



EMPLOYEE

HANDBOOK

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Table of Contents

Section 1: Intent and Purpose	4
Section 2: At-Will Employment	4
Section 3: State Statutes, Collective Bargaining Agreements, and Individual Employee Contracts	4
Section 4: Applicability of Policies to Sheriff’s Office Employees	4
Section 5: Code of Ethics for County Employees	4
Section 6: Employment Policies	5
6.0 Open-Door Philosophy	5
6.1 Equal Employment Opportunity	5
6.2 Harassment, Discrimination, and Offensive Conduct	5
6.3 Reporting Harassment, Discrimination, Sexual Harassment, and/or Offensive Conduct	6
6.4 Employee Protection (Whistleblower) Policy	6
6.5 Workplace Accommodation	7
6.6 Personal Relationships at Work	8
6.7 Conflicts of Interest	8
6.8 Grievance Procedure	8
Section 7: Employment Relationship	9
7.0 Promotions/Job Postings	9
7.1 Job Descriptions	9
7.2 Employee Transfers	9
7.3 Introductory Period	9
7.4 Background Checks and Drug Testing	10
7.5 Performance Evaluation	10
7.6 Wage Increases	11
7.7 Progressive Disciplinary Process	11
7.8 Separation from Employment	12
7.9 Job Abandonment	12
7.10 Reemployment	12
Section 8: Employment Classification, Hour, and Wage Policies	12
8.0 Classification of Employees	12
8.1 Attendance and Punctuality	13
8.2 Meal and Rest Breaks	13
8.3 Recording Work Hours	13
8.4 Overtime	13
8.5 Compensatory Time	14
8.6 Complaint Procedure Regarding Deductions/Overtime Eligibility	15
8.7 Pay Period and Payroll Deductions	16

8.8 Travel Time	16
Section 9: Work-Life Balance.....	16
9.0 Use of County-Owned Equipment.....	16
9.1 Cellular Phones and Electronic Devices	17
9.2 Social Media Policy	18
9.3 Authorization for Use of Personal Vehicles.....	18
9.4 Employer Sponsored Social Events.....	19
9.5 Nursing Mothers Policy	19
9.6 Visitors in the Workplace.....	19
9.7 Secondary Occupations	19
9.8 Personnel Records.....	20
9.9 Telecommuting Policy	20
Section 10: Benefits.....	22
10.0 Employee Benefits.....	22
10.1 Health Insurance.....	22
10.2 Cash-in-Lieu	22
10.3 Retirement Benefits	22
Section 11: Leave Policies.....	22
11.0 Vacation Leave	22
11.1 Holidays	23
11.2 Bereavement Leave.....	24
11.3 Yearly Flu Shots.....	24
11.4 Sick Leave	24
11.5 Other Medical Leave	25
11.6 Family & Medical Leave Act (FMLA).....	25
11.7 Unpaid Leave.....	28
11.8 Military Leave	29
11.9 State-of-Emergency Leave	29
11.10 Jury Duty	29
11.11 Volunteer Work	29
11.12 Voting.....	30
11.13 Election Leave	30
Section 12: Standards and Expectations.....	30
12.0 Rules of Conduct.....	30
12.1 Dress Code	31
12.2 Alcohol and Drug-Free Workplace	31
12.3 Smoking	32

12.4 Use of County Vehicles	32
12.5 Non-Solicitation and Distribution	32
12.6 Gifts, Gratuities, and Business Courtesies.....	33
12.7 Reporting Criminal Activity, Criminal Charges, Child Abuse Complaints, Etc.....	33
12.8 Absenteeism and Tardiness.....	33
12.9 Meal Reimbursements	34
12.10 Purchasing Card Program.....	34
Section 13: Health, Safety, and Security Policies	34
13.0 Safety First.....	34
13.1 Workplace Violence Prevention Policy.....	34
13.2 Workers' Compensation Benefits.....	35
13.3 Use of Safety Belts.....	35
Section 14: General Personnel	36
14.0 Political Activity	36
14.1 Employment of Relatives.....	36
14.2 Inclement Weather.....	36
Section 15: Receipt.....	39

PLEASE READ THE HANDBOOK CAREFULLY AND KEEP IT FOR FUTURE REFERENCE.

Section 1: Intent and Purpose

The Madison County Board of Commissioners recognizes and declares the necessity of providing the most efficient and highest quality services for the citizens of Madison County while, at the same time, providing a work environment that is both competitive within the community and equitable for its employees.

This manual is designed to acquaint the employee with the County and provide the employee the information about working conditions, benefits, and policies affecting the employee's relationship with the County. It describes many of the employee's responsibilities and outlines the programs developed by the County to benefit its employees. Employees should familiarize themselves with the contents of this manual as it will answer many common questions about the employee's employment with the County.

It is also important to understand that the Madison County Employee Policy and Procedure Manual does not constitute a contract between the Board and the County employees. The Board retains the right to modify or abolish these policies, procedures, and benefits. The policies, procedures, and benefits described in this employee manual supersede all those written and unwritten at an earlier time, including any prior handbooks or manuals.

Section 2: At-Will Employment

Nebraska follows the traditional rule of law that the employment relationship, in the absence of a contract or statutory provision to the contrary, can be terminated at the will of either party. The "employment-at-will" doctrine is based on the concept that the employer has a right to terminate an employee for any lawful reason and that the employee has the same right to quit the employer's service without being required to give a reason. Therefore, the County, like the employee, is free to terminate the employment relationship at any time as it is an "at-will" employer.

Nothing contained in this manual, including statements made in the course of performance evaluations and wage reviews, should be taken as constituting an expressed or implied promise of continuing employment. The County, like the employee, is free to terminate the employment relationship at any time for any lawful reason, as the County is an "at-will" employer. No one has the authority to alter this employment-at-will status through an oral employment contract on behalf of the County, and only the County Board can enter into a written employment contract that changes the employment relationship from employment at-will.

Section 3: State Statutes, Collective Bargaining Agreements, and Individual Employee Contracts

If the provisions of this employee manual are in conflict with applicable Nebraska statutes, collective bargaining agreements, and/or any individual employee contracts, the applicable statutes, collective bargaining agreements, and/or individual employee contracts shall take precedence over the provisions of this employee manual.

Section 4: Applicability of Policies to Sheriff's Office Employees

The Madison County Sheriff's Office is subject to the rules and regulations of the Sheriff's Merit Commission and the state laws establishing the Sheriff's Merit Commission and any applicable federal laws. Those rules, regulations, and laws (federal and state) supersede any conflicting provisions of the Madison County Employee Policy and Procedure Manual.

Section 5: Code of Ethics for County Employees

1. Employees shall not hold financial interests that conflict with the performance of their official duties.
2. Employees shall not engage in financial transactions using non-public governmental information or allow the improper use of such information to further any private interest.
3. Employees shall not give or accept business courtesies that constitute, or could reasonably be perceived as constituting, favorable treatment, or unfair business inducements.
4. Employees shall not use public office for private gain.
5. Employees shall act impartially and not give undue preferential treatment to any organization or individual.
6. Employees shall protect and preserve County property and shall not use it for unauthorized activities.
7. Employees are expected to disclose waste, fraud, and corruption to the proper County official or to the County Attorney.
8. Employees shall adhere to all laws and regulations including those that mandate equal opportunity and treatment, regardless of race, color, religion, sex/gender, national origin, age, disability, marital status, pregnancy, military status, gender identity, sexual orientation, or any other prohibited basis of discrimination under applicable local, state, and federal law.

Section 6: Employment Policies

6.0 Open-Door Philosophy

This open-door philosophy is founded on the County's commitment to communicate openly with employees. This allows for constructive problem solving, open communication, and cooperation between the County and its employees. It is also designed to provide employees with resolutions to work-related problems.

Employees are encouraged to discuss any work-related issues, ideas, or concerns with their supervisor and/or Elected/Appointed Official. If an employee feels the matter has not been addressed appropriately after speaking with the supervisor and/or Elected/Appointed Official, or if the supervisor and/or Elected/Appointed Official is not an appropriate person to go to, employees are encouraged to speak with the Chairman of the Board.

6.1 Equal Employment Opportunity

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

The County also believes in the principles of the Americans with Disabilities Act (ADA). That Act prohibits employers from unlawfully discriminating against employees or job applicants with disabilities when making employment decisions. The County will also make reasonable accommodations of the disabilities and bona fide religious beliefs of applicants and employees to the extent required by law unless undue hardship to the County would result. Any applicant or employee who needs an accommodation must contact their Elected/Appointed Official and request one.

The County wants its commitment to equal employment opportunity to be a success. If an employee feels the County is failing in the County's duty and promise of equal opportunity to all applicants or employees, the employee should report those concerns at once to a supervisor, an Elected/Appointed Official, or to a Board member with whom the employee feels comfortable discussing the matter. Madison County will take every reasonable measure to correct any unfairness and promises that the employee will not be subjected to retaliation for bringing such matters to the County's attention in good faith. The County will treat all such concerns with the utmost confidence to the extent reasonably possible and consistent with a fair resolution of the problem.

6.2 Harassment, Discrimination, and Offensive Conduct

Madison County is committed to maintaining as enjoyable of a workplace as reasonably possible. Therefore, employees and non-employees are prohibited from engaging in any form of unlawful harassment in the workplace as well as any behavior that would be inconsistent with the spirit and intent of this policy.

Harassment is unlawful when it: (1) is based on age, race, color, sex/gender, religion, national origin, disability, pregnancy, genetic information, gender identity, sexual orientation; (2) is unwelcome; (3) is severe or pervasive in nature; and (4) is made a condition of employment, unreasonably interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

In addition, this policy prohibits retaliation against any employee because they file a complaint under this policy, cooperate with any internal investigation, or otherwise pursue their legal rights.

In general, statements, slurs, jokes, and other verbal or physical conduct relating to any of the protected classes, characteristics, or bases listed above, constitute unlawful harassment when they unreasonably interfere with the person's work performance or create an intimidating work environment. Such conduct is strictly prohibited. Prohibited conduct may include, but is not limited to the following:

- Epithets, racial "jokes", slurs or negative stereotypes, intimidating or hostile acts based upon protective classification, and/or written or graphic material that belittles or shows hostility or aversion to persons of a protected class that is posted or circulated on County property.
- Verbal harassment and unwelcome discussions relating to or motivated by a person's protected characteristic or class.

- Unwelcome requests or demands for sexual favors. This includes subtle or blatant expectations to engage in sexual relations and pressure for dates, especially when submission to such conduct is a condition of employment, or when submission or rejection of such conduct is used as a basis for employment decisions affecting the individual.
- Unwelcome or unwanted sexual advances, such as patting, pinching, brushing up against, hugging, cornering, kissing, fondling, sexual flirtations, or any other similar contact.
- Using coercive sexual behavior to control or affect the career, salary, or performance review of another employee.
- Verbal harassment or unwelcome kidding of a sexual nature, such as telling “dirty” jokes and comments about body parts, appearance, or clothing, where such comments go beyond mere courtesy or are unwelcome.
- Making threats of retaliation a term or condition of employment (explicitly or implicitly).

Of specific concern is sexual harassment which is a violation of both state and federal law. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal, physical, or visual forms of conduct of a sexual nature when submission to that conduct is either explicitly or implicitly made a term or condition of employment or is used as a basis for employment decisions or when the conduct has the purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile, or offensive work environment. Sexual harassment does not have to involve conduct of a sexual nature in order to constitute improper behavior. For example, abusive, offensive, or demeaning behavior that is directed to members of one gender only (whether male or female) may be deemed a form of sexual harassment, even though the conduct was not motivated by sexual desire or gratification. In addition, harassment of a male by another male, or a female by another female also constitutes a form of sex discrimination. Likewise, disparate treatment motivated by any other protected characteristic is discrimination and will not be tolerated.

If there are questions about whether conduct is permissible under this policy, employees should refrain from the conduct. Any person found to be engaging in any type of discrimination or harassment may be subject to disciplinary action, up to and including termination of employment.

6.3 Reporting Harassment, Discrimination, Sexual Harassment, and/or Offensive Conduct

Employees can raise questions, concerns and make reports without fear of retaliation. The County prohibits retaliation against any individual who reports discrimination, harassment, sexual harassment, or participates in an investigation of such reports. If an employee feels they have been retaliated against, report such conduct to the Chairman of the Board immediately.

If any employee feels in good faith that they have been subjected to harassment by a co-worker, supervisor, or any non-employee, the employee is to immediately report it to any one of the following: (1) the employee's immediate supervisor; (2) the employee's Elected/Appointed Official; or (3) if the complaint is about a Elected/Appointed Official, or the employee is not satisfied with the handling or outcome of the complaint, the employee should take it to the Chairman of the Board.

Such complaints will be promptly addressed, and appropriate action taken if warranted. Confidentiality will be maintained to the extent possible under the circumstances. If the County finds that a violation of this policy has occurred or that the behavior in question was inappropriate, for any reason, then it will take appropriate action, which may include disciplinary action, up to and including discharge.

6.4 Employee Protection (Whistleblower) Policy

If any employee reasonably believes some policy, practice, or activity of the organization is in violation of law, a written complaint must be filed by that employee with the Chairman of the Board.

All employees are protected from victimization, harassment, or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain. All complaints will be kept as anonymous as possible, though in some situations it may not be possible.

If at any point in time an employee is not satisfied with the resolution of or response to their complaint, or if the complaint is not resolved in a timely manner, the employee should bring the matter to the attention of the Chairman of the Board. If the Chairman of the Board is unavailable or the complaint is about the Chairman of the Board, the employee may go to another individual on the Board.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial, or business decisions taken by the County.

Any employee who knowingly and/or maliciously makes false allegations may be subject to discipline.

6.5 Workplace Accommodation

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

The County is committed to participating in an interactive accommodation process with the employee. An individual who requests a reasonable accommodation will normally be required to meet with the Elected/Appointed Official to discuss the need for accommodation and to complete a written request for accommodation. The request should include information regarding the nature of the disability, how it affects the employee's ability to perform all essential job duties, information regarding medical treatment, the employee's suggestions for their disability or impairment, information regarding the health care provider who has provided such treatment, the employee's suggestions for reasonable accommodation, and other relevant information. The County may also contact the individual's health care provider or other third parties (such as rehabilitation counselors) to verify the existence of the disability or impairment to obtain relevant medical information and/or records, and suggestions for accommodation.

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

While a request for accommodation is being processed, an employee may be placed on a leave of absence, assigned to a different job, or provided with light or modified duty as determined by the County. An employee's base rate of pay will not normally be changed while the employee's request for accommodation is being processed. Although it is not possible to make a comprehensive list of all possible accommodations that might be reasonable, the following are among the accommodations that might be reasonable (depending on the circumstances): making modifications to the job application process, making modifications to the work environment, making modifications to the methods by which a job is performed, providing special equipment or devices to perform a job, reassigning the employee to an open job for which they are qualified and for which the employee can perform the essential job duties, providing a part-time or modified work schedule, modifying training methods and/or materials, providing readers or interpreters, and/or placing an employee on short-term leave of absence.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other County provided leave where permitted by applicable state and federal law.

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

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

final selection of the accommodation to offer to the employee. An employee has the right to refuse any accommodation that is offered by the County under this policy. However, if the employee refuses the accommodation, the employee will be expected to perform all essential functions of the job without accommodation and may be subject to disciplinary and/or performance-related actions, up to and including discharge.

6.6 Personal Relationships at Work

The County strives to provide a work environment that is collegial, respectful, and productive. This policy establishes rules for the conduct of personal relationships between employees and immediate family members, including supervisory personnel, to prevent conflicts of interest, perceived favoritism, and maintain a productive, friendly work environment.

A “personal relationship” is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

An “Immediate family member” shall mean husband, wife, child, father, mother, stepfather, stepmother, father-in-law, mother-in-law, brother, sister, grandfather, grandmother, or grandchild.

An employee is prohibited from occupying a position of being directly supervised by an immediate family member or being in a personal relationship with a direct supervisor. Supervisors are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

When a conflict or the potential for conflict arises because of an immediate family member or personal relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment. If such a personal relationship between employees develops, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to their supervisor or Elected/Appointed official.

Employees will not make recommendations as to hiring, discipline, promotion, evaluation, or other areas where a conflict of interest may exist involving an immediate family member or with whom a personal relationship exists/existed.

6.7 Conflicts of Interest

Employees having any interest, financial or otherwise, direct, or indirect, or engaging in any business transaction or professional activity or incurring any obligation of any nature, are prohibited from the following if it is in conflict with the proper discharge of their duties:

- Using or attempting to use an official County position to secure unwarranted privileges or exemptions for themselves or others.
- Giving the impression that any person can improperly influence them in the performance of the County’s duties or that they are improperly affected by the kinship, rank, position, or influence of any party or person.
- Accepting gifts of value or loans from persons doing business with the County which are intended or appear to influence the official relationship between the donor and recipient.

6.8 Grievance Procedure

The County strives to ensure that all employees are treated fairly. This policy seeks to support the achievement of this goal by providing a just and equitable method for resolving grievances without discrimination, coercion, or reprisal against employees who may submit or be involved in a grievance.

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

The County will use a Grievance Board consisting of five (5) people. The Elected/Appointed Official and the employee involved in the grievance will each select two people from a predesignated list. The four people selected will then select the

fifth member from the list. The Grievance Board will designate a Grievance Board Chair. The Board of Commissioners shall create the predesignated list of people to serve on the Grievance Board.

6.8a Step 1

Employees who feel the County has violated a written policy(ies) or procedure(s) may request to meet with their immediate supervisor within ten (10) working days from the date the alleged violation took place. The immediate supervisor shall review the employee's concerns and advise the employee, in writing, of the decision regarding the grievance, normally within five (5) working days of receipt of the grievance.

6.8b Step 2

If the employee is not satisfied with the immediate supervisor's response, the employee may appeal the grievance to the Elected/Appointed Official within five (5) working days from the date of the immediate supervisor's response. In submitting the grievance to the Elected/Appointed Official, the grievance must be in writing and contain the following information:

- Name of person filing the grievance.
- Details of the alleged grievance.
- Names of persons violating County policy.
- Dates of alleged violation.
- Names of witnesses.
- Citation of the County policy(ies)/procedure(s) that have allegedly been violated.
- Requested remedy.

6.8c Step 3

If the employee is not satisfied with the Elected/Appointed Official's response, the employee may request a review of this decision by the Grievance Board. The employee shall submit a written request to the Grievance Board, indicating their desire to appeal the decision of the Elected/Appointed Official within five (5) working days of receipt of the Elected/Appointed Official's response. This written request must include all information as indicated in Step 2 and, in addition, the written response of the Elected/Appointed Official. The Grievance Board may conduct a hearing concerning the grievance within ten (10) working days from receipt of the appeal. The hearing shall be conducted under the rules adopted by the Board. The Grievance Board's decision is final.

Section 7: Employment Relationship

7.0 Promotions/Job Postings

The County believes in promoting employees from within when possible. As a result, Madison County has a job-posting program designed to give all employees an opportunity to apply for positions in which they are interested and qualified. While most vacancies will be posted on the County's bulletin boards and website, there may be some cases where the Elected/Appointed Official will determine if it's in the County's best interests to seek outside candidates for a position, and outside candidates may be recruited simultaneously with an internal posting.

7.1 Job Descriptions

The County attempts to maintain a job description for each position. If an employee does not have a current copy of their job description, the employee should request one from their Elected/Appointed Official. Job descriptions are written by the Elected/Appointed Officials.

Job descriptions prepared by the County serve only as an outline of job expectations. Due to organizational needs, employees may be required to perform job duties that are not within their written job description. Furthermore, the County may revise, add to, or delete from the employee's job duties or the employee's job description, with or without advance notice to employees.

7.2 Employee Transfers

An Elected/Appointed Official may, at their discretion, allow an employee to transfer from one County department to another. In such cases, benefits, accrued vacation, and/or sick leave will be transferred.

7.3 Introductory Period

An introductory period is used by the Elected/Appointed Official to observe the employee's ability to satisfactorily perform assigned duties and responsibilities. During the introductory period, employees are expected to demonstrate the necessary

skills and abilities to perform the duties for which they have been employed. Assessments may include attention to punctuality, attendance, willingness to work with others, and positive response to supervision. Successful completion of an introductory period does not guarantee continued employment with the County. Employees and the County both retain the right to end the employment relationship for any lawful reason, as Madison County is an at-will employer.

7.3a New Hire (Including Rehire)

All new employees must serve an introductory period of 12 months from date of hire. An employee shall be removed from introductory status on the day following the end of the introductory period, unless notified of extension or termination by the Elected/Appointed Official.

7.3b Introductory Period for Promotions

All employees who are promoted must serve an introductory period of six (6) months in the new job classification before being confirmed in the new position.

7.3c Transfer during Introductory Period

The introductory period of an employee who is transferred (promotion, demotion, lateral move, or move to a lower position) within a department while serving an introductory period may be extended at the Elected/Appointed Official's discretion.

7.3d Transfer outside of Introductory Period

In the case of personnel actions (lateral move or move to a lower position), employees may be required to serve an introductory period. The length of the introductory period is at the Elected/Appointed Official's discretion but will not normally exceed six (6) months, beginning on the date of the transfer. If an employee cannot or does not perform satisfactorily in the position to which they are transferred, the employee may be involuntarily transferred to another position of either the same salary grade or a lower salary grade. If no other position is available for transfer, the duties of the employee may be reassigned, the employee may be reclassified to a lower salary grade, or the employee may be terminated.

7.3e Extension of Introductory Period

An Elected/Appointed Official may extend the introductory period of an employee for reasons of performance or transfer, for a period not to exceed a total of one (1) year from the date of hire or rehire or transfer. The employee will normally be notified, in writing, of the extension and will include the specific period of extension. In cases of extension for performance reasons, the employee may be provided specific performance improvement requirements.

7.3f Completion of Introductory Period

Completion of the introductory period in no way implies a contract of continued employment with the County nor does it create permanency in employment with the County. The employee and employer relationship is for the mutual benefit of both parties and either party may sever the relationship, at-will, at any time.

7.4 Background Checks and Drug Testing

7.4a Background Check Policy

All written offers of employment at the County are contingent upon clear results of a thorough background check. Background checks will be conducted on candidates who have received a written offer of employment and on all employees via the Sheriff's Office.

7.4b Drug Testing Policy

Candidates who have received a written offer of employment may be required to undergo testing for commonly abused controlled substances in accordance with this policy. The County also reserves the right to drug test at random, upon reasonable suspicion, as well as drug test post-accident at the discretion of the County. Any employee who refuses to take a drug test when asked may be subject to disciplinary action up to and including termination.

7.5 Performance Evaluation

To ensure employees perform job functions to the best of their abilities, it is important employees are recognized for good performance and receive appropriate suggestions for improvement when necessary. An employee's work performance will usually be evaluated after completion of the introductory period. Thereafter, regular performance evaluations may be conducted on the first anniversary date and annually thereafter. In addition to the regular performance evaluations, special

performance evaluations may be conducted at any time to advise an employee of the existence of performance or disciplinary problems.

A performance evaluation is not a contract or a commitment to provide a pay raise or other compensation adjustment, promotion, bonus, continued employment, or retention. Such an evaluation is but one of several factors the County may consider in making these and other employment decisions.

7.6 Wage Increases

Each year, the Department Heads and Elected/Appointed Officials, in conjunction with the Board, will determine the pool of merit increase funds available. Both the objectives of the compensation program and financial resources available will be considered in the merit pool decision-making process.

Merit pay is used to reward successful performance. Merit increases will be awarded annually, in the pay period October 1st falls in, to employees who consistently exceed performance standards. Increases will not be granted to employees whose performance has been rated as unsatisfactory overall.

7.7 Progressive Disciplinary Process

At any time, an employee has the right to terminate employment with the County, for any reason or for no reason, and the County retains the same right to terminate an employee for any lawful reason, as the County is an “at-will” employer.

It is the County’s policy to treat all employees fairly, with dignity, and with respect. If the County feels it is appropriate given all the circumstances, progressive discipline may be used. This means that employees who are not performing their jobs up to expectations or who break rules or exhibit improper behavior may be subject to discipline. For minor problems, a verbal warning may be all that is needed to solve the problem. If there is no significant improvement or if the action is more serious, the employee could receive a written warning, suspension with pay, suspension without pay, or termination. Again, an employee has the right to terminate employment with the County and the County retains the same right to terminate an employee for any lawful reason.

7.7a Verbal Warning

A verbal warning is the typical first step when an immediate supervisor or Elected/Appointed Official becomes aware of a problem. The warning may be documented in writing should the supervisor or Elected/Appointed Official deem it necessary. In the event the warning is documented, the employee shall receive a copy upon the employee’s request.

7.7b Written Warning

Unfortunately, a verbal warning is not always enough to prompt improvement. Also, there are times when a written warning without a prior warning is necessary and appropriate. Documented written discipline will normally be issued by the supervisor or Elected/Appointed Official in those cases. The warning will state the action that caused it to be issued and the corrective action that must be taken by the employee to ensure the violation does not reoccur. The employee will receive a copy of the written warning upon request. A copy of the written warning, signed by the employee, will be submitted to the employee’s personnel file.

7.7c Suspension with Pay

An immediate supervisor or Elected/Appointed Official may suspend any employee with pay for a period of time pending the outcome of an investigation into a complaint or possible policy violation. An immediate supervisor or Elected/Appointed Official will notify the employee, in writing, of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance once the suspension has ended and a decision has been made regarding the disposition of the complaint, following the Grievance Procedure policy.

7.7d Suspension without Pay

An immediate supervisor or Elected/Appointed Official may suspend any employee without pay for a period not exceeding sixty (60) calendar days in any twelve (12) month period; however, no single suspension will normally be for more than thirty (30) calendar days. The immediate supervisor or Elected/Appointed Official will notify the employee, in writing, of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance, following the Grievance Procedure policy.

7.7e Termination

An immediate supervisor or Elected/Appointed Official may dismiss any employee under their supervision by delivering a written statement to the employee concerned. The written communication will normally indicate the reasons for the action, any relevant supporting evidence, or a summary thereof, and the date the dismissal is effective. Prior to the termination taking effect, the employee may be provided with an opportunity to present facts and/or explain circumstances, which the employee feels will refute the charges. An employee who is dismissed has the option to file a grievance following the Grievance Procedure policy.

7.8 Separation from Employment

Employment with the County is at will and may be terminated at any time by the employee or by the County with or without notice or cause.

Employees deciding to resign should submit a written resignation to their Elected/Appointed Official stating the reason for resigning and the termination date. The County encourages all employees to submit this written notice at least fourteen (14) calendar days in advance of the final workday in order to provide the County with adequate time to fill the position. All compensations and fringe benefits accrued up to the resignation date will be paid to the employee as outlined in this Handbook.

Departing employees may be asked to participate in an exit interview so that the County can obtain suggestions for making the County a better place to work.

7.9 Job Abandonment

Employees who have been a no call/no show for one (1) day without notifying the County may be considered, at the discretion of the County, to have voluntarily resigned from employment. Walking off the job mid-shift will also be considered a voluntary termination and an employee will not be eligible for rehire.

7.10 Reemployment

Former employees of the County are not eligible for re-hire without prior approval of the County Board.

Section 8: Employment Classification, Hour, and Wage Policies

8.0 Classification of Employees

For purposes of salary administration, overtime, and benefits, the County classifies its employees as follows:

8.0a Introductory Employee

A new employee who has not yet completed the County's introductory period.

8.0b Regular Full-Time Employee

An employee who is hired as a full-time employee, has completed the introductory period and is regularly scheduled to work 40 or more hours per week will be considered regular full-time. Regular full-time employees are eligible for County benefits.

8.0c Regular Part-Time Employee

An employee who has completed the introductory period and is regularly scheduled to work less than 30 hours per week will be considered a regular part-time employee.

8.0d Temporary Employee

An employee hired to work full-time or part-time, with the understanding that they will be employed for only a short period of time or until a specific project is completed, will be considered a temporary employee. Temporary employees may, however, be terminated prior to completion of the project or designated time when the County deems termination to be in its best interests. Temporary employees are not eligible for County benefits. Only benefits required by law will be offered to temporary employees.

8.0e Exempt and Nonexempt

In addition to the above classifications, an employee will be classified as either exempt or nonexempt. Exempt employees are paid on a salaried basis and are not eligible for overtime pay. Rather, they are paid a regular monthly salary, which is generally not affected by the number of hours worked. Deductions from salary for time off work will only be allowed by

applicable state or federal law. Nonexempt employees are paid on an hourly basis and receive overtime pay or compensatory time. If an employee has any questions about their work classification, they are encouraged to contact their supervisor.

The County will utilize a three (3) month lookback period to define employment classification and will adjust between part-time and full-time accordingly.

8.1 Attendance and Punctuality

8.1a Definition of an Absence

The County defines an absence as failure to report for and remain at work as scheduled. The only exceptions to this definition of an absence are those approved in this handbook.

8.1b Notifying a Supervisor

Regular attendance by all employees is an essential function of every position. An employee unable to report for work as scheduled must notify their supervisor as soon as possible. If the absence is excused, such notice must be given as far in advance as possible of the time assigned for reporting to work. Frequent, unexcused absences may subject an employee to disciplinary action.

8.1c Expectations

A permanent attendance record for all employees is maintained. Attendance records are reviewed periodically and employees showing attendance problems will be counseled and/or disciplined by their supervisor or Elected/Appointed Official. Employees are also expected to exercise good judgment with respect to contagious ailments which might have an adverse effect on other employees. Employees are also encouraged to attend to personal affairs during nonworking hours when possible.

8.1d Reporting Late or Leaving Early

When an employee reports late for work or finds it necessary to leave early, the employee must check with the supervisor. Frequent tardiness may subject the employee to disciplinary action.

8.2 Meal and Rest Breaks

At the Elected/Appointed Official's discretion, employees may be given a one-half (1/2) hour unpaid lunch period. If approved, employees will be allowed a 30-minute unpaid lunch period in each shift of at least eight (8) hours. An employee must receive prior approval from their Elected/Appointed Official to work through the 30-minute unpaid lunch period.

8.3 Recording Work Hours

To ensure that accurate records are kept of the hours worked (including overtime hours where applicable), all nonexempt hourly employees are required to record their time worked through the County's time and attendance system. An employee must electronically clock in before beginning work, at the beginning of a lunch period, upon returning from lunch, and after finishing work. All time worked must be included. No employee is permitted to work "off the clock" which means working without recording the hours worked. No supervisor is permitted to ask an employee to work off the clock.

If an error is made using the time and attendance system, an employee shall notify their supervisor or Elected/Appointed Official who will take the steps necessary to correct the error. Falsifying a time record, recording time for another employee, making excessive errors in clocking in or out, or repeatedly forgetting to clock in or out may lead to discipline, up to and including discharge. Only an Elected/Appointed Official, Deputy, supervisor, or designated employee can make changes to timecards. Employee absences shall be submitted into the timekeeping system and approved by a supervisor or Elected/Appointed Official.

8.4 Overtime

Employees who are deemed nonexempt under the Fair Labor Standards Act (FLSA) and who work in excess of forty (40) hours per week will receive overtime pay or compensatory time at a rate of time and one-half (1.5) for all hours worked over forty (40) in a work week. Any time worked that was not part of a scheduled shift on a Saturday or a Sunday will also be compensated at a rate of time and one-half (1.5). Certain jobs, primarily law enforcement, may be subject to different overtime calculation rules. If so, they will be notified by their Elected/Appointed Official of any special overtime rules.

The Fair Labor Standards Act provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement, including security personnel in correctional institutions, if that public agency employs fewer than five (5) such employees during the work week. Other County employees may be total or partially exempt from overtime. The Elected/Appointed Official will notify the employee if they are exempt from receiving overtime.

For the purpose of computing overtime, the work week will commence at 12:01 a.m. Sunday and end at 12:00 midnight on Saturday. Days off (with or without pay), such as vacation, sick leave, and compensatory time, will not be included in the accumulation of hours worked for purposes of computing overtime.

Adjustments may be made to an employee’s hours in an effort to maintain the hours worked by an employee at or below forty (40) hours in a week. Such adjustments must be made prior to the time that an employee works over forty (40) hours in a week. Once an employee has worked over forty (40) hours, payment for time in excess of forty (40) hours must be at time and one-half (1.5) or given in compensatory time at time and one-half (1.5). Upon hire, the employee will be auto-enrolled in compensatory time unless overtime is requested using an Overtime Request Form, found in the Clerk’s Office.

Authorization to work overtime must be obtained from the employee’s immediate supervisor or Elected/Appointed Official prior to working overtime hours. Failure to obtain this authorization before working overtime may subject the employee to disciplinary action. Employees working more than forty (40) hours per week must be credited overtime during the week in which it was earned and paid for it during the same pay period, if possible, or no later than the subsequent pay period, except in cases where compensatory time has been previously agreed upon in lieu of overtime payment.

8.5 Compensatory Time

8.5a Maximum Accrual of Compensatory Time – Excluding Law Enforcement

Eligible employees may accumulate up to 80 hours of compensatory time. Employees who request to exceed 80 hours of compensatory time must have prior authorization from the employee’s designated Elected/Appointed Official. Employees who request to exceed 120 hours of compensatory time must have prior authorization from the Board. Non-law enforcement employees are prohibited from accumulating more than 240 hours of compensatory time. All compensatory time accumulated over the 80, 120, or 240-hour accruals in excess of the maximum amount must be paid out at the overtime rate of time and a half (1.5) in the following pay period. If employees work outside of their “scheduled work week” with approval from their Elected/Appointed Official for emergencies, they will be paid at the compensatory time rate.

8.5b Maximum Accrual of Compensatory Time – Law Enforcement

Employees engaged in law enforcement activities may accumulate up to 480 hours of compensatory time. Time accumulated over the above noted amounts will be paid for at time and one-half (1.5) rates. Payment of overtime shall be paid at the employee’s current hourly rate. The County will allow the employee reasonable use of compensatory time. All unused compensatory time remaining when the employee leaves the employment of the County will be paid at the employee’s current hourly rate or at the average rate for the final three years of employment, whichever is greater.

Employees working within law enforcement and working outside of law enforcement, including part-time employees, may be eligible to receive compensatory time for overtime hours worked.

Appendix 1: Compensatory Time Accrual Examples

A.) All County Offices Examples

(except Road Dist 3)

i.) Example A.I

Hours Worked									Comp Accrued	Hours Paid
Sun	Mon	Tue	Wed	Thur	Fri	Sat	Total	Excess*		
2.5 hrs	8 hrs	8 hrs	8 hrs	8 hrs	8 hrs	0 hrs	42.5 hrs	2.5 hrs	3.75 hrs	40 hrs

* For the 2.5 hrs worked in excess of 40 for the week, compensatory time accrues at 'time-and-a-half'.

ii.) Example A.II

Hours Worked									Comp	Hours
Sun	Mon*	Tue	Wed	Thur	Fri	Sat	Total	Excess	Accrued	Paid
0 hrs	0.0 hrs	11.18 hrs	8.5 hrs	10.0 hrs	8.0 hrs	0 hrs	37.68 hrs	-2.32 hrs	-2.32 hrs	40.0 hrs

* 2.32 hrs debited from comp time will be credit to Monday's time sheet; brings paid hrs up to 40.

iii.) Example A.III

(Worked on a Holiday)

Hours Worked									Comp	Hours
Sun	Mon*	Tue	Wed	Thur	Fri	Sat	Total	Excess	Accrued	Paid
0 hrs	4 hrs	8 hrs	8 hrs	8 hrs	8 hrs	0 hrs	36 hrs	-4.0 hrs	6 hrs	40.0 hrs

Keep Paid Holiday Pay + 1.5x Comp Accrual for every hour worked on the holiday.

* 8 hr holiday

B.) Road District 3 Examples:

i) Example B.I

(8hr Holiday on 10hr work days)

Hours Worked									Comp**	Hours
Sun	Mon*	Tue	Wed	Thur	Fri	Sat	Total	Excess	Accrued	Paid
0 hrs	0 hrs	10 hrs	10 hrs	10 hrs	0 hrs	0 hrs	30 hrs	-10 hrs	-2 hrs	40.0 hrs

* 8 hr holiday *The County pays 8hr holiday.*

**2 hrs debited from your comp bank are credited to the holiday, brings paid hrs up to 40.

ii) Example B.II

Hours Worked									Comp**	Hours
Sun	Mon*	Tue	Wed	Thur	Fri	Sat	Total	Excess	Accrued	Paid
0 hrs	8 Holiday	10 hrs	10 hrs	10 hrs	2.5 hrs	0 hrs	32.5 hrs	0.5 hrs	0.75 hrs	40.0 hrs

iii) Example B.III

Hours Worked									Comp	Hours
Sun**	Mon	Tue	Wed	Thur	Fri	Sat	Total	Excess*	Accrued	Paid
1 hrs	10 hrs	10 hrs	10 hrs	3.0 hrs	8 Holiday	0 hrs	34 hrs	2.0 hrs	2.0 hrs	40.0 hrs

* While only 34 hrs were worked, the holiday brings the payable hours to 42, 2hrs of Comp time are accrued.

iv) Example B.IV

Hours Worked									Comp	Hours
Sun	Mon	Tue	Wed	Thur	Fri	Sat	Total	Excess*	Accrued	Paid
0 hrs	10.0 hrs	11.18 hrs	10.5 hrs	10.0 hrs	0 hrs	0 hrs	41.68 hrs	1.68 hrs	2.52 hrs	40.0 hrs

8.6 Complaint Procedure Regarding Deductions/Overtime Eligibility

The County respects its obligations under the various federal, state, and local laws that govern the workplace, including the Fair Labor Standards Act (FLSA). Accordingly, the County strictly prohibits the making of improper deductions from the salaries of exempt employees. The County wants employees to be aware of this policy, and that the County does not allow deductions that violate the FLSA.

In the event an employee believes the County has made an improper deduction from an employee's wages, the employee must promptly bring the matter to the attention of the Clerk's Office. If an employee is not satisfied with the County's handling of the complaint, the employee must bring the matter to the attention of the Chairman of the Board. Reports of improper deductions will be promptly investigated. If it is determined an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

8.7 Pay Period and Payroll Deductions

Payday for all County employees will be bi-weekly. The County is required by federal law to make certain deductions from an employee's wages. Such deductions include Social Security taxes, as well as federal, state, and any local withholding taxes. Additionally, all voluntary deductions authorized in writing will be made as directed by the employee. Voluntary deductions may include the employee's share of the insurance premium. An employee may not change their payroll deductions at any time other than during benefit open enrollment, unless it is a qualifying event which must be communicated to the Clerk's Office within 30 days of the effective date.

If an employee has questions about their paycheck or believes that a mistake has been made (overpayment or underpayment), they should contact the County Clerk immediately.

8.8 Travel Time

Generally, travel from home to work and work to home is non-compensable. However, travel that is required by the County during any employee's workday ordinarily is compensable (such as traveling from one work site to another or traveling to training or conference).

For travel to and from one's regular office location, the following applies:

- For a special one-day assignment or over-night stay to another city, all travel time is compensable.
- Travel time for non-work events is non-compensable (i.e., sightseeing, regular meal periods, etc.).
- For employees who are travelling together, such travel time will be compensable for the employee who drives.
- All compensable travel time is included in hours worked for purposes of determining any overtime pay due during a workweek. Employees must accurately record compensable travel time hours just as they record other hours worked.
- Reimbursement will be made for only those reasonable travel expenses strictly essential to the transaction of County business.

Please contact the Clerk's Office if employees have any other questions about recording or being compensated for travel-related time.

Section 9: Work-Life Balance

9.0 Use of County-Owned Equipment

All data entered on county-owned equipment is considered the property of the County. The County provides email, voicemail, internet access, telephone service, and computer equipment for use in conducting County business. All equipment is County property and should be used for County purposes. Such equipment may be used for appropriate personal reasons on an occasional basis only during non-working time and as long as such use does not result in added expense for the County. Because such equipment is County-owned property, the County will periodically monitor the use of such property. Therefore, no employee should have any expectation of privacy in their use of such property or files, data, or information transmitted with, placed, or stored on, or otherwise communicated using County equipment.

The following types of equipment are covered by this policy:

Computers – All data entered on the County's computers is considered the property of the County. No employee should knowingly enter false or misleading information in the County's computer system or destroy any data that the County needs to conduct business. Computers should not be used for personal business, even during non-working hours. Unauthorized access to a computer, or knowingly destroying a computer, computer system, computer software, or a computer program is specifically prohibited. Violators will be prosecuted.

Electronic Mail and Voicemail – Electronic mail and voicemail should be used for business purposes only. Email and voice messages are not confidential and are public records. Disclosure of email messages may be required in lawsuits against

the County. Nothing should be sent by email if the employee would not put the information in a letter or memo. Use of derogatory, offensive, or insulting language in any email or voicemail is prohibited.

Use of the Internet – Use of the internet is to be limited to business purposes only. Pornographic or other offensive sites shall not be viewed at any time. The County will monitor internet use.

Telephones – Employees may use the County telephones for appropriate personal reasons during nonworking hours, as long as it is not excessive, or on an emergency basis during work hours. Personal use of county telephones shall not result in an added expense to the County.

9.1 Cellular Phones and Electronic Devices

While Madison County permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, tablets, laptops) into the workplace, employees must not allow the use of such devices to interfere with their job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting, disruptive, and cause a loss of productivity. Employees should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, employees should use such devices in a manner that is courteous to those in the area. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If an employee has a device with a camera and/or audio/video recording capability, employees are restricted from using those functions on County property unless use is directly related to an employee's essential job function. Employees are expected to comply with County policies regarding the protection of confidential and proprietary information when using personal devices.

If an employee needs to make or receive a phone call while driving, the employee must pull off the road to a safe location unless the employee has the correct hands-free equipment compliant with applicable state laws.

Employees may connect personal devices to the County network or to the County equipment (computers, printers, etc.) when it is directly related to the scope of work and performance of job duties.

Employees may have the opportunity to use personal devices for work purposes at the Elected/Appointed Official's discretion. Before using a personal device for work-related purposes, employees must obtain written authorization from their immediate supervisor, Elected/Appointed Official, and/or the Chairman of the Board. The use of personal devices is limited to certain employees and may be limited based on compatibility of technology. To ensure the security of County data, the County's IT department should be consulted regarding the use of personal devices for County use to ensure safety and compatibility.

Employees must have a legitimate business need for a mobile electronic app (such as email) to be installed on their personal mobile device and the issuance of the same must be approved by their supervisor or Elected/Appointed Official. The legitimate reasons employees may need an app related to business include frequent time away from their desk, frequent business travel, project deadlines, for key personnel who must be immediately reachable during an emergency, and for clocking in and out of the time and attendance system. All nonexempt employees are responsible for tracking time spent on business-related mobile applications (such as email) outside of normal working hours and submitting all time worked to their supervisor if they are unable to clock in and out of the time and attendance system. Employees may be subject to disciplinary action up to and including termination of employment for violation of this policy.

County-owned cell phones are provided to eligible employees. If an employee would like to request a county-owned cell phone, he or she must provide a signed copy of the County-Owned Cell Phone Form, found in the Clerk's Office. Personal use of a County-owned cell phone must be kept to a minimum and must be used strictly for essential personal reasons.

The County will consider reimbursing eligible employees for business use of personal cell phones. Reimbursement will be up to a maximum of \$50/month. The employee must provide a copy of their cell phone bill to the County on a quarterly basis. The employee must also provide a signed Personal Cell Phone Reimbursement Form, found in the Clerk's Office, to their direct supervisor to be eligible.

9.2 Social Media Policy

The County understands that social media can be a fun and rewarding way to share one's life and opinions with family, friends, and co-workers. However, use of social media also presents certain risks and carries certain responsibilities with it. To assist an employee in making responsible decisions about social media use, the following guidelines have been established for all County employees.

9.2a Guidelines

Social media includes all means of communicating or posting information or content of any sort on the internet, including: a web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the County, as well as any other form of electronic communication.

Ultimately, an employee is solely responsible for what he or she posts online. Before creating online content, consider some of the risks and rewards that are involved. Any conduct that adversely affects one's job performance, the performance of co-workers or otherwise adversely affects the County's legitimate business interests may result in disciplinary action up to and including termination.

9.2b Know and follow the rules

Carefully read the guidelines under the County's Harassment Policy and the Workplace Violence Prevention Policy to ensure postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including discharge.

9.2c Be respectful

Always be fair and courteous to citizens and other county employees. One is more likely to resolve work-related complaints by speaking directly with co-workers than by posting complaints to a social media outlet. If an employee decides to post complaints or criticism, avoid using statements, photographs, and video or audio that reasonably could be viewed as malicious, obscene, and threatening or intimidating, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, age or any other status protected by law.

9.2d Be honest and accurate

Be honest and accurate when posting information or news and if an error is made, correct it quickly. Employees shall be open about any previous posts that have been altered. The Internet archives almost everything; therefore, even deleted postings can be searched.

9.2e Post only appropriate content

Express only personal opinions and make no representation on behalf of the County. If the County is a subject of the content created, be clear and open that as an employee, your views do not represent those of the County. Employee published blogs or online posts related to work or subjects associated with the employment with the County shall not be made on behalf of the County. It is best to include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of Madison County."

Do not divulge confidential county information. Examples of confidential information may include information related to pending criminal investigations in the Sheriff's Department and potential prosecution by the County Attorney's Office.

9.2f Use of Social Networking Websites on County Equipment, or During Work Hours

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

9.3 Authorization for Use of Personal Vehicles

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, an acceptable driving record and appropriate insurance coverage. Employees who operate a vehicle for work must be willing to consent to a motor vehicle department check to validate an acceptable driving record upon request and provide a copy of

a current driver's license for the employee's personnel file. State law requires all motorists to carry auto liability insurance. Therefore, the employee will also be required to provide the County with current proof of financial responsibility and any updates to that policy upon expiration or renewal. Note that personal auto insurance is the primary coverage for vehicles even while it is being used for business purposes. Any changes in a driving record, including but not limited to, driving infractions or changes to an insurance policy, must be reported to the County within 24 hours of the infraction or change.

If employees use a personal vehicle in the course and scope of employment, employees may not operate such vehicle while:

- Under the influence of drugs, alcohol, or any other substance that might impair judgment or ability to drive; or
- Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

Employees should track all mileage while using their personal vehicle for business purposes. Mileage must be submitted monthly to the Clerk's Office for reimbursement. Mileage submitted in a timely manner may be paid at the discretion of the County depending on the circumstances.

9.4 Employer Sponsored Social Events

On occasion, the County staff may participate in work-related events that serve alcohol. The prohibitions in this policy do not apply to the possession or moderate consumption of alcohol when it is served at such events. Employees are reminded that any consumption of alcohol at such an event should be moderate, should not result in the employee becoming intoxicated, and that normal expectations of appropriate workplace behavior continues at such events. Employees are obligated to ensure a designated driver is available or a ride is obtained if it is unsafe to drive. Also, it is illegal to consume alcoholic liquor upon property owned or controlled by the state or any governmental subdivision unless authorized by governing bodies having jurisdiction over such property.

9.5 Nursing Mothers Policy

The County will provide nursing mothers reasonable break time to express milk for their infant child(ren) for up to one year following the child's birth. Nursing mothers will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public.

Expressed milk can be stored in Madison County refrigerators or personally owned coolers. Employees must sufficiently mark or label milk if placed in refrigerators.

Break time should, if possible, be taken concurrently with any other break time already provided. If an employee needs to express milk outside of an employee's scheduled break time, the employee should work with their supervisor and do so. Employees are encouraged to discuss the length and frequency of these breaks with their supervisor.

No provision of this policy applies, or will be enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law.

9.6 Visitors in the Workplace

Visitors are welcome if it does not disrupt normal business operations. If the frequency, length, or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action.

9.7 Secondary Occupations

Outside employment that creates a conflict of interest or affects the quality or value of an employee's work performance or availability with the County is prohibited. The County does not prohibit additional employment during off hours, but in all cases, the County expects that any outside employment will not affect job performance, work hours, scheduling, or otherwise adversely affect an employee's ability to effectively and satisfactorily perform job duties.

All employees with secondary employment or those employees seeking secondary employment shall discuss with their supervisor or Elected/Appointed Official whether their secondary employment will interfere with their county job duties or to determine whether a possible conflict exists. Employees may not use County equipment, supplies, or facilities for activities related to a second job. Failure to adhere to this policy may result in disciplinary up to and including termination.

9.8 Personnel Records

An employee's personnel file contains important information about job classification and employee benefits. Personnel files also include performance appraisal reports, as well as salary and leave history. Personnel records are County property, and no information can be taken from the personnel records by any person, including the relevant employee. Such conduct could result in severe disciplinary or corrective actions. These records are confidential, and only the employee and the supervisor and/or Elected/Appointed official have access to them. An employee may view his personnel file anytime upon request.

All medical records will be kept confidential and maintained in a locked file separate from all personnel and administrative files. Only the employee, their immediate supervisor, Elected/Appointed Official, or other individuals legally authorized will have access to the medical files.

Any changes to the information below should be reported as soon as possible to the Clerk's Office because of Social Security, payroll, insurance, income tax, and other requirements. Information changes include:

- Name
- Address
- Telephone number
- Marital status
- Number of dependents
- Insurance beneficiary
- Person to contact in event of emergency
- United States employment eligibility or authorization
- The date on which a dependent marries or reaches the age of majority
- Adoption or birth of child
- Birth certificates for dependent children on Madison County Health Insurance or Cash-in-Lieu
- Marriage license for spouse on Madison County Health Insurance or Cash-in-Lieu

Upon request, the County may choose to release some of the information in certain circumstances (such as applications for mortgages or credit cards). An employee's acceptance of employment with Madison County and an employee's actions in providing the County with this information constitute consent for its release. In some cases, the County may require a written consent from the employee in connection with specific requests for information.

9.9 Telecommuting Policy

Telecommuting allows employees to work for all or part of their workweek at home or in another pre-approved, alternative location different from the offices operated by the County. While not all positions within the County are suitable for telecommuting, the County may allow eligible employees to work remotely on a regular basis, provided the employee is able to effectively perform all of their job duties and fully serve the County's needs. The Department Head will designate which employees and positions are suitable for telecommuting and provide notification to the Board as well as proof that the Telecommuting Agreement was signed and filed upon approval.

An employee that is interested in making telework arrangements must discuss the option with their Department Head. To be eligible for telework, an employee must:

- Be a regular, full-time or part-time employee that has completed at least six (6) months of continuous employment with the County;
- Be in good standing, not on a Performance Improvement Plan or have any disciplinary notice issued within six (6) months of the work from home request;
- Display a strong work ethic and ability to interact professionally with team members;
- Communicate well with Department Head(s), co-workers, and customers;
- Express needs objectively and develop solutions creatively;
- Be knowledgeable about Madison County's policies and procedures;
- Complete work projects on time with minimal supervision;
- Establish priorities intelligently and work well independently;
- Use the technology related to job requirements proficiently; and

- Maintain high levels of service to customers and productivity in general.

Telecommuting is not an entitlement, it is not a County-wide benefit, and it in no way changes the terms and conditions of employment with the County. The approval for a telecommuting work position is at the discretion and approval of the Department Head and is not an employee right. The availability of telecommuting as a flexible work arrangement for employees can be discontinued at any time at the discretion of the County.

While working remotely, employees must adhere to all County policies and guidelines outlined in the Employee Handbook, perform the essential functions of their position, and meet the performance expectations set forth in their job description, regardless of location. Employees are expected to meet deadlines, maintain quality and productivity standards, and respond to all communications in a timely manner. Work performance will be monitored regularly by Department Heads to ensure that these working relationships continue to meet the County's needs.

While some flexibility is allowed, employees must agree to work a fixed work schedule or otherwise follow the work schedule provided to them. Employees are expected to be available to work and to communicate with their supervisor and coworkers during the working time periods set by their supervisor. All employees are expected to accurately track and report to the County all time worked and understand that any "off the clock" work will result in disciplinary action. Employees may not work beyond the fixed work schedule without advance approval by the employee's Department Head. Telecommuting is prohibited on a holiday in which the County office(s) are closed. Employees working remotely must still follow the County's procedures for requesting time off.

Employees are expected to choose a safe and secure location to perform work duties and store equipment. Employees must designate and maintain a workspace that is safe, ergonomically appropriate, free from hazards and other dangers to the employee and County-owned equipment, software, data, or supplies; and a dedicated space that maintains privacy and confidentiality of County materials. If employee has any concerns about the adequacy or safety of any remote workspace, employee must immediately notify their direct supervisor of such concerns. Finally, if an employee plans to move their workspace to a new address, the employee must notify their supervisor in advance.

Employees granted the option of telecommuting will supply their own high-speed internet service, at their own expense, on the days they telecommute. If an employee experiences system or connectivity issues that interfere with their work, the employee must immediately notify their supervisor. The supervisor will use discretion to approve time during system or connectivity issues.

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 proprietary County and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

In addition to these pre-approved, regular telecommuting arrangements, there can be short-term situations (e.g., personal business or inclement weather) where allowing employees the ability to connect to the office from a remote location may be mutually beneficial. Again, this is an alternative arrangement that requires prior approval from the employee's Department Head to determine the scope of what will be authorized. This is not a working arrangement that can be chosen at the discretion of the employee on a day-by-day basis.

In the event an office is closed due to inclement weather, all approved telecommuting employees must cease work for the duration of the office closure in order to receive inclement weather pay as outlined in the Severe Weather policy.

Employees must agree to and sign the Telecommuting Agreement noting the policy's terms and conditions. Once the Telecommuting Agreement has been agreed to and signed, it must be filed in the employee's personnel file.

9.9a Disability Accommodation Requests

This policy does not apply to requests for reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or applicable state law. Employees requesting to work remotely as a reasonable accommodation for a disability should follow the procedures outlined in the County's Accommodation Policy.

Section 10: Benefits

10.0 Employee Benefits

The County is proud of the excellent benefit package it offers to its employees. The County adds substantially to an employee's compensation by offering these benefits.

This section of the County's handbook is meant to highlight some features of the benefit programs. The County's group health plan, and any related programs, is described more fully in the Summary Plan Description booklet, which is provided to the employee once the employee is eligible to participate in these programs.

Where benefits are provided by the County to eligible employees, all such benefits shall be controlled by applicable plan documents. The information provided in this handbook is a summary only; detailed information on the plans is set forth in plan documents. To the extent there is any discrepancy or contradiction between the master contract/plan documents and this handbook, the master contract/plan documents shall control.

10.1 Health Insurance

All full-time employees are eligible for health insurance benefits under a group plan upon completion of 60 days employment with the County. The County and the employee currently share the premium cost.

Employees defined as full-time, according to the Affordable Care Act, are eligible for health insurance benefits on the group plan, and eligibility begins the next due date after such employees have served an introductory period of 60 consecutive days.

Specific benefits and plans are outlined in the pamphlet given to employee at the time of an employee's employment. Additional copies are available in the Clerk's Office. All benefit plans are subject to change from time to time. In the event that any benefit document, including the Summary Plan Descriptions, is inconsistent with anything in this handbook or another County policy, the benefit document will be controlling.

10.2 Cash-in-Lieu

If an employee chooses to opt out of healthcare coverage provided by the County, they may have the opportunity to enroll in cash-in-lieu. This is optional and if the employee chooses, they are able to opt out of benefits as well as cash-in-lieu.

Any Madison County employee that is covered by Madison County health insurance is ineligible for cash-in-lieu. Only one employee can receive the County health insurance or cash-in-lieu and other immediate family members are not eligible.

When on cash-in-lieu, the County will pay for life insurance and long-term disability insurance.

If an employee that opts to do cash-in-lieu is terminated, the amount paid out will be prorated based on the days worked in the month of termination.

If an employee is on any type of paid or unpaid leave that would entitle them to the health insurance benefit, the employee would continue to receive their previously elected cash-in-lieu benefit.

10.3 Retirement Benefits

Eligibility, contribution requirements, and retirement benefits available to County employees are described in a plan description handbook published by the Nebraska County Employees Retirement System. A copy of the handbook may be obtained from the County Clerk or online at www.npers.ne.gov.

Section 11: Leave Policies

11.0 Vacation Leave

Vacation is provided to employees for the mutual benefit of the employee and the County. Extended time away from work on a periodic basis gives the employee a break, allowing them to return to work refreshed.

All full-time employees begin accruing vacation leave on the first day of employment. Employees shall be credited with vacation leave on a bi-weekly basis. Should an employee take an unpaid leave or, for any reason, be paid for fewer than 40 hours in any workweek, the vacation leave accrual will be based on the actual hours worked in that week. In no case will additional vacation leave accrue on hours worked beyond 40 hours.

Elected Officials do not accrue vacation, sick, or comp time.

The following example assumes that an employee works a total of fifty-two (52) forty (40)-hour weeks per year:

Full Years of Completed Service	Bi-Weekly Amount Awarded	Maximum Accrual Cap at Jan 1
Hire Date – 7 Years	3.08 Hours (Annual Equivalent: 80 hours/10 days)	80 Hours (10 Days)
8 Years- 15 Years	4.62 Hours (Annual Equivalent: 120 hours/15 days)	80 Hours (10 Days)
16 Years or More	6.16 Hours (Annual Equivalent: 160 hours/20 days)	80 Hours (10 Days)

Vacation leave can be taken as it is earned, but application for vacations should be made two-weeks in advance, if possible, and is subject to supervisory approval. In order to encourage the use of vacation time, employees may only accumulate a maximum of eighty (80) hours of vacation. Employees are able to carry over a maximum of eighty (80) hours of vacation time into the next calendar year. The County strongly believes that all employees benefit from rest periods throughout the year. If at the beginning of the calendar year (January 1), an employee has a vacation carryover balance exceeding eighty (80) hours, the employee shall be paid out for those hours exceeding eighty (80). At the discretion of the Elected/Appointed Official, an employee may receive approval to carry over and use an agreed upon amount of unused vacation accruals within the first sixty (60) days of the new calendar year. All approvals for carryover must be granted two-weeks prior to the end of the calendar year.

It is the responsibility of the Elected/Appointed Official to monitor and notify an employee if they have reached their maximum accrual cap. Employees also may not take time off before it is earned.

Holidays occurring during an employee’s vacation do not count as vacation time and are not deducted from the employee’s vacation balance. Vacation does not count as hours worked for the purpose of calculating overtime.

The use of vacation leave must be approved by the Elected/Appointed Official. Employees may take no more than ten (10) consecutive days of vacation during the year, unless pre-approved by their immediate supervisor or Elected/Appointed Official. Holidays and regular occurring days off will not be counted against vacation balances during vacation. Employees who leave employment with the County for any reason will be paid for any earned but unused vacation. An employee is not permitted to work and receive vacation pay at the same time.

11.1 Holidays

New Year’s Day	Juneteenth	Thanksgiving Day
Martin Luther King Jr. Day	Independence Day	Day after Thanksgiving Day
President’s Day	Labor Day	Christmas Eve (12:00 P.M.) - <i>if it falls on a week day</i>
Arbor Day	Columbus Day	Christmas Day
Memorial Day	Veterans Day	

A recognized paid holiday occurring on Saturday will normally be observed on the preceding Friday and a holiday occurring on a Sunday will normally be observed on the following Monday.

Only full-time employees will receive paid holidays, as approved by the Board on an annual basis. Part-time, temporary, seasonal, intermittent, and FMLA leave employees do not receive paid holidays.

A full-time nonexempt employee required to work on a designated paid holiday will be paid compensatory time at time and one-half (1.5) for all for hours worked, plus holiday pay. Holiday pay will be the employee’s straight-time rate multiplied by the number of hours usually worked in a day.

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

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

An exempt employee will not receive any additional compensation for holidays. Rather, they will receive the same salary for the week in which the holiday occurs that they would have received for the week had there been no holiday.

11.2 Bereavement Leave

Full-time regular hourly employees will be granted pay for time lost from work in the event of the death of an immediate family member in accordance with the following schedule:

- Spouse, child, stepchild, parent, or stepparent: Up to five paid days.
- Brother, sister, stepsiblings, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent, or grandchild: Up to one, 8-hour paid day.

Part-time employees are not eligible for paid funeral leave.

Vacation leave or compensatory time may be used to provide funeral leave for non-family members or family not included in the list above. The immediate supervisor or Elected/Appointed Official must be notified in advance of the need for funeral leave to the greatest extent possible. Funeral leave will not be available to an employee who is on vacation, holiday, lay-off, or other leave.

Funeral leave for family members not listed above that requires travel out of Nebraska will be granted at the Elected/Appointed Official's discretion. The Elected/Appointed Official must be notified in advance of the need for funeral leave. The Elected/Appointed Official reserves the right to request proof of death prior to approving funeral leave.

11.3 Yearly Flu Shots

On an annual basis, the County may provide flu shots to all full-time employees as well as their spouses and dependents. The flu shots will be administered by a person designated by the County for that purpose on a schedule to be determined by the County. It is the employee's responsibility to check with their own physician regarding the medical advisability of receiving a flu shot. Any employee choosing to receive the flu shot does so voluntarily and at their discretion. The County accepts no responsibility for adverse effects or reaction to any flu vaccination or the administration of the shot. Employees should bring their insurance card at the time of vaccination whether on the County Insurance Pool or an outside insurance carrier. If made available, any additional vaccinations provided by the flu-shot provider may be selected by the employee but payment for additional vaccinations may be at the cost of the employee depending on the insurance provider. The County will not make special arrangements if an employee, their spouse, or their dependent cannot attend their scheduled time.

11.4 Sick Leave

The County recognizes employees may need time away from work due to illness or injury to the employee or the employee's immediate family member. For these reasons, the County provides paid sick days to full-time employees. Employees will be entitled to utilize earned sick leave for injury, pregnancy, or sickness, which renders an employee incapable of performing their required job duties, for medical and dental care, or for exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by the employee's attendance on duty. For the purpose of this section, sick leave may be used for the illness of a spouse, child, parent, grandchild, grandparent, or sibling.

Full-time employees begin earning sick leave on the first day of employment. Employees shall be credited with sick leave on a bi-weekly basis at the rate of 3.70 hours. Part-time, temporary, or seasonal employees do not receive sick leave. Full-time employees may accrue sick pay benefits up to 96 hours per year.

Employees that are eligible to earn sick leave and do not use all their earned sick leave by December 31 of each year are allowed to carry over their earned but unused sick leave. Sick pay benefits may be accumulated by employees up to a maximum of 960 hours.

When unable to report to work due to illness or injury, employees must notify their immediate supervisor. Sick pay will be paid only for approved absences through the employee's supervisor and for time when the employee would normally be scheduled to work.

Employees on sick leave for three (3) consecutive days must submit a doctor's note and/or medical certificate in order to receive sick pay, unless waived by the employee's supervisor. Supervisors are responsible for notifying Human Resources if an employee is sick for three (3) consecutive days. The cost, if any, of a medical certificate shall be paid by the employee. Sick leave shall not be used as vacation leave. However, upon written request, vacation pay may be used to continue compensation during illnesses when all sick leave has been exhausted.

11.5 Other Medical Leave

If an employee has a temporary illness or injury for which sick leave or workers' compensation is not appropriate or available, and the employee is not eligible for FMLA leave (either because the employee is not an eligible employee or the employee has exhausted their FMLA leave already), the employee may request an unpaid medical leave of absence. As soon as the employee becomes aware of the need for leave, the employee must inform their immediate supervisor or Elected/Appointed Official of the approximate date and length of leave. When the employee can no longer work, the employee must provide a doctor's note stating the nature of the disability or reason for the leave and estimated return date.

During the employee's leave, the employee must keep their supervisor informed of any changes that occur to the employer's status or ability to return to work. For example, if the employee will be able to return earlier or later than expected, the employee must call. On the date the employee returns, the employee must provide a note from the doctor with a full release to work or documentation of any temporary or permanent restrictions on the employee's ability to do their job. If the employee has restrictions, such as a need for light-duty work, the County will attempt to accommodate the employee. However, if nothing is available, the employee may be placed on layoff or terminated from employment.

If the employee becomes temporarily disabled, the employee has the option of terminating their employment during their leave by notifying the immediate supervisor or Elected/Appointed Official.

11.6 Family & Medical Leave Act (FMLA)

11.6a Basic Leave Entitlement

Under the Family and Medical Leave Act of 1993 ("FMLA"), employees may be eligible for up to 12 weeks of unpaid leave. To be eligible for this leave, an employee must: (1) have been employed by the County for at least 12 months; (2) have worked at least 1,250 hours during the 12 months immediately preceding commencement of the leave; and (3) be employed at a location where 50 or more employees are employed or a location where there are 50 or more employees within 75 miles of employee's location. This leave consists of up to 12 weeks of unpaid leave during a 12-month period for any of the following reasons:

- The birth of a son or daughter/ to care for such son or daughter.
- The placement of a son or daughter with employee for adoption or foster care.
- To care for a spouse, son, daughter, or parent with a serious health condition.
- An employee's own serious health condition which makes the employee unable to perform their job.
- To handle various non-medical qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or on call to covered active-duty status.

Examples of "qualifying exigencies" arising out of the covered active duty, which may qualify for this type of FMLA leave include, but are not necessarily limited to: (a) short-notice deployment (seven calendar days or less); (b) military events and related activities; (c) childcare and school activities; (d) making financial and legal arrangements; (e) counseling sessions for the employee, the covered military member or for a child or dependent; (f) up to fifteen days of leave to spend time with the covered military member who is on short-term, temporary rest and relaxation leave during the period of deployment; (g) post-deployment activities; (h) parental care leave to care for a military member's parents who are incapable of self-care when the care is necessitated by the member's covered active duty (including arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility); and (i) other events and additional activities that arise out of the military duty if the County agrees these qualify.

A husband and wife who are eligible for FMLA leave and are employed by the County are limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken to care for the employee's parents with a serious health condition, for the birth of the employee's son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement.

FMLA leave for the birth of a child or placement of a child for foster care or adoption must be completed within 1 year after the birth or placement.

11.6b Service Member Family Leave

Additional leave time may be provided for the spouse, son, daughter, parents, or next of kin of an injured or ill “covered service member” or “covered veteran” who is undergoing medical treatment, recuperation, or therapy, is otherwise on outpatient status, or is otherwise on the temporary disability retired list, for a “serious injury or illness”.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member or covered veteran may be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the injured or ill service member or veteran. Leave to care for an injured or ill covered service member, when combined with other FMLA qualifying leave, may not exceed 26 weeks in a single 12-month period.

For Service Member Family Leave, the 12-month period begins on the first day of the leave.

11.6c The 12-Month Period

In calculating entitlement to FMLA leave, the 12-month period is determined on a “rolling” basis, measured backward from the date an employee uses any FMLA leave. Under this method, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

For example, if an employee uses four weeks beginning February 1, 2019, four weeks beginning June 1, 2019, and four weeks beginning December 1, 2019, an employee would be entitled to four weeks of leave on February 1, 2020; on June 1, 2020, an employee would be entitled to an additional four weeks, etc.

11.6d Concurrent Use of Sick/Vacation/Compensatory Time & Workers’ Compensation

An employee will be required to take any available sick, vacation, and/or compensatory time, if any, as part of the employee’s FMLA leave that would otherwise be unpaid. Upon exhaustion of available sick, vacation, and/or compensatory time, the remainder of the FMLA leave will be unpaid. Employees do not continue to accrue sick, vacation, or compensatory time during any period of such leave.

Employees on leave for a condition or injury covered by Workers’ Compensation will be required to take FMLA leave concurrently with that Workers’ Compensation leave.

11.6e Notice

In the case of foreseeable leave, an employee must provide 30 days advance notice, if possible. If 30 days’ notice is not possible, notice must be provided as soon as possible.

Notice must be provided either in writing (for foreseeable leave only) or by calling (for either foreseeable or unforeseeable leave). When requesting leave for the first time for a FMLA-qualifying reason, the employee must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization, or continuing treatment by a health care provider. Calling in “sick” is not enough and additional information should be provided so that the County is informed that FMLA leave is being requested or may otherwise apply.

Employees must also inform the appropriate County representative if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

11.6f Certification

In the case of leave due to the serious health condition of an employee or an employee’s spouse, child, or parent, the employee will be required to provide appropriate medical certification. This certification must include information such as the date the serious health condition commenced; the probable duration of the condition; the appropriate medical facts within the knowledge of the health care provider regarding the condition; and, in the case of an employee’s own serious health, a statement from a health care provider that the employee is unable to perform the employee’s job duties. In addition,

if an employee's leave is to care for a family member, the health care provider must indicate that the employee is needed to care for the family member and provide an estimate of the time the employee will be needed.

In the case of Service Member Family Leave, the employee must provide appropriate certification to confirm the family member is a "covered service member" or "covered veteran". This certification must include information such as the date the serious injury or illness commenced, the probable duration of the serious injury or illness, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, the health care provider must indicate that the employee is needed to care for the covered service member and provide an estimate of the time the employee will be needed, and if the individual is a covered veteran, confirmation that the military member is a veteran, the date of separation, and whether the separation was other than dishonorable.

In the case of military qualifying exigency leave, the employee will be required to provide appropriate documentation and certification of the need for leave and certain details related to the leave, including but not limited to, where applicable, a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

11.6g Failure to Provide Notice/Certification

Failure to provide required notices or certifications may result in a delay in the leave of absence or loss of the protections provided by the FMLA. It is vital that the employee complies with all notice and certification requirements in a timely manner. The County will do the same with its requirements.

11.6h Response by Madison County

The County will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities regarding FMLA leave. If an employee is not eligible, the County will provide a reason for the ineligibility. The County will generally notify an employee within 5 business days whether they are eligible for FMLA leave.

The County shall notify the employee in writing if the medical certification is incomplete or insufficient, and state the information needed to resolve the deficiency. The employee shall have 7 calendar days to amend the deficiencies.

11.6i Regular Reporting

While on FMLA leave, employees must keep the County informed of their plans to return to work. As a general rule, the employee must contact the Elected/Appointed Official who must update the County Clerk's Office at least once every two weeks. Other reporting schedules may be agreed on between the employee and Elected/Appointed Official based on the employee's individual circumstances. Reasonable notice (at least two business days, and more if possible) is required prior to returning to work on any date other than the originally scheduled return date.

11.6j Scheduling Treatment and Intermittent Leave

If it is necessary for an employee to take leave to obtain planned medical treatment the employee must make a reasonable effort to schedule the treatment, so it does not disrupt County operations. In some cases, an employee may need leave on only an intermittent basis. In those cases, an employee may be assigned to an alternative position which better accommodates the employee's intermittent absences.

11.6k Benefits

Any group insurance an employee had prior to leave, if any, will continue during the term of an employee's leave on the same basis as if the employee were not absent from work, including the employee's obligation to pay their normal portion of the premium. If the employee fails to return from leave, the County may recover from the employee the cost of any premiums paid on the employee's behalf to continue insurance coverage, as allowed by law.

11.6l Return to Work

Upon return from the employee's leave, the County will reinstate the employee to the employee's former position or to an equivalent position. The employee's seniority and benefits will not continue accruing during any unpaid period of the employee's leave. If the employee is returning from a leave due to the employee's own serious health condition, the employee must provide a note indicating that the employee may return to work and that the employee can perform all the essential functions of the position, with or without accommodation. For intermittent leave, the County may require a fitness

for duty certification as often as every 30 days if the health condition involves a contagious disease, or could reasonably affect the employee's, a coworker's, or third party's safety.

An employee who is unable or declines to return to work upon expiration of FMLA leave, has exhausted all other leave, and is not entitled to any leave under any other applicable law, including the ADA (Americans with Disabilities Act), will be considered to have voluntarily resigned.

11.6m Additional Questions?

It is impossible to cover all aspects of the Family Medical Leave Act in this policy. Therefore, when an employee determines that they will need to take leave under this policy, the employee shall contact their Elected/Appointed Official for additional details. For further information, the employee may also refer to the Federal Department of Labor's "Employee Rights and Responsibilities" notice.

11.7 Unpaid Leave

An unpaid leave of absence is an approved absence without pay. Anything over forty (40) consecutive hours of unpaid time off from work requires a leave of absence. Leaves of absence must be discussed and approved by the Elected/Appointed Official. Employees will not be eligible for holiday pay during a leave of absence. Leaves of absence will be considered on the basis of the County's requirements and hardships caused hereby, the employee's performance record, the reason for the request, and the employee's length of service with the County. The determination of whether the request shall be granted rests solely within the discretion of the Elected/Appointed Official unless required to provide a leave of absence under applicable federal, state, or local law. All accruals of time off must be exhausted before beginning an unpaid leave.

A leave of absence may be granted for personal (non-medical) reasons without pay for a period not to exceed forty (40) days. Whether a leave of absence will be granted beyond forty days for a medical reason will depend on whether such leave is a reasonable accommodation under applicable federal, state, and local law.

A leave of absence without pay under this policy may also be granted for illness, injury, or pregnancy disability for a period of time deemed to be a reasonable accommodation and does not pose a hardship for the County. If needed to determine restrictions or engage in discussion about reasonable accommodations, an employee may be required to present a certificate from the employee's physician and/or a physician of their own choosing as to the fact of the illness, injury, or pregnancy disability, so that the County can determine the ability of the employee to safely perform essential duties with or without reasonable accommodation.

Any group health insurance premiums not exceeding forty (40) days will be deducted from the employee's paycheck upon return to work.

Insurance premium payments will be the responsibility of the employee, including while on any form of leave, and paycheck deductions will be adjusted accordingly.

The length of absence may be extended at the discretion of the Elected/Appointed Official upon further application in writing by the employee prior to the expiration of the initial period. If an employee's leave of absence is in excess of forty (40) days, an employee's return is subject to job availability. If the employee's position is not available at the end of the employee's leave, the County will make a reasonable effort to return the employee to a substantially similar position.

It will be the responsibility of the employee who has been granted a leave of absence in excess of forty (40) days to pay monthly premiums for any continued group insurance coverage(s), if applicable. Employees should submit payment to the County by the first of each month. If paid leave is being substituted for unpaid leave, premiums will be deducted in accordance with the normal payroll cycle. In the absence of such payment, coverage may be terminated. However, employees will be given the opportunity to convert the policy for individual coverage (COBRA). Failure to return to work on the date scheduled by the County will result in termination of employment.

The County will attempt to hold the employee's position open during the leave of absence. However, the County retains the right to fill the position should it become necessary, unless otherwise prohibited by law. In that case, the employee on leave will normally be notified and offered the opportunity to return early. If the employee is unable to return, the County will attempt to secure a suitable position for the employee when they are available to return to work. The employee's vacation and sick time does not continue to accrue while on leave of absence (or unpaid leave).

11.8 Military Leave

All employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve will be provided a leave of absence to perform voluntary or involuntary military duties. However, the amount of paid leave depends on how many hours an employee normally works or is normally scheduled to work in three consecutive weeks, as summarized below.

Military members who work or are normally scheduled to work in three consecutive weeks:	Required Paid Military Leave
159 hours or more and includes working 24-hour shifts	168 hours each calendar year
120 hours or more but less than 159 hours	120 hours each calendar year
Less than 120 hours	Equal to the number of hours the military member normally works or is normally scheduled to work, whichever is greater, in 3 consecutive weeks

For example, employees who normally work or are normally scheduled to work at least one hundred twenty (120) hours or more but less than one hundred fifty-nine (159) hours in three (3) consecutive weeks will receive pay for up to 120 hours of leave each year. Employees who normally work or are normally scheduled to work fewer than one-hundred twenty (120) hours in three (3) consecutive weeks will be paid for the number of hours they normally work or would normally be scheduled to work in three (3) consecutive weeks, whichever is greater. Any remaining leave is unpaid.

In addition, employees who (1) are either the spouse or parent of an individual who is called to military service lasting 179 days or longer with the state or the United States, pursuant to the orders of the Governor or President; (2) have been employed with the County for at least 12 months; and (3) have worked at least 1,250 hours in the preceding 12 months are eligible for Nebraska Family Military Leave Act leave. The County will provide eligible employees up to 30 days of unpaid military leave during the time state or federal deployment orders are in effect. Eligible employees must provide at least 14 days' advanced notice if they intend to take military leave for 5 or more consecutive workdays. Otherwise, eligible employees must provide as much advanced notice as possible. In addition, the County may require documentation verifying an employee's eligibility for leave. The County will comply with all applicable state and federal laws regarding military leave.

11.9 State-of-Emergency Leave

Employees called to active service by the state when the Governor declares a state of emergency will be granted state-of-emergency leave. Employees will receive their normal salary or compensation, less state active-duty base pay received from the state.

11.10 Jury Duty

Occasionally, an employee may be called upon to serve on a jury of our court system. The employee shall notify their immediate supervisor or Elected/Appointed Official right away. If an employee is serving on a jury and is a regular full-time employee, they can receive their regular pay for each full day they serve on the jury. If an employee is excused early, the employee must return to work and complete their shift because the employee is being paid for their time. Regular part-time employees receive pay for the hours they normally would have been at work.

County employees who are summoned for jury duty should notify the County Court personnel or the District Court personnel on the first morning of jury duty that they are County employees and are not to be paid jury fees. Employees not residing in Madison County will be reimbursed for mileage.

11.11 Volunteer Work

In emergency and funeral situations only, the Elected/Appointed Official may allow an employee a sufficient number of hours to provide services to:

- Emergency Management Volunteers

- Military Honor Guard
- Volunteer Firefighters
- EMTs

Accruals will continue for these groups when called to volunteer work.

11.12 Voting

Registered voters are encouraged to exercise the right to vote. If there is a two-hour block of time on Election Day available for an employee to vote before or after scheduled work hours, the employee must vote during that period. If there is not a two-hour block of time available, the County will permit time off from work sufficient to allow the employee a two-hour block of time to vote, provided that the employee requests that time off in advance of Election Day. For example, if the polls open at 8:00 a.m. and close at 8:00 p.m., and the employee's scheduled hours are from 9:00 a.m. to 7:00 p.m., the County will permit that employee either to be one hour late to work or to leave one hour early at the County's discretion.

11.13 Election Leave

An employee may, upon written application and approval of the Elected/Appointed Official, be granted up to thirty (30) days' leave without compensation if the employee is a candidate for a paid partisan elective office. Leave may be granted for a primary, general, or partisan special election.

Section 12: Standards and Expectations

12.0 Rules of Conduct

The following examples illustrate what the County considers improper behavior. This is not a complete list, and the County reserves the right to investigate, make judgments, and take appropriate disciplinary action in each individual incident. The level of severity of any infraction and the disciplinary action to be taken is solely at the County's discretion.

Examples of Infractions

- Working under the influence of alcohol or any illicit drug, which interferes with expected job performance.
- Conviction of a felony or any other job-related crime.
- Sexual or other unlawful harassment or unlawful discrimination of any kind.
- Violation of a safety rule or engaging in unsafe behavior.
- Theft, including either County property or another's person's property.
- Possession, distribution, being under the influence of or use of drugs and/or alcohol on County property or while performing work as a County employee.
- Falsification of time keeping records with intent to defraud.
- Falsification of personnel or County records or providing false or misleading (including omitting) information to the County in connection with County business, job duties, benefits, etc.
- Deliberate or willful misrepresentation of County policy.
- Willful damage or destruction of County property.
- Fighting, attempting, or threatening bodily injury to another person on County property or while on working time.
- Insubordination or willful refusal to follow an order.
- Loafing, loitering, or sleeping during work time.
- Failure to report on-the-job injuries.
- Abuse of the Sick Leave Policy.
- Neglect of duty or incompetence.
- Habitual or excessive tardiness.
- Absenteeism determined to be excessive under the department's attendance guidelines.
- Work performance that is below the standards of performance required by the department.
- Violation of the County's Solicitation and Distribution Policy.
- Dishonesty.
- Violation of the County's Use of County equipment and Services Policy.
- Disrespectful behavior, belligerence, and/or use of excessive profanity.
- Violation of the County's Code of Ethics, (page 4).
- Any other behavior the County considers to be inconsistent with reasonable rules of conduct or is inconsistent with the County's best interests.

Again, while the County generally follows the above steps in applying progressive discipline, there are times when deviation from this policy is appropriate. In other words, circumstances may warrant skipping steps or even immediately terminating an employee. This is especially true in situations that reveal basic character flaws that will not improve. Theft or threats of violence are examples of conduct that may justify immediate termination. Also, it is important for the employee to realize that it does not take violations of the same rule to proceed to the next step of the discipline process. Violation of different rules or reasonable management expectations can result in moving to the next step.

12.1 Dress Code

Madison County employees are required to maintain a professional appearance while representing Madison County during working hours. Each department shall have their own dress code; however, the County requires that all employees dress neatly and appropriately and maintain adequate personal hygiene. Clothing should not be too revealing or too casual.

12.2 Alcohol and Drug-Free Workplace

Madison County intends to provide a drug-free environment for all its employees. Alcohol and drug addiction are illnesses, which, under many circumstances, can be successfully treated. The County encourages any employees with an alcohol or drug dependence problem to voluntarily enter a rehabilitation program.

It is not the County's intent to intrude into the private lives of employees. However, the effects of drug and alcohol abuse on safety, work quality, increased medical expenses, and lost productivity require a drug-free workplace policy.

Employees who unlawfully use, attempt to possess or use, manufacture, distribute, dispense or participate in the transfer, sale, offering, or possession of unauthorized alcohol, illegal drugs, prescription drugs, or other controlled substances¹ while on the job or on County premises (including County parking lots) may be subject to severe disciplinary action which may include discharge.

Employees who report for work or are at work under the influence of alcohol, illegal drugs, or any controlled substance may be subject to severe disciplinary action, up to and including termination.

Employees who are under a physician's care and taking medication that may affect their ability to work safely are responsible for informing the supervisor of their condition before beginning work.

Employees who are off duty and have been drinking or under the influence of drugs are obligated to refuse any emergency calls.

All persons being considered for employment with the County may be required to submit to drug testing prior to gaining employment with the County.

When there is reasonable cause to suspect possession, influence, or use of alcohol or drugs on the job, employees may be required to submit to an alcohol or drug test. Refusal to submit to a test may be considered insubordination subject to discipline, up to and including termination.

For all drug and alcohol testing under this policy, the County will normally use the drug/alcohol testing protocols established by the State of Nebraska and by the U.S. Department of Transportation (DOT) for drivers of commercial motor vehicles. Those protocols include initial and confirmatory testing, split samples for drug tests, preservation of the chain of custody, testing by qualified personnel and certified labs approved by DOT or the State of Nebraska, and review of results by a medical review officer.

As required by federal law, it is a condition of continued employment that:

- Any employee who is convicted of any criminal drug statute violation for conduct in the workplace is required to notify the County Attorney of this fact no later than five (5) calendar days after such conviction. (A "conviction" means a finding of guilt, including a plea of "*nolo contendere*" --of the imposition of a sentence, or both, by any

¹ The term "controlled substances," as used in this policy, means a drug or other substance, as defined in applicable federal law on drug abuse prevention.

judicial body charged with the responsibility of determining violations of federal or state drug statutes.) The employee will be subject to severe disciplinary action which may include discharge.

- Each employee must abide by the terms of this statement.

Federal law requires that the County notify the federal government of any convictions in violation of the County's policy.

12.3 Smoking

Under Nebraska law, it is unlawful for any person to smoke inside a place of employment or a public place. Consequently, as required by law and motivated by the County's desire to provide a healthy work environment for its employees, smoking and vaping is prohibited inside any County building or facility, including County-owned vehicles and equipment. Any person in violation of this restriction may be guilty of a misdemeanor.

12.4 Use of County Vehicles

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

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

12.5 Non-Solicitation and Distribution

In the interest of maintaining the proper working environment, preventing interference with work, and preventing inconvenience to others, employees may not sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch hour, breaks, or prior to or after their

shift) may not solicit employees who are on working time for any cause or distribute literature of any kind to them. Employees who are on working time may not solicit any other employee. Furthermore, employees may not at any time distribute literature or printed material of any kind in working areas.

Non-employees are likewise prohibited from distributing material or soliciting employees on the County's premises that are not open to the general public at any time.

12.6 Gifts, Gratuities, and Business Courtesies

Employees must avoid any actions that create a perception that favorable treatment of outside entities by the County was sought, received, or given in exchange for personal business courtesies or gifts.

Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom the County does or may do business. Employees must neither give nor accept business courtesies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulations or policies of the County or customers, or would cause embarrassment or reflect negatively on the County's reputation.

Employees may accept unsolicited gifts, other than the courtesies mentioned above, that conform to the reasonable ethical practices of the County and marketplace, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts, or other novelty, advertising, or promotional items.

Employees with questions about accepting business gifts and courtesies should talk to their supervisor or Elected/Appointed Official prior to accepting a gift or immediately upon receiving one.

12.7 Reporting Criminal Activity, Criminal Charges, Child Abuse Complaints, Etc.

Involvement in criminal activity during employment, whether on or off County property, may result in disciplinary action including suspension or termination of employment. Disciplinary action depends upon a review of all factors involved, including whether or not the action was work-related, the nature of the act, or circumstances that adversely affect attendance or performance. Any disciplinary action is not dependent upon the disposition of any case in court and will be based on information reasonably available. This information may come from witnesses, police, or any other source if the County has reason to view the source as credible.

Employees are expected to be on the job, ready to work when scheduled. Inability to report to work as scheduled as a result of an arrest may lead to disciplinary action, up to and including termination of employment for violation of an attendance policy or job abandonment.

12.8 Absenteeism and Tardiness

The County is committed to meeting and exceeding the public's expectations in both service and quality. Employees are important to the overall success of this commitment. When an employee is not at work, someone else must do their job.

The County believes it is entitled to regular attendance by all its employees and considers attendance to be an essential job function for all jobs. The County reviews attendance and punctuality as a reflection of one's commitment to the job. Attendance may be taken into consideration when opportunities for advancement arise, individual salary increases are considered, or awards are given. Therefore, an employee must maintain an acceptable record of attendance, including working any required overtime, weekends, holidays, and other non-scheduled hours when requested.

Regardless of the reason for absence, an employee must notify their supervisor as soon as they know they will be absent but in no case less than thirty (30) minutes before employee's starting time. An employee must continue to notify their supervisor each day the employee is absent. Failure to do so may result in discipline, up to and including discharge. If the employee is unable to call their supervisor, the employee is responsible for having someone else do so. When calling the County to report an absence, the employee must:

- Give the specific reason for one's absence.
- Give the expected date of return.

If an employee become ill during work hours, the employee must report to their supervisor prior to leaving the work premises. If an employee knows one or more days in advance that they will be absent from work, they must obtain their supervisor's prior approval. Excessive absenteeism and tardiness will not be tolerated.

Rarely is tardiness excusable. If an employee must be late, make every effort to contact your supervisor. A "tardy" is any time an employee clocks in after their starting time. Excessive tardiness may result in disciplinary action, up to and including discharge.

12.9 Meal Reimbursements

The County will reimburse County employees for meals that are incurred with overnight travel where attendance is directly related to and required by the County, including but not limited to, business meetings, conventions, trainings, or conferences. If a meal is provided at the event, the County will not provide a meal reimbursement if the employee chooses to eat elsewhere, unless the employee has dietary restrictions and receives approval from their Elected/Appointment Official prior to the event. If there are no meals provided at the event or the employee has received approval for reimbursement due to dietary restrictions, the County will follow current General Services Administration (GSA) guidelines for reimbursements which can be found in the supplemental policy, "GSA Guidelines for Reimbursement." An event itinerary must be submitted to the employee's supervisor or Elected/Appointed Official in order to receive reimbursement if meals were not provided at the event. The reimbursement will be inclusive of tips up to 18% and tax.

Employees must submit original, itemized receipts with a reimbursement request form within two weeks of attending the event. The receipt should show the exact amount, date, time, location, and business reason for each expense. These receipts must be the original receipt identifying what was purchased, from whom, and must not include alcohol. Debit card receipts and charge card receipts are not acceptable.

12.10 Purchasing Card Program

The County Board has contracted with U.S. Bank for use of a purchasing card program to purchase goods and services on behalf of the County. Each Elected/Appointed Official must approve each employee authorized to use a purchasing card and establish maximum purchases allowed.

Itemized receipts for expenditures must accompany all purchasing card expenditures. If a receipt does not accompany each purchase, the purchasing card privileges may be suspended.

Upon termination of employment of a County employee using a purchasing card, such individual's purchasing card account will be closed immediately, and the employee shall return the purchasing card to the County.

No County employee may use the purchasing card for any unauthorized purposes.

Section 13: Health, Safety, and Security Policies

13.0 Safety First

Safety is important to the County and to all employees. It is the County's intent to provide a safe workplace for an employee's protection. All employees are expected to participate in safety programs and meetings, promote safety awareness, submit safety suggestions, wear protective equipment as provided, and follow safety rules. Safe work practices protect employees, their families, fellow employees, and the County.

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

13.1 Workplace Violence Prevention Policy

The County is committed to creating and maintaining a work environment that is free from violence. The County has a zero tolerance for violence in the workplace. Civility, understanding, and mutual respect toward fellow County employees, applicants, vendors, and citizens are intrinsic to the existence of a safe and healthful workplace. The County takes the safety of its employees very seriously. As a result, the County will not tolerate any form of violence in the workplace. The County considers violence to include such things as physically harming, shoving, pushing, harassing, intimidating, or coercing another person. In addition, threatening, talking, or joking about violence is considered violence as well.

Prohibited conduct includes, but is not limited to:

- Injuring another person physically;
- Using, possessing, or threatening to use weapons, firearms, or other dangerous or hazardous devices or substances;
- Engaging in behavior that creates reasonable fear of injury to another person;
- Engaging in behavior that subjects another individual to extreme emotional distress;
- Intentionally damaging property;
- Threatening to injure an individual or to damage property;
- Committing injurious acts motivated by, or related to, protected class status;
- Any other behavior that causes others to feel unsafe;
- Retaliating against any employee who, in good faith, reports a violation.

It is the responsibility of all County employees to:

- Help maintain a violent-free work environment;
- Report all threatening behavior to a supervisor and/or the Elected/Appointed Official immediately.

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

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

All employees should promptly report any workplace violence to their supervisor or Elected/Appointed Official. Each allegation of violence will be taken seriously, and an investigation will be conducted by the Elected/Appointed Official. The County prohibits retaliation against an employee for reporting a potentially violent situation.

The County will do what it can to prevent violence in the workplace. However, the employee has a role in preventing violence as well. If an employee believes a co-worker may become violent or if an employee sees a violation of this policy, the employee must immediately report this to their supervisor or Elected/Appointed Official. All reports will be investigated, and information will be kept confidential to the extent possible.

13.2 Workers' Compensation Benefits

Employees may be eligible for workers' compensation benefits if injured on the job or if they contract an employment-related disease. Employees are not eligible for workers' compensation benefits if they were willfully negligent at the time of injury, intoxicated, or otherwise ineligible under applicable law.

Employees must report all work-related injuries to their supervisor immediately upon notice of injury in order to obtain proper medical treatment and to complete the required forms. Eligibility for workers' compensation benefits can be jeopardized if the injury is not reported on a timely basis.

An eligible employee unable to work due to a work-related injury will receive workers compensation benefits in an amount determined by the workers' compensation laws in effect at the time of injury or disability. Medical expenses incurred in the treatment of a work-related injury or illness will be paid upon receipt of documented medical statements supporting the claim.

Other benefits available under workers' compensation are rehabilitation, total and partial disability allowance, and death benefits.

Employees with further questions may contact the Nebraska Intergovernmental Risk Management Association (NIRMA) office at 1-800-642-6671.

13.3 Use of Safety Belts

It is the County's policy that all employees who operate a County-owned vehicle or use a personal vehicle for County use are required to wear a safety belt when operating such vehicles if safety belts are installed. All passengers in County-owned vehicles are also required to wear safety belts if safety belts are installed. It is the vehicle operator's responsibility to ensure

all passengers wear safety belts. If an employee refuses to wear the safety belt, standard disciplinary procedures will be invoked.

Section 14: General Personnel

14.0 Political Activity

Employees are prohibited from using their official authority or influence to further the cause of any political party or candidate for nomination or election to public office. In addition, employees are prohibited from using their job to distribute material or receive political favors.

Employees wishing to take part in political activities (other than voting) during normal scheduled work hours must use vacation or compensatory time to cover this period of absence.

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

All employees have the right to vote as they choose and to express their opinions in an appropriately respectful and non-disruptive manner on political subjects or candidates.

14.1 Employment of Relatives

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

14.2 Inclement Weather

The County recognizes that adverse weather conditions can prevent employees from reaching their place of employment.

The County will ensure that the health and safety of our employees is not compromised, by allowing affected employees immediate access to leave entitlement depending on the circumstances. No employee will be required to attend work if it is unsafe to do so.

Elected/Appointed Officials must receive approval from the Board of Commissioners if they choose to close early.

The Sheriff's Office, Jail, Road, Courthouse Maintenance Departments, or County locations apart from the Courthouse may not always be closed when the Courthouse is closed for inclement weather. Employees choosing not to work during adverse weather conditions, when the Courthouse remains open, will be required to use accrued vacation leave, earned compensatory time, or unpaid leave.

These arrangements will apply to all employees.

GENERAL

It is expected that employees will make every reasonable effort to reach their place of employment. However, employees are not expected to, and should not, put themselves at risk.

Employees who live in remote areas are aware of the potential difficulties they may face during periods of adverse weather and should be prepared to make appropriate arrangements in relation to attendance at work.

It is recognized that there will inevitably be occasions when weather conditions are so severe that some employees in outlying areas will either be prevented from getting to their normal place of work or will be late and/or need to leave early.

Any alleged abuse of this policy will be subject to investigation and, if necessary, action, under the Disciplinary Policy.

APPLICATION

In all circumstances of inability to attend work or late arrival, the employee must report the fact to their Elected or Appointed Official at the earliest opportunity. The employee should notify their Elected or Appointed Official separately on each day they are unable to attend work.

a) Inability to Attend Work

If the County is satisfied that an employee has genuinely been prevented from attending work when the Courthouse remains open, because of a serious effect of bad weather, employees will be entitled to take one of the following options:

- Take the day from their vacation or compensatory leave allowance
- Make up the time (see below for full details)
- Take the day as unpaid leave

The normal requirement for advance notification for leave will be suspended in these circumstances. Employees should notify in writing to their Elected or Appointed Official of which option they are choosing when they return to work.

b) Arriving Late (on days of adverse weather)

Where the County is satisfied that an employee has genuinely been prevented from attending work by his/her normal starting time when the Courthouse remains open, any lateness will not be penalized in terms of sanctions under any of the employer's policies. In all cases, employees who *arrive* for work late will be required to select from 2(a) options to complete hours for the day.

c) Leaving Early (on days of adverse weather)

County Board Chairman will be responsible for obtaining information and advice from the 511 Nebraska Highway Conditions, County Sheriff, and County Clerk, and disseminating it to Elected and Appointed Officials by the use of the Calling Tree.

Elected or Appointed Officials will be responsible for deciding whether any request to leave early is warranted, bearing in mind the information provided by the above and the home address and mode of travel of the member of staff concerned.

In circumstances where the Board of Commissioners Chairman is satisfied that early release is justified, employees will be authorized to leave work early. In all cases, employees will be credited with their hours worked on this day.

d) Working From Home

In certain circumstances the County may agree that an employee can work from home. Telecommuting must be the subject of prior agreement with the employee's Elected or Appointed Official and Board of Commissioners. The work to be undertaken at home will be the subject of normal managerial procedures on return to work. Where telecommuting is authorized, the employee will be credited with normal worked hours.

In the event an approved telecommuting employee's specific office is closed due to inclement weather, that employee must cease work for the duration of the office closure.

e) Closure of Place of Work

If the Board of Commissioners decide to close the Courthouse due to adverse weather, all Courthouse departments must close.

Full Day Closure: The Board of Commissioners may choose, at their discretion, to close the Courthouse for a full day due to inclement weather. Employees who are regularly scheduled to work the day of a closure shall receive one paid inclement weather day per calendar year, as designated by the Board of Commissioners, paid at their regular rate of pay. Employees not regularly scheduled to work on the inclement weather day, as designated by the Board of Commissioners, will not receive an inclement weather day that calendar year. Once the inclement weather day has been used in a calendar year, employees will not receive their regular rate of pay for any subsequent full day closures and instead, can take the day from their vacation or compensatory leave allowance or take the day as unpaid leave. If an employee had requested the use of vacation leave, sick leave, or compensatory time for that day prior, they would not receive the paid inclement weather day. Depending on the nature of each department's work, some departments may not close when the Courthouse closes. When a department has to remain open during a full day Courthouse closure, the employees who work will receive time and one half their regular rate of pay for hours worked on that day.

Partial Day Closure: The Board of Commissioners may choose, at their discretion, to close the Courthouse for a partial day due to inclement weather. Employees will not receive their regular rate of pay and instead, can take the day from their vacation or compensatory leave allowance or take the day as unpaid leave. Depending on the nature of each department's work, some departments may not close when the Courthouse closes. When a department has to remain open during a partial day Courthouse closure, the employees who work will receive their regular rate of pay for hours worked on that day.

f) Childcare Provision When Schools are Closed

It is the responsibility of employees to ensure that they have emergency care arrangements in place for their children in case of a school closure due to adverse weather. If this is not possible, the employee should discuss the matter with their Elected or Appointed Official and will be entitled to take any of the options at 2(a) above. The normal requirement for advance notice of the intention to take leave will be suspended in these circumstances.

g) Management Responsibility

While it is appreciated that there may be operational and client service considerations in working during periods of adverse weather, Elected or Appointed Officials are expected to ensure that employees are treated in an equitable and consistent manner and that the safety of employees is not compromised in any way.

MAKING UP TIME

All time that the employee opts to make up must be completed within one week of the employees' return to the office. Any time made up should be logged with an employee's Elected or Appointed Official on the day it is done and a record kept.

Section 15: Receipt

I have received a copy of the Madison County Employee Handbook and have either read it or have had it read to me carefully. I understand all of its rules, policies, terms and conditions and agree to abide by them, realizing that failure to do so may result in disciplinary action and/or termination. I also understand that this handbook supersedes all previous written and unwritten policies, including any previous handbooks. **I understand and agree that my employment is terminable at will so that both the County and I remain free to choose to end our work relationship for any lawful reason or no reason. Similarly, no County Official has the authority to enter into an oral employment contract, modifying this employment-at-will relationship, and only the County Board can enter into a written employment contract changing the employment-at-will relationship.**

I understand that the County property may be monitor by the County including my computer files, Internet activity, email messages, and voice mail messages for various reasons. The County will disclose such activity and messages to a third party without my consent when it deems such action necessary. I consent to the County's monitoring of my computer files, email transmissions, voice mail messages, and Internet activity.

I understand nothing in this handbook in any way creates an express or implied contract of employment between the County and me but rather is intended to foster a better working atmosphere while the employee/employer's relationship exists.

Employee's Signature

Date

Employee's Name (Printed)

Date

Supervisor's Signature

Date

Supervisor's Name (Printed)

Date