work-related injuries to their supervisor **immediately upon notice of injury**, or as soon as practicable after the appearing thereof, according to Nebraska laws in order to obtain proper medical treatment and to complete the required forms. Eligibility for worker's compensation benefits is determined on the basis of an accurate report of the incident as well as the time frame in which it is reported.

A report showing the date of the incident, how it happened, name of doctor, names of witnesses and other information will be filed with the County Clerk's Office as soon as possible. The county will pay the employee's salary the first week while he/she is out of work due to the injury. The purpose of the salary payment will be to eliminate the employee from having to use sick leave. However, in the event workmen's compensation pays for that week then the employee shall reimburse the county for the amount paid by workmen's compensation. Payment shall be made to the county at the time employee receives payment from workman's compensation.

An employee who is determined to be disabled and unable to work due to a work-related injury would be compensated at an amount determined by the worker's compensation laws in effect at the time of injury or disability. Medical expenses incurred in the treatment of an injury or illness determined to be work related will be paid upon receipt of documented medical statements supporting the claim.

Employees with further questions may contact the NIRMA Office at 1-800-642-6671.

The Nebraska Intergovernmental Risk Management Association (NIRMA) is a not-for-profit, member-owned and operated risk management and self-insurance pool designed by and expressly for Nebraska counties.

Created in 1988 under the Intergovernmental Risk Management Act (Neb. Rev. Stat. 44-4301 to 44-4339) and the Interlocal Cooperation Act (Neb. Rev. Stat. 13-801), NIRMA is subject to all applicable rules and regulations of the Nebraska Department of Insurance.

Under the NIRMA flagship there are actually two pools – NIRMA, which provides property and general liability coverages, and NIRMA II, which offers workers' compensation coverage.

B. HEALTH INSURANCE

All full time, Class A and Class B part-time employees are eligible for health insurance with the group programs carried by companies chosen by the County Board. The county contributes 90% of the monthly premium cost for this coverage. The remaining cost of coverage shall be borne by the employee. The employee may reduce or eliminate the amount of their contribution by successfully participating in the preceding year's Saline County Wellness program. Eligibility for group health coverage begins the first of the month following 30 days of employment. Eligibility ceases the last day of the month in which employment ends, however COBRA (Consolidated Omnibus Budget Reconciliation Act) qualifying events and HIPAA (Health Insurance Portability & Accountability Act of 1996) may apply.

Employee/spouse, employee/child and family coverages are optional for health insurance. The County pays 44% of the difference between employee only coverage and any additional coverages, with the employee being responsible for the remainder of the premium.

The County allows employees to opt out of the County sponsored health insurance plan provided they can show proof of adequate health insurance coverage from another source, typically a spouse or parent's plan, or the selected option favoring Medicare enrollment. Those employees who choose to opt out of the health insurance plan will be reimbursed by the County at the rate of one-half of the County's cost of the monthly premium for employee only coverage. The employee may increase this amount by successfully participating in the preceding year's Saline County Wellness program. The application to opt out must be submitted prior to the start of the fiscal year which begins on July 1.

C. DENTAL INSURANCE

All full time, Class A and Class B part-time employees are eligible for group dental insurance, which becomes effective 30 days after the date of hire. The county pays the

employee premium.

Family coverage is optional for dental insurance. The employee is responsible for the remittance of the family premium.

D. VISION INSURANCE

All full time, Class A and Class B part-time employees are eligible for group vision insurance, which becomes effective the first of the month following 30 days of employment. The employee pays the premium for vision insurance.

E. LIFE INSURANCE

All full time, Class A and Class B part-time employees are eligible for group life insurance, which begins the date that employment begins. The county pays the employee premium.

Class C and Class D part-time employees are not eligible for group health, dental, vision or life insurance coverage.

F. LONG TERM DISABILITY

All full time, Class A and Class B part time employees have automatic coverage should they become disabled. Coverage provides 50% of their salary up to a maximum annual amount of \$20,000 (benefits begin after 120 days of disability). There is no cost to the employee for this coverage. An optional buy-up plan, at employee expense, provides for coverage of 60% of his/her salary up to a maximum annual amount of \$90,000 (benefits begin after 90 days of disability). Long term disability coverage begins the first of the month following 30 days of employment.

G. EMPLOYEE ASSISTANCE PROGRAM

Saline County, as an employer, recognizes that a wide range of personal problems, not directly associated with job function, may affect employee job performance. In many instances, employees may overcome these personal problems independently with little, or no, affect upon job performance. However, for some situations, professional help may be needed.

It shall be the policy of Saline County to encourage employees to seek assistance for personal problems. Saline County shall make the services of Continuum Employee Assistance available to all employees, immediate family members of the employee including the employee's spouse, dependent children, and significant others of the employee.

These services will be kept confidential by Continuum Employee Assistance and will in no way affect job security or possibility of promotion.

Access: Use this valuable service whenever desired. It's easy to access, free and confidential. Continuum EAP can be contacted at 402.476.0186 or 800.755.7636. Check this service out at: www.4continuum.com. Connect with them also via email at especialist@4continuum.com. A variety of online resources are available by logging into the employee portal with group login credentials. Please contact HR for this secure information.

Employees are eligible to receive the following services from Continuum Employee Assistance Program (EAP):

Confidential Counseling Services - Continuum EAP is intended to serve as an effective liaison between the employee and qualified, affordable referral sources in their community. Continuum EAP is not designed to provide ongoing counseling or treatment services to employees. Continuum EAP client services include problem assessment, short-term EAP counseling, referral to an appropriate community resource for continued care, consulting and follow-up.

Employee Assistance services are provided without charge to the employees and their immediate family members. The cost of referrals beyond Continuum EAP will be the employee's responsibility. If a referral beyond Continuum EAP is necessary for continued counseling or treatment, Continuum EAP will work to match the client with the most qualified and affordable resource.

A 24-hour telephone crisis line is available seven days a week for emergency counseling services.

All Continuum EAP records of employees seeking assistance will be kept confidential within statutory guidelines and will not be noted in any official company record in the employees' personnel file, or company medical files. Information from Continuum EAP records may only be released with the written permission of the employees.

Confidentiality will only be limited in the case of life-threatening events such as suicide, homicide, child or elder abuse or neglect, or when court ordered. In such cases, counselors are required by law to report to the appropriate agencies and may have to communicate without the permission of the client.

Work-Life Services - Employees and family members of Saline County will be able to access Life Enhancement services including information, education and resources on such topics as child care, parenting, care giving, etc. These services may be provided via telephone, mail, e-mail or face to face.

Legal Services - Free initial consultation and referrals are provided face-to-face or by telephone with attorney firms selected by EAP. These referrals are based on the client's personal concerns and not related to the workplace.

Supervisory Training and Ongoing Consultation - Assistance is available to all management/supervisory personnel involved with an employee with job performance problems. Formal EAP training focuses on how to work effectively with employees with unsatisfactory work performance. Ongoing consultation services include assistance in documenting job performance problems, preparing for a corrective interview, referring to Continuum EAP and monitoring job performance after EAP contact.

Types of Referral - Referrals to Continuum EAP will either be 1) a self-referral by the employee or member of his/her immediate family or 2) a supervisory referral because of job performance problems.

- Self-Referral. A self-referral can be made when the employee or family member wants to discuss a personal, behavioral, or health problem and desires assistance on ways to deal with their situation. The employee or family member may contact Continuum EAP directly for an appointment.
- Supervisory Referral.
 - a. Responsibility of Management/Supervisory Personnel. Supervisory personnel shall be responsible to promote the availability of Continuum EAP to their employees. It is recognized that it is not the manager's role to assess personal problems of the employee. Necessary referral for assessment will be based on documented unsatisfactory work performance, which cannot be corrected through standard corrective procedures or through the employee's individual efforts.
 - b. Responsibility of the Employee. The employee has the option to follow through with the manager's recommendation to contact Continuum EAP and to cooperate with the prescribed counseling or therapy. Employees who refuse assessment and referral services of Continuum EAP, or who utilize EAP services and do not respond to ongoing assistance, will be handled in accordance with standard administrative and disciplinary policies for unacceptable job performance.

Role of Continuum EAP. Continuum EAP is intended to serve the needs of both Saline County and the employee. Continuum EAP recognizes due process in personnel procedures and shall not attempt to negotiate a dispute.

Dependents. Since employees work performance may be affected adversely by the problems of spouse or other family members, Continuum EAP also is available to immediate family members and significant others of the employee. Immediate family members include a spouse, unmarried children under 19 years of age or through 24 years of age if a full-time student.

Leave. Employees are encouraged to seek assistance from Continuum EAP around their normal work hours in order to avoid any interruption of customer services and work flow. Procedures for using sick leave for EAP sessions during work hours are the same as for any other medical appointment.

Leave will be granted to employees for extended treatment or rehabilitation as in any other

illness. Saline County will not be obligated to pay fees for referral resources beyond Continuum EAP.

H. RETIREMENT

1. **Mandatory membership:** Permanent, full-time employees who work one half or more of the regularly scheduled, 40-hour work week during each pay period must enroll in the Nebraska Public Employees Retirement System. This includes full-time employees and part-time class A & B employees.
2. **Elected Officials:** Elected officials must join the plan upon taking office. If appointed to fill a vacancy in an elective office, they are considered to be an elected official. There may be circumstances where part-time elected officials are not required to join but may do so under voluntary membership. Those officials may check with the Clerk's office for added information and/or explanation.
3. **Voluntary Membership:** Permanent, part-time employees may elect voluntary membership if they work less than one-half of the regularly scheduled work week during each pay period and have attained the age of 20. Participation is also voluntary for permanent, full-time employees who work on a *seasonal* basis. (This includes Class C employees.)
4. **Temporary Employees:** Temporary employees are not permitted to join the Nebraska Public Employees Retirement System (This includes Class D employees and anyone not considered permanent full-time or part-time).

Once membership is elected, members are subject to all provisions of the plan and may not withdraw or cancel participation until employment ceases.

5. **Vesting Credit:** If a full-time employee had participated in another Nebraska governmental plan, participation may count toward vesting. To qualify, the employee must complete an Application for Vesting Credit and submit to NPERS **within 180 days** of the date of hire. The employer is to provide this form to all employees *upon hire*. If an employee has prior participation in another Nebraska governmental plan, it is their responsibility to provide NPERS with the completed application. **If the employee fails to apply for vesting credit within 180 days of the date of hire, they are not eligible for vesting credit.**

Exceptions - The following employees do not participate in the county plan:

- a. Persons eligible for membership in the Nebraska School Employees' or Nebraska State Employees' Retirement Systems;
 - b. County Extension Agents and members of their staff who are eligible for participation in either a Federal or University of Nebraska retirement plan.
6. **Contributions:** As a member, an employee will contribute 4.5% of gross earnings to an account established on their behalf (5.5% for Sheriff and Deputies).

The County will match contributions at the rate of 150% of the employee contribution (7.5% of gross earnings for Sheriff and Deputies), which is credited to a separate employer account.

7. Investment Options: As of January 1, 2003, all new members are automatically enrolled in the Cash Balance Benefit plan. For details, see the County Employees Retirement System brochure.
8. Death Benefits: Refer to the current retirement handbook for death benefit options.
9. Beneficiary Designation: Updating the beneficiary designation will ensure that benefits are paid promptly and properly. Employees should review the choice of beneficiaries frequently, but especially when:
 - An employee retires;
 - A beneficiary marries or is divorced;
 - A beneficiary dies;
 - A beneficiary changes his or her name;
 - An employee has a child.
10. Retirement Eligibility: Employees are eligible for retirement benefits on or after their 55th birthday, provided they are no longer working for the county.
11. Vesting: At age 55 employees are “vested,” which means they are eligible for the county matching account, regardless of how long they have been a member of the plan.
12. Benefits Determination: Determination of benefits is explained in the Retirement handbook.
13. Termination: If an employee quits working for the county before they are eligible to retire (retirement eligibility begins at 55), the options available are explained in detail in the retirement handbook.
 - Contact the County Clerk’s office for any forms needed.
 - Employees should contact the County Clerk’s office if they are planning to terminate employment or retire for current information and procedure.
 - Employees may also contact Nebraska Public Employees Retirement Systems at 1-800-245-5712, or by visiting the NPERS website at npers.ne.gov.
 - The County Clerk’s office shall be notified immediately, in writing, if an employee has a family status change.
 - Notification of cancellation of benefits must be received in writing by the County Clerk’s office on or before the 15th of the month preceding the month in which you wish to cancel coverage.
 - The County Clerk’s office shall be notified immediately, in writing, if an employee is terminating employment with Saline County.
 - Specific benefits for each plan are outlined in the material provided at the time of employment.

All benefit plans are subject to change.

LEAVES OF ABSENCE

The county may grant an employee the following leaves of absence. Each request for a leave of absence will be considered individually. The department head shall take into account the nature of the request and how such a request would affect the department. The department head must approve any request for a leave of absence.

A. UNPAID LEAVE OF ABSENCE

All unpaid leaves of absence are as identified - without pay, unless the employee has accrued paid time off, in which case such paid time must be used before the approved, continuation of unpaid leave would commence. Employees needing to take a leave of absence for personal or medical reasons from time to time will find helpful information in the following sections; vacation leave, sick leave, FMLA leave, etc. All employees become eligible for unpaid leaves of absence after completing one year of employment. The maximum length of time available for an unpaid leave of absence is one year. However, leaves prior to completing one year of employment and extensions of leave period will be considered on a case-by-case basis. All benefits, including seniority, shall cease or be pro-rated, whichever is appropriate, during an unpaid leave.

Employees who expect to be absent for more than 30 days must submit a request for a leave of absence to their department head as far in advance of the anticipated leave date as practicable. In most cases, a request should be submitted at least 15 days prior to commencing leave. If the absence is due to an emergency, the employee or a member of the immediate family must inform the department head as soon as possible, normally within one to two days.

The County will attempt to hold the employee's position open during the approved, unpaid leave of absence. However, the County retains the right to fill the position should it become necessary, unless otherwise prohibited by law. If that situation arises, the employee on leave will be notified and offered the opportunity to return to work early. If the employee is unable to return, the County will attempt to secure a suitable position for the employee when he or she is available to return to work. Failure to report on the designated date without approval will be grounds for dismissal.

This type of Leave of Absence Form is available in the Attachments section of this handbook.

B. SICK LEAVE

- 1) **PURPOSE** - The purpose of sick leave is to provide a benefit to those eligible County employees who are unable to attend work due to illness, injury or temporary disabilities.

The County, in recognition of the welfare of all employees, understands, acknowledges and agrees that each employee should make every reasonable effort, to accumulate as much of their accrued sick leave hours possible as

insurance for future sick leave occurrences, especially those of a prolonged nature which may be required because of a lengthy convalescent period taken in conjunction with a major surgical operation, injury, illness or disability which are not job-related.

- 2) **CONDITIONS FOR USING SICK LEAVE** - Sick leave will be considered for a non-work-related bona fide illness or injury. Employees will be entitled to utilize earned sick leave for treatment of drug or alcohol addiction, injury, pregnancy, or sickness, which renders an employee incapable of performing his or her required job duties, for medical and dental care, or for exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by the employee's attendance on duty. An employee may take sick leave if a member of his/her immediate family is sick or injured or needs to obtain medical, surgical, dental or optical examinations or treatments. For the purpose of this section immediate family member shall mean spouse, child or parent. At the elected official/department head's discretion, the definition of immediate family member may be broadened (guardian, foster parent, step children, etc.).
- 3) **ACCRUAL** - Full-time employees shall be credited sick pay benefits at a rate of three and eight one-hundredths (3.08) hours per pay period while employed in paid status, not including overtime hours.

Regular part-time employees under Class A and B (part-time employees) shall be credited sick pay benefits in pro-rated proportion against that of a 40-hour/week fulltime employee while employed in paid status, not including overtime hours.

Other employees under Class C & D (part-time employees) shall not accrue sick leave.

- 4) **ACCUMULATIONS** - The sick leave account of each employee shall be balanced to a maximum of six-hundred forty (640) working hours on December 31 of each year. Sick leave may be accumulated in excess of six hundred forty (640) hours during a year, but the excess shall be forfeited when balanced.
- 5) **REQUEST FOR SICK LEAVE** - When possible, sick leave shall be requested in advance. In the case of illness, injury, emergency or any other absence not approved in advance, the employee shall inform the elected official/supervisor of the circumstances as soon as possible.

Sick pay will be paid only for approved absences and for time when the employee would normally be scheduled to work.

- a. **FOR SICK LEAVE APPROVAL, EMPLOYEES MUST DIRECTLY CONTACT THEIR IMMEDIATE SUPERVISOR/ELECTED OFFICIAL.** Employees on sick leave for three (3) consecutive days shall be required to submit a physician's certificate, unless waived by the supervisor/elected official. The cost of the appointment shall be paid by the employee. For a lesser period of absence, the supervisor/elected official may, at their discretion, require evidence of illness from a physician or other substantial

evidence as requested by the supervisor/elected official. Sick leave does not count as hours worked for the purpose of calculating overtime.

- b. Sick leave shall not be used as vacation leave, however, upon written request, vacation pay may be used to compensate during illness when all sick leave has been exhausted.
- c. Holidays that occur during the period an employee takes sick leave will not be counted as sick leave and time will not be deducted from employee's sick leave bank.
- d. Sick leave shall be denied when the elected official/supervisor has facts showing that the employee is abusing sick leave. Abuse of sick leave may be grounds for discipline up to and including dismissal, should the elected official/supervisor have facts showing the abuse.

- 6) **FORFEITING OF SICK LEAVE UPON SEPARATION** - All sick leave expires on the date of separation, except 25 percent of the maximum accrued sick leave amount of 640 hours. This amount will be paid out at the time of retirement, resignation, or death, provided the employee has been employed with the County for five (5) consecutive years. Sick leave pay will be paid at the employee's current hourly wage. The remaining 75 percent of sick leave shall be forfeited upon separation from employment. If the termination is involuntary, 100 percent of accrued sick time will be forfeited.

C. CATASTROPHIC ILLNESS LEAVE DONATION

An employee requesting Catastrophic Illness Leave Donation must complete a Request for Catastrophic Leave Donation form and have their physician complete a Physician/Practitioners Certification form. This information will then be forwarded to the Saline County Board of Commissioners for their consideration. Catastrophic leave will be available only to employees who have exhausted their own paid leave through bona fide serious illness or accident.

NOTE: Catastrophic Leave is not to be confused with the processes relative to the Family Medical Leave Act or the guidelines and/or policies within this manual relative to FMLA. It is likely Catastrophic Leave and FMLA will run concurrently.

Catastrophic illness leave eligibility requires that the employee have an illness or condition that meets the following criteria:

1. Must have worked for the County for twelve (12) months or fifty-two (52) weeks. The twelve (12) months or fifty-two (52) weeks need not have been consecutive
2. Has an illness or injury resulting in a prolonged absence of at least one continuous month during the past six months, or anticipates a prolonged absence of at least one continuous month
3. Produces satisfactory medical verification
4. Has successfully completed their introductory period with Saline County
5. Has exhausted all earned leave time

6. Must not have offered anything of value in exchange for the donation

Catastrophic illness leave benefits are to include and/or be limited to:

1. 60% of the employees hourly or salaried rate and limited to fund availability
2. No more than 30 working days and limited to fund availability

To ensure consistency with the Saline County system in determining whether the illness or condition warrants the use of the Catastrophic Illness Leave Donation Program, the Family Medical Leave Act guidelines, excluding normal pregnancy, birth of a child and/or adoption or foster care, will be followed which include, but are not limited to the following:

1. Inpatient care and subsequent treatment in connection with such care;
2. Continuing treatment by a health care provider, which includes a period of incapacity and any subsequent treatment or period of incapacity relating to the same condition.

Employees making donations must complete and sign, along with the signature of their departmental supervisor, a Donation Form for Catastrophic Illness Leave and send the form to the Saline County Clerk.

The employee's donation will be credited to a holding account established for this purpose using the donor's hourly rate of pay multiplied by the number of hours donated.

Eligibility of Donor:

1. Must not have solicited or accepted anything of value in exchange for the donation.
2. Must have remaining to his/her credit at least eighty (80) hours of accrued sick leave, after donation.

Once a request has been made by an employee for sick leave from the Catastrophic Illness Leave Donation Program, and approved by the county Board of Commissioners, all county employees will be notified of the request at the time of receiving their next paycheck.

Employees may not donate any more than twenty-four (24) hours of their accumulated sick leave within one calendar year.

The Request for Catastrophic Leave Donation Form, Physician's/Practitioner's Certification Form and the Donation Form for Catastrophic Illness Leave Forms are located in the attachments section of this handbook.

D. VACATION LEAVE

Regular full-time and part-time class A & B employees shall earn vacation leave from their starting date but cannot take vacation leave until completion of their introductory period unless approved by the Elected Official/Department Head. Vacation leave must be approved by their supervisor prior to time off. Supervisors (Elected Officials/Department Heads) shall attempt to schedule work production to allow employees to take vacation at the time requested. The needs of the department shall assume precedence in scheduling of vacations. Vacation scheduling shall be based upon efficient operation of particular work production and upon length of service.

In order to encourage the use of vacation time, employees may only accrue a maximum of two-hundred and forty (240) hours of vacation leave time. If the maximum accrual of vacation is reached, there will be no additional accruals of vacation until the employee’s balance drops below the maximum.

Part-time Class A & B employees earn vacation leave in proportion to the time that they work. For example, a part-time employee who works on a half-time basis would earn one-half the vacation earned by a full-time employee with the same length of service.

Regular full-time and part-time class A & B employees begin earning vacation leave on the first day of employment. Employees shall be credited with vacation leave on a pay period basis at the rate of one-twenty-sixth (1/26th) of the total vacation allotted for the year. For the first pay period of employment, a prorated vacation credit will be calculated.

Vacation leave shall be earned with continuous and uninterrupted employment in accordance with the schedule as set forth:

Year 1 – 40 hours	Year 9 – 112 hours
Year 2 – 80 hours	Year 10 – 120 hours
Year 3 – 80 hours	Year 11 – 128 hours
Year 4 – 80 hours	Year 12 – 136 hours
Year 5 – 80 hours	Year 13 – 144 hours
Year 6 – 88 hours	Year 14 – 152 hours
Year 7 – 96 hours	Year 15 + 160 hours
Year 8 – 104 hours	

Holidays and non-work days occurring during vacation leave shall not be charged against vacation leave.

Any employee who voluntarily or involuntarily terminates his or her employment will receive a lump sum payment for their unused accumulated vacation leave prorated to their date of termination. This shall include employees who voluntarily or involuntarily terminate employment during the first year of employment.

Vacation leave shall not accrue for any employee on any suspension, layoff or leave without pay.

All earned vacation leave must be taken before any days are taken without pay.

E. BEREAVEMENT LEAVE

Bereavement leave of twenty-four (24) working hours' maximum with pay will be granted to an employee, by their supervisor, in the case of death in the immediate family for care and bereavement, which may include making arrangements required and/or attending the funeral of the employee's or spouse's immediate family member. "Immediate family" in this case means wife, husband, parents, children, grandparents, grandchildren, brothers, sisters or persons bearing the same relationship to the spouse. The definition of "immediate family" may be broadened (guardian, foster parent, step children, etc.) at the discretion of the department head.

The purpose of bereavement leave is to allow an employee to be absent for a sufficient amount of time to attend and, if required, to make arrangements for the funeral and to handle such other personal matters as may be necessary.

Nothing contained in this section shall be construed or interpreted as automatically granting the maximum bereavement leave authorized above, especially if the employee can attend and/or make appropriate arrangements for the funeral in a lesser amount of time. The time needed by an employee for bereavement leave shall be determined taking into consideration such factors as the employee's relationship to the deceased, the involvement in arranging for the funeral, the date of the funeral in relation to the employee's regularly scheduled days off, and the travel mode and distance to the funeral. Requests for bereavement leave shall be reviewed and must be approved by the employee's supervisor/elected official.

To attend funerals of persons not in the immediate family, vacation time, compensatory time or leave without pay shall be allowed, not to exceed a reasonable length of time. The amount of time granted will be at the discretion of the supervisor/elected official.

In case of unusual circumstances, a short-term leave of absence with pay may be granted in addition to the twenty-four (24) working hours outlined above. This approval must be granted in writing prior to taking such extended leave, by the employee's immediate supervisor or department head.

F. MATERNITY LEAVE

An employee may request maternity leave because of the birth of a child of the employee, or because of an adoption, or newly assigned foster care of a child with the employee. SEE FAMILY MEDICAL LEAVE (FMLA) POLICY FOR PROCEDURES. The employee will likely use any sick and vacation leave accumulated concurrently with the maternity leave under the FMLA Policy.

G. DISABILITY LEAVE

Employees may be granted a leave of absence of up to 12 weeks. SEE FAMILY MEDICAL LEAVE (FMLA) POLICY for purpose, eligibility, provisions, reasons for leave, notice of leave, application for leave, medical certification of leave, benefit coverage during leave,

restoration to employment, return from leave and failure to return from leave policies.

H. OTHER PAID LEAVES

- 1) **MILITARY LEAVE: R.R.S. 55-160 (1)** - All employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve shall be entitled to a military leave of absence from their respective duties. Employees who normally work or are normally scheduled to work one hundred twenty hours (120) or more in three (3) consecutive weeks shall receive a military leave of absence of one hundred twenty hours (120) each calendar year. Employees who normally work or are normally scheduled to work less than one hundred twenty hours (120) in three (3) consecutive weeks shall receive a military leave of absence each calendar year equal to the number of hours they normally work or would normally be scheduled to work, whichever is greater, in three consecutive weeks. Such military leave of absence may be taken in hourly increments and shall be in addition to the regular annual leave. Any remaining leave is unpaid.

- 2) **STATE OF EMERGENCY LEAVE: R.R.S. 55-160(2)** - When the Governor declares that a state of emergency exists, a state of emergency leave of absence will be granted until the employee is released from active service. A military leave of absence shall not be used during a state of emergency declared by the Governor. Employees shall receive his or her normal salary or compensation minus the state active duty base pay he or she received in active service of the state. In addition, employees who: (1) are either the spouse or the parent of an individual who is called to military service lasting 179 days or longer with the state or United States pursuant to the orders of the Governor or the President; (2) have been employed by the County for at least 12 months; and (3) have worked at least 1250 hours in the preceding 12 months are eligible for Nebraska Family Military Leave Act leave. The County will provide eligible employees up to 30 days of unpaid military leave during the time state or federal deployment orders are in effect. Eligible employees must provide at least 14 days' advance notice if they intend to take military leave for 5 or more consecutive work days. In addition, the County may require documentation verifying an employee's eligibility for leave.

- 3) **JURY DUTY** - When an employee is served with a notice to serve as a juror and does so serve, he or she will be excused with pay while actually on order of the court, and may also retain fees paid him or her as a juror. Regular part-time employees receive pay for the hours they normally would have been at work.

The employee should notify his/her department head as soon as notice is received of the dates required for jury duty. The elected official/department head may require the employee to either provide the elected official/department head with a copy of the jury notice or a certificate of service from the court. The elected official/department head shall notify the employee of this requirement before jury service is completed.

Unless prior arrangements have been made with the elected official/department head and the employee is excused early from jury duty, he/she must return to work and complete his/her shift.

- 4) **WITNESS LEAVE** - When an employee is required by the elected official/department head or is subpoenaed to testify in connection with his or her official duties in a matter pending before a court or other administrative tribunal, such time shall be considered hours of work and the employee shall receive expenses for travel and subsistence from the County. Any witness fee received by the employee shall be paid to the county.

Any employee involved in court as a witness in a personal matter, shall be granted leave. The employee may elect to have such time charged to vacation leave or may have a leave of absence without pay.

Any employee attending Court as a party (plaintiff/petitioner or defendant/respondent) to a Court case in a personal matter shall be granted leave. The employee may elect to have such time charged to vacation leave, compensatory leave or may have a leave of absence without pay.

HOLIDAYS

Permanent full-time employees are authorized to receive the following holidays, and others when declared by the County Board, as time off with pay:

HOLIDAY	DATE
New Year’s Day	January 1
Martin Luther King Jr. Day	3 rd Monday in January
President’s Day	3 rd Monday in February
Arbor Day	Last Friday in April
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve*	December 24
Christmas Day	December 25

Holiday Notes:

- When Christmas Eve falls on a weekday, four (4) hours of holiday pay will be granted.
- When a holiday falls on Saturday, the preceding Friday is observed as the paid

- holiday. If a holiday falls on a Sunday, the following Monday will be a paid holiday.
- If the President/Governor declares a holiday, all county employees will receive that day off with pay.

When an employee is absent from work the day immediately preceding or following an observed holiday, on an authorized vacation, sick, compensatory or bereavement leave, he/she is entitled to holiday pay. However, if an employee had been absent without pay on the workday immediately preceding or immediately following the holiday, holiday pay will not be received. If an employee is requested to work on a holiday, he/she will receive premium pay (full holiday pay benefits in addition to regular pay for the hours worked on that holiday).

Class A & B part-time employees, as herein referred, shall be paid a percentage of holiday pay that corresponds to their percentage of working hours on an annual basis. Class A employees shall have a percentage based on regular 25 hours or more but less than 40 hours per week. Class B employees shall have a percentage based on 20 or more but less than 25 hours per week. Class C & D employees shall receive no holiday benefits.

An employee on unpaid leave of absence or layoff is not eligible for holiday pay.

If a holiday falls during an employee's approved unpaid leave of absence, the day will normally count as part of the unpaid leave, unless to do so is prohibited by law.

GENERAL PERSONNEL POLICIES

A. PERFORMANCE EVALUATIONS

Employee work performance will usually be evaluated after completion of their introductory period. Additional evaluations usually occur on an employee's first anniversary date and annually thereafter.

In addition to the regular performance evaluations described above, special performance evaluations may be conducted by supervisors at any time to advise employees of the existence of performance and disciplinary problems.

The report will be discussed with the employee, who shall have the right to add their comments. The signing of the performance evaluation by the employee does not signify the employee's agreement with the content, but only that they have seen the performance evaluation, that it has been discussed with the employee, and that the employee has been given an opportunity to comment. The evaluator should sign and date the performance evaluation. If the employee refuses to sign, the department head and the Human Resource Director shall document the employee's refusal on the employee's performance evaluation form.

Each employee shall receive a copy of his or her performance evaluation and a copy of each performance evaluation shall be included in the employee's personnel file.

Wage adjustments are not automatic and will be based on department head or supervisor's evaluation of employee performance, as well as economic and market conditions.

B. CONFLICTS OF INTEREST/ CODE OF ETHICS

An employee shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in conflict with the proper discharge of their duties in the public interest.

1. An employee is prohibited from using or attempting to use their official position to secure unwarranted privileges or exemptions for themselves or others.
2. Employees shall not give the impression that any person can improperly influence them in the performance of their official duties, or that the kinship, rank, position or influence of any party or person improperly affects them.
3. Employees shall not accept gifts of value or loans from persons doing business with the county which are intended to or which appear to influence the official relationship between the donor and recipient.
4. Employees shall not use public office for private gain.
5. Employees shall protect and preserve county property and shall not use it for other than authorized activities.
6. Employees shall not engage in activities that impair the attendance or efficiency in the performance of his/her county duties.
7. Employees are expected to disclose waste, fraud and corruption to appropriate authorities.
8. Employees shall adhere to all laws and regulations that mandate equal opportunity and treatment regardless of race, color, religion, sex, national origin, age, disability or marital status.

C. OUTSIDE EMPLOYMENT

Employees may be entitled to engage in outside employment, with the prior notification and approval of their departmental head, the elected or appointed official, provided that the duties of the outside employment do not constitute a conflict of interest or conflict with an employee's job performance with the County. Prior to engaging in outside employment, an employee must submit a request to the department head outlining the place of employment, the duties required, and the hours of work.

D. POLITICAL ACTIVITY

No employee shall use his/her official authority or influence to further the cause of any political party, or candidate for nomination or election to public office. In addition, no employee shall use his/her job to distribute or receive political favors.

If an employee wishes to take part in political activities (other than voting) during normal scheduled work hours; he/she must use vacation leave, compensatory leave or leave

without pay to cover his/her period of absence.

All employees have the right of protection from political coercion of any type from any person. Employees may not be interrupted during duty hours by political activities. In addition, no employee is allowed to engage in any political activity while wearing a County uniform.

All employees have the right to vote as they choose and to express their opinions on political subjects and candidates.

E. PERSONNEL RECORDS

The county is responsible for maintaining a personnel file for each employee. These files are confidential and are available only to the employee to whom they pertain, to the department head and to the Human Resource Director.

An employee's personnel file contains important information pertaining to employment history, including but not limited to, oath of office, requests of employment, workers' compensation claims, job classification(s), employee benefits, performance evaluation reports, probationary memos, disciplinary action documents, salary and leave history.

Personnel records are the property of the county and no person, including the person about whom the record is concerned, can take or alter information from the personnel records. Such conduct could result in severe disciplinary or corrective action up to and including termination. Employees shall make an appointment to review their personnel file. Documentation (including performance reports) which reflects unfavorably on an employee or former employee shall not be placed in their personnel file without their knowledge. The employee, prior to it being submitted to his/her personnel file, shall sign any such documentation. If the employee refuses to sign the documentation, the department head and the Human Resource Director shall document the employee's refusal and shall so note on the report and shall then submit it to the employee's personnel file.

Personnel records will be kept in part by the County Clerk (benefits, salary, etc.), the Human Resource Director and the department head who hired the employee (performance evaluations, job classification, leave history, etc.)

Because of Social Security, payroll, insurance, income tax, and other requirements, it is particularly important that employees keep the County informed about any change in the following:

- Name
- Address
- Telephone number
- Marital status
- Number of dependents
- Emergency contact

Any changes to this information should be reported to the County Clerk.

F. NEPOTISM

It is the policy of Saline County to hire the most qualified applicants available for any job openings. A County official or employee can employ, recommend the employment of, or supervise an immediate family member if the official or employee does not abuse his or her official position and makes a full disclosure to the County Board, as well as a written disclosure to the Human Resource Director. The County Board must also approve the employment or supervisory position. In addition, no County official or employee shall employ an immediate family member (a) without first having made a reasonable solicitation and consideration of applications for such employment; (b) who is not qualified for and able to perform the position's duties; (c) for an unreasonably high salary; or (d) who is not required to perform the position's duties. Neither shall a County official or employee terminate the employment of another employee in order to make funds or a position available for an immediate family member. Exceptions to this policy will be allowed only when permitted by applicable Nebraska law.

G. VACANCIES AND PROMOTIONAL

VACANCIES: Job announcements posted onsite and offsite, shall specify the title of the position being announced, the nature of the work to be performed, the experience and training required, the time frame the position is open, place and manner of making application, and other pertinent information related to the position. All such announcements, along with the aforementioned information, shall be provided in advance of publication to the County HR Representative.

PROMOTIONS: The County believes in promoting employees from within when possible. As a result, all employees may be allowed an opportunity to apply for positions in which they are interested and qualified. While most vacancies will be posted on the County's bulletin boards, there may be some cases where the County will determine it is in the County's best interests to seek outside candidates for a position, and outside candidates may be recruited simultaneously with an internal posting.

All applicants for a vacancy to be filled through promotional process must complete a County Application for Employment to be eligible for promotion. Applications must be filed with the appropriate department head or their designated representative on or before the closing date specified in the job announcement.

H. SEPARATION FROM EMPLOYMENT

Employees deciding to resign or retire should submit a written resignation to their department head, stating the reason for resigning and the termination date. The County encourages all employees to submit this written notice at least fourteen (14) calendar days in advance of the final work day in order to provide the County with adequate time to fill

the position. All compensation and fringe benefits accrued up to the resignation date will be paid to the employee as outlined in this handbook. Employees will normally be asked to participate in an exit interview or exit questionnaire so that suggestions for making the County a better place to work can be obtained.

I. RE-EMPLOYMENT

Former employees of the County are not eligible for re-hire without the County Official first consulting with the Human Resources Director.

J. NO SMOKING/NO TOBACCO POLICY

The use of tobacco, or other disruptive methods of nicotine delivery, including smoking, chewing or vaping/e-cigarettes, is not allowed in any buildings or motor vehicles owned/leased by Saline County or on any premises owned/leased by the County, such as the courthouse, law enforcement center, fitness center, extension building, county shops, aging services office and any other county owned facility.

K. REDUCTION IN FORCE

1. Employees may be laid off from any department in the County because of lack of funds or work.
2. No regular employee shall be laid off from his/her job while they are introductory employees working in the same department at the same or lower classification grade for which such affected employee meets the minimum employment qualifications. In determining the order of layoff, department heads shall consider an employee's job performance rather than seniority. Layoffs shall not be considered disciplinary actions.
3. Employees subject to layoff shall be mailed a certified letter or some form of written notification at least ten (10) working days prior to the last effective date of employment. Such notice shall be mailed to their last known address shown on the department head's records. The time limit that is provided in this section might be extended if the affected employee(s) did not have reasonable opportunity to have received the written notice.
4. The names of regular employees who have been laid off shall be placed on a layoff list maintained by the department head and such employees shall have priority for re-employment for a period of sixty (60) days.

L. DISCIPLINE AND DISCHARGE

Employees who are not performing their jobs up to expectation or who break rules or exhibit improper behavior may be subject to discipline. For minor problems, a verbal admonishment may be all that is needed to solve the problem. If there is not significant improvement, or if the action is more serious, the employee could receive a written reprimand, suspension with pay, suspension without pay, or dismissal.

1. **ADMONISHMENT:** an admonishment to an employee may be given either orally or in writing. The admonishment may be documented in writing should the department head deem it necessary. In the event that the admonishment is documented, the employee shall receive a copy and a copy will be submitted to the employee's personnel file. An admonishment is not grievable.
2. **WRITTEN REPRIMAND:** a written reprimand is a documented written correspondence issued by the department head. The reprimand will state the action that caused the reprimand to be issued and what corrective action must be taken by the employee to ensure the violation does not reoccur. The employee will receive a copy of the written reprimand. A copy of the written reprimand, signed by the employee, will become a part of the employee's personnel file. A written reprimand is not grievable.
3. **SUSPENSION WITH PAY:** a department head may suspend any employee with pay, for a period of time, pending the outcome of an investigation of a complaint. The department head shall notify the employee in writing of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure."
4. **SUSPENSION WITHOUT PAY:** a department head may suspend any employee without pay for a period not exceeding sixty (60) calendar days in any twelve (12) month period, however, no single suspension shall be for more than thirty (30) calendar days. The department head shall notify the employee in writing of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure."
5. **DISMISSAL:** a department head may dismiss any employee under his/her jurisdiction by delivering a written statement to the employee concerned. The written communication shall indicate the reasons for the action, any relevant supporting evidence and the date the dismissal is effective. If the department head wishes to make the action immediate, the employee may be placed on leave with pay pending the delivery to the employee of the written communication addressing the dismissal.
 - a) Prior to the dismissal taking effect, the employee shall be provided with an opportunity to present facts and/or explain circumstances that, which he/she feels will refute the charges. An employee who is dismissed has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure".
 - b) To give some idea of what the county considers improper behavior, see the following examples. This is not a complete list and the county reserves the right to investigate, make judgments and take appropriate disciplinary action in each individual incident. The level of severity of any infraction and the disciplinary action to be taken is solely at the discretion of the department head.

Examples of Infractions:

- a. Working under the influence of alcohol or any illicit drug which interferes with expected job performance.

- b. Conviction of a felony.
- c. Misconduct proven to be sexual harassment.
- d. Violation of a safety rule that would endanger a person or county property.
- e. Theft including either county property or another person's property.
- f. Possession, distribution or use of drugs or alcohol on county property.
- g. Falsifying time keeping records with intent to defraud.
- h. Deliberate or willful misrepresentation of county policy.
- i. Willful damage or destruction of county property.
- j. Fighting or attempting bodily injury to another person on county property.
- k. Insubordination or willful refusal to follow an order.
- l. Loafing, loitering, or sleeping during work time.
- m. Failure to report on-the-job injuries.
- n. Abuse of sick leave policy.
- o. Neglect of duty or incompetence.
- p. Improper recording of time worked.
- q. Habitual or excessive tardiness.
- r. Absenteeism determined to be excessive of the department's attendance guidelines.
- s. Work performance, which is below the standards of performance required by the department.
- t. Distribution or posting of written or printed material that is not authorized by management.
- u. Excessive use of county phones (land lines and cell phones), internet, email for personal use.

M. USE OF COUNTY EQUIPMENT AND SERVICES

Saline County provides email, voice mail, internet access, telephone service and computer equipment for use in conducting County business. All such equipment and systems are Saline County's property and should be used primarily for business purposes. They may be used for appropriate personal reasons on an occasional basis only during non-working time, unless otherwise permitted by the department head. Because such property and systems are Saline County's property, the County has the right to monitor the use of such property from time to time. Therefore, no employee should have any expectation of privacy in his/her use of such property or any files, data or information transmitted with, placed or stored on, or otherwise communicated using such equipment and systems.

COMPUTERS - All data entered on Saline County's computers is considered the property of Saline County. No employee should knowingly enter false or misleading information in the computer system or destroy any data that the county needs to conduct its business. A County computer should not be used for personal business, even during non-working time, if a user does not want the County to have access to personal information. Also, unauthorized access to a computer, or computer system, or knowingly destroying a computer, computer system, computer software, or computer program is specifically prohibited. Violators will be prosecuted to the fullest extent allowed by civil or criminal law.

ELECTRONIC MAIL AND VOICEMAIL (including texting and instant messaging) - Electronic and voice mail is to be used primarily for business purposes only. It can be used for appropriate personal reasons only during non-working time. When using email or voice mail for business purposes, employees should be aware that such messages are not entirely confidential. They can be forwarded to others without the original sender's knowledge. Email can be viewed by others who may improperly use a password to breach the security of the system. In addition, disclosure of email messages may be required in lawsuits against Saline County. As a rule of thumb, nothing should be sent by email if the sender would not have put the information in a formal memo or would not like the information to become public knowledge. The use of derogatory, offensive or insulting language in any email or voice mail message is prohibited. Finally, employees are not to access or view email that is not addressed to them or access or listen to voice mail other than their own. Employees violating this policy may be subject to disciplinary action or immediate termination.

USE OF THE INTERNET - Use of the internet over a County or State network is to be limited to business use, except employees may access the internet for appropriate personal reasons during non-working time. Pornographic or other offensive sites cannot be viewed at any time. In addition, Saline County prohibits the downloading or installation of any application software from the internet onto the computers without authorization from the supervisor and the County IT representative. This software could contain embedded viruses or be incompatible with the county's operation. Please realize the County will monitor internet use.

All employees are also prohibited from participating in any non-work-related web-based surveys or subscribing to any services over the internet, unless they have written authorization from their department head.

TELEPHONES - Employees may use the telephones for appropriate personal reasons during non-working time, or so long as it is not excessive, on an "as needed" basis during work time.

CELLULAR PHONES AND SIMILAR DEVICES - Cellular phones, smart phones and similar electronic devices have become a common convenience to many employees. However, such convenience should not interrupt an employees' work. Therefore, except in emergency situations, employees are not to make or receive calls, texts, messages, access the internet or otherwise use their cell phone or devices during working time. Employees are reminded to reserve the use of cell phones during breaks and lunch periods.

In addition, use of a cell phone or other electronic device while driving is dangerous and specifically prohibited while on working time. Employees are also prohibited from using a cell phone at any time while driving a County vehicle, with the exception of authorized law enforcement personnel in accordance with its department policy.

"No person shall use a handheld wireless communication device to read, manually type or send a written communication while operating a motor vehicle which is in motion." Neb. § 60-6,179.01.

COUNTY CREDIT CARDS - County credit cards are to be used only for purchases directly related to county business. Any purchase(s) an employee makes with a County credit card in violation of this policy will result in disciplinary action, up to and possibly including a dismissal from employment.

SOCIAL MEDIA POLICY

To assist employees in making responsible decisions about their social media use, the county has established the following guidelines. This policy applies to all employees who work for Saline County.

GUIDELINES – *Social media* includes all means of communication or posting information or content of any sort on the internet, including an employee’s own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity web site, web bulletin board or chat room, whether or not associated or affiliated with Saline County, as well as any other form of electronic communication.

Ultimately, employees are solely responsible for what they post online. Before creating online content, each should consider some of the risks and rewards that are involved. Employee conduct that adversely affects their job performance, the performance of fellow coworkers and otherwise adversely affects Saline County’s legitimate business interests may result in disciplinary action up to and including termination.

KNOW THE RULES - Carefully read these guidelines, the County’s Harassment Policy and Reporting Procedure and Workplace Violence Prevention policy and ensure all postings are consistent with these policies. Inappropriate posting that may include discriminatory remarks, harassment, threats of violence or other similar inappropriate or unlawful conduct will not be tolerated. Such postings may result in disciplinary action up to and including discharge.

BE RESPECTFUL - Always be fair and courteous to fellow coworkers, customers and people who work on behalf of Saline County. Keep in mind that employees are more likely to resolve work-related complaints by speaking directly with co-workers rather than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on basis of race, sex, disability, religion, age or any other status protected by law.

BE HONEST AND ACCURATE - Employees are to make sure to always be honest and accurate when posting information or news, and if mistakes are made, corrections should be quick. Be open about any previous posts having been altered. The internet archives almost everything. Therefore, even deleted posts can be searched.

POST ONLY APPROPRIATE AND RESPECTFUL CONTENT

- a) Express only personal opinions. Most employees are not spokespersons for Saline County. If Saline County is subject to the content being created, employees are to be clear and open about the fact that they are a County employee and to make clear that their views do not represent those of the County. If publishing a blog or post online related to the work an employee does or subjects associated with the employment with the County, it should be made clear they are not speaking on behalf of the County. It is best to include a disclaimer such as *“The postings on this site are my own and do not necessarily reflect the views of Saline County.”*
- b) Employees shall not divulge confidential County information. Examples of confidential information may include information related to pending criminal investigations in the Sheriff’s Department and potential prosecution by the County Attorney’s Office, etc.

USE OF SOCIAL NETWORKING WEBSITES ON COUNTY EQUIPMENT, OR DURING WORK HOURS

Employees are prohibited from using or accessing social media networking sites on county equipment for personal use. Employees are also prohibited from using their personal equipment for social networking during working hours. Working hours are defined as an employee’s scheduled shift, but exclude lunch and other break times. The County reserves the right to monitor employees’ website history on County equipment to determine whether employees are complying with this policy.

GRIEVANCE PROCEDURE

The county has adopted procedures designed to provide a just and equitable method for the resolution of grievances without discrimination, coercion or reprisal against an employee who may submit or be involved in a grievance.

A grievance is defined as any dispute concerning corrective action or written policy/procedure interpretation or application between an employee and the County. The grievance procedure shall not be used to change, but rather to clarify expressed provisions of county and/or department policies and procedures. An appeal of a corrective action (suspension or discharge only) starts at Step 3 of this procedure. If the grievance is a report of unlawful harassment or retaliation for reporting or supporting a claim of harassment, the employee must follow the reporting procedure in the Harassment in Employment policy instead of this grievance procedure.

The County will use a Grievance Board consisting of five (5) individuals. The County Attorney will serve as Chairperson, and said Chairperson’s name and contact information shall be kept on file in the Office of the County Clerk. Each party involved shall choose two Grievance Board members, by way of random drawing, from the following members:

- A. The Deputy Assessor

- B. The Deputy Clerk of the District Court
- C. The Deputy County Clerk
- D. The Assistant Highway Superintendent
- E. The Deputy County Treasurer
- F. The Weed Superintendent

The employee shall draw a name first, the department head shall draw a name second, the employee shall draw a name third, and the department head shall draw a name fourth.

If the grievance involves any of the afore listed members, they are to be eliminated from inclusion in the random draw. If the County Attorney, the fifth member of the Grievance Board, is involved in the grievance, he/she too shall be eliminated from participation and an attorney practicing law in the County, to be selected by the Board of County Commissioners, will sit as the fifth member.

STEP 1: Employees who feel the county has violated a written policy(ies) or procedure(s) may request to meet with their immediate supervisor within five (5) working days from the date that the alleged violation took place. The immediate supervisor shall review the employee's concerns and advise the employee, in writing, of his/her decision regarding the grievance, normally within five (5) working days of the receipt of the grievance. If the employee is not satisfied with the immediate supervisor's response, the employee may appeal the grievance to the department head in writing within five (5) working days from the date of the immediate supervisor's response.

STEP 2: In submitting the grievance to the department head, the grievance must be in writing and contain the following information:

- a. Name of person filing the grievance.
- b. Details of the alleged grievance.
- c. Names of persons violating County policy.
- d. Dates and alleged violation.
- e. Names of witnesses.
- f. Citation of the county policy(ies)/procedure(s) that have allegedly been violated.
- g. Requested remedy.

The department head may meet with the employee to discuss the grievance but must respond to the grievance, in writing, normally within ten (10) working days from the date of receipt of the grievance. If the employee is not satisfied with the department head's response, the employee may request a review of this decision by the Grievance Board.

STEP 3: Employees shall submit a written request to the Chairperson of the Grievance Board, indicating their desire to appeal the decision of the department head within five (5) working days of receipt of the department head's response. This written request must include all information as indicated in Step 2 and, in addition, the written response of the department head. The Grievance Board shall conduct a hearing concerning the grievance within ten (10) working days from the receipt of the appeal. The hearing shall be conducted under the rules adopted by the Board. The Board's decision is final.

USE OF COUNTY VEHICLES

The following rules and regulations govern the general operation of all county vehicles. Each department has specific guidelines for the use of vehicles assigned to that department. Employees shall comply with both the general rules and the departmental rules when operating any County owned vehicles.

1. An employee must have the appropriate valid driver's license for the vehicle or equipment to be operated and must be in compliance with any restrictions listed on the license in order to operate any County vehicle or equipment.
2. An employee who drives a county vehicle, even on an occasional basis, must notify their department head immediately if their driver's license is suspended or in any other way restricted.
3. County vehicles may not be operated at work or taken home by an employee without prior authorization of the employee's department head.
4. County vehicles shall be used for County business only and not for any personal use or gain.
5. During the time the vehicle is under the employee's control, it shall be the responsibility of the employee to operate the vehicle safely, comply with all traffic and parking rules and regulations and to secure the vehicle when leaving it unattended.
6. An employee must call for a local law enforcement agency to come to the scene of any work-related vehicular accident immediately, even if there is no apparent damage. Every accident shall also be immediately reported to the employee's supervisor.
7. An employee may be held personally responsible for damage to a County vehicle if an investigation discloses negligence, carelessness or misuse.
8. It is the responsibility of the employee to wear seat belts while operating and/or riding in County vehicles.
9. Employees shall not transport non-work-related passengers in County vehicles at any time without prior approval from their department head.
10. Employees shall not attempt to make any mechanical repairs to the vehicle unless properly authorized by the employee's department head or unless assigned to such duties.
11. Employees shall immediately report to their department head any hazardous or unsafe condition of the vehicle, which may result in injury to themselves or others.
12. Employees shall keep all county vehicles free of objects that might lodge under the brake pedal or interfere with safe operation of the vehicle.
13. It is the responsibility of the employee operating a County vehicle or equipment to ensure that all supplies, equipment, machines and vehicles being hauled or transported are properly secured to the transporting vehicle or trailer.
14. No employee shall use vehicles or equipment that has been tagged unsafe to use until such tag has been removed by order of a representative of the department.
15. An employee who drives a County vehicle must be fully-insurable under the County's motor vehicle and other insurance policies.
16. The County may obtain a driving record for an employee who drives a County vehicle, and the employee must provide written consent to obtain the record if necessary.

BAD WEATHER POLICY

It is the policy of the County to keep the County Offices open to the public, even in bad weather. The Courthouse shall be open from 8:00 a.m. to 5:00 p.m. In the event of bad weather and the closing of County Offices by the Saline County Board of Commissioners and/or Highway Superintendent, each employee will be notified by their department head/elected official. When the Courthouse is closed for bad weather, the public will be notified through notice by local radio and/or TV stations, over the county wide Alert Sense system, and the NOAA weather radio system.

If the County Offices are closed, all employees that reported or were scheduled to work, or scheduled a vacation, sick leave, or compensatory time, will be granted their pay for the time the Courthouse is closed without charging their vacation, sick leave or compensatory time.

If the County Offices are open and an employee is unable to be present at work due to bad weather, he/she shall have the day deducted from vacation leave. If the employee has accumulated sufficient compensatory leave time, he/she may use it for bad weather instead of taking a reduction in vacation leave. If an employee's vacation and compensatory time have been exhausted, then a pay reduction will be imposed.

In the event that a non-exempt employee does not arrive at the normal starting time, a pro-rated amount shall be deducted as set out above.

FAMILY AND MEDICAL LEAVE POLICY (FMLA)

The federal Family and Medical Leave Act (FMLA) provides job protected leave and benefits coverage entitlements to employees who meet FMLA eligibility requirements. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

1. **General Provisions** - Under this policy, Saline County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

The provisions of this policy shall not supersede any state or local law that provides greater employee leave benefits and rights than are offered in this policy.

It is noted that the County's Personnel Manual and/or any Collective Bargaining Agreement already contain leave (both paid and unpaid) provisions that are in substantial compliance with the FMLA. Therefore, leave qualifying as FMLA leave will run concurrently with leave provisions available to employees under the Personnel Manual and/or Collective Bargaining Agreements.

2. **Eligibility** - To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- a. The employee must have worked for the County for twelve (12) months or 52 weeks. The twelve (12) months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- b. The employee must have worked at least 1,250 hours during the twelve (12) month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours' eligibility test for an employee under FMLA.

Employees applying for and granted FMLA leave are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in the denial or revocation of FMLA leave.

Leave qualifying as FMLA leave may either be requested by the employee subject to the rules as outlined in this policy or will be designated as FMLA leave by the County concurrent with other leave provisions provided by policy or contract.

3. **Types of Leave Coverage** - To qualify, or to be identified as qualifying, for FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- a. The birth of a child and in order to care for that child.
- b. The placement of a child with the employee for adoption or foster care and to care for the newly placed child.
- c. To care for a spouse, child or parent with a serious health condition (described below).
- d. A serious health condition (described below) of the employee. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- i. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
 - ii. A period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities requiring two (2) visits to a health care provider with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within thirty (30) days of the incapacity; or
 - iii. Any period of incapacity due to pregnancy, or for prenatal care; or
 - iv. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.) requiring periodic health care visits for treatment (such visits must take place at least twice a year); or
 - v. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or
 - vi. Any absences to receive multiple treatments (including any period of recovery) by, or on referral by, a health care provider for a condition that likely would result in an incapacity of more than three (3) consecutive days if left untreated (e.g., dialysis, chemotherapy, physical therapy, etc.).
- e. If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.
- f. Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment; b) military events and activities; c) child care and school activities; d) financial and legal arrangements; e) counseling; f) rest and recuperation; g) post-deployment activities and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's

twelve (12) week maximum of FMLA leave in a twelve (12) month period.

- g. Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member. This leave may extend up to 26 weeks in a single twelve (12) month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

- 4. **Amount of Leave** - An eligible employee can take up to twelve (12) weeks for the FMLA circumstances (1) through (5) above under this policy during a twelve (12) month period. The County will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the last twelve (12) months and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single twelve (12) month period. For this military caregiver leave, the County will measure the twelve (12) month period as a rolling twelve (12) month period measured forward. FMLA leave already taken for other FMLA circumstances within the previous twelve (12) month period from this military caregiver notification, will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of twelve (12) weeks of leave. If a husband and wife both work for the County and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

- 5. **Employee Status and Benefits During Leave** - While an employee is on leave, the County will continue the employee's health and life insurance benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

Under current County policy, the employee pays a portion of the health care

premium. While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Clerk's office by the 10th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The County will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or other insurance plan, the employer will continue making payroll deductions while the employee is on paid leave. While on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums. The payment must be received either in person or by mail in the Clerk's office by the 10th day of each month. If the employee does not continue these payments, the County will discontinue coverage during the leave.

- 6. Employee Status after Leave** - An employee who takes leave under this policy may be asked to provide a doctor's clearance release form from the health care provider. This requirement will be included in the County's response to an employee FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

If an employee would have been laid off had they not been on FMLA leave, any right to reinstatement would be whatever it would have been had they not been on leave of absence when the layoff occurred.

- 7. Use of Paid and Unpaid Leave** - An employee must use all paid vacation and sick leave prior to being eligible for unpaid leave. The leave will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employee needs to use leave due to a serious health condition and has 40 hours of sick leave and 80 hours' vacation leave, the time will be designated as FMLA leave by the County and the twelve (12) week leave period will be covered as follows: 1 week (40 hours) sick leave; 2 weeks (80 hours) vacation leave; nine (9) weeks unpaid temporary disability leave. Employees have the option of taking accrued compensatory time in lieu of FMLA leave. If compensatory time is used in lieu of FMLA leave, it will not count against the employees' FMLA entitlement.

An employee who is taking leave for the adoption or foster care of a child must use all paid vacation leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation or sick leave (as long as the reason for the absence is covered by the County's sick leave policy) prior to being eligible for unpaid leave.

- 8. Intermittent Leave or a Reduced Work Schedule** - The employee may take

FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or 26 workweeks to care for an injured or ill service member over a twelve (12) month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

9. **Employee Procedure for Requesting FMLA Leave** - All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to their supervisor. When the need for the leave is foreseeable, the employee must provide the employer with at least thirty (30) days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five (5) business days after the employee has provided this notice, the supervisor will complete and provide the employee with documentation outlining the Employee Rights and also a Notice of Eligibility and Rights and Responsibilities Form (FMLA Form WH-381 or the County provided alternate.) of which will be stated the notice of eligibility or a notice of denial.

Provided the request for leave is approved as FMLA qualifying, the employee may be provided a Designation Notice (FMLA Form WH-382 or the County provided alternate.) stating the same.

10. **Employer Procedure for Identification and Notification of FMLA Leave** - The County and all supervisors who have identified, verbally or in regard to any of the FMLA eligibility and qualifying reasons listed above, must provide verbal or written notice of the need to document the leave as FMLA qualifying. This notification will be included in both the Employee Rights documentation, as well as the employer provided Notice of Eligibility and Rights and Responsibilities Form (FMLA Form WH-381 or the County's provided alternate.) of which will be stated the notice of eligibility. When the need for the leave is foreseeable, the employer must provide the employee with this notice soon after the realization of the qualifying event is presented. When the employer/supervisor becomes aware of a need for FMLA leave, and was not foreseeable, the employer must provide notice of the need to document the leave as FMLA qualifying upon the next available business day, or as soon as practical. The employer/supervisor must also see that compliance with the County's usual and customary notice and procedural

requirements for requesting/authorizing leave is observed, absent unusual circumstances.

Provided the realization that leave is FMLA qualifying, the employer/supervisor will provide the employee with a Designation Notice (FMLA Form WH-382 or the County provided alternate.) stating the same.

11. **Certification for the Employee's Serious Health Condition** - The County may require certification for the employee's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Certification of Health Care Provider for Employee's Serious Health Condition (FMLA Form WC-380-E or the County provided alternate.).
12. **Certification for the Family Member's Serious Health Condition** - The County will require certification for the family member's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA Form WH-380-F or the County provided alternate.).
13. **Certification of Qualifying Exigency for Military Family Leave** - The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Certification of Qualifying Exigency for Military Family Leave (FMLA Form WH-384 or the County provided alternate.).
14. **Certification for Serious Injury/Illness of Service member for Military Family Leave** - The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Certification for Serious Injury or Illness of Covered Service member (FMLA Form WH-385 or the County provided alternate.).
15. **Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave** - The County will require certification for the serious injury or illness of the covered service member when an employee requires leave to care for a serious injury or illness of a covered veteran. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Certification for Serious Injury or Illness of Covered Service member (FMLA Form WH-385-V or the County

provided alternate.).

16. **Recertification** - The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six (6) weeks in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.
17. **Intent to Return to Work from FMLA Leave** - On a basis that does not discriminate against employees on FMLA leave; the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

An employee must complete a "Notice of Intention to Return from Family or Medical Leave" before he/she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's supervisor at least five (5) working days prior to the employee's planned return.

18. **Failure to Return from Leave** - The failure of an employee to return to work upon the expiration of a family or medical leave of absence will be considered a resignation unless an extension is granted. An employee who requests an extension of family leave or medical leave due to the continuation, recurrence or onset of his/her own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's immediate supervisor setting forth the reason(s) for the extension, along with a current "Medical Certification Statement". This written request should be made as soon as the employee realizes that she/he will not be able to return at the expiration of the leave period. Under no circumstance will an extension beyond the 12-week period be authorized pursuant to the Family and Medical Leave Act and Saline County's policy as outlined herein.

NOTE: An employee will not be asked to provide more information than allowed under the FMLA regulations, 29 C.F.R. § 825.306-825.308.

NOTE: Additional information for both employer and employee pertaining to the Family Medical Leave Act can be obtained online at the following locations:

- <https://www.dol.gov/whd/fmla/employeeeguide.pdf>
- <https://www.dol.gov/whd/forms/WH1513.pdf>

WORKPLACE VIOLENCE PREVENTION

The County will not tolerate any form of violence in the workplace. The County considers violence to include such things as physically harming, shoving, pushing, harassing, intimidating, or coercing another person. In addition, threatening, talking, or joking about violence is considered violence as well.

In an effort to provide a safe workplace and prevent violence, the County specifically prohibits employees who are not in law enforcement from possessing or carrying any weapons, including weapons transported in employee vehicles, while on the County's property or while performing work as a County employee. For purposes of this policy, weapons include guns, knives, explosives, and other potential weapons.

In addition, access to all County property and work sites is limited to only those persons with a legitimate business interest.

If an employee believes a co-worker may become violent or has seen a violation of this policy, it must immediately be reported to their supervisor or other management official with whom they feel comfortable. Supervisors must take these reports seriously and either address them and/or report them to another authority. All reports will be investigated and information will be kept confidential to the extent possible.

When such acts are reported, the county will immediately investigate and take appropriate corrective actions. Any investigation will be confidential and will respect the rights and dignity of all parties. The investigating team shall consist of at least the following:

1. The County Attorney or an employee delegated by him or her
2. A law enforcement officer or a deputy delegated by him or her
3. The employee's supervising county official
4. One commissioner
5. The County Human Resource Director

If the County Attorney is the complainant or the accused, an attorney should be retained by the county for the investigation process. If the employee's supervising county official or the county Human Resource Director is the complainant or the accused, either will be removed from the investigating team.

The investigation will be conducted quickly, thoroughly and confidentially. Every aspect shall be made to protect the rights of the accuser as well as those of the accused. The following procedures will be followed in investigating a report of violence:

- a) The investigation will begin the day the act is reported, or as soon thereafter as practicable;
- b) The employee will submit the report in writing;
- c) The complainant will be interviewed, in private, by the investigating team. The interview will be documented and reviewed by the complainant at the end of the interview or as soon as practicable thereafter;
- d) The alleged perpetrator will be interviewed in a private area by the investigating team. The interview will be documented and reviewed by the complainant at the end of the interview or as soon as practicable thereafter;

- e) Witnesses or others with relevant information will be interviewed by the investigating team. The interview will be documented and reviewed by the complainant at the end of the interview or as soon as practicable thereafter.

Upon completion of the investigation, the investigating team will determine if the report is substantiated or unsubstantiated;

- a) **Substantiated Report:** Action will be taken as directed by the County Attorney. In the case where the perpetrator is a county employee, disciplinary action in addition to any action recommended by the attorney may be taken;
- b) **Unsubstantiated Report or Inconclusive Report:** If it is determined the report is unsubstantiated or if the team is unable to conclude if the alleged act did or did not occur, both parties will be informed of the findings;
- c) Whether substantiated or unsubstantiated, the team will meet with both parties and notify them of the results of the investigation and the actions being taken;

An investigation report will be prepared summarizing the interviews, conclusions and action taken, if any. This report with all relevant notes, interviews, statements and copies of relative documents will be maintained in a confidential file in the County Attorney's office. If the County Attorney is either the complainant or the accused, the file will be maintained by the County Clerk, the Human Resource Director or other elected official as determined by the investigating team.

TERMS AND DEFINITIONS

ABANDONMENT OF POSITION - any employee who is absent from duty for three (3) consecutive workdays without proper notification to and authorization from the department head, shall be deemed to have resigned.

ANNIVERSARY DATE - the date an employee begins his/her most recent employment with Saline County. An anniversary date will be adjusted to exclude breaks in service such as suspensions and leaves of absences without pay.

APPLICANT - a person who has filed an application for employment with the County.

APPOINTING AUTHORITY - County officials who have the final authority to appoint an individual to a position in the County service.

CHILD - A biological, adopted or foster child, a step child, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child must be under 18 of age or 18 years of age and older if incapable of self-care because of a mental or physical disability.

COMPENSATORY TIME - time off from regularly scheduled work time in lieu of overtime pay.

COUNTY/SALINE COUNTY - Saline County, NE; a political and administrative division of the state of Nebraska, providing certain local governmental services.

COUNTY BOARD - Saline County Board of Commissioners

DEMOTION - the movement of an employee from one class to another class with a lower pay grade or lower maximum rate of pay.

DEPARTMENT HEAD - elected official or appointed official/supervisor who is directly responsible for the administration of a county department or office.

DISCIPLINARY ACTION - the action taken to discipline an employee, which may include any action from a verbal admonishment up to and including discharge.

DISMISSAL - the involuntary termination of employment for reasons other than lack of funds or work.

ELECTED OFFICIAL - Assessor, Clerk of the District Court, County Attorney, County Board, County Clerk, Sheriff, Surveyor and Treasurer.

EMPLOYER - Saline County, Nebraska, acting through its Board, or other persons designated by the Board to act on its behalf.

EXEMPT POSITION - a position which is not required by the Fair Labor Standards Act to be paid overtime for hours worked over the standard work period.

FULL TIME REGULAR EMPLOYEE - An employee who is regularly scheduled to work 40 hours per week or more.

GRIEVANCE - an employee or employee's report regarding alleged unjust application of discipline or unfair application, interpretation or violation of the rules and regulations of the County or the department for whom the employee works.

INTERMITTENT EMPLOYEE - an individual who is hired on an irregular or occasional basis and paid only for actual hours worked. Class C category.

INTRODUCTORY PERIOD - a working test period, during which the employee is required to demonstrate ability to satisfactorily perform assigned duties and responsibilities.

LAYOFF - the involuntary separation of an employee because of lack of work, lack of funds, or the abolishment of a position.

LEAVE - an authorized absence from regularly scheduled work hours, which has been approved by proper authority.

NEW POSITION - a position officially added to the department's table of organization that did not previously exist.

NON-EXEMPT POSITION - a position which is eligible, according to the Fair Labor Standards Act, to receive overtime pay for hours worked over the standard work period of forty (40) hours per week.

OVERTIME - work performed by eligible employees in excess of 40 hours of work and which a department head has approved.

PARENT - an employee's biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a child. This term does not include parents "in law".

PART-TIME REGULAR EMPLOYEE - an employee who is regularly or temporarily scheduled to work at least 50 hours per pay period and less than 80 hours per pay period and whose hourly rate of pay and term of employment is determined by the department head/county official. This is class A category. An employee who is regularly or temporarily scheduled to work at least 40 hours per pay period and less than 50 hours per pay period and whose hourly rate of pay and term of employment is determined by the department head/county official. Class B category.

PAY PERIOD - consists of fourteen (14) day period commencing at 12:01 a.m. Saturday and ending at midnight on Friday.

POSITION - a group of duties, tasks or responsibilities assigned by the department head to be performed by an employee.

PREMIUM PAY - commonly referred to as "double time", is pay for non-overtime hours of work that non-exempt employees are required to work on a holiday. For each hour of work required to perform on a holiday, employees will earn holiday 'premium pay' which is added at an equal rate to their basic rate of pay.

PROBATION - a period of time when an employee, who has been employed by Saline County, is placed on probation because of violation of duties.

PROMOTION - the movement of an employee from a position of one class to a position of another class having a higher maximum salary rate.

PUBLIC RECORDS - those records which a governmental unit is required by law to keep or which it is necessary to keep in discharge of duties imposed by law.

REGULAR EMPLOYEE - a person who is hired to work for an indefinite period of time and who has successfully completed his/her introductory period.

SEASONAL EMPLOYEE - an employee who is hired for a specific short-term period of time only. Such hiring occurs when there is a special demand for personnel due to increased activity within a department at a certain time of the year. Class D category.

SENIORITY - an employee's length of continuous service with Saline County from

his/her most recent date of hire.

SEPARATION - the removal of an employee from the payroll for either voluntary or involuntary reasons.

STANDARD WORK WEEK - the normal working days and hours of attendance for an employee with a department. Normally, this is a forty (40) hour workweek, Monday through Friday, 8 hours a day.

SUPERVISOR - an employee having the authority in the interest of the county, to responsibly direct the work efforts of other employees, evaluation of their performance, and recommend actions, such as transfer, promotion, discipline and termination.

TEMPORARY EMPLOYEE - an employee who is hired for a specific short-term period of time only. Class D category.

VACANCY - a duly created position which is not occupied and for which funds have been provided.

WRITTEN REPRIMAND - a formal written notice to an employee informing him/her of a specific manner in which his/her conduct or work performance does not meet prescribed standards

One Final Word

This handbook has been prepared and distributed to employees of Saline County to help them understand the County and its policies. The County expects to follow and enforce these policies as closely as possible, knowing, in some instances, that interpretations will be required which will be made by the County in its sole discretion.

It should also be recognized that changes will be required in this handbook from time to time. The County reserves the right to make changes as it considers appropriate.

-----END-----

**JOINT RESOLUTION
AND
AGREEMENT**

WHEREAS, county employees are directly responsible to an individual department head or the County Board;

WHEREAS, department heads in working with their employees may tend to develop different employment practices and policies than used by other offices; and

WHEREAS, different practices and policies can result in disharmony among the body of county employees;

WHEREAS, county officials – elected or appointed are equally responsible to maintain harmony with respect to these same policies;

THEREFORE, the undersigned department heads of Saline County do hereby adopt a joint personnel handbook, which provides employment practices and policies common to all offices and departments of the undersigned.

For January 1, 2019 Adoption and signed this 27th day of November, 2018.

County Board of Commissioners:

Marvin A. Kohout
Marvin A. Kohout – District 3

Willis D. Luedke
Willis D. Luedke – District 2

Stephanie Krivohlavek
Stephanie Krivohlavek – District 1

Russ Karpisek
Russ Karpisek – District 4

Janet J. Henning
Janet J. Henning – District 5

County Department Heads:

[Signature]
County Sheriff

Nekkie Spaniers
County Treasurer

Bonnie H. Feltz
County Highway Superintendent

[Signature]
County Emergency Manager

[Signature]
County Veterans Service Officer

[Signature]
Counthouse Maintenance Supervisor

[Signature]
Clerk of District Court

[Signature]
County Weed Superintendent

Brandi Kelly
County Assessor

[Signature]
Aging Services Director

[Signature]
County Attorney

[Signature]
County Zoning Administrator

[Signature]
County Clerk

[Signature]
County Extension Educator

[Signature]
County Human Resource Representative