



Personnel Policy

&

Pay Plan

Approved & Adopted by the
Harper County Commissioners
March 6, 2023

BOARD OF COUNTY COMMISSIONERS OF HARPER COUNTY, KANSAS

RESOLUTION NO. 2023-03

WHEREAS, K.S.A. 19-101, fifth, provides that Harper County may exercise the powers of home rule to determine local affairs and government under the provisions of K.S.A. 19-101a; and

WHEREAS, personnel rules, pay plans, regulations and related administrative provisions are permissible exercises of home rule power, pursuant to K.S.A. 19-101a; and

WHEREAS, Harper County desires to establish Personnel Rules and Pay Plan to promote recruitment of employees on the basis of demonstrated merit and fitness without regard to race, color, sex, religion, national origin or ancestry; and

WHEREAS, Harper County desires to enhance the recruitment, advancement and tenure of prospective employees in order to make County employment an attractive career opportunity; and

WHEREAS, Harper County desires to establish and promote positive moral by providing good working relationships, uniform personnel policies, opportunities for advancement and consideration of the needs and wellbeing of Harper County employees;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HARPER COUNTY, KANSAS:

THAT, the Harper County Personnel Rules and Pay Plan are hereby adopted in its entirety; and

THAT, the Harper County Personnel Rules and Plans previously adopted are hereby repealed along with any amendments to those rules and regulations.

This Resolution shall take full force and effect from March 1, 2023.

WHEREUPON, the Board of County Commissioners of Harper County, Kansas, passes and adopts this Resolution in regular session, at its chambers in Anthony, Harper County Kansas this 6th day of March, 2023.



ATTEST:

Jessica Hedlmet

Hannah Crowe, County Clerk
Jessica Hedlmet, 3/6/2023
Deputy County Clerk

Darrin Struble

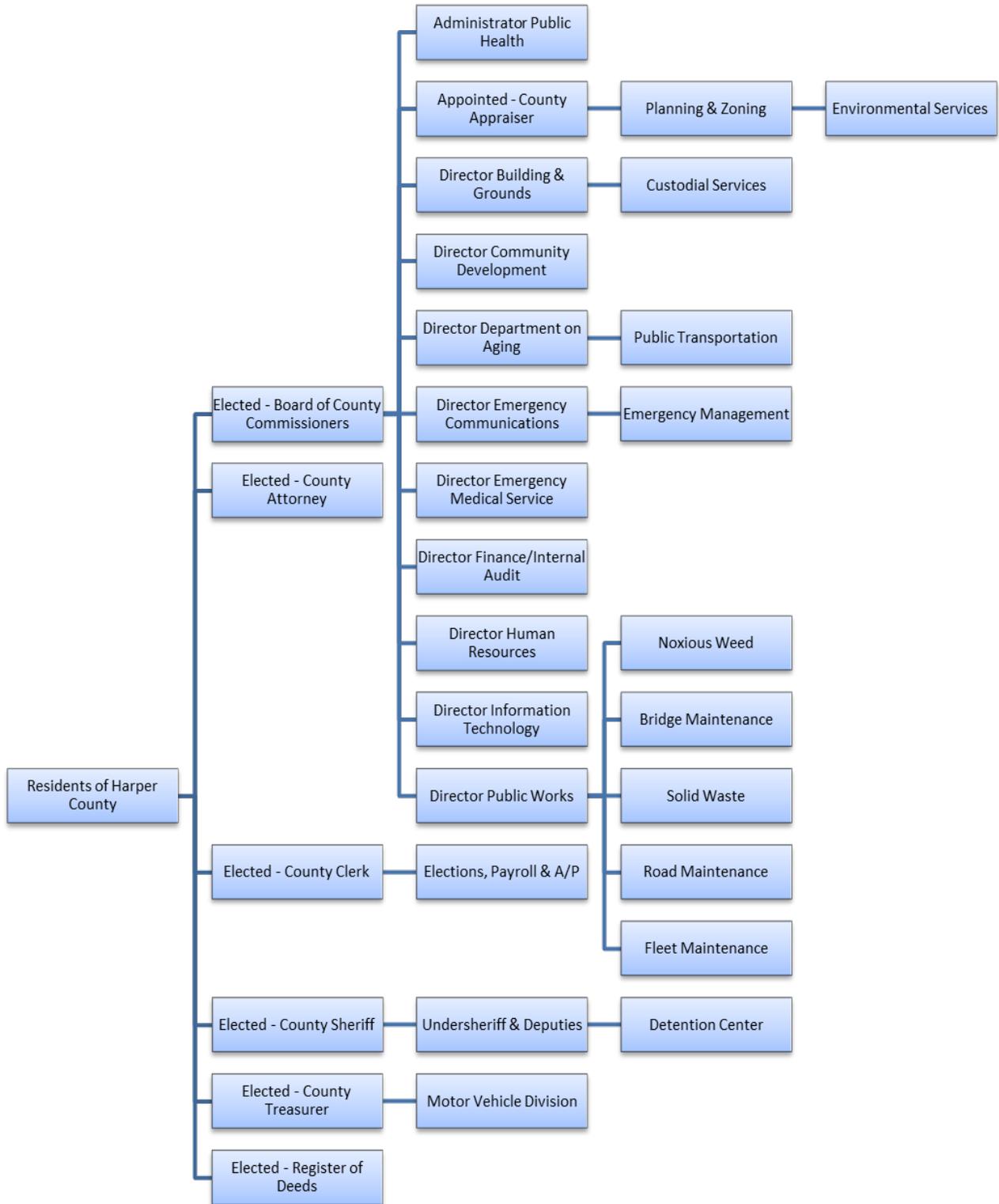
Darrin Struble, Chairperson

Brian Waldschmidt

Brian Waldschmidt, Commissioner

Jeffrey Vornauf

Jeffrey Vornauf, Commissioner



HARPER COUNTY CODE OF ETHICAL CONDUCT

As those who carry out the mission of Harper County government, we acknowledge that the legal powers and responsibilities conferred upon us are given to us by the community as a public trust. If we are to be worthy of that trust, our duties must at all times be exercised on behalf of the Public Interest and our actions guided by moral principles that honor the privilege of public service.

We, therefore, adopt and embrace the following code of ethical conduct as a means of defining the principles that will guide our pursuit of integrity in the performance of our duties. We intend that this code will be used by Harper County officials, employees and volunteers to communicate the obligations of public service and also to clarify a proper course of action when an ethical issue is discovered.

The Harper County Code of Ethical Conduct is officially adopted for county government by the Harper County Board of County Commissioners. Moreover, by the consensus, of all elected and appointed County leaders; this code represents the ethical standard by which we will hold ourselves, county employees, contracting agencies, and county board volunteers accountable to the community.

Principle 1

We will honor the tenets of democracy, and show respect for the institutions of government and the persons who serve those institutions. In service to Harper County we will:

- Invite and listen to the voices of county citizens before recommending or making decisions.
- Promote decisions and actions that are grounded in the broad community interest rather than favored special interest.
- Affirm the contributions of government at all levels to the well-being of the community.
- Support the decisions made by the Board of County Commissioners and work constructively to implement those decisions.

Principle 2

We will strive for honest, transparent and full communication about public policy and the delivery of county services. *In service* to Harper County we will:

- Disclose accurate and complete information about county government decisions and actions, except in those instances where confidentiality is required by state and federal law.
- Insist upon the practice of open government so citizens are informed about county services and the rationale for county decisions.
- Guard against misleading or allowing others to mislead the public.
- Report suspected unethical or illegal misconduct by a county official, employee or

volunteer to the appropriate investigative authority.

Principle 3

We will exercise rigorous stewardship of county resource in keeping with the public interest and hold ourselves accountable for their designated use. In service to Harper County we will:

- Allocate and use county funds, personnel and equipment with maximum efficiency and effectiveness.
- Encourage cost saving, innovation and excellence in the delivery of county services.
- Engage in continuous learning and professional development so as to enhance the quality of our service to the community.
- Practice strong financial oversight of public expenditures and thorough disclosure of all financial information

Principle 4

We will seek fairness and the appearance of impartiality in the performance of our county responsibilities. In service to Harper County we will:

- Render county services in equal and responsive measure to all citizens.
- Advocate equal opportunity and guard against any form of discrimination.
- Determine all county employment decisions, including hiring, promotion, compensation and termination, solely on the basis of merit.
- Refrain from participation in the political campaigns of those seeking county offices if doing so could undermine public confidence in the impartiality of our service to the county.

Principle 5

We will demonstrate respectful and courteous conduct with all citizens, county elected officials and employees, and representatives of other community and government agencies. In service to Harper County we will:

- Honor the right of all citizens to communicate with government on behalf of their interest.
- Work with all our fellow county employee in a spirit of collaboration and teamwork to carry out the county's mission of service to its citizens,
- Make ourselves available to the inquires of all constituents and follow through on professional commitments in a timely and thorough manner.
- Value differing points of view and resolve conflict in a way that preserves respectful relationships.

Principle 6

We will protect public confidence in our integrity by rejecting the use of our county position for any kind of personal gain. In service to Harper County we will:

- Refuse to solicit or receive any gift, gratuity or tangible benefit for ourselves, family members or personal friends that could be construed as an attempt to influence decisions about public policy or county services. Promotional items or gifts (pens, mouse pads, lunch, etc.) whose value do not exceed \$25.00 are considered permissible,
- Refrain from using county property or county time for personal benefit.
- Refuse to use or share confidential information gained in the course of our county duties for personal advantage.

TABLE OF CONTENTS

- **Resolution Adopting Harper County Personnel Rules and Regulations**
- **Harper County Organizational Chart.**
- **Harper County Code of Ethical Conduct.**

Section 1: Introduction

- 1.1 Employment at Will
- 1.2 Intent
- 1.3 Scope
- 1.4 Amendments
- 1.5 Employee's Responsibility
- 1.6 Supplemental Regulations

Section 2: Employment

- 2.1 Equal Opportunity Employment
- 2.2 Types of Employment
 - a. Full-Time
 - b. Part-Time
 - c. Part-Time, Benefit Eligible
 - d. Temporary and Seasonal
 - e. PRN
 - f. Elected Officials
 - g. Department Heads
 - h. Interns/Volunteers
- 2.3 Fair Labor Standards Act
 - a. Non-exempt Employees
 - b. Exempt Employees
- 2.4 Workweek
- 2.5 Initial Employment Period
- 2.6 Performance Evaluation
- 2.7 Disability Accommodations
- 2.8 Nepotism
- 2.9 Citizenship Requirement
- 2.10 Application and Recruitment
- 2.11 Pre-Employment Drug Screen (see Section 12)
- 2.12 Pre-Employment Background Check
- 2.13 Medical Examinations
- 2.14 Working after Retirement

Section 3: Compensation

- 3.1 The Position Classification Pay Plan
- 3.2 Pay Plan Policy

- 3.3 Overtime Pay
- 3.4 Pay Periods
- 3.5 Holiday Pay
- 3.6 Longevity Pay
- 3.7 Travel Pay for Non-Exempt Employees
- 3.8 Change in Employment Pay Status
- 3.9 On-Call Time

Section 4: Attendance

- 4.1 Work Hours
- 4.2 Employee Duty to Report Absences
- 4.3 Meal Breaks
- 4.4 Rest Breaks
- 4.5 Lactation Accommodation

Section 5: Leaves

- 5.1 Absenteeism
- 5.2 Leave Without Pay
- 5.3 Paid Time Off (PTO)
- 5.4 Transitional Sick Bank
- 5.5 Donated Paid Time Off (PTO) Policy
- 5.6 Bereavement Leave
- 5.7 Military Leave
- 5.8 Civil Leave
- 5.9 Curtailment of Service
- 5.10 Family Medical Leave Act

Section 6: Other Employee Benefits

- 6.1 Health, Dental, Vision Insurance
- 6.2 Life Insurance
- 6.3 Retirement Program
- 6.4 Worker's Compensation

Section 7: Separation from County Service

- 7.1 Layoff
- 7.2 Resignation
- 7.3 Death of an Employee
- 7.4 Return of County Property
- 7.5 Group Health insurance (COBRA)

Section 8: Disciplinary Procedure

Section 9: Grievance Policy and Procedure

- 9.1 Grievance Procedure
- 9.2 Hearing Procedure

Section 10: Nondiscrimination / Anti-Harassment Policy and Complaint Procedure

Section 11: Workplace Violence

Section 12: Drug and Alcohol Policy Management

12.1 Compliance One: Anti-Drug and Alcohol Misuse
Prevention Policy (Non-regulated)

12.2 Compliance One: Drug and Alcohol Testing Policy (FMCA/DOT)

Section 13: Smoking and Tobacco Use Policy

Section 14: Professional Appearance of Employees

Section 15: Political Activity

Section 16: Travel Training and Reimbursement

16.1 Covered Travel Expenses

16.2 Professional Development Program

Section 17: Additional County Policies

17.1 Operation of Motor Vehicles by County Employees

17.2 Information System Policy

i. Mobile Device Acceptable Use Policy

ii. Telecommuting Policy and Process

17.3 Personnel Records and Privacy Policy

17.4 Outside Employment

17.5 Right to Search

17.6 Clothing and Cash Allowances

17.7 Social Media Policy

17.8 Amendments of Personnel Rules and Pay Plan

APPENDIXES

Appendix A

Harper County Pay Plan

SECTION 1: INTRODUCTION

1.1 At Will Employment.

Harper County is an Employer at Will. The policies set forth in this manual or by the Harper County Pay Plan or any representations made by a Harper County official, elected or appointed, do not, and shall not, create an employment contract between the employee and Harper County. Harper County retains the right to terminate the employment of a County employee for any reason at any time.

1.2 Intent.

It is the intent of Harper County to establish employment policies and procedures through the use of the Personnel Policy and Pay Plan. Harper County further intends to ensure, protect and clarify the rights and responsibilities of employees as well as to provide a uniform system for Personnel and Human Resource Administration throughout the County organization.

Although every effort has been made to create a Personnel Policy and Procedure manual that is comprehensive, it is not possible to cover every aspect of employment. Thus, this document shall continue to remain a work in progress to be updated and clarified on a periodic basis. Please contact your Department Head or Human Resources for clarification on the content of this manual or for questions you might have of issues not addressed herein.

1.3 Scope.

This personnel Policy and Pay Plan manual applies to all Harper County employees apart from elected officials and independent contractors. In the event of conflict between this manual and any law, resolution, or ordinance, that law, resolution, or ordinance shall supersede this manual.

1.4 Amendments.

This manual shall be reviewed on an annual basis and amended as necessary. Harper County reserves the right to repeal, modify or amend this manual at any time, with or without notice. While the County will endeavor to provide printed copies of any amendments to this manual, and will publish the most up-to-date version on the county website, failure of the employee to receive or acknowledge receipt of amendments will in no way excuse the employee from compliance with the amendments.

Any changes to this manual must be approved by an affirmative vote of the Board of Harper County Commissioners. The changes will be recorded in the minutes of the meeting at which the vote took place, be published in the format of this manual. County employees and officials will be made aware of approved changes, and the updated version of this manual will be made available to each. Amendments to this manual will supersede the original policy it is intended to replace.

1.5 Employee's Responsibility.

Each Harper County employee is expected to read, understand and comply with this manual and ask questions regarding any part not understood. This manual is the property of Harper County and is not provided to other individuals except through the process of the Kansas Open Records Act. Upon termination from Harper County employment, this manual and all other County owned property in the employee's possession shall be returned to the County. It is the employee's responsibility to keep the employee's copy of the manual current by inserting revisions when issued, or referencing the online version.

1.6 Supplemental Regulations.

An elected or appointed Department Head may formulate administrative or operational department regulations pertinent to the needs of their department to supplement the provisions of this manual. Departmental regulations may enhance the provisions of this manual but may not conflict with these provisions or decrease the rights and benefits established in this manual. This manual supersedes any departmental regulations in the event of conflict.

SECTION 2: EMPLOYMENT

2.1 Equal Opportunity Employment

Equal Opportunity Employment has been and shall continue to be a fundamental principal in Harper County, where employment and retention is based on personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, or any other protected characteristic as established by law. Equal Opportunity Employment applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment. The Human Resource Department designee has overall responsibility for this policy and maintains reporting and monitoring procedures and shall strive to comply with all applicable state and federal regulations.

2.2 Types of Employment.

All Harper County employees are designated as one to the following employment types:

- a. **Full-Time:** An employee will be considered Full-Time if they are regularly scheduled on an annual basis for not less than eight (8) hours a day or forty (40) hours in a standard work week of seven (7) days (not less than 2080 hours per year). These employees are expected to average 40 paid hours per week, unless on an approved Leave of Absence. Full-Time employees shall be eligible for all benefits described herein.
- b. **Part-Time:** An employee will be considered a Part-Time employee if they are scheduled to work on a regular basis, for no more than twenty (20) hours in a standard seven (7) day work week, but more than 500 hours per year. Part-Time employees are **not** entitled to employment benefits except where expressly provided for in this Handbook.
- c. **Temporary and Seasonal:** An employee is designated as a Temporary or Seasonal Employee if appointed for a pre-designated period of time which is six (6) months or less with any year. Temporary or Seasonal employees are not eligible to receive any benefits or accrue service time. Salaries for Temporary and Seasonal employees shall be set by the Department Head following consultation with the Human Resources Department, but must be consistent with the requirements of the Harper County Pay Plan and position description. Time spent as a Temporary or Seasonal employee will not be credited to service and accrual of benefits will not be retroactive to include time employed in a Temporary or Seasonal status.
- d. **PRN:** An employee is designated as a PRN Employee if employed on an “as needed” basis. There is not pre-designated period of time, or schedule for these employees, and they are not eligible to receive any benefits or accrue service time. Salaries for PRN employees shall be set by the Department Head following consultation with the Human Resources Department, but must be consistent with the requirements of the Harper County Pay Plan and position description. Time spent as a PRN employee will not be credited to service and accrual of benefits will not be retroactive to include time employed in PRN status.
- e. **Elected Officials:** County Commissioner, County Clerk, County Treasurer, Register of Deeds, Sheriff and County Attorney are the elected officials of Harper County. They are

responsible to the electorate of the County, state statutory requirements, and fiscally responsible to the Board of County Commissioners. Elected officials do not earn or report any form of leave time or established hours of work, but rather determine matters of vacation, sick leave and hours of work as a matter of personal choice. Elected officials are eligible for all other benefits offered to Harper County employees.

- e. **Department Heads:** Certain officials are appointed by the County Commission to perform statutory or other duties defined by resolution or contract. Employees in the Department Head category include County Appraiser, County Counselor, Emergency Management Director, County Engineer, Health Administrator, Emergency Medical Services Director, Department of Aging Director, Road and Bridge Supervisor, Sanitarian, Zoning Administrator, IT and any other Department Head created by the Board of County Commissioners. Full-time Department Heads are eligible for all benefits described herein or any additional benefits as may be approved in a contract or resolution by the Board of County Commissioners.

Department Heads are encouraged to reside within Harper County.

- f. **Interns/Volunteers:** Internships provide an opportunity for students to acquire experience and knowledge by working alongside Harper County Staff and are designed to be career-focused. Although internship positions are not paid, Harper County recognizes the experience will benefit a student's future endeavors.

Volunteers may also be utilized in various Harper County Departments for community services.

Students and volunteers working in Departments that may have access to confidential information will be required to sign additional confidentiality agreements.

Students and volunteers are not acting as employees of Harper County, therefore are not paid. They are, however, covered under the County's workers' compensation policy. All interns and volunteers must complete an acknowledgement form prior to serving in these capacities. Forms will be kept on file in Human Resources.

2.3 Fair Labor Standards Act.

Each Harper County position description is reviewed to determine compliance and designation under the Fair Labor Standards Act (FLSA). The definitions are as follows:

- a. **Non-Exempt Employee:** Employees that do not meet the legal definitions of an exempt employee are designated as non-exempt or hourly. Non-exempt employees are paid by the number of hours they perform their job, including compensation for hours worked of overtime. Most Harper County employees are in this category and shall receive overtime compensation for hours worked in excess of forty (40) hours in a seven (7) day period, with the exception of Sheriff Department Deputies who shall receive overtime for all hours worked in excessive of eighty-six (86) hours worked in a fourteen (14) day work period.
- b. **Exempt Employee:** Harper County employees legally classified as exempt from overtime compensation due to their occupational designation as executive, professional, technical or administrative are "salaried" employees. These employees

are paid for fulfillment of job responsibilities on a salaried basis and are not paid an hourly or overtime rate. Typically, elected officials, non-elected County officials and other positions meeting the FLSA definition of exempt are designated as exempt employees. In Harper County those positions, in addition to the elected positions of County Attorney, County Clerk, County Commissioners, County Treasurer, Sheriff and Register of Deeds, include the Department Head positions of Appraiser, Emergency Medical Services Director, Department of Health Director, Road and Bridge Department Supervisor, Director of Human Resources, and any other Harper County employee who fits the FLSA definition of an exempt employee.

Non-Exempt employees must clock in when they arrive each day, and clock in and out for meal breaks and when they leave for the day. Morning and afternoon rest breaks are exempt from this requirement.

Non-Elected Exempt employees are not required to clock in and out, but must utilize the time system to request and track Paid Time Off and Transitional Sick Bank usage. A normal, standard workweek will be established by the Department Head, or Board of County Commissioners. Although compensation is not determined by the specific number of hours worked, an exempt position is normally expected to provide a minimum of 40 hours per workweek to meet the needs of the department and to work until the job is completed. Any flexing or deviation to the established work schedule shall be based on departmental policy and have prior authorization. Falsification of time records may be grounds for dismissal.

2.4 Workweek.

The work week begins at 12:01am Sunday and ends at 12:00pm, midnight, Saturday. The pay period for all County Employees is bi-weekly with payday being Friday. (See Section 3.5)

2.5 Initial Employment Period.

Every Full-Time and every Part-Time employee initially employed by Harper County, and every employee transferred or promoted to a different position shall be in an evaluation period for six (6) months. The evaluation period allows Department Heads and Supervisors to observe and determine the ability and willingness of the employee to carry out the duties of the position as described in the Position Descriptions and provides the employee the opportunity to determine that the position meets their skills and goals. If an employee who has been transferred or promoted to a new position does not perform acceptably during the evaluation period, the employee may be returned to the former position or a similar position at the previous salary range if an appropriate vacancy exists.

A new employee will accumulate PTO during the Initial Employment Period of six (6) months. At the conclusion of the Initial Employment Period, the new employee's performance will be evaluated. Employees who do not satisfactorily complete the initial employment period may be released from County employment and shall not receive compensation for accumulated Paid Time Off. However, the Department Head may grant up to three (3) additional months of the initial employment period should it appear an employee may perform satisfactorily with additional guidance. Employees who *do* complete the initial employment period will then be eligible to use accumulated PTO.

A new employee may be terminated without recourse to the grievance procedure at any time during the initial employment period.

2.6 Performance Evaluation

It is Harper County's duty as an employer to fairly assess the performance of all non-elected employees. The County shall provide mandatory training to its supervisory staff to evaluate employee performance, to provide supervisory staff with current evaluation tools.

Frequency of Evaluation:

New employees will be formally evaluated at six (6) months employment and twelve (12) months employment. Following the first twelve months of employment, employees shall be evaluated annually on the anniversary date of their employment.

2.7 Disability Accommodation.

Employees requiring accommodation for a medical condition or disability shall notify their Supervisor or Department Head in order to determine how to accommodate the employee's needs. Every effort will be made to handle the disability accommodation with sensitivity and protect the confidentiality of the information shared by the employee requiring accommodation.

2.8 Nepotism.

Harper County shall not employ two (2) or more members of the same family if it would result in one family member supervising the other. For purposes of this policy, "family" shall include, but is not limited to parent, step-parent, parent-in-law, grandparent, spouse, child, foster child, step-child, grandchild, brother, sister, step-brother, step-sister, aunts, uncles, niece, nephew, cousin or the same relative of the spouse or any relative residing in the same household.

2.9 Citizenship Requirement.

It is the intent of Harper County to comply with all U.S. immigration policies. As a condition of employment, each new County employee must:

- a. Properly complete, sign and date the first section of the Immigration and Naturalization Service form I-9.
- b. Provide appropriate documentation as required for the I-9 to Harper County Human Resources. The Immigration Reform and Control Act of 1986 require this documentation to be provided to Harper County within three (3) days of beginning employment.

2.10 Application and Recruitment.

All recruitment for Harper County employees shall be conducted through the Harper County Human Resources Department in order to obtain the best match between applicants and the position descriptions, as well as to ensure compliance with federal, state, and local laws, policies and procedures concerning employment. The following process shall be used for application and recruitment:

- The Human Resource Department will receive a vacancy notice from the County department seeking a position to be filled. The Human Resource Department will get approval from the Board of County Commissioners at the next regular commissioner meeting. After approval an advertisement will be sent out.
- Following the closing date for an advertised position all applications and resumes shall be reviewed by the Human Resource Department to

determine whether the applications received meet the minimum requirements of the position as listed in the position description.

- All applications or resumes shall be forwarded to the County department seeking the position. A listing showing those applicants whose applications or resumes received meet the minimum qualifications, as set out by the position description, shall accompany the applications and resumes being forwarded to the department seeking a new employee.
- The Department Head shall determine which applicants they wish to test and/or interview and those applicants shall be contacted by Human Resources, and occasionally the Department Head, for testing and/or interview. Other testing and background checks will be arranged as may be required.
- The Department Head shall notify the Human Resources Department of the successful applicant. The Human Resources Department will contact the selected candidate and schedule a time to complete pre-employment drug testing, the required background check, and the necessary paperwork in order to enter into County employment.
- The Human Resource Department shall notify all unsuccessful interviewees, in writing, that they were not selected and that their applications will be held active for one (1) year to be considered in the event additional positions might become available for which they would qualify
- Unsolicited applications and resumes for positions not currently being recruited for shall not be considered part of an active applicant pool but shall be retained for six (6) months. Should an opening occur during that time for which an applicant might be qualified, that applicant must notify the Human Resource Department and request that their application be considered for the open position.

2.11 Pre-Employment Drug Screen

Refer to Section 12 of this Policy Book, Drug and Alcohol Policy Management, for details on pre-employment drug screening.

2.12 Pre-Employment Background Check

Harper County is committed to maintaining a safe working environment for its employees and residents. One aspect of this commitment is to reduce the potential of unknowingly hiring persons with felony or misdemeanor convictions or who are registered sexual offenders, by performing criminal background checks on all new employees.

All offers of employment at Harper County are contingent upon clear results of a thorough criminal background check. Background checks will be conducted on all final candidates, and on employees who are promoted, as deemed necessary.

Background check procedures apply to each full and part time person hired for a position with the county, other than 1) positions to be filled by a contractor; 2) Unpaid student interns; 3) Unpaid volunteers.

Background checks will include:

- **Social Security Verification:** Validates the applicant's Social Security number, date of birth and former addresses.
- **Prior Employment Verification:** Confirms applicant's employment with the listed companies, including dates of employment, position held, and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on the past two employers or the previous five years, whichever comes first.
- **Personal and Professional References:** Calls will be placed to individuals listed as references by the applicant.
- **Criminal History:** Includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:
 - The nature of the crime and its relationship to the position.
 - The time since the conviction.
 - The number (if more than one) of convictions.
 - Whether hiring would pose an unreasonable risk to the County, its employees, or its residents.
- **Sexual Offender and Violent Offender Registries:** Identifies those employees registered as Sexual or Violent Offenders.

The following additional background searches will be required if applicable to this position:

- **Motor Vehicle Records:** Provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position, and verified on an annual basis.

Certain departments (e.g., Sheriff's Department, Jail, 911 Dispatch) already require extensive background checks as a prerequisite to employment. Those background checks are deemed to satisfy this policy and applicants will not be required to undergo an additional background check.

Procedure:

1. After extending a conditional job offer, the Director of Human Resources will initiate the background check by entering the relevant information into the employment screening service provider's online platform, which will in turn, provide the candidate with an authorization form via email.
2. Upon receipt of the signed release, the employment screening service provider will conduct the background check and provide all results to Human Resources.
3. The Department Head will be notified of the results, and successful candidates will be scheduled for Orientation.
4. In instances where negative or incomplete information is obtained, the appropriate management and Director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. This information will only be shared with those directly involved in the hiring decision.
5. If a decision not to hire a candidate is made based on the results of the background check, the applicant will be notified by Human Resources, in conjunction with the employment screening service, following the requirements of the Fair Credit Reporting Act (FCRA).

Records related to a criminal background check will be confidential and maintained by Human Resources separate from employees' personnel files for a minimum of five years.

Any background checks performed under this policy will comply with the State of Kansas and Federal Fair Credit Reporting Acts.

2.13 Medical Examinations

It is the policy of Harper County to require and pay for medical examinations as part of its employee-selection process for continued employment in the following situations:

- For the purpose of determining the applicant's or an employee's or volunteer's ability to perform the essential functions of the position with or without a reasonable accommodation.
- After a conditional offer of employment has been extended to an applicant, and before the individual begins work for the County. Pre-employment Medical examinations will be uniformly required of all applicants for positions within designated job categories.
- Periodic medical examinations to determine fitness-for-duty or other medical monitoring that is required by medical standards or by federal, state or local law.
- Voluntary medical examinations, including voluntary medical histories that are part of employee health programs.

The result of any medical examination performed by or on behalf of Harper County will be collected and maintained on separate forms and in separate medical files and will be treated as confidential. Medical information may be disclosed only under the following circumstances:

- Department Heads and Supervisors may be informed about necessary restrictions on the work or duties of the employee and any necessary ADA accommodations.
- Emergency Medical Services and public safety personnel maybe informed, if and when appropriate, if the disability might require emergency treatment.
- To determine compliance with relevant federal or state laws upon proper request.

2.14 Working after Retirement

Retired KPERS individuals must wait 60 days from their retirement date to return to work for any KPERS affiliated agency (180 days if retiring before age 62). No prearrangements to return to work, an offer for employment cannot be made prior to retirement or during the waiting period. An offer of employment to return to work must be approved by the Department Head and Board of County Commissioners before employee starts work.

There is no earnings limit if you go back to work for a KPERS employer. Please keep in mind, you will not make KPERS contributions or earn more KPERS service. But Harper County will make working-after-retirement contributions to KPERS if you're in a covered position.

SECTION 3: COMPENSATION

3.1 Position Classification and Pay Plan

Harper county compensation is based on a salary schedule comprised of pay ranges related to the requirements of the position descriptions. The Harper County Pay Plan is attached as Appendix A. Position Descriptions can be viewed in the Harper County Catalog of Position Descriptions at the Human Resource Department. Position Descriptions will be reviewed annually and amended when necessary.

3.2 Pay Plan Policy

Purpose: To update the current policy for the use and application of the Harper County Pay Plan.

Policy:

A pay scale will be established consisting of grades, each of which shall be identified by a number. Each grade shall have a hiring range consisting of 5 steps identified by a number. Each grade will have a minimum and maximum hourly wage to be applied to all positions in that grade.

Each classification in the County Service shall be assigned a grade, based on the following factors:

- Responsibilities and relative difficulty of the job.
- Qualifications required for the job.
- Prevailing wages for similar positions in the area.
- Prevailing wages for county employees in counties of similar size and wealth to Harper.
- Any other appropriate factors.

New employees will start within the established Hiring Range of their assigned position grade. The Board of County Commissioners may, upon specific review of the candidate's qualifications, authorize a starting wage at a level deemed appropriate.

Any person re-hired within six (6) months of leaving Harper County service, may be compensated with the pay rate for which they were previously paid.

Any person re-hired by Harper County after more than six (6) months shall be treated as a new hire, and subject to the established Hiring Range indicated by the pay plan.

Employees who change positions and promoted employees whose current salary is at or above the maximum for their new grade will not receive a salary increase, and the employee's salary will remain the same, or be set at the maximum of the new grade.

The Board of County Commissioners retains the right to adjust the pay scale and employee step assignments to address market conditions and to maintain internal equity

Elected Officials:

Elected Officials will be included on the pay scale at the Grade determined by the Board of County Commissioners, and are eligible for Longevity Compensation and pay increases as approved by the Board of County Commissioners.

Board of County Commissioners:

The Board of County Commissioners' are included on the pay scale. Their wages are based on

a part-time, KPERS eligible calculation of 1040 hours per year. A starting rate of pay has been established for newly elected Commissioners, however, this may be adjusted through the Resolution process. Commissioners are eligible for Longevity Compensation and any approved pay increase issued to county employees.

Pay Increases:

Wage increases may be given as follows:

- Performance based increases, based on growth and proficiency of performance on the job
- Cost of Living allowances (COLA)
- Any other method as determined by the Board of County Commissioners.

The Board may choose any one or more of these approaches, and nothing herein shall be construed as requiring that one type of increase be ordered as a prerequisite to the giving of another.

Employees must be in good standing in order to receive any type of increase. Employees on probation or suspension due to disciplinary action may be considered ineligible.

Performance Based Increases – Increases given only when it is demonstrated that the employee’s performance is satisfactory, or exceeds expectations, via annual performance evaluations conducted by the employee’s Department Head. (See Section 3.3)
Performance based increases are not guaranteed on an annual basis.

Increases will be granted at the discretion of the Board of County Commissioners, as allowed by available funds identified during the budget process.

The Board of County Commissioners will determine a maximum increase percentage allowed, along with criteria for eligibility, based on performance evaluation metrics. This may consist of a range and criteria. *For example: upon reviewing the budget for the following year, the Board of Commissioners may approve an increase of up to 3%, contingent upon annual evaluation results. A “Satisfactory” or above rating may be required to receive the increase, or they may assign a percent increase for each average rating (an average of “Satisfactory” results in a 2% increase, an average of “Exceptional” or higher results in a 3% increase).*

No employee shall be permitted a performance-based increase until they successfully complete their 6-month probationary period.

Department Heads will complete annual performance evaluations after the budget is approved and submitted, and before November 15 of each calendar year, to allow for a payroll effective date of January 1. Department Heads who fail to perform annual evaluations will be ineligible to receive any merit-based increase that was otherwise scheduled.

Employees must participate in the process by completing the Self-Assessment portion of the Evaluation form, in order to be eligible for a merit-based increase.

Department Heads will be evaluated by the Board of County Commissioners.

Human Resources will review all evaluations and present any Performance Based Increase requests to the Board of County Commissioners for final approval (Department Heads may be

present).

Cost of Living Allowances (COLA) – Cost of living increases shall be granted at the discretion of the Board of County Commissioners.

Increases will be implemented via a blanket increase of a designated percentage or amount, determined by the Board.

Increases may be implemented in combination with performance-based increases (see section above). *For example: The Board of Commissioners may approve a 1.5% across the board COLA, with an additional 1.5% available for those employees averaging a “Satisfactory” or above rating on their annual performance evaluation.*

Employees who have reached the maximum rate on the grade to which his/her position is assigned may continue to receive COLA increases.

In most cases, COLA increase amounts will NOT be added to an employee’s new base rate resulting from a change in pay grade due to a corresponding promotion or demotion occurring *after* the increase is implemented.

The pay scale will be adjusted to reflect cost of living allowances approved by the Board of County Commissioners.

Successful Completion of Initial Employment Period – An increase may be given upon the successful completion of a 6-month Initial Employment Period, if it is demonstrated that the employee’s performance is satisfactory, or exceeds expectations, via a 6-month performance evaluation conducted by the employee’s Department Head.

If deemed eligible for an increase, the percentage awarded will be based on the evaluation rating, and the amounts established for Merit-Based Increases by the Board of County Commissioners the prior year, during the budgeting process.

At the beginning of the following calendar year, these employees will be eligible for a Cost of Living Adjustment (COLA) if one is granted, however, they will not be eligible for a Merit-Based increase until they have completed one full year of service.

Employees must participate in the process by completing the Self-Assessment portion of the Evaluation form, in order to be eligible for this increase.

Longevity – is calculated based on years of full-time service to the County, and will be added on to the base rate indicated by the placement of the employee on the Pay Plan. (see section 3.6)

Promoted Employees:

When an employee is promoted, the appointing authority shall place the employee on one of the following pay grades, as is appropriate for the individual:

- Any lower step of the hiring range of the new grade that gives the employee an increase in pay, or
- The same step of the hiring range of the new grade as the step on which the employee was being paid in the lower grade, if the employee to be promoted has exceptional qualifications.

If the employee was being compensated at a rate outside of the hiring range for the new position, the new rate may be determined by the Department Head, with approval from the Board of County Commissioners.

Longevity increases that the employee has earned due to seniority will be added to the new base rate.

3.3 Overtime Pay

The Department Head schedule periods of overtime work when necessary to meet operating needs. All overtime work must be pre-authorized by the Department Head.

Non-exempt employees who are required to work more than forty (40) hours in a given work week shall be compensated at the rate of one and one-half (1 1/2) times regular salary for all hours worked beyond (40) hours. Sheriff's Deputies begin to accrue overtime work for hours worked in excess of eighty-six (86) hours in a two-week work period.

All time worked in excess of forty (40) hours (eighty-six (86) for Sheriff) shall be paid as overtime and no compensatory time shall be granted.

Overtime shall be paid on actual time worked. Paid time off such as sick leave, vacation leave, holidays or any other approved absence will not be included in computing overtime hours even though the leave may have been in a paid status.

An employee who is called back after normal duty hours for overtime work shall be paid for such overtime in accordance with the provisions set out above except that the employee shall receive a minimum payment of two (2) hours. Employees called back during a holiday shall be paid a minimum payment of three (3) hours at one and on-half (1 1/2) times the employee's regular hourly pay rate. Call back time does not include an employee being call to begin a regular work shift an hour early.

Employees who are exempt under the Fair Labor Standards Act (FLSA) do not receive overtime compensation.

3.4 Pay Periods

Harper County has twenty-six (26) pay periods annually. The pay period for all County employees shall be bi-weekly with the payday being Friday. The established work week for Harper County employees begins at 12:01 a.m. Sunday and ends at 12:00 p.m. midnight, Saturday. All time sheets shall reflect recording of hours worked each day by non-exempt employees through this time period. Time sheets shall be submitted to the County Clerk's office on Monday noon prior to the Friday pay day.

Exempt, elected and contract employees shall be paid bi-weekly. Bi-weekly salary for exempt, elected and contract employees shall be determined by dividing annual salary by twenty-six (26).

All employees shall complete an authorization form accepting or a written waiver declining direct deposit of the employee's pay and shall be paid either by direct deposit with a financial institution of the employee's choice, or by having their payroll check delivered to them. Direct deposits and payroll checks shall be available on the designated pay date.

3.5 Holidays

Harper County will observe holidays as outlined below:

New Year's Day	Veteran's Day
Martin Luther King Day	Thanksgiving Day
Memorial Day	The day after Thanksgiving Day
Independence Day	Christmas Eve
Labor Day	Christmas Day

A declared holiday falling on Saturday will be observed on Friday, while a declared holiday falling on Sunday will be observed on Monday.

An employee who is on leave without pay for any portion of the working day before or the working day following a designated holiday shall not receive holiday pay.

Full-Time employees will receive eight (8) hours pay and Part-Time employees working a regular weekly schedule will receive four (4) hours pay for observed holidays as declared above.

An employee who is required to work on an observed holiday shall receive pay for actual hours worked in addition to the designated holiday pay for that day.

If a declared holiday occurs during an employee's scheduled time off, that day will be paid using holiday pay, and will not be charged to the employee's accrued PTO time. If a declared holiday falls on the regular day off of an employee, that employee will receive a day of holiday pay for that day.

ALTERNATIVE: Employees who work an established schedule consisting of days off during the week may choose to take an alternate day off with holiday pay, if the observed holiday falls on one of these regularly scheduled days off. This must be taken in the same pay period, and must have the approval of his/her supervisor and the Board of County Commissioners.

3.6 Longevity Pay

Longevity pay is established in recognition of continuous service by Full-time, Elected, Full-Time contract, and Part-time employees, who were hired before 1-1-2014.

Temporary, Seasonal, and Part-time employees hired after 1-1-2014 shall not be eligible for Longevity Pay.

Eligibility to begin earning each established Longevity Pay rate shall occur on the employment anniversary date which completes the required year of employment for each level of longevity pay compensation. Longevity pay will be given following completion of the first year of full-time employment.

The following schedule of Longevity Pay is established:

Longevity Pay Schedule

<u>Years of Service</u>	<u>Annual Equivalent</u>
0 to 1 year inclusive	None
1 through 5 inclusive	\$500

6 through 10 inclusive	\$750
11 through 15 inclusive	\$1,000
16 and beyond	\$1,500

Longevity Pay will be calculated as an hourly rate for non-exempt employees, and as an additional lump sum earning for exempt employees, and will be included in each regular pay check.

3.7 Travel Pay for Non-Exempt Employee

Non-exempt employees will be paid at the normal pay rate equal to the normal work day for that employee for the time spent traveling to and from out of county trips for County designated purposes. The time going to and coming from the meeting counts as time worked. The time at the meeting is treated as any other eight (8) hour work day. Meals, social hours, etc. are not a part of work time.

Mileage reimbursement for personal vehicles for County business travel

The employee may request reimbursement using the Travel Request Form. Mileage will be reimbursed at the IRS approved rate and this reimbursement is excludable as taxable compensation to these employees.

3.8 Change of Employment Pay Status

An employee's compensation may change as the result of transfer, promotion or changes in job duties (reclassification). All changes shall be accomplished in accordance with the guidelines of the Harper County Personnel Policy and Pay Plan and be approved by the Board of County Commissioners as reflected on a Personnel Status Form.

3.9 On-Call Time

The Department Head may require an employee to be on call. On Call means a period of time outside the employee's regularly scheduled work hours, during which the employee is required, at the Department Head's direction, to remain available to the agency within a reasonable response time. An employee on call shall remain available at the Department Head's direction for recall to perform necessary work. On Call shall be recorded on employee's time sheet with both the beginning and ending time of on call.

Employees placed on call shall not consume alcohol or be under the influence of mind-altering drugs while in on call status. They must be available for call-in and in physical and mental condition to work.

An employee on call, as defined above, who is not available when called, and who does not present reasonable justification for failure to report when called, shall lose on call compensation for that on call period

The following departments may require an employee to be on call:

1. Sheriff Deputies

Sunday - Saturday & Holidays (See 5.2 Holidays) on call rate \$2.00 per hour. Sheriff's Deputies on call who are called into work shall be compensated for actual hours worked at the appropriate rate of pay. They shall not be paid on call compensation for the hours they

actually worked. Only the hours actually worked by the employee shall be credited in determining eligibility for overtime compensation.

2. Health Department Nurses

Health Department Nurses who complete required nursing visits ordered by the client's physician that are performed outside of the normal office hours (i.e., weekends, holidays, evenings, etc.) will be paid at \$35.00 per visit. Medical necessity of these visits will be reviewed by supervisory staff prior to the visits being made. Visits made after hours because of staff running late or rearranging time are not reimbursed the additional \$35.00.

3. EMS Employees

Monday – Friday on call rate is \$1.50 per hour. Saturday and Sunday on call rate is \$2.00 per hour. Employees requested to respond while on call will be compensated at their regular hourly pay rate during that call, for a minimum of 2 hours. EMS employees scheduled to work an on call shift must remain within 30 minutes of their assigned station. If requested to respond, these employees must then remain within 5 minutes of the station.

SECTION 4: ATTENDANCE

4.1 Work Hours

Except for employees engaged in law enforcement, emergency dispatch, or EMS activities, the normal work period shall be forty (40) hours consisting of five (5) eight-hour work days in a seven-day period; such "40-hour" employees shall not be permitted to work in excess of forty (40) hours without prior approval of the Department Heads.

Employees are not to conduct any work-related duties before or after normal working hours without prior notice by or approval from their Supervisor and in accordance with departmental regulations.

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes.

4.2 Employee Duty to Report Absences

If an employee is unable to be at work on time, or at all, they must notify their manager no later than one (1) hour before the start of their scheduled workday. Individual Departments may require up to eight (8) hours advanced reporting with Department Standard Operating Procedures.

If an employee's manager is not available, the employee should contact Human Resources. If an employee is physically unable to contact the Company, they should ask another person to make contact on their behalf. Leaving a message with a coworker is not considered proper notification.

Excessive tardiness or absences are unacceptable job performance. If an employee is absent for three consecutive days and has not provided proper notification, the County will assume that the employee has voluntarily quit their position and will proceed with the termination process. When an employee calls in absent, they should provide their expected time or date of return.

The County reserves the right to require proof of the need for absence, if allowed by law.

If an employee becomes ill during their scheduled workday and feels they may need to leave before the end of their shift, they should notify their manager immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

Absences should be arranged as far in advance as possible. When an employee needs to be absent during the workday, they should attempt to schedule their outside appointment or obligation so that their absence has the smallest impact possible on business operations.

4.3 Meal Breaks

Unpaid meal breaks will be taken around the noon hour (or in accordance to departmental policy for second and third shift employees), but will be flexible and will be scheduled by Department Heads according to a staggered schedule which will allow offices to remain staffed through the noon hour. If it is determined by the Department Head that the demand for public availability is such that there is no justification for staffing through the noon hour, the Board of County Commissioners may authorize that the office be closed through the noon hour.

4.4 Rest Breaks

Rest breaks are recognized as important to the productivity and efficiency of the employee. Rest breaks, not to exceed fifteen (15) minutes, are encouraged, when possible. One break is allowed in the morning and one break is allowed in the afternoon. Breaks are not an employee "right" or "entitlement benefit" and may not be combined with lunch periods or "saved" for extra paid time off. If workload does not allow time for a rest break on a particular day, no extra compensation or consideration shall be granted to the employee.

4.5 Lactation Accommodation

Breastfeeding employees will be provided time and space to express milk during work following the birth of a child. Accommodations under this policy include a place, other than a bathroom, which is shielded from view and free from intrusion from coworkers and the public.

Employees who wish to express milk during the work period shall keep their department head informed of their needs so that appropriate accommodations can be made to satisfy the needs of both the employee and their department head.

Department Heads must provide an employee a reasonable amount of time as frequently as needed to express milk during the workday. The frequency of breaks and their duration may vary.

- Non-exempt employees may use their lunch periods, paid break periods or PTO leave for time needed to express milk during the workday. Any additional time needed for this purpose may be negotiated between the employee and her department head.
- FLSA-exempt employees may express milk whenever required during the workday.
- Nursing mothers may request a flexible work schedule, subject to approval by their Department Head, to address their individual needs, *e.g.*, the meal break may be temporarily modified or the beginning and/or ending of the work day may be temporarily adjusted.

Employees must label all milk expressed with their name and date collected so it is not inadvertently confused with someone else's milk. Employees should remove expressed milk stored in a refrigerator by close of business every day.

Discrimination and harassment related to breastfeeding are unacceptable and will not be tolerated.

SECTION 5: LEAVES

5.1 Absenteeism

Employees will report to their work stations sufficiently early to enable them to prepare to conduct their duties by the beginning of normal work hours, or as defined by departmental regulations. Any absence which does not conform to the County's leave policy will be considered unauthorized and may be grounds for disciplinary action. If an employee has a history of unauthorized absences, such absences may constitute the basis for discipline up to and including dismissal.

5.2 Leave without pay:

At and within its sole discretion, the County may grant unpaid leaves of absence. Such leaves must be justified by valid reasons and approved by a Department Head. Employees are required to expend all accrued leave before being granted unpaid leave. Unpaid leaves of absence lasting more than three days must be approved by the Board of County Commissioners.

5.3 Paid Time Off (PTO)

Paid Time Off (PTO) provides all Full-Time employees with time away from work that can be used for vacation, personal time, personal illness or time off to care for dependents. PTO must be scheduled in advance and have supervisory approval, except in the case of illness or emergency. The PTO Policy takes the place of the Vacation Leave, Sick Leave, and Personal Leave.

Eligibility:

Full Time employees, as defined in Section 2.2 of this manual, are eligible to receive PTO. PTO is not available to Part Time, Temporary, or Seasonal employees, or Elected Officials. Employees who transition from Full Time to Part Time or other classification will become ineligible to use PTO. These employees will be eligible for payment for any unused PTO subject to the same payment requirements applicable to employees who are terminating employment.

Process:

PTO is provided each pay period, and credited to an employee's PTO bank on a bi-weekly basis. Eligibility to receive PTO is contingent on an employee having worked or used PTO for the entire pay period. PTO is not provided when unpaid leave is taken during the pay period being processed. New hires and re-hires will begin receiving PTO upon completion of a full pay period. Re-hires will not receive credit for previous years of service, and will begin receiving PTO at the 0-1 year rate.

PTO is provided, based on Full Time years of service, per the following schedule:

- 0 – Completion of 1st Year: 120 Hours 4.62 (4:36) hours per pay period
- 1ST Year – Completion of 4th Year 140 Hours 5.39 (5:23) hours per pay period
- 5th Year – Completion of 9th Year; 180 Hours 6.92 (6:55) hours per pay period
- 10th Year – Completion of 14th Year: 220 Hours 8.46 (8:27) hours per pay period
- 15 + Years 260 Hours 10.00 (10:00) hours per pay period

Availability:

PTO must be provided before it may be used; employee PTO banks will not be allowed to go

into arrears.

Newly hired and re-hired employees will begin receiving PTO hours immediately after completion of a full pay period, but must satisfy a six (6) month waiting period prior to being eligible to utilize PTO.

Request & Approval Procedure:

- **Non-Exempt Employees:**

PTO requests should be submitted in advance, and are subject to Department Head approval. PTO requests will be reviewed and approved according to the needs and operating requirements of the county, departmental seniority rights, and the preference of the employees.

- **Exempt Employees:**

Exempt employees are required to use PTO only in instances where the employee will be absent from work in increments of four or more hours at a time. An exempt employee who abuses the procedure by repeatedly taking less than four hours away from work in order to avoid using leave can be denied time away from work or be required to use PTO hours during their absence.

Exempt employees are expected to submit their PTO leave requests through the KRONOS timekeeping system, in advance, if possible. "Flexing" of time due to extended hours worked during the week or on the weekends may be allowed with approval by the Board of County Commissioners.

PTO must be taken in quarter-hour increments. The maximum PTO leave allowed at one time is 80 hours (**absences due to family/medical leave or disability are not subject to this limit**). Exceptions to the maximum amount authorized may be made with approval from the Department Head and the Board of County Commissioners.

PTO will not be included in overtime calculations, and may only be used to make up for time missed during regular work hours not to exceed a total of 80 hours in a pay period (86 hours for law enforcement), with the following exceptions:

The use of PTO may allow for total hours to exceed 40 per week, or 80 per pay period (86 for law enforcement) **only** in the following instances, and **with Department Head approval**:

- An unforeseen incident requiring an employee to work outside of their regular schedule;
- Scheduled meetings deemed mandatory by the Department Head or Board of County Commissioners;
- Unscheduled meetings in which the employee's position with the county necessitates attendance;
- Non-planned, Emergency situations, at the Department Head or Board of County Commissioners' request.

This is an inclusive list of approved situations allowing for PTO hours to combine with regular hours to exceed the 40 per week or 80 per pay period (86 for law enforcement) threshold.

These PTO hours remain ineligible for overtime calculations.

Unpaid leave of any kind must be approved in advance by Department Head and Board of

County Commissioners.

Absence in the case of illness or injury:

When an employee is absent, due to his/her illness, the employee's Supervisor or Department Head shall be notified within one (1) hour prior to the regular starting time for reporting to work, or in accordance with specific departmental procedure.

These absences will be compensated using available PTO.

An employee must inform his/her Supervisor or Department Head of their condition if the absence is expected to last three (3) days or longer, or involves hospitalization of any kind (in-patient, or out-patient). In such instances, documentation will be required from the employee's healthcare provider releasing the employee to work. *This must be received by the Department Head prior to the employee's first shift back to work.*

In the case of a work-related illness or injury, please refer to the Workers Compensation section of this handbook.

Negative PTO Balance:

In certain circumstances, approved in advance by the Board of County Commissioners, employees may be allowed to have a negative balance in their PTO accounts. The maximum allowable negative amount is 40 hours, to be made up before any other leave is taken. This option is available for Full Time employees and newly hired employees still in their 6-month waiting period who are affected by COVID-related absences required by the School District and/or Health Department.

If employment is terminated and the PTO balance remains negative, the employee agrees to reimburse the county for the cost of the PTO advance.

PTO Carry-Over Hours:

While employees are encouraged to schedule and take all PTO hours within the calendar year it was provided, this is not always possible, due to the business needs of the County. In these instances, the Department Head may approve a carryover into the next calendar year of no more than the maximum annual accrual amount, based on years of service (see table above). No payments will be made for unused PTO that is not subject to carry-over.

Maximum Accrual Amount:

Employees may accrue up to 320 hours of PTO. When this limit is reached, employees will no longer be eligible to receive additional PTO until previously provided PTO hours have been used, bringing the balance of the bank below 320 hours. At that time, the accrual will begin again, as before.

Payment for Unused PTO at Termination:

Unused PTO has no cash value and no payments will be made for unused PTO upon termination except that an employee in good standing, who voluntarily leaves Harper County employment, and has been a Full-Time employee in excess of one year, will receive pay for unused accrued PTO, not to exceed the maximum accrual for the years of service as listed above.

To be eligible for payment of unused PTO upon termination, an employee must submit appropriate notice of resignation (four (4) weeks for Department Heads, two (2) weeks for all

other employees) and will be required to work their regular schedule during that time. PTO may be used during this time if it was scheduled (and approved) prior to submission of the resignation notice, or, in the event of illness or injury, with documentation from a Healthcare provider.

The Board of County Commissioners reserves the right to review and potentially override this portion of the policy on a case-by-case basis.

5.4 Transitional Sick Bank

This policy was removed, as it no longer applies, as of 12/31/2022.

5.5 Donated Paid Time Off (PTO) Policy

Harper County recognizes that employees may have a family emergency that causes a severe impact to them, resulting in the need for additional time off in excess of their available PTO. To address this need, eligible employees will be allowed to donate available leave from their unused balances to their co-workers in accordance with the policy outlined below.

This policy is strictly voluntary.

Overview

This program is a donation program whereby accrued PTO may be donated to a pool for sharing with eligible employees in approved circumstances.

Employee Donation of Leave Time

1. The donation of PTO is strictly voluntary and is irrevocable.
2. An employee may donate PTO to a pool for use by eligible recipients. Any unused leave so donated will revert to the donor pool and will not be returned to the donating employee.
3. Donors **may not** specify who will be the recipient of donated leave.
4. Hours are based on actual wages. For example, if employee "A" making \$15/hour donates four hours of PTO, the pool, or bank, will increase by \$60.00. If employee "B" making \$10/hour requests, and is approved for, 4 hours, the pool will decrease by \$40.00.
5. All donations will be in increments of whole hours.
6. The donation minimum is 4 hours.
7. The PTO donation maximum is 80 hours per calendar year.
8. An employee will not be allowed to donate to the pool if the donation will drop their PTO balance to less than 120 hours.
9. Employees who are currently on an approved leave of absence may not donate leave time.
10. Employees may donate to the pool any time during the year.
11. Employees donating leave time through this program will not be required to recognize compensation income for the value of the donated PTO, therefore are not allowed to take a charitable contribution deduction.

Recipient Eligibility

1. Donated time will be available only in the following approved situation:
 - a) **Family Health Related Emergency** – Defined as a critical or catastrophic illness or injury of the employee or immediate family member that poses a threat to life and/or requires inpatient or hospice health care. These "emergencies" will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee, due to exhaustion of all available PTO. **Certification from a licensed healthcare provider will be required.**

- Immediate family member is defined as a spouse, child, step-child, parent, step-parent, or other relationship in which the employee is the legal guardian or sole caretaker.
- 2. Employees may utilize donated leave only after they have exhausted all available accrued PTO leave.
- 3. Employees receiving donated leave time may receive no more than 320 hours (8 weeks) within a rolling 12-month period.
- 4. The minimum request amount is 40 hours.
- 5. Hours received from the Donated leave pool will be paid at the receiving employee's regular hourly rate.
- 6. Time received from the Donated leave pool will be recognized as compensation income and subject to all required tax withholdings.
- 7. Donated time may only be used for time off related to the approved request.
- 8. Any donated time that is in excess of the time off needed will be returned to the Donation Bank. Donated time may not be liquidated for cash.
- 9. PTO will not be accrued while an employee is utilizing donated time.

Conditions or Circumstances that Do Not Qualify for a Receipt of Donated Leave

Employees may not receive donated leave in the following circumstances:

1. Any work-related accident or illness which is compensable under Workers' Compensation benefits;
2. Disability incurred in the course of the commission of a felony (including driving while impaired) or assault;
3. Disability related to an uncomplicated pregnancy/delivery
4. An employee may also not utilize donated leave:
 - During the period of any disciplinary suspension; or
 - While receiving disability insurance (Short- or Long-Term Disability); or
 - After the termination of employment
5. An employee employed less than one year is ineligible to receive donated leave.

Procedure:

Employees who would like to make a request to receive donated leave are required to complete a "Donated Leave Request Form" and submit it to Human Resources, along with a completed Healthcare Certification Form.

- In the event of a chronic illness or injury requiring episodic treatment (dialysis, chemotherapy, radiation therapy, physical therapy), the recipient may use donated leave in non-consecutive increments.
- No individual person may receive donated leave in excess of 320 hours (eight weeks) during the course of one consecutive, rolling 12-month period.

Employees who wish to donate leave time must complete a "Donation of Leave Form" and submit it to Human Resources.

Approval:

Requests for donated leave must meet the Family Health Related Emergency definitions noted above, and must be approved by the Donated Leave Certification Committee.

The Donated Leave Certification Committee will review the request within 5 business days of receipt. The Committee's decision to approve or disapprove a request will be by simple majority vote.

The Human Resources Manager will notify the applicant of the Committee's decision, and the reasoning for that decision.

All determinations made by the Committee are final.

Requests for leave will be kept confidential. Only the Department Head and the Donated Leave Certification Committee will have access to the information included on the Request and Certification paperwork. The original documents will be kept in a file separate from the employee file, in the Human Resources Department.

5.6 Bereavement

Harper County provides up to three (3) working days, (not more than 24 hours) off with pay to aid in coping with the loss of an "Immediate Family" member. Paid time off for bereavement is available from notification of death. Employees may, with their supervisor's approval, use PTO for additional time off.

For the purpose of this section, "Immediate Family" includes the following family members: spouse, son/daughter (in-law), father (in-law), mother (in-law), brother (in-law), sister (in-law), grandparents, grandchildren, step-parents, step-children, stepsiblings, and the same relative of the spouse or any relative residing in the same household.

5.7 Military Leave

A Harper County employee who is a member of any Military Reserve component of United States Armed Forces will be allowed a leave of absence for required training or military duty. All military leave is unpaid.

The employee shall request military leave, in writing, in advance. A copy of the employee's military orders shall be submitted to Human Resources and attached to the written request for military leave. The request and orders will be forwarded to the Human Resources Office for inclusion in the employee's personnel file. Military orders shall be furnished prior to the absence.

An employee who takes military leave of two (2) weeks or less during a twelve (12) month period will be unpaid, but they will continue to accrue PTO during the absence. If an employee is on military leave more than two (2) weeks duration, the employee will not earn PTO for the absent period. An employee may choose to use accrued PTO for their annual active duty training but will not be required to do so.

If an employee desires to keep his/her life insurance and health insurance in effect during the military leave, the employee must make arrangements with Harper County Human Resources to pay the amount that is regularly deducted from the paycheck while on paid status. Harper County will continue to pay the County's share of payment for life and health insurance for an employee on military leave of thirty days or less.

In the event that Military Leave lasts longer than thirty days, Health, Dental, and Vision benefits will be terminated at the end of the month, and COBRA will be offered. Upon return from leave, regular group benefits will be reinstated, with no waiting period, at the beginning of the month after the employee returns to work.

An employee returning from military leave will be reinstated in accordance with the provisions of the Federal Uniform Services Employment and Re-Employment Rights Act of 1994 (USERRA) or the Kansas Military Leave Laws (K.S.A. 73-213, et seq). To be eligible for reinstatement an

employee must give the County notice of intent to return within certain time limits as specified in those laws.

5.8 Civil Leave.

All Regular Full-time and Regular Part-time employees shall be granted Civil Leave with pay when required to do any of the following:

- Perform jury duty,
- Appear in court as a witness by subpoena,
- Appear in court as a party in a civil law suit related to the performance of the employee's official duties with the County,
- Serve as a witness because of professional knowledge related to the employee's County position,
- Serve as a witness before equal opportunity or civil rights commission or bodies,
- Perform emergency civilian duty in connection with national defense, emergency preparedness operations, or as an emergency medical responder or volunteer fire fighter.

An employee granted civil leave for the purposes shown above shall receive full pay and benefits for the time absent from work provided the employee had been scheduled to work during the time missed. If the employee receives pay or fees for the jury duty or required appearances, that pay or fee shall be returned to the County. The employee may retain any amount paid for mileage expenses in traveling to and from the place of the jury duty or required appearance.

Employees involved in criminal litigation or personal civil litigation as a plaintiff or defendant (not as a representative of Harper County) are not eligible for civil leave.

In the case of a volunteer fire fighter or emergency medical responder, the employee must be a trained volunteer. In each instance, granting of Civil Leave will be at the discretion of the Supervisor or Department Head. Leave expected to last 24 hours or more must be approved in advance by the Board of County Commissioners.

Civil Leave will be tracked on the employee's time sheet with a separate pay code. Department Heads must notify Human Resources or the Payroll Clerk if Civil Leave is being utilized.

5.9 Curtailment of Service

The duty of all County officials and employees is to serve the public. There may be situations when it is determined those services can be minimized to protect the welfare of employees. Examples are inclement winter weather, power outages, etc.

Under any but the most extreme weather conditions which could cause utility outages, all County offices will be open and staffed to serve the public. The Department Head may at their discretion release employees who want to use PTO or take leave without pay to leave work,

5.10 Family Medical Leave Act (FMLA)

Harper County is committed to compliance with the Family and Medical Leave Act of 1993 (FMLA). The purpose of this policy is to provide employees with a basic understanding of their rights and obligations under the FMLA.

General Information

Under the Family and Medical Leave Act (FMLA), an eligible employee can take up to 12 weeks of unpaid, job-protected leave in a 12-month period. To be eligible, an employee must meet

each of the following three criteria:

- Have worked for the County for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the County has at least 50 employees within 75 miles of the employee's worksite.

Eligible employees can take leave for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform their job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

Utilization of Leave

An employee does not need to use leave in one block. When it is medically necessary or the County otherwise approves, employees may take leave intermittently or on a reduced schedule.

Employees taking intermittent leave should attempt to schedule it such that it causes limited disruption to business operations. Employees on FMLA leave may be required to report periodically to the County regarding their status and intent to return to work. An employee who fails to return to work at the expiration of the leave without an approved extension will be considered to have resigned.

Available Paid Time Off (PTO) will be utilized during FMLA leave. Once that benefit time is exhausted, the remaining FMLA leave will be unpaid.

Employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify their Department Head as soon as possible.

Calculation Method

Harper County has elected to use a "rolling 12-month" method to define the leave year for FMLA. This means that available FMLA time is calculated by measuring backward from the date an employee's leave begins. (Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the immediately preceding 12 months).

Documentation

The County may require a certification from a health care provider, and periodic recertification, supporting the need for leave. If certification is requested, employees will have 15 days to provide it. If we determine that the certification is incomplete, we will provide a written notice indicating what additional information is required.

Employees do not have to share a medical diagnosis but must provide enough information so that the County can determine if the leave qualifies for FMLA protection. Sufficient information could include a doctor's note informing the County that the employee is or will be unable to perform their job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the County if the need for leave is for a reason for which FMLA leave was previously taken or certified.

If we become aware that an employee's need for leave is for a reason that may qualify under the FMLA, we will notify the employee if they are eligible for FMLA leave and, if eligible, provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, we will provide a reason for ineligibility. The County will notify employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Required documentation will be maintained and kept separate from Employee files in the Human Resources Department.

Benefits

While employees are on FMLA leave, health insurance coverage will continue as if the employees were not on leave. Employees are responsible for their portion of the medical insurance premium cost, if any. Failure to pay the employee portion of the health insurance premiums in advance (or on the schedule established by the payroll department) may result in the termination of coverage. If eligible, the employee will receive notification of continuation of benefits.

The County will utilize available PTO to cover the employee portion of benefit premiums during the FMLA absence. Employees who have exhausted their PTO will be required to make arrangements with Human Resources to either pay their portion of benefit premiums out of pocket, or catch them up through payroll deductions upon returning to work. Catch up deductions will be limited to 4 pay periods.

If an employee does not have enough PTO accrued to cover their anticipated absence, they may elect to use it in smaller increments throughout their leave, to cover benefit premiums. This must be arranged with Human Resources in advance, and any paid leave remaining when the employee returns to work will be added to and paid out on the next paycheck.

The County reserves the right to seek reimbursement from the employee for the medical insurance premiums paid by the County while the employee was on FMLA leave if the employee fails to return from FMLA. The County will not seek reimbursement if the failure to return is due to continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would otherwise qualify for FMLA leave, or other circumstances beyond the employee's control.

The County will not interfere with an employee's FMLA rights or retaliate against them for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Employees who believe they have not received the benefits to which they are entitled under FMLA are strongly encouraged to speak to Human Resources for clarification or resolution. Failing that, an employee can file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private action. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

Holidays

When a holiday falls during a week in which an employee will be absent for the whole week due to FMLA leave, then the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is **not** counted, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.

Returning to Duty

Employees approved for FMLA due to their own serious health condition will be required to present documentation from their healthcare provider releasing them to work **prior to their first day/shift after their leave.**

SECTION 6: OTHER EMPLOYEE BENEFITS

6.1 Health, Dental, and Vision Insurance

Elected and Full-time employees working an average of 30 hours or more per week, are eligible to participate in the group health, dental and vision insurance programs offered by the County.

These benefits will be effective at the beginning of the month following the thirtieth (30) day of employment.

Employee contribution rates will be determined during the annual insurance renewal process by the Board of County Commissioners, and made available to employees at New Hire Orientation or during the annual open enrollment period.

The county cannot guarantee coverage or benefits, and reserves the right to change or eliminate benefits as it deems necessary.

Group health coverage shall terminate on the last day of the month following the employee's final date of service. Terminated, benefit eligible employees will be offered continued coverage per the Conciliatory Omnibus Budgetary Reconciliation Act (COBRA).

An employee who takes a leave of absence shall be permitted to remain in the Harper County health insurance group, but shall be required to pay his/her own premium.

Retiree Group Benefits

Employees retiring from service with Harper County may be eligible to participate in the County Health Care Benefit Retirement Group if they meet one of the following criteria:

1. The retiring employee must have a minimum of four (4) years of service with Harper County prior to retirement, and is at least sixty (60) years of age, OR
2. The retiring employee has at least ten (10) years of service, is qualified for KPERS retirement benefits, and not yet sixty-five (65) years of age.

These employees may remain on the county group benefit insurance plan, provided that they pay the full amount of the premium, as established by the County's health insurance provider.

This coverage will cease when

- a) the retired employee attains the age of sixty-five (65);
- b) failure to make premium payment on a timely basis, or
- c) the retiree being covered or eligible for coverage in another health insurance plan.

6.2 Life Insurance

The County provides the following Life Insurance policies for benefit eligible employees:

- a) \$20,000 Group Term Life Insurance policy for each benefit eligible employee through Advance Insurance, affiliated with Blue Cross Blue Shield of Kansas.
- b) 1 ½ times the employee's annual salary, through KPERS.

6.3 Retirement Program

Harper County is a member of the Kansas Public Employee Retirement System (KPERS), which requires employee participation beginning on the first day of employment in a KPERS covered position (any non-seasonal position expected to work 1,000 hours or more in a calendar

year). The county is required by Kansas statute to deduct and contribute a percentage of the employee's gross wages from each paycheck. This percentage is determined each year by the State of Kansas.

KPERS has provisions for full retirement at age 65 and early retirement based upon age and years of service.

Upon retirement, an employee shall be paid for accrued, but unused PTO in accordance with the provisions of the manual.

Retiring employees will receive a monetary gift equal to \$10.00 for each year of employment. This is a taxable fringe, per the Department of Labor, and will be processed through payroll. The County will also contribute up to \$100.00 towards a celebration honoring those employees retiring with 10 or more consecutive years of service.

Please see Section 6.1 for Retiree Group Health Insurance information.

6.4 Worker's Compensation

The County provides Worker's Compensation coverage for all employees as required by the State of Kansas. This coverage provides medical care and compensation to injured workers at no cost to the employee.

If deemed compensable by the insurer, Worker's Compensation benefits may include coverage of medical expenses for treatment of injuries or occupational illness, and income protection for employees who must be absent from work due to occupational illness or injury. Limited compensation is available for those employees suffering from a serious permanent injury, such as loss of limb or loss of life.

Employees will not be retaliated against by the County because he or she has filed a claim or received benefits from Worker's Compensation.

Employees are ***required to report any injury or illness occurring while in the course of employment*** to his or her Department Head or Supervisor ***immediately***, and complete the provided Work-Related Injury/Illness form. Department Heads injured in the course of employment must notify Human Resources immediately.

Department Heads are responsible for submitting the incident report and the names of any witnesses to Human Resources ***within 24 hours of the incident/illness***. Timely reporting ensures the best recall of the facts and the prompt delivery of benefits to employees.

These steps must be followed, regardless of how insignificant the injury/illness may seem at the time. This is necessary to ensure that any subsequent claim is handled correctly and to comply with legal reporting and record maintenance requirements. Failure to follow these procedures may affect the employee's ability to receive Worker's Compensation benefits, and may result in disciplinary action by the County.

Employees seeking medical treatment must be seen in a clinic setting except in the case of a medical emergency, then employees should go directly to the nearest emergency room.

Chiropractic treatment must be approved by the carrier in advance of the appointment.

Employees are required to provide a physician's release noting restrictions, or a full duty release, to Human Resources as soon as reasonably possible. ***This document must be received in Human Resources prior to the injured worker returning to work in any capacity.***

The County reserves the right to request, at the expense of the County, a special physical examination by a physician selected by the County. In the event the employee is unable to fulfill the employment duties for medical reasons, the County may reassign or terminate the employee.

Compensation

Employees unable to complete their regularly scheduled shift on the day of the incident will be compensated for the entire shift.

In the event that the illness or injury requires the employee to miss additional work due to medical appointments, or because of work restrictions put in place by their healthcare provider, they will be required to use available Paid Time Off (PTO) until Workers Compensation income replacement benefits begin. If approved, these benefits will account for approximately 2/3 of the employee's regular salary. Employees may choose to use available PTO to cover the remaining 1/3 of their regular income during this time. This must be arranged with Human Resources in advance.

Return-to-Work Program

In the event that a work-related illness or injury results in the employee being restricted from performing their regular duties, an offer of *modified duty* may be granted by the County.

Modified duty is defined as the primary duties of an existing or transitional position. In some cases, it may simply be a temporary alteration of the employee's regular job duties. Jobs may be modified in terms of task, time/schedule, equipment, and work performed.

The decision to offer modified duty will be based on written documentation from a healthcare provider and the availability of work that can accommodate the restrictions listed.

Employees refusing modified duty risk losing a portion, or all of their Worker's Compensation benefits.

Additional Labor Laws to Consider

Employees may be eligible for protection under the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA) along with Workers Compensation benefits. The Human Resources Department is responsible for coordinating these benefits.

Zero Tolerance

Workers' Compensation fraud is a punishable crime. Harper County and our insurer have a "zero tolerance" policy for fraud. Offenders will be prosecuted. Suspected fraudulent activity should be reported to a Department Head or Human Resources immediately. Tips received will be investigated and kept strictly confidential.

Enforcement

Employees who are found to be offenders of this policy will be subject to disciplinary action at the discretion of their Department Head and Board of County Commissioners, up to and including termination.

SECTION 7: SEPARATION FROM COUNTY SERVICE

This section addresses the policy for separation from County services of layoff, resignation, death. Termination from employment for disciplinary reasons is addressed in Section 8.

7.1 Layoff

Should it become necessary to reduce the number of employees employed by the County due to lack of work, lack of funds or changes in work procedures or organization, the County Commission and Department Head may abolish any position.

The required reduction shall be made in such job class or classes with the recommendation of the County Commission. Selection of employees to be laid off shall be based on both performance and seniority. Within each affected job class, all temporary employees shall be laid off before any regular employees. The last employees to be laid off within a classification shall be the first to be considered for rehiring. The County shall place the names of employees who are laid off on the appropriate eligibility list for recall. The list shall remain active for two (2) years.

Laid off employees will be eligible for a payout of any accrued, but unused Paid Time Off (PTO) per the policy in section 5 of this handbook.

If reinstated within two (2) years following a layoff, waiting periods regarding insurance and retirement benefits, if any, will not apply. Unless reinstatement is within thirty (30) days of the layoff, the employee's anniversary date will be adjusted in accordance with the period of the layoff.

7.2 Resignation

In order to be considered "in good standing" with the County, an employee must submit a written notice to their Department Head at least two (2) weeks prior to their final day of employment. Department Heads must provide the Board of County Commissioners with notice of their resignation at least four (4) weeks in advance.

The required notice may be waived by the Department Head, or Board of County Commissioners, if deemed appropriate.

Notification of resignation shall be sent to the Human Resource Officer immediately upon receipt.

Employees resigning from Harper County in good standing may be eligible to receive pay for accrued but unused Paid Time Off (PTO), per the policy in section 5 of this handbook.

The Board of County Commissioners reserves the right to review and potentially override this portion of the policy on a case-by-case basis.

7.3 Death of an Employee

Upon the death of an employee, the employee's final payroll check, including current pay due and pay for applicable leave will be made payable to the employee and delivered to the family of the deceased employee. County property of the deceased employee should be returned to the County.

7.4 Return of County Property

Any employee leaving the County service, whether through resignation, layoff, or dismissal shall be responsible for returning any County property which he/she may have in his/her possession. Upon termination such property shall be returned to the Department Head. All County issued clothing may be required to be returned at the discretion of the Department Head.

7.5 Group Health Insurance. (COBRA)

Full Time employees will receive continued coverage under their group health insurance through the last day of the calendar month in which they terminate. An employee separated from county service is eligible to continue to receive any health insurance coverage so required by the Conciliatory Omnibus Budgetary Reconciliation Act (COBRA); all separated employees will be notified in writing, by mail, of eligibility to receive continued health coverage.

SECTION 8: DISCIPLINARY PROCEDURE

A high level of job performance and professionalism is expected from each employee. If an employee's job performance does not meet the standards established for the position, they violate county policies or procedures, or their behavior is otherwise unacceptable, corrective or disciplinary action may be necessary.

Such action by a Department Head or Supervisor shall be exercised discretely and in such a manner as is appropriate to the immediate problem, taking into consideration the employee's past conduct as reflected by the employee's personnel file. This may include, but is not limited to coaching, oral or written warnings, performance improvement plans, paid or unpaid suspension, demotion, and termination. The type and order of actions taken will be at the Department Head's discretion, and the County is not required to take any disciplinary action before making an adverse employment decision, including termination.

SECTION 9: GRIEVANCE POLICY AND PROCEDURE

9.1 Grievance Procedure.

Any complaint or grievance shall initially be filed by the employee with his or her department head within five calendar days of the event giving cause to the grievance or complaint. An answer to the grievance shall be provided by the department head to the employee in writing within five calendar days.

If the complaint or grievance cannot be satisfied by the department head, the employee may forward his or her written complaint or grievance to the Human Resource Department, specifying the nature of the complaint or grievance within seven days of the department head response. The Human Resource Department shall provide an answer to the grievance in writing within ten calendar days.

9.2 Hearing Procedure.

If the complaint or grievance is not satisfied, a panel consisting of the County Board of Commissioners shall hear the appeal. The employee, supervisor, and Human Resource Officer shall be present at the hearing, and the panel shall determine any other witnesses appropriate to be present. The panel may consider all issues and facts related to the disciplinary matter, and exhaust all sources of information. The panel shall render an opinion, which shall not be subject to further appeal.

The hearing shall be held within 30 calendar days from receipt of the employee's request for such a hearing.

At the hearing, all concerned parties shall be given an opportunity to present their respective side of the grievance together with any pertinent evidence or witnesses as deemed relevant by the panel. All parties shall have the right to cross-examine adverse witnesses and evidence.

The panel shall not be bound by any legal policies of evidence.

No county employee, serving as a witness, shall be subject to any restraint, interference, discrimination or reprisal for any of his or her testimony in such hearing

A copy of the finding shall be provided to the employee and the department head and filed in the Human Resource Department.

The hearing shall not be open to the public unless the employee and county both agree in writing to a public hearing.

SECTION 10: NONDISCRIMINATION/ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

Harper County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Harper County expects that all relationships among employees and visitors of the County will be business-like and free of bias, prejudice and harassment.

This policy was developed to maintain an environment free from unlawful harassment, discrimination and retaliation, for both visitors and staff. Harper County will make every reasonable effort to ensure that all concerned are familiar with this policy and are aware that any complaint in violation of the policy will be investigated and resolved appropriately. Any employee who has questions or concerns about this policy should contact Human Resources.

This policy should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions, in order to avoid allegations of harassment. This policy is intended to further the laws that prohibit disparate treatment on the basis of sex or any other protected characteristic, not form the basis of an exception to them.

It is the policy of Harper County to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, or any other characteristic protected by law. Any such discrimination or harassment is prohibited.

This policy applies to all employees of Harper County at all locations. All workers, at every level, will be subject to discipline, up to and including discharge, for any violation of this policy. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, meetings and business-related social events, during or outside of work hours.

Definitions:

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment can be physical or psychological in nature; may include a range of subtle and not so subtle behaviors; and may involve individuals of the same or different gender. Sexual harassment includes all unwelcome conduct of a sexual nature, whether it be physical, verbal or visual.

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Reporting an Incident of Harassment, Discrimination or Retaliation

Procedure:

Employees

If an employee feels that he or she is being subjected to discrimination or harassment, he or she is encouraged to immediately inform the offender that the conduct is unwelcome and request that it be discontinued. Often this action alone will resolve the problem, however, individuals who are uncomfortable or unable to address the offender directly are encouraged to follow the complaint procedure below.

Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor or Human Resources. It is helpful to provide a written record of the date, time and nature of the incident(s), the names of any witnesses, and any other relevant information.

It is important to report all concerns as soon as possible, so that rapid and constructive action can be taken. Early reporting and intervention have been proven to be the most effective method of resolving actual or perceived incidents of harassment.

Under no circumstances is an individual compelled to report the sexual or other unlawful harassment to a supervisor who is accused of the offense.

Department Heads

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly and fairly, whether or not there has been a written or formal complaint.

Department Heads must:

- Take all complaints or concerns of alleged or possible discrimination or harassment seriously no matter how minor or who is involved.
- Report all incidents to Human Resources immediately so a prompt investigation can occur.
- Take any appropriate action to prevent retaliation or prohibited conduct from recurring during or after any investigations or complaints.

Department Heads who knowingly allow or tolerate harassment or discrimination, including failure to immediately report such misconduct to Human Resources, are in violation of this policy and subject to discipline.

Human Resources

Human Resources is responsible for investigating any reported allegations of harassment, discrimination or retaliation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

If necessary, a third party may be contacted to complete the investigation. In some instances, the County Attorney may be consulted and law enforcement contacted.

A written report summarizing the results of the investigation will be presented to the Board of County Commissioners, including recommendations for corrective action, if necessary.

The complainant and respondent will be notified of the corrective actions to be taken, if any. Written documentation of the investigation will be maintained in a secure file in the Human Resources Department.

Discipline:

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. Other responsive action may include, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as the County believes appropriate under the circumstances. Persons who violate this policy may also be subject to civil damages or criminal penalties.

Confidentiality:

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis. Adequate steps will be taken to ensure the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint of investigation is maintained in secure files within the Human Resources Department.

Retaliation:

Harper County encourages reporting of all perceived incidents of discrimination or harassment. It is our policy to promptly and thoroughly investigate such reports. Retaliation against any individual who reports discrimination or harassment, or participates in an investigation of such reports is a serious violation of this policy and will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) will be the subject of appropriate disciplinary action, up to and including termination.

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual harassment under local, state or federal law.

SECTION 11: WORKPLACE VIOLENCE

Harper County is dedicated to providing safe, dependable working conditions and services to its citizens and employees. In order to achieve this goal, it is the County's policy to provide a work place free from violence and violent acts. No direct, conditional, or veiled threat of harm to any employee, customer, business partner, or county property will be acceptable. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on county premises, will be subject to discipline, including immediate termination. Additionally, criminal charges may be filed.

Employees share the responsibility of identifying and alleviating threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to their Department Head or Human Resources. Threats will be investigated, and appropriate remedial or disciplinary action will be taken, up to immediate termination, and, if warranted, reported to the appropriate law enforcement agency.

Employees who act in good faith by reporting real or implied violent behavior or violations of this policy will not be retaliated against or subjected to harassment.

Actions Against Persons Not Subject to County Policy.

Persons committing any threat or acts of violence, who are not County employees, will be handled through the criminal justice system in accordance with applicable Kansas State statutes.

Guns or Other Weapons.

All employees, officials, contractors and other persons, with certain exceptions described below, are prohibited from openly carrying, brandishing, intentionally displaying, threatening others, discharging, or otherwise using "weapons" in the workplace, while engaged in County business, at County-sponsored functions, in County vehicles, or in or on County property (including County buildings and the public areas of such buildings). It is outside the scope of employment for any County employee, official or contractor, to engage in any of the above described conduct while conducting County business under any circumstances.

"Weapons." For purposes of this policy "weapons" include, without limitation, firearms of all types and sizes, whether loaded or not; air guns, BB guns, pellet guns, and the like; simulated weapons; knives, swords, switchblades, razors, (other than small pocket knives, utility knives, kitchen knives used in food service); clubs, bludgeons, batons, bats, and the like; incendiary or explosive devices or any sort whatsoever; martial arts weapons, including but not limited to, nun chucks, throwing stars and the like; and any item carried with the intent or used to threaten or intimidate another. The term "weapons" does not include the lawful possession of personal security devices, intended for use by members of the public, including but not limited to mace, pepper spray, or other personal defense sprays.

Exceptions. The foregoing prohibitions do not apply to certified law enforcement officers; Federal law enforcement and protective service personnel; members of the Uniformed Services actively engaged in the performance of their duties; Sheriff's Deputies; and security guards licensed to carry firearms and retained by the County who are performing such services.

Concealed Carry of Handguns. County employees and officials who are not otherwise prohibited by state or federal law from possessing a firearm may carry concealed handguns (NOTE: ONLY

HANDGUNS) in conformance with the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq., as amended. Employees and officials who carry concealed handguns in County vehicles or their personal vehicles while conducting County business must secure their handguns in a locked and secured handgun safe or in a locked compartment within the vehicle any time the handgun is not otherwise concealed on their person. Carrying a concealed handgun is not within the course and scope of employment, with exceptions only for law enforcement personnel noted in the paragraph above. Regardless of this provision, the General Policy still applies to all County employees, officials and contractors, with the above described Exceptions. Employees that violate this policy are not acting within the scope of their employment and the employee's actions may not be covered by County.

No employee, with exceptions only for law enforcement personnel noted above, will be allowed to carry or possess a weapon within the secured area of the Harper County District Court room or associated offices.

SECTION 12: DRUG AND ALCOHOL MANAGEMENT POLICY

Please see attached policies provided by Compliance One:

- **Anti-Drug and Alcohol Misuse Prevention Policy (Non-regulated)**
 - **Drug and Alcohol Testing Policy (FMCSA/DOT)**

SECTION 13: SMOKING AND TOBACCO USE POLICY

It is the policy of Harper County to comply with all applicable federal, state, and local regulations regarding smoking and the use of tobacco products in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

Definitions

For the Purpose of this policy, the following definitions apply:

- “Smoking”: The possession of a lighted cigarette, cigar, pipe or burning tobacco in any other form or device designed for the use of tobacco.
- “Tobacco Products”: Cigarettes, cigars, pipes and any other smoking product; dip, chew, snuff, smokeless pouches, snus and any other smokeless tobacco product; nicotine delivery devices, such as e-cigarettes, vaping devices or other similar devices.

The use of FDA-approved nicotine replacement therapy products used for tobacco cessation is not considered a violation of this policy.

Pursuant to the Kansas Indoor Clean Air Act, smoking and the use of tobacco products shall be prohibited inside all County owned and operated facilities, and within ten feet of any facility doorway, to include operational windows or ventilation systems of facilities where prohibited.

In keeping with Harper County’s intent to provide a safe and healthful working environment, this policy has been extended to include county owned, leased, and operated vehicles and equipment.

This policy applies to:

- The grounds of the County Courthouse
- All county-sponsored offsite conferences and meetings
- All vehicles and equipment owned, leased, or operated by the county
- All county employees, including elected officials, temporary or seasonal employees, interns and community service providers
- All visitors (customers, vendors and guests) to county premises
- All contractors and consultants and/or their employees working on county premises

County employees shall not use tobacco products at any time they are talking to or otherwise interacting with members of the public while on County time.

The Board of County Commissioners is responsible for implementing and monitoring smoking and tobacco use regulations. Department Heads are expected to enforce these regulations.

Employees who violate this policy shall be subject to the disciplinary procedures as described in Section 8 of this policy manual. Additionally, any person found in violation of the Harper County Smoking and Tobacco Use Policy may be subject to prosecution in accordance with K.S.A. 21-6109 through 21-6116 and amendments thereto. If in violation of this statute, punishment according to the penalty provisions of K.S.A. 21-6112 may apply, including fines up to \$500.

Employees are encouraged to contact the Human Resources Office or Health Department for information regarding the effects of smoking and the availability of smoking-cessation programs.

SECTION 14: PROFESSIONAL APPEARANCE OF EMPLOYEES

Harper County employees are representatives of County Government. Each individual, at any time, may be the initial contact or the continued colleague for the customer doing county business. All employees are responsible for providing a professional appearance by being well groomed, being appropriately attired, and functioning in a safe manner within an orderly work environment. Good grooming and appropriate dress reflect employee pride and inspire confidence on the part of such persons.

It is the policy of the County that each employee's dress, grooming, and personal hygiene should be appropriate to the work situation. Acceptable personal appearance, like proper maintenance of work areas, is an on-going requirement of employment with the County. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted.

Harper County Department Heads may exercise reasonable discretion to determine appropriateness in employee dress and appearance. Reasonable accommodations will be made where required.

Office workers and any employees who have regular contact with the public must comply with the following personal appearance standards:

- Employees are expected to dress in a manner that is normally acceptable in similar business establishments.
 - Examples of **appropriate** attire include slacks that are pressed and in good condition, shirts such as polo-style, pull-over, or pressed button-up; prints on shirts should be of a professional appearance; dresses, blouses, sweaters, and skirts of an appropriate length. Leggings, if worn under a dress, tunic, or skirt of appropriate length.
 - Examples of **inappropriate** attire include, but are not limited to, frayed, tattered, or torn clothing, tight pants, shorts, skirts or dresses that are not fingertip length or longer (unless worn over opaque tights or leggings), tank tops or spaghetti straps, halter tops, midriff baring tops, low-cut blouses or sweaters, blue jeans (except if approved for Friday attire) or any extreme style or fashion in dress, footwear, accessories, fragrances or hair.
- Appropriate undergarments should be worn, and *should not be visible*.
- Hair should be clean, combed and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
- Sideburns, moustaches and beards should be neatly trimmed.

An individual department may designate a casual dress day. Casual clothing such as jeans, athletic shoes, and T-shirts with the Harper County logo or in support of local schools may be appropriate if approved by department head/elected official. Casual dress days will not conflict with internal department dress policies and guidelines, and employees must remember that their appearance represents Harper County.

- Examples of casual dress day attire include jeans that are not torn or frayed, t-shirts with Harper County or local school district logos, polo-style shirts, sweaters. T-shirts must be in good condition (no rips, tears, holes, stains, etc.)
- Examples of **inappropriate** casual dress day attire include leisure wear, yoga pants, leggings (unless under a tunic of appropriate length), jogging pants, shorts, tank tops, spaghetti straps, T-shirts other than those described above, or "flip flops". Flip flops shall be defined as any backless, open-toed, flat-soled, and non-arched shoe.

Employees whose jobs or work assignments call for uniforms or protective clothing and/or equipment must wear such attire whenever necessary or required by general or departmental regulations, policies or directives. This attire should be kept clean, maintained and not frayed, tattered, or torn.

Employees who do not regularly meet the public should follow basic requirements of safety and comfort but should still be as neat and businesslike as working conditions permit.

Certain employees may be required to meet special dress, grooming and hygiene standard, such as wearing uniforms, depending of the nature of their job. It is the employee's responsibility to comply with specific departmental dress regulations.

Any employee who does not meet the standard of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy.

This policy is not intended to apply to law enforcement personnel.

SECTION 15: POLITICAL ACTIVITY

The County shall not abridge the rights of Employees to engage in political activity, including the holding of public office, except as specifically included in this manual. The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any Employee or the County as a whole.

Employees are neither appointed to, nor retained in, County service based upon their political affiliation or activity, with the exception of Officials who serve at the pleasure of their constituency.

Employees shall not use public funds, property, or any other instrumentality or thing of value belonging to the County to promote or oppose any political cause or candidate.

Political activity shall not interfere with the job attendance or performance of an Employee.

While on-duty or while representing themselves as an Employee, Employees other than Officials, shall not wear or display a political badge, button, or sticker, or make a public endorsement that supports an individual candidate for a given office.

No Employee shall solicit another Employee for contributions of money or labor for a candidate for elected office, or otherwise compel or attempt to compel the Employee to support a particular candidate for elective office or to engage in political activity.

No Employee shall coerce or intimidate any other Employee with respect to contributing to, opposing, promoting, or voting for any political cause or candidate.

Any employee wishing to file for an elected position shall consult with the county election official/county counselor in order to prevent violations of the Hatch Act.

The purpose of lobbying is to assure that the official policies of the County are properly expressed before legislative bodies or other governmental agencies. In order to assure that the official policies of the County are properly expressed during appearances before legislative bodies or committees or other governmental agencies, the following policies shall apply:

- All testimony or statements, written or oral, given by an Official or Department Head before any such bodies shall be in the best interest of Harper County;
- Any other Employee appearing before such body shall be supported by a formal policy position of the Board or affected Department;

The policies expressed above shall also apply to any correspondence written on County or Departmental stationery and to any verbal conversation when the speaker is represented as an Employee.

These policies apply to all Employees during normal working hours except that any written statement on County or Departmental stationery applies at all times.

An Employee who appears before such body or any agency during hours other than working hours shall not be presented as an Employee unless all information given is in compliance with this policy. During such appearance, which does not follow this policy, if the fact emerges that the person is an Employee, then a disclaimer shall be issued that the testimony given represents the views of the Employee. If testimony is given that is contrary to County policies

then a statement to that effect shall be given if the person has been identified as an Employee.
All such appearances shall be reported to the Board at their next regular meeting

SECTION 16: TRAVEL, TRAINING, AND REIMBURSEMENT

16.1 Travel Expenses

It is the policy of Harper County to reimburse employees for reasonable and necessary expenditures made associated with traveling for official County business. Any cost that does not fall within the guidelines below must be approved by the appropriate Department Head or Board of County Commissioners *before* the expense is incurred. Employees may not be reimbursed for expenses that were not approved in advance and are deemed unnecessary or extravagant.

Company Credit Cards

Employees who have a county-issued credit card should use that for travel whenever possible. Itemized receipts should be retained and submitted within 30 days of charges. Employees may be required or requested to reimburse the county for charges that exceed the maximum amount allowed by this policy, or are deemed not reasonable or not business related.

Expense Reimbursement

Employees should keep track of all business-related expenses incurred during travel and submit original, itemized receipts within 30 days of their return, along with any other documentation or forms required by their Department Head or the Accounts Payable Department. If a receipt can't be located, employees should be prepared to provide other evidence of the expense.

Employees may not be reimbursed for expenses incurred in excess of the amounts allowed per this policy.

Transportation and Lodging

Employees are expected to use the method of travel and book the kind of lodging that best balances efficiency and cost. Upgrades should be declined unless approved by a manager in advance. In some cases, employees may be asked to use a particular travel agency or service to make travel arrangements. Whether using an agency or booking their own reservations, employees should do so as far in advance as possible.

Food and Incidentals

A meal that an employee purchases when the employee has received overnight travel approval from the County Commissioners and does in fact stay away from home overnight for a work-related event constitutes an allowable meal. Day trips are not allowed meal purchases.

What is **not** allowable:

- Harper County *will not* pay for the purchase of alcoholic beverages.
- Harper County *will not* pay for snacks while traveling.
- Harper County *will not* pay for meals for those that are not an employee of Harper County. For example: vendors, contractors or consultants that are doing work for Harper County are not Harper County Employees.

Maximum amount allowed per meal including tips will be based on the published GSA Meals & Incidentals rates and breakdown (<https://www.gsa.gov/travel/plan-book/per-diem-rates?gsaredirect=perdiem>):

Breakfast	\$13.00
Lunch	\$15.00
Dinner	\$26.00

Or an amount not to exceed \$54.00 per day.

Mileage Expenses

Employees who use their own vehicles for business travel will be reimbursed at the current IRS rate. Mileage to and from the employee's usual workplace will not be reimbursed.

Travel Time Pay

During business travel, nonexempt employees will be paid for their normal work hours (e.g., 8 to 5) regardless of the day of the week. Time outside of their normal work hours will not be paid unless the employee is actively performing work, requested or required to attend an event, or driving a vehicle. Nonexempt employees must accurately record all time worked during business travel.

Exempt employees will not receive any additional compensation for travel time.

16.2 Professional Development Program

Harper County offers educational tuition assistance benefits to encourage self-development by providing financial assistance for certain education-related expenses. This benefit is intended to encourage professionalism and assist employees in increasing effectiveness in their current position, preparing them for possible advancement, and/or increasing their adaptability to new ideas and change.

The Professional Development Program includes assistance with the cost of tuition and other expenses related to either the pursuit of a degree, or for the preparation and taking of County-approved Certification or Licensing programs (C&L) and the examinations required as part of these programs.

Employee Eligibility

Employees are eligible for tuition assistance benefits provided they have been employed on a full-time basis at the time of enrollment in and completion of the course or program, for no less than 12 months, with the exception of current and potential Emergency Medical Services (EMS) employees. EMS employees, regardless of length of service, are eligible for tuition assistance benefits under this policy, as well as those individuals not yet employed, but participating in the Kansas State Board of Emergency Medical Services (KSBEMS) Education Incentive Grant (EIG) Program, sponsored by Harper County.

For the purpose of benefit eligibility, "full-time" basis means the employees has a normal work schedule of at least 40 hours per week.

Education Reimbursement Benefits

- **Tuition Assistance:** Tuition Assistance is designed to encourage self-improvement through outside study by providing financial assistance with the cost of education-related expenses incurred at an approved facility or institution in the pursuit of a degree, certification, or license.

Approval

Employees must secure proper approval prior to enrolling in a course to avoid paying tuition and required fees that are not reimbursable under the Professional Development Program. Approval is at the discretion of the Department Head in conjunction with the Board of County Commissioners.

To obtain approval, an employee must take the following actions:

Employee completes a Harper County, Kansas Tuition Assistance Agreement Application and provides it, along with the documentation described on the form, to their Department Head for approval.

If approved, the Department Head sends the Application to Human Resources, to present to the Board of County Commissioners for approval.

Once approval is granted, the employee is notified, and completes a Harper County, Kansas Tuition Aid Reimbursement Repayment Agreement, which is submitted to Human Resources.

Note: An employee who has applied, but has not commenced classes within one (1) year of the date the form was approved, must complete an updated application for approval.

Course Criteria

In order to qualify for Tuition Assistance benefits under this Plan:

- The degree, certification, or license must relate to the employee's job function or career.
- The required curriculum leading to a degree, certification, or license and the number of hours completed must be appropriate.
- The employee must have been in their position a reasonable amount of time to allow pursuit of further education without impacting job performance.
- Course schedules should not conflict with the employee's work schedule. However, special situations which might require time off the job may be considered. Such situations might involve the scheduling of an examination at times when the employee is usually at work.

Course Eligibility

The following types of courses *are* eligible for consideration for Tuition Assistance:

- Formal college courses offered by an accredited institution.
- Online courses offered by an accredited institution.
- Required courses within a curriculum that lead to a diploma, certificate, license, or degree in a field of interest to the County, even though these courses are not specifically job-related (i.e., Religion or Art).

The following types of courses *are not* eligible for Tuition Assistance:

- Expenses for auditing or testing out of a college level course.
- Preparation courses to prepare for an exam that is required to attend graduate school.
- Recreation or leisure time courses.

Eligible Expenses

The following expenses related to the course may be eligible for reimbursement under the Plan:

- Tuition fees charged by the institution for both undergraduate and graduate course work
- Required textbooks may include books in printed or electronic format (including shipping charges if purchased online by the student).
- Required supplies for the course may be eligible if they are required for the enrolled course(s). Any other items that are needed, but not specifically required (i.e., stated in the syllabus), will *not* be eligible.
- Required fees assessed by the institution which are required for enrollment in and completion of an approved course or degree and are not refundable after completion of a course or course of study.
- Expenses associated with obtaining a specific certification or license.

- Examination Fees and Expenses. The cost of sitting for an exam related to a specific certification or license is eligible. No more than two sittings of the examination are eligible, with the exception of EMS certification/licensure. EMS employees, or potential employees, may test up to three times. In the case of a third attempt, the employee or potential employee, must participate in an authorized review course prior to taking the test.
- Other expenses associated with sitting for an exam are also eligible. For example, application fees and/or exam sitting fees required to take the exam are eligible expenses.

Employees will be required to provide a copy of the course syllabus with the tuition assistance request, to provide documentation of the requirement. Harper County EMS employees and potential employees must also provide verification of participation in the Kansas Board of EMS Education Incentive Grant (EIG) program, if applicable.

Expenses Not Covered

- Optional fees associated with the course. "Optional" fees are the result of the institution providing services not automatically assessed or related to the enrollment in and completion of a course or degree. Optional fees also include those fees charged as the result of employee choice or negligence.
- Computer hardware, internet access fees, and connectivity equipment/charges related to online courses and/or software used for program and system updates are not eligible.
- The expenses related to obtaining a certificate or license are eligible, but the expenses associated with maintaining it are not eligible.

Note: When maintaining a certification or license is necessary for an employee to perform their job (for example, a yearly recertification exam), reimbursement may be made through accounts payable if approved by the Department Head and Board of County Commissioners.

Assistance received under these guidelines shall not duplicate those made by other parties.

Tuition

Eligible expenses will be paid directly to the institution, through the regular accounts payable process.

Assistance over \$5,250.00 during a calendar year will be considered earnings and reported as wages, subject to income tax. Taxable expenses will be included as gross income on the employee's W-2 form, and processed through payroll.

Note: The current IRS limit is \$5250.00 and subject to change based on IRS guidelines.

Repayment Options

Repayment options will be determined by the Board of County Commissioners on a case by case basis, and outlined in the executed Memorandum of Agreement, in the event of a voluntary resignation.

Further Information

Human Resources coordinates the administration of these guidelines throughout the County.

The County reserves the right to modify or terminate this Plan, in whole or in part, in such manner as it shall determine, either alone or in conjunction with other plans of the County.

Modification or termination may be made by the County for any reason, including but not limited to modifications under the Internal Revenue Code or to comply with applicable state or federal regulations. The Professional Development Program is subject to Harper County Budget constraints and the continued availability of KSBEMS EIG program funding.

SECTION 17: ADDITIONAL COUNTY POLICIES

17.1 Operation of Motor Vehicles and County Equipment by County employees.

The operation of county vehicles and county equipment is necessary in conducting the day-to-day business of the county, however, this use also represents one to the greatest liabilities facing the county. Recognizing this, it is imperative that the county take reasonable steps to manage the use of both county and privately-owned vehicles and equipment for performing county business.

Department Heads are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department.

Sheriff's Office and Emergency Medical Services personnel are not subject to this policy. Their respective Departmental regulations will take precedence.

General Guidelines:

- All county-owned vehicles will be adequately insured.
- Department Heads are responsible for scheduling any inspections required by law with the Department of Transportation. Each Department Head is responsible for keeping county-owned or leased vehicles and equipment in good operating condition and shall report immediately any non-routine maintenance needs to the Board of County Commissioners.
- County vehicles are to be operated by authorized employees only. Persons volunteering services to the county are considered employees for purposes of this policy, and may operate county vehicles and/or equipment as necessary in the course of their duties, when authorized by the Department Head.
- Motor Vehicle Records will be obtained on those employees anticipated to regularly operate county vehicles and/or equipment prior to employment and reviewed on an annual basis. A driving record that fails to meet the criteria stated in this policy, or is considered to be in violation of its intent, will result in a loss of the privilege of operating county vehicles and/or equipment.
- Authorized employees must complete a Defensive Driving course provided by the county's Workers Compensation and/or Liability carriers on an annual basis, administered by Human Resources.

Driver's License Requirements:

- Employees must have a valid Driver's license in their possession at all times while operating a county-owned vehicle, or a personal vehicle on county business. In the case of a commercially rated vehicle, the proper Commercial Driver's License (CDL) for the vehicle's weight and class must be present.
- Employees must report any traffic citations received during the operation of a county vehicle, or while driving a personal vehicle on county business, to their Department Head within twenty-four hours.
- Any employee who has their driver's license revoked or suspended must immediately discontinue operation of the county vehicle and notify their Department Head by the start of their shift the next business day.
- An employee who fails to maintain necessary licensure or fails to report traffic citations shall be subject to disciplinary action up to and including termination of employment.
- An employee who is suspended from driving privileges under this policy, employed in a position that requires driving, *may* be transferred to a non-driving position, at the

established rate of pay for that position, if one is available and the employee meets the criteria for said position. If such a position is not available, employment may be terminated.

Driver Criteria & Administration:

Employees are expected to drive in a safe and responsible manner and to maintain a good driving record.

Criteria that may indicate an unacceptable record includes, but is not limited to:

- Three or more moving violations* in a year.
- Three or more chargeable** accidents within a year.
- Refusal to submit to a lawful roadside sobriety test.
- Any combination of the above.

**Violations include any ticket, charge, or other law enforcement proceeding related to these, as well as independent evidence of violations deemed relevant by the Department Head and Board of County Commissioners.*

*** Chargeable means that the driver is determined to be the primary cause of the accident through speeding, inattention, etc. Contributing factors, such as weather or mechanical problems will be taken into consideration.*

County Fleet Vehicle Check out Procedure:

The county provides a limited number of fleet vehicles that are available to employees for county-related travel purposes. The Appraiser's Office is responsible for the scheduling and maintenance of these vehicles, and their needs determine the availability of each vehicle.

Vehicles may be "checked out" by eligible employees as follows:

- Requests should be submitted to the Appraiser's Office at least two weeks in advance.
- The vehicle will be assigned on a first come, first serve basis. During peak inspection times in the Appraiser's Office, the vehicle may not be available.
- The vehicle may be picked up the night before the reservation.
- The vehicle will be checked out with a full tank of gas. The Appraiser's Office will provide a COOP fuel card to be used to fill up the vehicle after use, and before it is returned. Please record the mileage on the receipt.
- Complete the inspection and document on the form provided before and after your trip.
- Provide a copy of the fuel receipt, completed inspection form, and beginning and ending mileage to the Appraiser's Office when returning the vehicle.
- The vehicle should be returned in the same condition as it was when it was checked out. Any personal effects or garbage should be removed and any spills cleaned.
- Only Harper County employees may operate the vehicle.
- Habitual violators of this policy will be prohibited from future use of fleet vehicles.

Take Home Vehicles:

Occasionally, the best interests of the county are served by assigning certain county employees a vehicle to take home to respond directly to calls from residents and landowners outside of regular business hours.

Vehicles and equipment owned by Harper County are provided to employees for the convenience of the county and to allow employees to perform their duties in a safe environment. Personal use of a county-owned vehicle or piece of equipment is not permitted, except for

commuting purposes, unless approved in advance by the Board of County Commissioners.

Vehicles shall be assigned to specific employees within the following conditions:

- Assignment of vehicles shall be approved by the BoCC.
- Only persons in a supervisory or emergency response position shall be assigned a vehicle to be taken to their residence.
- No vehicle assigned to an employee shall be driven or used in any way except to drive to and from work or to respond to a call to duty during non-working hours.
- Employees assigned a vehicle shall be subject to the IRS "Commuting Rule" as is presently allowed under IRS Regulations.
- Mileage traveled to and from work is considered a taxable fringe benefit, and said benefit shall be shown as income as required by Federal Law and IRS Regulations and processed with payroll.
- A Mileage/Commuting Log shall be completed reflecting actual miles traveled for personal use and submitted to Human Resources on a monthly basis.
- The taxable fringe benefit will be calculated and processed through payroll on a quarterly basis.

Use of Private Vehicles for Business Purposes:

In the event that a county fleet vehicle is not available, or if the employee is not planning to return directly from the meeting or event, they may utilize their private vehicle for business travel upon meeting the conditions outlined in this policy, and the following:

- Vehicle is legally registered;
- Vehicle has been deemed safe to operate and maintained as such;
- Employee holds the current minimum automobile insurance required by the state.

Employees utilizing their private vehicles for county business must comply with the expectations outlined in this policy, as if they were operating a county-owned or leased vehicle.

Upon completion of the event, employees will be compensated for business-related mileage *only* via Accounts Payable, utilizing the standard mileage rate as established by the IRS for the current year. Exact mileage should be obtained using a reliable website, if the driver is unable to obtain an exact odometer reading.

General Driver Expectations:

- Employees shall comply with all applicable laws governing the use and operations of motor vehicles.
- Employees are not permitted, under any circumstance, to operate a county vehicle or a personal vehicle for county business when any physical or mental impairment, including fatigue, causes the employee to be unable to drive safely. Additionally, employees shall not operate any county vehicle at any time or operate any personal vehicle while on county business while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. Violation of this policy is sufficient cause for discipline, up to and including termination of employment.
- Smoking is strictly prohibited in any vehicle or piece of equipment owned or leased by the county.
- Cell phone use while driving should be kept to a minimum. Whenever possible, drivers should complete calls while the vehicle is parked and/or use the phone in a "hands free" mode.
- All drivers and passengers in county-owned vehicles shall use seat belts as is required

by Kansas law.

- A "County Vehicle" sign or decal identifying it as a county vehicle must be displayed on both the driver's and passenger's side of the vehicle.
- Mileage logs should be kept in all county-owned vehicles, and completed when fueling, unless otherwise required. Logs may be obtained from the Department Head or Human Resources.
- The County shall not be responsible for personal property in county-owned vehicles or personal vehicles used on county business.

Accident Reporting Procedures:

Any accident involving a county-owned, leased, rented, or privately-owned vehicle used in the performance of county duties shall be reported as follows:

- Call for medical aid if necessary
- Call the appropriate law enforcement authority. All accidents, regardless of the severity, must be reported.
- Using the form located in the Vehicle Accident Packet (stored in the glove compartment), record names and addresses of the driver, witnesses and occupants of the other vehicles; insurance information; make, model, and year of other vehicles; date and time of accident; and overall road and weather conditions.
- Take pictures of the damage.
- Do not discuss the accident with anyone at the scene except law enforcement. Do not accept responsibility for the accident. Do not argue with anyone.
- Provide the other party with your name, address, phone number and county insurance information.
- Immediately report the accident to the Department Head and/or Human Resources. Provide a copy of the Vehicle Accident Report and your written description of the incident, along with any pictures to Human Resources as soon as possible.
- Accidents involving personal injury must be reported to Human Resources for Workers Compensation purposes as soon as possible.
- Failure to stop after an accident and/or failure to report an accident may result in disciplinary action, up to, and including termination of employment.

17.2 Information Systems

E-mail, computer, Internet and voice mail systems are County Property. Anything created or loaded on the County's computer system becomes the property of the County.

These systems are in place to facilitate an employee's ability to efficiently and productively accomplish their jobs. To that end these systems are solely for business purposes. Only "incidental personnel use," as defined by state law, is allowed.

The County reserves the right to intercept, monitor, copy, review and download any communications or files created or maintained on the County's computer system, at any time, without prior notice to the employee.

When using the Internet, an employee should not send materials of a sensitive nature or which constitute "confidential information" unless the information is appropriately encrypted to prevent interception by third parties. Treat all "confidential information" as if it was written in "memo" form. Do not access "Confidential Information" that you are not authorized to see.

Communications and use of e-mail, computer, Internet and voice-mail systems will be held to the same standard as all other County business communications, including

compliance with anti-discrimination and anti-harassment policies. Receipt of unsolicited, offensive materials on any County information systems should be reported to a Supervisor or Department Head. In the event the offensive material is received from the employee's Supervisor or Department Head, the employee should report the incident to Human Resource Department.

In the event the County is placed in a severe thunderstorm warning or a tornado warning while the employee is at their work station, they are responsible for shutting down the computer, turning off the monitor and all other attached peripherals.

When leaving the computer workstation for the evening or the weekend, the employee is responsible for shutting down the computer, turning off the monitor and all other attached peripherals.

Consent to and compliance with these Information Systems Policies is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing and downloading of any communications or files, is grounds for discipline, up to and including termination.

Mobile Device Acceptable Use Policy

This policy applies to both County-issued cellular devices and personal devices being used to conduct County business.

The purpose of this policy is to define acceptable use, standards, procedures, and restrictions for end users conducting official Harper County business on mobile devices. This mobile device policy applies, but is not limited to, all devices and accompanying media, both personal and County-issued, which fit the following classifications:

- Cellular Devices (smartphones)
- Tablet computers
- Portable media devices
- Any mobile device capable of storing Harper County data and connecting to a County network.

The overriding goal of this policy is to protect the integrity of all confidential, sensitive and operational data that resides with Harper County's technology infrastructure to comply with State mandated Kansas Open Records Act (KORA) and Freedom of Information Act (FOIA) regulations and to protect Harper County's network from malware/viruses.

The County expects appropriate and responsible use. Employees are responsible for understanding and following this policy.

Harper County business conducted on mobile devices must comply with all Harper County policies concerning professional conduct, harassment, discrimination and other work conduct policies. Use must also comply with all State of Kansas Laws and Federal Laws.

Every user of a mobile device with access to the Harper County network must use reasonable care to protect Harper County data and to prevent unauthorized access to the Harper County network.

Employees must use discretion in relaying confidential or sensitive information over cellular devices. Cellular transmissions are not secure.

Mobile devices provided by Harper County will be configured to lock after a brief period of inactivity, requiring a password to access. Employees using personal devices to conduct County business are strongly encouraged to enable the lock screen on their device.

Conducting County business on a cellular device including making voice calls, text messaging or emailing is considered to be “on the clock”. Non-exempt Staff shall be compensated for time spent required to read/respond to an email, text message or call pursuant to Section 3.4 of the handbook (Overtime Pay).

Department Heads/Elected Officials are responsible for confirming that employees comply with the intent of this policy and any additional policy restrictions imposed by the Department or office.

Text Messaging

County business is not to be conducted via text message. Not only is this an unsecure means of communication, but it is unprofessional and difficult to document. There are, however, instances where County business may be initiated by a text message. This section applies to those circumstances.

Communications sent and received as text messages from cell phones or tablet devices in the conduct of Harper County business must be archived in order to preserve the communication records. These records may rise to the level of an open record based on recent changes to the Kansas KORA laws.

Employees utilizing County-issued devices are to refrain from deleting any text message sent or received in the course of doing business for the County. Employees are encouraged to utilize the Google Hangouts app whenever possible, due to its archiving capabilities.

Personal Devices

Employees must have prior approval before connecting to Harper County resources with personal devices. Employees shall complete the attached Appendix A: Request form and submit to the appropriate Department Head. All requests will then be directed to the Information Technology Department, and approved by the Board of County Commissioners.

There must be a demonstrable business need for access to the Harper County network on a personal device, including, but not limited to the following:

- Employee is a Department Head.
- Employee position does not provide regular access to an office land line or County voice mail.
- Employee must conduct essential job functions requiring immediate attention while out of the office;
- Aspects of employee position require contact outside of regular business hours, and immediate response;
- Employee is essential to some type of emergency response role or required to be available for 24/7 “On Call” support;
- The authorization benefits Harper County for budgetary and/or convenience reasons;

The IT staff may deny access to Harper County resources for particular devices. This includes, but is not limited to devices that are not compatible with Harper County systems, devices that have been “rooted” or “jailbroken” or devices that contain malicious apps.

Employees granted access to Harper County network resources on their personal devices shall allow the IT Department to have the ability to manage some aspects of the device.

When using a personally owned device for Harper County business, information contained on that device could be the subject of a Kansas Open Records request, court discovery or other legal investigation. If this occurs, the employee will be required to relinquish the device and provide all necessary passwords to fulfill the Open Records request, court discovery or legal investigation.

County-Issued Devices

The need for a County-issued device will be determined by each Department Head/Elected Official and approved by the IT Department and Board of County Commissioners.

County cellular devices shall be used to conduct official County business. Personal calls on County-provided cell phones are highly discouraged. The County recognizes that brief personal calls for family or emergency matters may occur. An infrequent or occasional personal call or text, short in duration that does not interfere with the performance of official duties and which results in no cost to the County, is an allowable use of County resources.

Use of cellular devices for illegal, unethical, sexual or any use that interferes with or adversely affects that ability of the employee to perform their duties is expressly prohibited. Any conduct which violates this policy may result in disciplinary action up to and including termination.

The IT department may, at its discretion, limit, restrict, or allow the capability for County-issued devices to download and use commercially available applications. No applications shall be downloaded to any device that may result in a charge, invoice, withdrawal, etc. to any County funding mechanism.

The County and its employees may be required to disclose phone records, text messages and other electronic data and documents (including cell phone user locations at particular times, phone numbers called or texted or from whom the County employee received calls, text messages or contents of text messages sent or received) pursuant to the Kansas public records laws, court order or State and Federal laws.

Harper County has the authority to take necessary measures to manage the use of mobile devices used in the conduct of Harper County business and is not responsible for the loss of personal information nor costs that may result from the management and control activities needed to ensure acceptable use of such devices.

Devices that are lost or stolen must be reported to Harper County IT staff.

Harper County Responsibilities

Harper County does not provide technical support for personal equipment.

Harper County does not accept any liability for claims, charges or disputes between the service provider and the employee.

Any device that stores Harper County information is subject to KORA, FOIA, and eDiscovery. While Harper County will take necessary action to provide information as requested, individuals authorized under this policy will be required to surrender their devices as needed to provide the requested information. Individuals using an authorized personal device shall cooperate fully in

responding to any FOIA request.

Any employee found to have violated this policy may be subject to disciplinary action up to and including termination of employment.

Harper County reserves the right to reduce the number of personal devices authorized to connect to Harper County network at any time and shall have the authority to reduce the number of personal devices authorized to connect to Harper County network based on IT needs.

Telecommuting Policy and Process

Harper County occasionally permits employees to telecommute, or work remotely, when unable to be present during regular business hours due to illness or travel requirements. Approval to telecommute is required in advance if at all possible, and will be granted on a limited basis, if deemed necessary by the Board of County Commissioners.

Telecommuting may be appropriate for some employees and positions but not for others. Telecommuting is not an entitlement, it is not a Countywide benefit, and it in no way changes the terms and conditions of employment with Harper County.

Requests to telecommute as a disability accommodation are handled through a separate process.

For the purpose of this policy, telecommuting refers to an arrangement where an employee is granted permission to temporarily work from home or from a location away from the normal workplace.

Arrangements may be made on an as-needed basis for circumstances such as inclement weather, special projects, business travel, illness, family and medical leave, and other temporary situations as considered appropriate by the Department Head and Board of County Commissioners.

All telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the County. The arrangement is intended to benefit the employee, the County, and the taxpayers without putting undue burden on the County.

Individuals requesting telecommuting arrangements must be employed with the County for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record.

Requests to telecommute should be submitted to Human Resources at the first indication that an employee may be unable to work their regular schedule. Department Heads may begin working remotely immediately (as resources allow). All other staff must obtain approval from the Board of County Commissioners before beginning remote work.

Prior to entering into any telecommuting arrangement, the employee and Department Head, with the assistance of the Director of Human Resources and the Director of Information Technology, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Necessity: Will it negatively impact the County's ability to provide service to the community if the employee is not allowed to work remotely? In other words, can it wait until the employee returns? Or could another staff member complete the task?
- Employee suitability: The Department Head will assess the needs and work habits of the

employee. Considerations include how well the employee has demonstrated the kind of skills and work habits that working from home will require.

- Job responsibilities: The employee and Department Head will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workplace design considerations and scheduling issues.
- Department readiness for telecommuting: Ensure that the teleworking employee will continue to get work done effectively. Determine the following:
 - How will the Department Head and co-workers stay informed about the employee's productivity?
 - How will the department and employee communicate?
 - When is in-person attendance required?
 - Other practical details, including technology access, equipment needs, time and leave accounting, and any safety concerns.

An anticipated end date must be included on the request form, and be adhered to. If an extension of time is needed, a request must be submitted to Human Resources, and approved by the Board of County Commissioners.

In the case of a staff member who is not a Department Head, the Board of County Commissioners will meet for a Special Meeting to review and approve or deny the request. This meeting may occur in person or via telephone (or other virtual meeting platform such as Zoom or Google Meet)

If approved, the request will be submitted to the IT Department to process. VPN access will be initiated, if appropriate, and a laptop checked out to the employee. Unless additional time is requested and approved, the VPN access will be turned off on the date indicated on the original request form.

Any equipment checked out to the employee must be returned to the IT Department on or before the end date indicated on the request form, unless an extension has been approved.

Department Heads and employees must understand and comply with the following policies:

- **Security**: Consistent with the County's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential county information, including, but not limited to:
 - Personal and financial information belonging to county residents and employees
 - Other confidential information belonging to, or in the care of, the County
 - Certain documents containing sensitive information should not be removed from the business office, including but not limited to:
 - Protected Health Information.
 - Financial records belonging to the County, employees, or residents.
 - Other sensitive information as determined by the Department Head and/or Board of County Commissioners.
- **Public Records Disclosure**: The work employees do while telecommuting remains subject to County and other applicable regulations including the Kansas Open Records Act (KORA), regardless of the use of a County-issued device, or a personal device.
- **Overtime eligible employees**: For non-exempt employees, work performed off site is compensable and subject to Fair Labor Standard Act (FLSA) overtime regulations. It is the responsibility of the employee to accurately track and report their time worked. Failure to comply with this requirement may result in the immediate termination of the

telecommuting agreement.

- Workers' Compensation: Telecommuting employees are covered by workers' compensation for job-related injuries that occur in the course and scope of employment. When the telecommute site is in the home, workers' compensation does not cover injuries that are not job related.

To ensure accuracy in record keeping, employees approved to telecommute must notify their Department Head and Human Resources if there is any change to the anticipated time frame of remote work.

Please note: the attached Telecommuting Request Form must be completed and approved before an employee will be allowed to telecommute, including working from home.

17.3 Personnel Records and Privacy Policy

The County maintains various employment files on employees. Such files may include employee personnel files, attendance files, I-9 files, and files for medical purposes. Employees are required to notify Human Resources if any of their personal information changes (e.g., address, phone number, last name) so the appropriate updates can be made to the files. The County will take reasonable precautions to protect employee files and personally identifiable information in its records.

Employee files are restricted based on who reasonably needs access to all or part of the files. Employees may review their own personnel file by making a written request to Human Resources. The written request will become a part of the employee's personnel file. Review of files must take place in the presence of Human Resources. The employee is NOT allowed to remove or alter the contents of the file.

Request for information from employee files received from other departments and inquiries from outside the County, including request for references of former employees will be directed to Human Resources. Supervisors and other employees are prohibited from providing personal or employment references on former or current employees.

The following information will be provided by the Human Resources Office via telephone or Computer inquiry:

- Dates of employment and separation
- Position Held

With written approval of the current or former employee: salary, job chronology, performance information may be released in writing only. This verification will be in writing and a copy retained in the employee's personnel file.

The County will cooperate with federal, state, and local government agencies investigating an employee if the investigators furnish written request, proper identification and proof of legal authority to investigate. The Human Resource Officer may permit a government investigator to review a personnel file on County premises, but the investigator will not be allowed to remove or reproduce this information without the consent of the employee.

In the event that an employee file is subpoenaed, the County will provide all information that it is legally required to provide in the subpoena.

17.4 Outside employment

Employees may engage in outside employment during non-working hours, as long as it does not interfere with their job performance or constitute a legal, financial, or ethical conflict of interest. If the position constitutes a conflict of interest or interferes with the employee's job at any time, they may be required to limit or end their outside employment.

A county employee shall not use County property for outside employment. The only exception is that Sheriff's Deputies will be permitted to wear their uniforms off-duty to work security for schools, County functions, etc. All security activity involving wearing a County uniform will be pro-approved by the Sheriff.

17.5 Right to Search

Harper County has the right to inspect and search County property at any time, including, but not limited to lockers, desks, vehicles, files, computer files and other County owned property that may be assigned to a particular employee. Search of personally assigned areas must be authorized by the Board of County Commissioners.

17.6 Clothing and Cash Allowances

Uniforms

Harper County will provide uniforms for the Police and Jail Department, EMS Department, NX Weed Department, and Mechanics as a condition of employment. These uniforms are not intended to be worn or be adaptable to general usage as ordinary clothing. The uniforms are specifically required as a condition of employment, they help to readily identify personnel as a County employee, and help them to perform their duties in a safer environment. All uniforms will be returned to the department at the conclusion of employment with Harper County. The value of these uniforms is excludable as taxable compensation to these employees.

Other Clothing and Cash Clothing Allowances

Harper County may provide cash clothing allowances to some employees. Cash clothing allowances are considered taxable compensation and will be paid through payroll system.

Per Kansas State statute 19-823, the Sheriff's Department and Jail employees will receive a \$10.00 cash allowance for uniforms, which will be paid through payroll as a taxable benefit.

The Special Bridge Department will be provided with coveralls as a condition of employment for use during inclement weather, which will remain on site.

17.7 Social Media Policy

The County recognizes that the Internet provides unique opportunities to participate in interactive discussions and share Information on particular topics using a wide variety of social media. However, employee misuse of social media can pose risks to the County's confidential and proprietary information, its reputation, jeopardize the County's compliance with applicable rules and laws, and harm the County's employees, affiliated organizations, citizens, business partners, suppliers and vendors. To minimize these business and legal risks, the County expects its employees to adhere to the following guidelines and rules regarding the use of social media. If a department head allows employees to utilize a County computer or other device to access social media, this policy and the County policies relating to electronic communications and use of the County's equipment are applicable.

Social media, used either at or away from work, should never be used in a way that

violates any County policy or employee obligations. If a social media posting would violate any County policy in another forum, it will also violate it in an on-line or other electronic forum. For example, employees are prohibited from using social media to:

- Violate the County's policies, including, but not limited to, those addressing Personal Conduct, Productive Work Environment (Anti- Harassment), Equal Employment Opportunity, Workplace Violence and Weapons,
- Confidentiality, and Solicitation;
- Defame or disparage the County or Its other employees, affiliates, citizens, business partners, suppliers, vendors, or other stakeholders;
- Harass other employees in any way or otherwise violate the County's Policies;
- Circumvent the County's policies prohibiting unlawful discrimination against current employees or applicants for employment;
- Make statements or post other information that is not reflective of, or is damaging to, the County's mission; or
- Violate any other laws or ethical standards,

Employees are prohibited from representing the views of the County in social media unless they are specifically assigned by management to do so as part of their job. Employees should make it clear that any personal opinions expressed through social media are those of his or her individual capacity, not as a representative of the County, or on behalf of the County. The County's customers, suppliers and vendors should never be identified in social media either by name or implication.

If employees become aware of social media content that violates this policy or disparages or reflects poorly on the County or its stakeholders, they should report the content to Human Resources. Protecting the County's goodwill and reputation is every employee's job,

Employees should never provide references for County employees or former employees on social or professional networking sites, as such references, positive and negative, can be attributed to the County and create legal liability for both the employee and the County.

Since technology advances so rapidly, this policy does not attempt to list each and every element of the County's policy on the use of social media. If employees are uncertain or concerned about the appropriateness of any social media posting, they must refrain from making the posting until they discuss the concern with Human Resources.

Violations of this policy, or any use of social media determined to be inappropriate by the County, may, subject to governing law, result in disciplinary action, up to and including immediate termination. Notwithstanding the above, this policy is not intended to, nor will it be applied to interfere with any employee's lawful rights of the National Labor Relations Act.

17.8 Amendments of personnel Rules and Regulations

The Harper County Personnel Rules and Pay Plan are adopted by Resolution of the Board of County Commissioners and shall be amended from time to time in the same manner in which they were originally adopted. No County department shall be exempt from the rules and regulations in this personnel manual.

APPENDIX A

ELECTED OFFICIALS		BASE RATE
1E	Part Time - 1040 hours/year	\$ 19.24
	County Commissioners	
2E		\$ 24.72
	County Attorney	
3E		\$ 21.63
	County Clerk	
	County Sheriff	
	Register of Deeds	
4E		\$ 19.26
	County Treasurer	

1/1/2022		HIRING RANGE															MAX
GRADE	STEP	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
9		\$ 24.60	\$ 25.33	\$ 26.09	\$ 26.88	\$ 27.68	\$ 28.51	\$ 29.37	\$ 30.25	\$ 31.16	\$ 32.09	\$ 33.06	\$ 34.05	\$ 35.07	\$ 36.12	\$ 37.20	\$ 38.32
15.00%	Appraiser																
	IT Director																
8		\$ 21.39	\$ 22.03	\$ 22.80	\$ 23.37	\$ 24.07	\$ 24.79	\$ 25.54	\$ 26.30	\$ 27.09	\$ 27.91	\$ 28.74	\$ 29.61	\$ 30.40	\$ 31.41	\$ 32.35	\$ 33.32
15.00%	Communications Supervisor																
	EMS Director																
	Finance Director																
	Human Resources Director																
	Public Health Administrator																
	Public Works Supervisor																
	Undersheriff																
7		\$ 18.60	\$ 19.16	\$ 19.73	\$ 20.32	\$ 20.93	\$ 21.56	\$ 22.21	\$ 22.87	\$ 23.56	\$ 24.27	\$ 24.99	\$ 25.74	\$ 26.52	\$ 27.31	\$ 28.11	\$ 28.98
5.00%	Community Development																
	Patrol Sergeant																
	Public Health Assistant Director																
	Registered Nurse (RN)																
6		\$ 17.71	\$ 18.34	\$ 18.79	\$ 19.36	\$ 19.94	\$ 20.53	\$ 21.15	\$ 21.78	\$ 22.44	\$ 23.11	\$ 23.80	\$ 24.52	\$ 25.25	\$ 26.01	\$ 26.79	\$ 27.60
10.00%	Department on Aging Director																
	Director of Building and Grounds																
	Foreman, Roads (x2)																
	Foreman, Special Bridge																
	In-Home Health Assistant Director																
	Jail Administrator																
	Noxious Weed Director																
	ROW Field Supervisor																
	Sheriff's Deputy																
	Solid Waste Manager																
	Zoning Administrator																
5		\$ 16.10	\$ 16.59	\$ 17.08	\$ 17.60	\$ 18.12	\$ 18.67	\$ 19.23	\$ 19.80	\$ 20.40	\$ 21.01	\$ 21.64	\$ 22.29	\$ 22.96	\$ 23.65	\$ 24.36	\$ 25.09
7.00%	Detention Sergeant																
	EMS Captain																
	Office Assistant IV (Deputy)																
4		\$ 15.05	\$ 15.50	\$ 15.97	\$ 16.44	\$ 16.94	\$ 17.45	\$ 17.97	\$ 18.51	\$ 19.06	\$ 19.64	\$ 20.22	\$ 20.83	\$ 21.46	\$ 22.10	\$ 22.76	\$ 23.45
5.00%	Lead Dispatcher																
	Office Assistant III																
	Paramedic																
3		\$ 14.33	\$ 14.76	\$ 15.21	\$ 15.66	\$ 16.13	\$ 16.62	\$ 17.11	\$ 17.63	\$ 18.16	\$ 18.70	\$ 19.26	\$ 19.84	\$ 20.43	\$ 21.05	\$ 21.68	\$ 22.33
5.00%	AEMT																
	Bridge Crewman																
	Communications Specialist																
	Noxious Weed Chemical Applicator																
	Office Assistant II																
	Shop Foreman																
	Transportation Coordinator																
2		\$ 13.65	\$ 14.06	\$ 14.48	\$ 14.92	\$ 15.36	\$ 15.82	\$ 16.30	\$ 16.79	\$ 17.29	\$ 17.81	\$ 18.34	\$ 18.89	\$ 19.46	\$ 20.05	\$ 20.65	\$ 21.27
5.00%	Detention Deputy																
	EMT																
	Equipment Operator																
	Landfill Attendant																
	Mechanic																
	Office Assistant I																
	ROW Traffic Tech																
1		\$ 13.00	\$ 13.39	\$ 13.79	\$ 14.21	\$ 14.63	\$ 15.07	\$ 15.52	\$ 15.99	\$ 16.47	\$ 16.96	\$ 17.47	\$ 18.00	\$ 18.53	\$ 19.09	\$ 19.66	\$ 20.25
	Attendant Care Provider																
	Custodian																
	EMR																
	Home Health Aide																
	Light Equipment Operator																
	Senior Center Director																
	Transit Driver																
	PT Chemical Applicator																