

**ORDINANCE # 04-06**

**AN ORDINANCE RELATED TO THE AMENDMENT OF CHAPTER 3 OF  
THE ADMINISTRATIVE CODE FOR SCOTT COUNTY  
ORDINANCE #94-011 ADOPTED 26 SEPTEMBER, 1994,  
AND AMENDED BY ORDINANCE #94-013 ADOPTED 7 NOVEMBER, 1994  
KNOWN AS "PERSONNEL POLICIES AND PROCEDURES"**

**WHEREAS**, the Scott Fiscal Court has adopted a County Administrative Code which includes, but is not limited to, procedures and designations of responsibility for Personnel Administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the county affirmative action program, by Ordinance #94-011 and 94-013; and

**WHEREAS**, the Fiscal Court has recommended the adoption of this amendment to the Administrative Code, and more specifically, Chapter 3, entitled "Personnel Policies and Procedures."

**NOW, THEREFORE, BE IT ORDAINED BY THE SCOTT COUNTY FISCAL COURT, AS FOLLOWS:**

CHAPTER 3: PERSONNEL POLICIES AND PROCEDURES

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**PERSONNEL POLICIES AND PROCEDURES\***

8 3.1 Statement of Purpose

The Scott County Fiscal Court recognizes that a personnel system which is designed to ensure the recruitment and retention of a competent, productive work force is essential to both effective and efficient local government. These personnel policies and procedures have been

developed in order to achieve optimum efficiency, economy and equity in the pursuit of the county's goals and the utilization of its human resources.

A. Scope of Coverage

1. The following officers and employees are explicitly exempted from coverage, unless otherwise specified:
  - a. All elected officials;
  - b. All members of Boards or Commissions;
  - c. County Engineer;
  - d. Consultants, advisors and counsel rendering temporary services.
  - e. Independent contractors;
  - f. Temporary, seasonal or on-call employees occupying non-established positions\*\*; and
  - g. Members of volunteer organizations.
2. All employees not explicitly exempted from coverage of these personnel policies and procedures shall be subject to its provisions unless indicated otherwise in the contents of these personnel policies and procedures.
3. Individual sections of these personnel policies and procedures may apply to personnel defined in Section 1 above, provided the provision is specifically stated in the section.

\* Information included in these personnel policies and procedures, classification plan, and compensation plan is not intended to represent a contract between any employee and the county, and may be changed by the Fiscal Court without notice. The term "established position" indicates the positions in each class created by ordinance. The classes and/or number of positions in each may be changed by the Fiscal Court without notice, and employees occupying the positions may be affected by such changes.

\*\* Established positions are defined as those positions, either full-time or part-time, established by ordinance of the Fiscal Court.

B. Equal Employment Opportunity:

The County provides equal employment opportunity to all employees and applicants for employment regardless of their race, color, sex, religion, age, national origin, political affiliation, disabling condition, or service in the uniformed services, in accordance with applicable law. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

C. Administrative Responsibilities:

These personnel policies and procedures shall be administered by the County

Judge/Executive, who shall serve as Personnel Officer. The County Judge/Executive may delegate the authority for personnel matters; provided that 3 such delegation is accomplished by Executive Order, references to Personnel officer throughout this document shall mean either the County Judge/Executive, or the Administrative Assistant/Deputy Judge on behalf of the County Judge/Executive. Following the assignment of personnel responsibilities, the Administrative Assistant/Deputy Judge shall have the authority to carry out the duties and responsibilities required within this document, including the implementation and administration of these policies and procedures.

1. These policies and procedures are intended to cover most personnel problems, actions and issues which may arise. Those not specifically covered shall be interpreted by the County Judge/Executive; such interpretation shall be in concert with the spirit and letter of these policies and procedures. In addition, the County Judge/Executive may write administrative memoranda to interpret or clarify existing policies; these memoranda shall have the force of policy, and shall be filed with the personnel policies.

4. In addition to the duties set forth in these policies and procedure, the Personnel officer shall:

- a. Administer the provisions of these policies and

- (1) It shall be the duty of the Personnel Officer to insure that the policies and procedures reflect all subsequent amendments or additions made by the Fiscal Court. Changes to these policies and procedures shall be made in the following manner:

- (a) A list will be kept of all county personnel having a copy of these policies and procedures;

- (b) Immediately upon official amendment or addition, the change or change(s) shall be written in a manner and format consistent with these personnel policies and procedures;

- (c) The effective date of the change shall be noted after the word "changed" in the lower left corner of each replacement page or addition; and

- (d) A memorandum explaining the change(s) with the change(s) or addition(s) attached shall be distributed to all personnel assigned custody of a copy of the personnel policies and procedures.

- b. Maintain current personnel records for each employee:

- (1) The official employee records shall be located and maintained in the office of the County Judge/Executive. All requests for information shall be forwarded to the County Judge/Executive, who shall authorize the release of information from personnel files.

- (2) In the event that a department maintains a separate employee folder, the department shall not consider the departmental folder

for disciplinary purposes and shall not use the folder for giving information if requested, but may provide the information to the County Judge/Executive.

(3) Personnel records shall be retained in accordance with the retention schedule established by the State Archives and Records Commission.

### 8 3.2 Employment Process

#### A. Procedures for Filling Vacancies:

1. The procedures for filling vacancies in established positions, including newly-established positions, shall be set as follows:

a. a. Policy:

(1) Vacancies in higher positions may be filled as far as practical by promotion from lower classes. To accomplish this, closed competition may be held when the County Judge/Executive determines there is 5 sufficient number of qualified current employees applying for the position. However, the county may go outside the county service to fill vacant positions.

(2) Appointment to an established position with the county shall be made only after the County Judge/Executive has determined that the person being considered meets all qualifications prescribed in the class specification for the class in which the appointment will be made.

(3) This policy shall apply to current employees who request a transfer or promotion to a vacant position as well as new applicants for employment or re-employment.

b. Announcement of vacant positions:

(1) When a vacancy occurs within the county service. current employees shall be notified of the vacancy by posting written notices in the county building and on official bulletin boards throughout the county. Notices shall include position title, salary, summary of duties, position qualifications, and the time limit for applying. Employees who wish to apply for the position must present a written statement of interest to the Personnel officer, thus indicating the employee's interest in the vacant position. The County Judge/Executive may fill the vacancy by either promoting current employees or employing a person from outside the service.

(2) When filling vacancies from outside the county services:

(a) The county's open application policy allows persons interested in employment with the county to complete an Employment Application Form at any time, regardless of whether or not vacancies exist. The applicant must indicate the position(s) applied for and the Employment Application Form will be considered active for a period of six months.

(b) All vacancies to be filled by someone from outside the county service may be advertised minimally in the county newspaper of record. Advertisements shall include such information as where to apply, deadlines for application, compensation for the position, summary of duties of the position, and position qualifications. All written announcements of vacant positions shall contain the

following statement: "An Equal Opportunity Employer."

(c) The County Judge/Executive shall consider all completed application forms from all persons who meet the minimum qualifications for the position when making appointment decisions.

c. Application for position:

(1) Employment Application Forms supplied by the county and completed by applicants shall include information about the applicant's training and experience, and such additional information as required to effectively evaluate the applicant's ability to perform the duties required by the position.

(2) No person may be appointed to a position unless verified information on an official Employment Application Form indicates that the person meets the qualifications for the position as set forth in the class specification.

(3) All Employment Application Forms must be signed and dated by the applicant.

d. Certification of eligibility for position:

(1) In order to be considered eligible for the vacant position, candidates must meet the necessary and desirable requirements of the position, including, but not limited to, knowledge, skills, abilities, education, and training. Applicants may be required to submit proof of education, training and other documentation as deemed necessary.

(2) The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following.

(a) Information the applicant supplies on the official Employment Application Form;

(b) Written, performance or physical tests or examination, substance abuse, or any additional test which may be required;

(c) Psychological evaluation;

(d) Personal interview;

(e) Information and evaluations supplied by references given by the applicant;

(f) Other information as determined by County Judge/Executive.

2. When it is determined to be necessary in the discretion of the County Judge/Executive, a more extensive background investigation may be conducted prior to actual appointment of the applicant.

3. Provided an offer of employment has been made, applicants may be required to pass a job-related physical examination by a medical professional of the county's choice as a condition of employment.

4. After appointment of a candidate to a position, the County Judge/Executive may create an eligibility list of the remaining top candidates. The county needs to fill the same position within one year, or if a position in the same job classification with the same knowledge, skills, abilities, education and training requirements becomes available within one year, a candidate may be selected from the eligibility

list to fill the vacant position without advertising the vacancy.

B. Appointing Authority:

The County Judge/Executive is the appointing authority for all county employees, subject to approval of the Fiscal Court. However, if there is a tie vote in the Fiscal Court in the selection of any officer or employee to be selected by the Fiscal Court, and a deadlock continues for fifteen (15) days, the County Judge/Executive shall have the facts of the matter entered upon the minutes of the Fiscal Court, and the Fiscal Court shall be given a final opportunity to select the officer or employee just prior to appointment by the County Judge/Executive.

### 8 3.3 Conditions of Employment

A. Probation:

1. All personnel initially appointed to an established position shall serve a twelve-month probation period. However, the probation period may be extended up to an additional six months by the County Judge/Executive upon recommendation of the Department Director and consent of the employee.
2. An employee who has served an initial probationary period in one classification and moves to another classification for any reason shall be on probation in the new class for twelve months.
3. While on probation, a new employee may be dismissed at any time without notice or right of appeal. An employee who has served an initial probation period and moves to another classification for any reason may, at the discretion of the County Judge/Executive and without right of appeal, be reinstated to the employee's former position, be appointed to another position (provided the position is vacant and the employee possesses the qualifications required in the class specification), or separated from the county service.
4. Probationary employees shall be evaluated at least quarterly during the probation period. During the final month of an employee's probation period, the Department director shall inform the County Judge/Executive whether or not the employee satisfactorily completed the probation period.

B. Transfer:

1. Any employee occupying an established position may request a transfer from one position to a comparable position by making the request to the County Judge/Executive, provided the employee possesses the qualifications for the position, the employee is not serving an original probation period, and the position is vacant.
  2. In the event that an employee becomes unable to perform the duties as stated in the class specification, the employee may be transferred to a vacant position lieu of separation from the County service, provided the employee meets the qualifications for the position, and the position is vacant.
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Cross reference:

See announcement of Vacant Positions, & 3.2 A.1.(b), for transfer procedures

C. Promotion:

Any employee occupying an established position may apply for promotion to a higher position by making the request to the County Judge/Executive, provided the employee possesses the qualifications for the position and position is vacant.

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Cross Reference:

See announcement of Vacant Positions, & 3.2 A.1. (b), for promotion procedures

D. Disciplinary Action:

1. Introduction:

- a. The policy of the county is to be fair and consistent in the administration of its rules, regulations and procedures, including this disciplinary action policy. When problems arise, emphasis is on improvement and/or correction rather than punishment. However, willful, continued or inexcusable breaches of employment rules, regulations and procedures must be dealt with firmly in accordance with a uniform policy which applies to all employees.
- b. Standard ranges of penalties and uniform administration of actions for various types of work deficiencies and undesirable conduct for all employees are outlined below. Each Department Director shall insure that the policy is being followed; each supervisor shall understand and follow the policy as written; each employee shall be responsible for understanding this policy.
- c. "Ranges" are recommended as penalties for many of the offenses or deficiencies. This is necessary due to the degrees of severity for any offense or deficiency. For example, absent without approved leave could vary from being late to work by five minutes to being absent for days without informing anyone of the reason for the absence. Every effort shall be made to insure that the policy is administered fairly within all departments to the extent that similarities exist within separate departments; however, it is the responsibility of the department to administer the policy fairly and consistently for all employees within the department.
- d. In the event that any part or parts of this policy is in conflict with the Kentucky Revised Statutes, the statutes shall supersede only the part(s) of this policy that are in conflict.

2. General Guidelines:

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NOTE: For the purpose of this policy, job deficiencies and/or undesirable conduct which have "verbal warning" as the recommended corrective action for the first offense shall be defined as "minor" job deficiencies and/or undesirable conduct.

a. Verbal counseling

(1) In the case of minor job deficiencies and/or undesirable conduct, the immediate supervisor shall administer a verbal reprimand without rancor and explain the actions necessary to correct the problem as soon as possible after knowledge of the minor job deficiency or undesirable conduct. The date of the reprimand and a detailed description for the reason thereof, along with any comments the employee may have made, shall be noted. Keep these documents in a secure place in your department for future reference but do not forward them to the personnel department. Verbal counseling is intended to be informal rather than formal disciplinary action.

b. Written warning.

(1) In the case of a second minor offense or job deficiency, or a more severe first-time offense or job deficiency, the immediate supervisor shall prepare a report setting forth the exact form and nature of the offense or job deficiency; the report shall include any previous verbal warnings, written reprimands or disciplinary actions during the previous twenty-four month.

(2) After reviewing the report, the Department Director shall either issue a written reprimand to the employee or recommend suspension or dismissal to the County/Judge Executive.

(a) If suspension without pay or dismissal is recommended, a copy of the report shall be forwarded to the County Judge/Executive.

(b) If a written reprimand is issued, the immediate supervisor or Department Director shall explain the written reprimand to the employee, obtain the employee's signature on the written reprimand, and place the reprimand in the employee's personnel folder at the central personnel 10 L office; such reprimand shall be retained for twenty-four months, after which time it will be destroyed if no further action is taken upon written request of the employee.

c. Suspension.

(1) This disciplinary action is administered as a result of severe infraction of rules or standards, or for excessive violations after employee counseling, verbal warnings, written reprimands, insufficient effort to improve job performance, or short-term loss of required licenses and/or certifications for the job class.

(2) Suspension with or without pay shall be made only by the County Judge/Executive, except that the immediate supervisor or Department Director may suspend an employee with pay until the County Judge/Executive acts on the suspension.

(3) Employees suspended without pay shall be notified of the suspension within five working days after the time of suspension. The notice shall include the duration of the suspension (if known), and a copy of the notice shall be placed in

the employee's personnel folder in the central personnel office; Suspensions of one (1) through four (4) days may be removed from the employees official personnel file at the end of twenty-four (24) months upon written request of the employee. Suspensions of five (5) days or more will be retained in the employees official personnel file indefinitely.

(4) Employees suspended without pay for a period of thirty calendar days or longer shall forfeit fringe benefits, including accrual of sick and vacation leave and the county's contribution to any insurance benefits, during the suspension.

d. Dismissal:

(1) Where an offense or job deficiency is continually repeated, or misconduct or job deficiencies are serious enough on the first offense, the Department Director may recommend dismissal of an employee. Final and formal discharge of an employee shall be the responsibility of the Fiscal Court, upon recommendation of the County Judge/Executive.

(2) Any disciplinary action that could involve dismissal shall require that a pre-disciplinary hearing be offered the employee. If the hearing is held, both the employee and the county shall have the opportunity to be represented by Counsel and call witnesses as necessary.

e. Demotion or transfer:

(1) In the event an employee becomes unable to perform the duties as stated in the class specification, the employee may be transferred or demoted in lieu of taking any disciplinary action, provided the employee meets the qualifications for the position, and the position is vacant.

(2) Such action shall be recorded in the employee's personnel folder in the central personnel office.

f. Grievance Procedure.

Employees who feel unjustly disciplined may use the county's grievance procedure; employees will not be discriminated against in any way because of proper use of the grievance procedure.

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Cross Reference:

See Grievance Procedure, Appendix A

3. Offense/Deficiency and Penalty:

The offenses and deficiencies identified in this section are not intended to be comprehensive; however, offenses and deficiencies not included may be compared with those included in this section for guidance regarding penalties.

- a. (1) Driving a county vehicle while under the influence of alcohol, illegal drugs, or prescription drugs which impair efficient operation of vehicle.
  - (2) Penalty:
    - (a) First offense: Dismissal.
  - (3) Discussion:
    - (a) An employee under the care of a physician who is taking prescription medicine which may interfere with job performance shall inform the supervisor of this fact either prior to leaving home or immediately upon reporting to work. The supervisor may reassign the employee temporarily, or direct the employee to remain at home until the medication is completed.
    - (b) An employee who is suspected of being under the influence of alcohol or illegal drugs shall not be allowed to operate county vehicle or motorized equipment. The employee may be requested to take a breathalyzer or blood test, or may be taken home if, in the judgment of the supervisors, the employee is endangering either self or others.
  
- b. (1) Manufacturing, possession, distribution, use or dispensation of alcohol or illegal drugs on the job (including lunch period) or reporting for work under the influence of alcohol or illegal drugs.
  - (2) Penalty:
    - (a) First offense: 10-30 days\* suspension without pay.
    - (b) Second offense: 30-60 days suspension without pay.
    - (c) Third offense: Dismissal
  - (3) Discussion:
    - (a) Employees who are suspected of being under the influence of alcohol or illegal drugs while on duty may be requested to take a breathalyzer or blood test, or may be taken home if, in the judgment of the supervisor, the employee is endangering self or others.
    - (b) First-time alcohol or illegal drug offenders may be required to participate in an alcohol or drug-abuse program.

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Cross Reference:

See Drug-Free Workplace Policy, Appendix B

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\*For the purpose of this section with specific reference to disciplinary action, a day shall be defined as the regular work period (including 24 consecutive hours for Fire Department Personnel assigned to 24-hour shifts).

- c. (1) Stealing, theft, destruction or unauthorized use of county property.
  - (2) Penalty:
    - (a) First offense: Suspension without pay.
    - (b) Second offense: Dismissal.
  - (3) Discussion:
    - (a) County owned property shall be used only for official purposes, except that

property may be used for personal use of either the employees or the general public with the permission of the County Judge/Executive.

(b) Employees shall not intentionally or negligently lose, misplace or damage county property.

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Cross Reference:

See Use of County Property and Equipment, & 3.3 (L)

- d. (1) Fighting on the job.  
(2) Penalty:  
(a) First offense:  
(i) With weapon: Dismissal.  
(ii) Without weapon: 10-20 days suspension without pay to dismissal, depending upon circumstances  
(b) Second offense: 20-30 days suspension without pay to dismissal, depending on 20-30 days circumstances.  
(c) Third offense: Dismissal.  
(3) Discussion:  
(a) Fighting with a weapon, fist fights, or horseplay on the job which causes injury or has potential of causing injury shall not be allowed.
- e. (1) Insubordination, deliberate malicious behavior, misconduct which reflects on the efficient and effective performance of the job.  
(2) Penalty:  
(a) First offense: Verbal warning, written reprimand or 1-5 days suspension without pay, depending on the circumstances.  
(b) Second offense: 5-20 days suspension without pay or dismissal, depending on the circumstances  
(c) Third offense: Dismissal.  
(3) Discussion:  
(a) Behavior which reflects an employee's refusal to be supervised, including refusal to obey work-related orders or failure to follow directions and instructions.  
(b) Failure to follow instructions, poor decision-making which leads to redoing work, work that is not error-free on a consistent basis, application of poor judgment, lack of timeliness and not meeting deadlines, and a pattern of incorrect work to the point that the operation of the unit is disrupted or effectiveness and efficiency is impaired.
- f. (1) Failure to observe safety procedures, including wearing of protective clothing and equipment.  
(2) Penalty:  
(a) First offense: Verbal warning to written reprimand, depending on the circumstances.  
(b) Second offense: Written reprimand to 1-3 days suspension without pay, depending on the circumstances

(c) Third offense: 3-15 days suspension without pay, depending on the circumstances.

(c) Fourth offense: 10-30 days suspension without pay to dismissal, depending on the circumstances.

(3) Discussion:

(a) Includes removal or destruction of safety devices, failure to keep equipment and work areas clean, failure to report unsafe working conditions, failure to observe safety procedures, failure to wear safety clothing.

g. (1) Any equipment accident involving more than \$500.00 where employees are at fault due to negligence or carelessness.

(2) Penalty:

(a) First offense: Verbal or written reprimand, depending on the circumstances.

(b) Second offense: 15 days suspension without pay to dismissal, depending on the circumstances.

(c) Third offense: 30 days suspension without pay to dismissal, depending on the circumstances.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) Employees shall operate vehicles and equipment in a safe and prudent manner, and shall obey all federal, state and local laws and regulations.

(b) Employees shall become familiar with all operating procedures, and shall be responsible for the safe operation of all equipment to which they are assigned.

h. (1) Minor traffic violations in county vehicle or any equipment accident involving less than \$500.00 in property damage where employees are at fault due to negligence or carelessness.

(2) Penalty:

(a) First offense: Verbal warning to written reprimand, depending on the circumstances.

(b) Second offense: Written reprimand to 3-5 days suspension without pay, depending on the circumstances.

(c) Third offense: 5-15 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) Policies regarding safe operation of vehicles and equipment shall be an integral part of the process of leasing the vehicle and/or equipment assigned to an employee.

i. (1) Leaving work station without authorization.

(2) Penalty:

(a) First offense: Written reprimand or 5-15 days suspension without pay, depending on the circumstances.

(b) Second offense: 15-30 days suspension without pay.

(c) Third offense: Dismissal.

(3) Discussion:

(a) This is defined as an employee leaving the work station without permission, satisfactory explanation or just cause.

j. (1) Absent without approved leave.

(2) Penalty:

(a) First offense: Written reprimand and no pay for the time absent.

(b) Second offense: 3-5 days suspension without pay.

(c) Third offense: 10-20 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) Employees who fail to either report for duty or to notify the supervisor of the absence prior to the normal time to report for duty shall be considered absent without approved leave.

k. (1) Excessive tardiness.

(2) Penalty:

(a) First offense: Verbal warning to written reprimand, depending on the circumstances.

(b) Second offense: Written reprimand to 3-5 days suspension without pay, depending on the circumstances.

(c) Third offense: 5-15 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) This includes a pattern of tardiness which interferes with the operation of the unit such as more than five minutes late in reporting to work, returning from lunch, or returning from other non-work activities.

(b) The first offense is considered when an employee is tardy two times during the same day period; the employee shall be counseled and issued a verbal warning and, if continued, further disciplinary action shall be taken.

l. (1) Abuse of sick leave.

(2) Penalty:

(a) First offense: Written reprimand.

(b) Second offense: 3-5 days suspension without pay.

(c) Third offense: 10-15 days suspension without pay.

(d) suspension without pay. Fourth offense: Dismissal.

(3) Discussion:

(b) Sick leave is considered a self-insurance, and is not intended to provide employees an extra day off with pay each month. Employees who use sick leave for other than intended purposes shall be subject to disciplinary measures, and abuse may be detected by excessive use, absent on Friday or Monday, absent before or after 3-day weekends, and overall failure to accrue sick leave benefits.

(b) Employees may be required to provide statements from a medical authority before use of sick leave is allowed.

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Cross Reference:

See Sick Leave, 8 3.6 ©

m. (1) Loafing on the job.

(2) Penalty:

(a) First offense: Verbal warning.

(b) Second offense: Written reprimand 16 to 1-3 days suspension without pay.

(c) Third offense: 3-10 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion.

(a) Loafing is defined as loss of productivity by excessive personal conversation with other employees or phone conversation, taking excessive breaks, engaging in activities which are not assigned to the employee which causes employee to neglect assigned duties and responsibilities.

n. (1) Sleeping on the job.

(2) Penalty:

(a) First offense: Written reprimand or 5-10 days suspension without pay, depending on the circumstances.

(b) Second offense: 10-20 days suspension without pay.

(c) Third offense: 20-30 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) Employees must remain alert at all times, and sleeping on the job is strictly forbidden (except for sworn Fire personnel assigned to Fire Stations).

o. (1) Failure to submit required or completed reports or forms.

(2) Penalty:

(a) First offense: Verbal warning to written reprimand, depending on the circumstances.

(b) Second offense: Written reprimand to 3-5 days suspension without pay, depending on the circumstances.

(c) Third offense: 5-15 days suspension without pay.

(d) Fourth offense: Dismissal.

(3) Discussion:

(a) Reports and forms shall be defined as any report or form that is a part of the employee's responsibility. In addition to timeliness and completeness, the accuracy of the reports or forms shall be maintained.

- p. Other offense/deficiencies and penalties included in departmental policies and procedures and approved by the Fiscal Court.

#### E. Resignations:

1. An employee wishing to resign from employment with the county shall inform the Department Director of the intended resignation as soon as possible after the decision is made. The notice shall be in writing, and shall include the effective date of the resignation. Unless approved in advance, failure to give two weeks notice may be cause for denying future employment with the county and may be cause for the county's refusal to give a recommendation if contacted by other employer(s).

2. An employee's resignation and its attendant reasons, if noted, shall be recorded in the employee's personnel file.

3. The employment date of an employee who resigns and is re-employed will be the latest date of employment, unless specified otherwise by the County Judge/Executive

4. Any employee who is absent from work three (3) consecutive work days without notifying the Personnel Officer or Department Director of the reason(s) for the absence will be considered to have abandoned the job and may be terminated from employment with the county.

#### F. Layoff:

1. The county may lay off an employee or employees because of lack of work or funds. The order of layoff shall be determined by the needs of the county.

2. Consideration for layoff shall be given to length of service in a class, length of service with the county, and the performance employees being considered for layoff.

3. Temporary, seasonal and probationary employees shall be laid off before employees occupying established positions within affected class(es).

4. An employee occupying an established position who is laid off shall be notified of the layoff in writing at least one week in advance of the layoff, or the employee shall receive one week's pay. The notice shall explain the reason(s) for and duration of the layoff (if known), and a copy of the notice shall be placed in the employee's personnel file.

5. An employee who has a satisfactory record of service and is laid off shall be eligible for re-employment in another position, provided the employee meets the qualifications for the position and that the position is vacant.

#### G. Re-employment:

An employee who previously resigned from the County with a satisfactory employment record or who was laid off because of lack of work or funds may apply for employment in another position, provided the employee meets the qualifications for the position, and the position is vacant.

#### H. Loss of Job Requirement:

Any employee who is unable to perform required duties because of loss of a necessary license or other non-medical requirement may be transferred to another position (provided the

employee meets the qualifications for the position and the position is vacant), or separated from the county service at the discretion of the Appointing Authority.

I. Mandatory Retirement Age:

The county does not have a mandatory retirement age.

J. Examinations:

1. If there is reasonable cause to believe that it is warranted, the County Judge/Executive may require any employee to submit to a physical or mental examination by a medical doctor or psychiatrist/psychologist selected by the county to insure competency to complete assigned duties.

2. The county shall pay the costs (including necessary travel costs) for required examinations.

3. If it is determined by a medical professional that an employee is unable to perform required duties, the following action shall be taken:

a. If the disability is correctable, the employee shall be allowed a length of time to have it corrected as advised by the medical professional, including the use of sick leave, vacation leave, and leave without pay. If the employee fails to follow the steps toward recovery as specified by the medical professional, the employee shall be subject to disciplinary action, up to and including termination from employment with the county.

b. If it is determined by a medical professional that the disability cannot be corrected:

(1) An attempt will be made to place the employee in another position which the employee can perform, provided the employee meets the qualifications for the position, and the position is vacant; or

(2) The county will assist the employee with medical retirement proceedings.

K. Political Activity:

1. No employee, as a condition of employment or continued employment, shall be required to contribute to or campaign for a candidate for political office.

2. No employee of the county shall engage in political activity during the employee's assigned duty hours, while in uniform, or while on county premises.

3. Questions relating to political activity should be directed to the appropriate county official for response and/or resolution in advance of the activity contemplated.

L. Use of County Property and Equipment:

1. County owned equipment shall be used only in the performance of official county business, except with permission from the County Judge/Executive, county owned equipment may be used for personal use by either employees or the general public. The person signing out the equipment shall be held responsible for the return of the equipment and its condition upon

return.

2. Any employee responsible for county property or the operation of county equipment shall comply with applicable laws or policy and/or manufacturers' guidelines regarding the equipment.

M. Prohibition of Harassment: