

EMPLOYEE  
HANDBOOK/PERSONNEL  
MANUAL



DAWES COUNTY

REVISED: August 2022

# Dawes County Employee Handbook/Personnel Manual

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## I. DEFINITIONS

A. ANNIVERSARY DATE:

Every reoccurrence of the date the employee started work, but not the actual date of appointment. This is the date from which an employee's vacation and sick leave entitlement is computed.

B. AUTHORIZED LEAVE:

The following are forms of authorized leave: holiday, vacation, sick, injury, military, civil leave, funeral leave and **leave without pay**. Any absence by an employee not authorized by a supervisor shall be considered as unauthorized.

C. COUNTY BOARD:

Elected Officials comprised of a commissioner from each district.

D. COMPENSATORY TIME:

Time off granted to an employee in lieu of payment for overtime or holiday hours worked, with approval of a supervisor.

E. CONTINUOUS EMPLOYMENT:

The initial hire date of employment with Dawes County to the current date of employment. An employee who returns to work following a resignation or a terminated shall be considered as a new employee and previous employment will not be considered a part of continuous employment. Employees in good standing who are reinstated following a layoff will be considered in continuous employment from their initial anniversary date, excluding the layoff period.

F. DISMISSAL:

Involuntary separation of an employee from Dawes County.

G. EMPLOYEE:

Any person that is hired by Dawes County to an assigned position may be defined as:

- 1) Regular Full Time - Employees hired to work a regular workweek of thirty (30) hours or more per week on a regular basis. Regular full-time employees are eligible for County benefits.
- 2) Regular Part Time – Employees hired for a regular schedule of less than thirty (30) hours per week throughout a year. Part time employees are not eligible for most County benefits.
- 3) Temporary/Seasonal – Employees 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 or any prior to completion or designated time. Temporary/Seasonal employees are not eligible for County benefits.

H. EMPLOYEE EVALUATION:

A written appraisal of the performance of an employee designed to inform the employee of the way the employee is meeting standards of performance.

I. FUNERAL LEAVE:

Paid leave granted to employees for death in the family.

J. HOLIDAY:

Specific days that County offices are closed in observance of holidays or other dates, as approved by the County Board.

K. JOB DESCRIPTION:

A written description of a position consisting of a title, a general statement of performance standards and distinguishable features of work, qualifications, and essential job duties.

- L. LAYOFF:  
Involuntary employee separation or reduction of hours because of economic reasons, elimination of funds, reduction in workload or reorganization of Dawes County.
- M. LEAVE:  
An authorized absence from regularly scheduled work hours, which has been approved by proper authority.
- N. LEAVE OF ABSENCE:  
Unpaid time off from work requested by the employee and approved in advance by the County Board or proper authority. No benefits, such as vacation leave, sick leave or holiday benefits will accrue during a period of unpaid leave.
- O. ORIENTATION PERIOD:  
Consists of a six-month orientation period for new employee.
- P. PROPER AUTHORITY:  
A supervisor for Dawes County, this would be the Elected Official, chief deputy, appointed official or a member of the County Board.
- Q. REINSTATEMENT:  
The act of rehiring a former employee in good standing who has been laid off from employment because of layoff.
- R. REPRIMAND:  
A form of disciplinary action designed to not only admonish or warn an employee but also to lead, guide, direct, and instruct the employee in how to correct and avoid repeating a mistake, infraction, deficiency or problem.
- S. RETURN TO EMPLOYMENT:  
An employee whose employment has been terminated and who returns to County employment shall be required to meet all of the requirements of a new employee and will receive no “credit” for the employment time previously given, with the exception of retirement benefits.
- T. SEPARATION:  
The termination of employment by reason of disqualification, unsatisfactory performance or orientation period, end of temporary assignment, layoff, resignation, retirement, termination, or death.
- U. SICK LEAVE:  
A benefit provided by Dawes County to all regular full-time employees to provide time off in cases of actual illness or disability of the employee or because of illness in the immediate family. See listing of immediate family under Leaves.
- V. SUSPENSION:  
A form of discipline consisting of relieving an employee from work with or without pay for a specific period of time depending upon the seriousness of the action resulting in disciplinary action.
- W. TERMINATION:  
The permanent separation of an employee from the service of Dawes County.
- X. VACATION LEAVE:  
Paid leave time to be used at the employee’s discretion upon approval of proper authority.
- Y. WORKER'S COMPENSATION:  
Benefits received by an employee who is injured while working on the job, as determined by the applicable state laws.
- Z. WORKPLACE HARASSMENT:  
Any inflammatory comments, jokes, printed materials and/or innuendo based, in whole or in part, on sex, race, color, religion, age, disability or national origin.

## II.DAWES COUNTY INFORMATION

### A. HANDBOOK INTRODUCTION

This handbook is available in each office. It is designed to communicate information regarding the general work conditions and employment requirements at Dawes County. This handbook does not constitute a contract of employment or benefits.

The rules and regulations contained in this handbook have been developed as a guide for effective and efficient operation of the County with priority considerations given to equity and fairness. These rules and regulations are operational statements, and as such, are subject to review by all who hold an interest in the role and mission of this County.

Where appropriate, items contained in the handbook are derived from policies approved by the County Board, Nebraska statutes, or federal and state laws, rules, or regulations. Any rules or regulations stated in the handbook are not intended to conflict with Board Policies, local, state, or federal regulations. In the case of a conflict, federal, state, or local regulations or Board Policy shall prevail.

The County, like the employee, is free to terminate the employment relationship at any time for any lawful reason, as we are an “at-will” employer. No supervisor, manager, or representative of this County has the authorization to enter into any agreement of employment for any specified period of time or to make promises or commitments contrary to this handbook.

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

### B. MISSION STATEMENT

The County Board recognizes and declares the necessity of providing the most efficient and highest quality services for the citizens of Dawes County while providing a work environment which is both competitive within the community and equitable. Dawes County is designed to bring the County service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices.

### C. DAWES COUNTY ELECTED OFFICIALS

Dawes County’s mission has evolved from its heritage as County government in Nebraska. As of this revision; Current Dawes County elected officials are as follows:

Assessor.....	Lindy Coleman	District Court Clerk .....	Celeste Cattin
Attorney.....	Vance Haug	Public Defender .....	Rebecca Chasek
Clerk.....	Cheryl Feist	Sheriff .....	Karl Dailey
Commissioner (Dist. 1).....	Jake Stewart	Surveyor.....	.....
Commissioner (Dist. 2).....	Valentin Rivera	Treasurer .....	Sam Wellnitz
Commissioner (Dist.3).....	Webb Johnson		

### D. AMENDMENTS TO THE EMPLOYEE HANDBOOK

Policy Committee will consist of 2 elected officials, 1 County board member, and 6 employees from various departments. They will review the employee handbook every two years. A committee member may stay on the committee until the time they no longer wish to participate.

The purpose of the committee will be to maintain the applicability of the employee handbook and to update any material as necessary. The committee shall recommend revisions, additions or deletions to the County Board.

Shall there be any updates needed for this handbook due to statute change, the Dawes County Human Resources Dept. can adopt those changes pending the board approval of them.

Forms referred to in this document are available from your immediate supervisor or in the Dawes County Human Resources Dept.

### **III. EMPLOYMENT POLICIES**

#### **A. EQUAL EMPLOYMENT OPPORTUNITY**

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

We also believe 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. Dawes County will also make reasonable accommodation 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 accommodation must contact the Dawes County Human Resources Dept. and request one.

We want our commitment to equal employment opportunity to be a success. If you feel we are failing in our duty and promise of equal opportunity to all applicants or employees, please report your concerns at once to your supervisor or other management personnel (e.g., department head or board member) with whom you feel comfortable discussing this matter. We will take every reasonable measure to correct any unfairness and promise that you will not be subjected to retaliation for bringing such matter to our attention in good faith. We will treat all such concerns with the utmost confidence, to the extent reasonably possible and consistent with a fair resolution of the problem.

#### **B. DISABILITY ACCOMODATION**

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

The Dawes County Human Resources Department acts as the Dawes County ADA Coordinator and can be contacted at: 250 Main Street, Chadron, NE 69337.

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

Requests for accommodation will be processed as quickly as reasonably practicable under the circumstances. Any individual who requests an accommodation is required to fully cooperate in the process, including providing relevant information and providing any required HIPAA consent 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 perform all essential functions of their job with accommodation and may be subject to disciplinary or performance-related actions, up to and including terminated, if they are unable to perform all essential functions of the job. If the individual is an applicant, their application for employment will be withdrawn from consideration.

While a request for accommodation is being processed, an employee may be placed on 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 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 accommodation that might be reasonable, the following are among the accommodations that might be reasonable (depending on the circumstances): modifications to the job application process, modifications to the work environment, modifications to the methods by which a job is performed, providing special equipment or devices to perform a job, reassignment to an open job for which an employee is qualified and for which the employee can perform the essential job duties, providing a part-time or modified work schedule, modifying training methods and/or materials, providing readers or interpreters, and/or placing an employee on short-term leave of absence.

Employees should understand that not all possible accommodations are reasonable in nature. For example, the County is not required to lower its performance or behavior standards, eliminate essential job duties, bump another employee from a job, maintain an employee's compensation rate, or permit unscheduled (or erratic, unpredictable, intermittent) or excessive absenteeism or tardiness as a reasonable accommodation. In addition, working from home, obtaining regular assistance from another employee to perform essential job duties, and eliminating certain duties in a job rotation are generally not reasonable accommodations except in extraordinary circumstances. The ability of an employee to perform essential duties with the use of mitigating measure or device (such as medication or special equipment) may be considered in 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 needed or reasonable.

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, the employee will be expected to fully perform all essential function of the job without accommodation and may be subject to disciplinary and/or performance-related actions, up to and including terminated, if the employee is not able to perform all essential functions in a manner acceptable to the County as expected from other employees who hold the same job.

#### C. HARRASSMENT POLICY AND COMPLAINT PROCEDURE

Dawes County is committed to maintaining as enjoyable 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, religion, national origin, disability, pregnancy, genetic information, and any other characteristics protected by law; (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, cooperates with any internal investigation, or otherwise pursues their legal rights.

It is not possible to define every action or word that could be interpreted as harassment. Harassment may



encompass a wide range of verbal, physical, and/or visual behaviors any may be sexual or non-sexual in nature. Each situation depends on several factors. In some cases, one incident will be sufficient to constitute harassment. In other cases, a pattern or series of incidents may be necessary. In addition, even if the behavior in question may not constitute harassment under this policy, it may still be inappropriate in our workplace and subject to disciplinary action.

Examples of behaviors that might constitute harassment (depending on the circumstances) and are the types of behaviors in which an employee should not engage include sexual advances, propositions, pressure for sexual favors, physical contact of a sexual nature, and sexually explicit language, gestures, pictures, jokes, or objects.

Examples of behavior that might constitute harassment of a non-sexual nature are of the type of behaviors in which an employee should not engage include conduct that is offensive, derogatory, or shows hostility toward an employee because of their race, color, religion, sex/gender, sexual orientation, national origin, ancestry, disability, age, or other characteristic protected by law, including slurs, epithets, negative labeling or stereotyping and jokes, whether oral or written.

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 department head; or (3) if the complaint is about a department head, or the employee is not satisfied with the handling or outcome of the complaint or feels more comfortably by passing the other steps, the employee should take it to the County Human Resources Department or the Chair of the County Board.

Such complaints will be promptly addressed (and investigated if necessary) and appropriate action taken if warranted. Confidentiality will be maintained to the extent possible under the circumstances. If the County believes that a violation of this policy may have 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 termination.

#### D. GRIEVANCE PROCEDURE

Dawes 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 termination 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 termination 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 Policy and Complaint Procedure instead of the grievance procedure.

The County will use a Grievance Board consisting of five (5) elected or appointed officials and/or their designees. The department head and employee involved in the grievance will each select two people from the predesignated list. The four people selected will then select the fifth member from the list. The Grievance Board will designate a Grievance Board Chair. Dawes County Human Resources shall create the predesignated list of people to serve on the Grievance Board.

##### Step 1

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

appeal the grievance to the department head within five (5) working days from the date of the immediate supervisor response.

### Step 2

In submitting the grievance to the department head, the grievance must be in writing and contain the following

- Name of person filing the grievance
- Details of the alleged grievance
- Names of person 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

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

### Step 3

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

## **IV. GENERAL EMPLOYMENT POLICIES**

### **A. DRUG FREE WORKPLACE-ALCOHOL/DRUGS**

The illegal possession, use, sale or distribution of drugs or alcohol by employees is a violation of County policies as well as State and Federal laws. In satisfaction of this mandate and in order to fulfill its obligations under the Drug-Free Workplace Act of 1988, 41 U.S.C. ss701 the County Board has formulated standards of conduct for both its employees and its officials that prohibit the following acts:

- 1) Use, possession, manufacture, distribution or sale of illegal drugs, drug paraphernalia or unauthorized controlled substances on County premises or while on County business or County activities, or in County supplied vehicles either during or after working hours.
- 2) Unauthorized use or possession or manufacture, distribution, or sale of a controlled substance as defined by the Federal Controlled Substances Act, 21 U.S.C. 801 et seq, or Nebraska Drug Control Laws, Nebraska. Rev. Stat. 28-401 et seq., on County premises, or while engaged on County business or attending County activities, in County supplied vehicles, either during or after working hours.
- 3) Unauthorized use, manufacture, distribution, possession, or sale of alcohol on County premises while on County business or at County activities, in County supplied vehicles either during or after working hours.
- 4) Storing in a locker, desk, vehicle, or other place on County owned or occupied premises, any illegal drugs, unauthorized controlled substances, drug paraphernalia, or alcohol.
- 5) Use of alcohol off County premises that adversely affects an employee's work performance, or an employee's safety or the safety of others.

- 6) Possession, use, manufacture, distribution, or sale of illegal drugs off County premises that adversely affects the employee's work performance, the employee's safety, or the safety of others.
- 7) Violation of State or Federal laws relating to the unauthorized use, possession, manufacture, distribution, or sale of alcohol, illegal drugs, controlled substances, or drug paraphernalia.
- 8) In the case of employees – failure to notify an employee's supervisor of an employee's arrest or conviction under any criminal drug statute as a result of a violation of law which occurs at the County workplace.

All persons being considered for employment with Dawes 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 search or test will be insubordination subject to discipline, up to and including termination.

The County may request or require current employees to undergo testing for drugs and/or alcohol if the employee has sustained a personal injury resulting in medical treatment or a lost-time accident or has been involved in an accident where another individual has sustained such a personal injury. Such testing may also be done when the employee has caused a work-related accident or was operating, or helping to operate, machinery, equipment, or vehicles involved in a work-related accident where the accident results in property damage or personal injury and may also be done where there appears to be no reasonable explanation for the accident. Refusal to submit to such a test will be considered to be insubordination subject to discipline, up to and including termination.

For all drug and alcohol testing under this policy, the County will 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 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 termination.
- every employee will abide by the terms of this statement.

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

The provisions of this policy shall be communicated to all employees by each County official.

## B. ATTENDANCE/ABSENCE

Regular attendance and punctuality contribute greatly to the effective operation of Dawes County. The County Board stresses the importance of developing efficient work habits that serve as indicators of employee dependability and value. There are times, of course, when illness or some other reason makes it necessary to be absent. Prompt reporting of an absence permits supervisors to plan accordingly, thus reducing problems related to absenteeism.

- 1) Attendance Records-Each applicable supervisor, department head or official is required to maintain current attendance records for each employee. Each employee must promptly notify their supervisor of any absence and the reason for such absence. Request to be Absent forms should be

completed five (5) days prior to a planned absence. If for some reason an employee cannot report for work at the normal time, that employee should report to their supervisor before the normal work hours begin.

- 2) Absence Unreported-An employee may be considered to have abandoned the job if they have been absent from work for longer than two workdays without being on approved leave or without notifying the appropriate supervisor unless such notice is impossible. Such abandonment will be considered as a resignation not in good standing.
- 3) Absence Due to Illness or Injury- When an employee is absent due to illness or injury from non-job-related causes they will be paid during the term of absence in accordance with the amount of sick leave accrued. If sick leave accrued is insufficient to cover the absence, vacation leave must be used exhausting all paid leave prior to unpaid leave.

The employee should contact their supervisor to discuss what other options might be available.

Physician's Statement-A physician's statement may be required when: (a) absence is continuous for a period exceeding three (3) workdays; or (b) when work restrictions are involved. Specific procedures and appropriate forms are available from the supervisor.

- 4) Tardiness-If any employee anticipates being late for work, their supervisor should be notified immediately. The supervisor may then alter the work shift and require the employee to make up time lost due to lateness, use vacation time, or recommend a reduction in pay. Repeated or chronic tardiness to work is considered unacceptable conduct and is cause for discipline, suspension, or termination.
- 5) Excessive Absence- Special circumstances should be discussed with and approved by the immediate supervisor.

Absenteeism or tardiness in excess of this standard is unacceptable and subject to disciplinary action including verbal or written warning, suspension, probation, and/or termination. An occurrence is defined as one (1) period of absence. An example: An employee is absent from work for three (3) days in a row – this is one occurrence. The employee is absent from work on Monday, returns to work on Tuesday and Wednesday, and then is out again on Thursday and Friday – this is two (2) occurrences.

- 6) Request to be Absent-Request to Be Absent forms should be filed at least five (5) days prior to a planned absence. For unplanned absences, a Request to Be Absent form should be completed as soon as possible or when the employee returns to work. Copies will be distributed as stated on the form. Approval will be made by the supervisor and will depend on department needs.

## C. CONFLICT OF INTEREST

No employee of Dawes County shall engage in any activity that in any way conflicts with their duties and responsibilities at or for Dawes County.

As a condition of employment, each Dawes County employee shall conform to the following guidelines:

- 1) Be informed of conflict-of-interest perils and remain alert to them in personal activities.
- 2) Make certain that no outside activities interferes with County obligations. The County expects all full-time employees to make their Dawes County job their primary employment.
- 3) Freely disclose outside activities to the County Board regarding situations that could involve, or be construed as, conflicts of interest.
- 4) Consult, in advance and whenever circumstances suggest it, with the appropriate officials on outside activities undertaken in the general field of individual competence.
- 5) Not have any substantial financial or personal interest in business transactions of the County; and

- 6) Not grant or make available to any person any consideration, treatment, information, or favor beyond that which is general practice to grant or make available to the public at large.

Additional Information: -Item 2 above states that no outside activities should interfere with County obligations. This statement includes employees who have other part-time or full-time jobs. The County expects all full-time employees to make their job at the County their primary employment. Upon occasion, part-time work may be taken without conflict to work at the County. However, if there ever is a conflict in schedule or performance, the County must be given priority. Failure to do this will be grounds or cause for termination.

#### D. CONSENSUAL RELATIONSHIPS

Although Dawes County does not prohibit relationships between employees, it does discourage such consensual relationships where a power differential exists such as between a supervisor or elected official and an employee. A power differential exists when one party has influence over the other party's career, employment or performance evaluations. Employees should understand that there are substantial risks in consensual relationships where a power differential exists. Such relationships are inherently suspect and raise questions of conflict of interest regarding that relationship.

In any consensual relationship with romantic or close emotional aspects, the employee, with the power differential, has a special burden of accountability. That individual is required to:

- 1) Immediately advise their supervisor, elected official or County Board of the relationship; and
- 2) Remove themselves, or shall be removed, from any type of supervisory or evaluative role.

#### E. DOMICILE

Other than elected officials, there is no requirement that an employee live in a specific community, County, or State. However, each employee is expected to report to work on time and at all times when their office/workstation is in operation. While the employee's domicile is not a condition of employment, neither is it a justification for not reporting to work in a timely manner.

#### F. DRESS CODE

Discretion in style of dress and behavior is essential to the professional image as well as the safe and efficient operation of the County. Employees are expected to dress in a manner that is appropriate to the type of work performed. It is important that employees project a professional image to those they are always interacting with. Applicable Supervisors, Department Head or Officials may set the dress code requirements they deem necessary for the functions of their office.

Applicable Supervisors, Department Heads or Officials may deem some workdays appropriate for "business casual" days. This may include Fridays or days that they are working in unclean conditions. Shorts, flip flops, or sweatpants should typically not be worn.

#### G. FORM I-9 EMPLOYMENT VERIFICATION

Each Applicable Supervisor, Department Head or Official is responsible for adhering to the Federal Immigration Reform and Control Act which requires verification of the employability status of all individuals hired by completion of the required federal forms at time of hire. New hires are required to be reported to the Federal Agency within three (3) days of employment.

#### H. PRE-EMPLOYMENT BACKGROUND CHECKS

Dawes County will comply with the Fair Credit Reporting Act (FCRA) which applies to all background checks, such as driving records, criminal background, and other job-related records that are conducted by a third party. To protect the general public, safeguard current and future employees, and shelter its assets Dawes County will conduct criminal background and DMV checks in the final stages of the selection process with all job offers being contingent upon successful completion of a background and

DMV check. Dawes County will request a release of records pertaining to a criminal background and DMV checks.

All reports shall individually be reviewed by the Applicable Supervisor, Department Head or Official taking into consideration the candidate's qualifications as well as the results of the background check. The County Human Resources Dept. shall notify the appointing authority (and where necessary legal counsel) of adverse check results. Prior to taking an adverse action, appropriate pre-adverse and adverse action notices will be sent to the candidate pursuant to the Fair Credit Report Act (FCRA) laws together with a copy of the third-party reporting agency's background report. Upon a review of the adverse action with the appointing authority, a decision will be made taking into consideration suitability for hire and whether the conviction is relevant to the position.

Final candidates who dispute or contest information provided by the third-party reporting agency must contact the applicable agency. It is the candidate's responsibility to challenge the report and arrange for any corrections within ten (10) days.

I. FAMILY/FRIENDS/PETS IN THE WORKPLACE

Dawes County values family life and has worked to develop employment policies and benefits that are supportive of families. While the County seeks to focus on providing an environment open to work and family issues, it also believes that the work place should not be used in lieu of a child care provider on a regular basis. Also, visits from friends and family both in person and on the telephone should be limited during regular business hours.

Pets are not allowed in County buildings at any time unless they are used for accessibility reasons.

J. ORIENTATION PERIOD

Newly hired employees will undergo a (6) six-month orientation period to demonstrate competence in the duties of the position. Failure to meet all standards set for a specific position may justify immediate termination.

K. AT WILL EMPLOYMENT

At any time, an employee has the right to terminate employment with the County for any reason or for no reason and the County maintains the right to terminate an employee for any reason.

L. INCLEMENT WEATHER PLAN

In order to protect the safety/well-being of County Employees/Citizens of Dawes County, the following procedure will be implemented when necessary, during inclement weather conditions.

- a. The local Chair/Vice Chair will obtain projected weather and road conditions and will notify the County Assessor and County Clerk with the information and decision to close the County offices or issue a late opening. This decision will be made before 6:30 a.m. to accommodate all County offices as well as the court system.
- b. The County Assessor will send out a text message to all County employees who have signed up for the automatic message to be received.
- c. Elected Officials/Supervisors will be responsible to contact any of their staff that may choose to not receive text messages or may not be able to receive text messages.
- d. The County Clerk will contact the radio stations with the information.

All full-time employees whose regularly scheduled work hours are affected by the mandatory closing or late opening will be paid out for the hours lost. Part-time and hourly employees may be paid out or rescheduled at the Supervisor's discretion.

Employees who choose to leave early or arrive late to work due to weather concerns while the offices are still open will be required to use paid leave. If paid leave is not available, the time off duty will be unpaid.

- This policy does not apply to Roads or emergency personnel.
- Employees will need to sign up for the CODE RED, Dawes County Inclement Weather Notice: The web site for the Inclement Weather Notice is:  
<https://public.coderedweb.com/cge/20da2fd5ce20>

#### M. LEAVE

1) Jury Duty Leave-Absence with pay may be granted an employee for jury service during the actual period of such service, and the employee may retain fees paid to them as a juror; absence with pay may also be granted for employees who are subpoenaed as a witness during the actual period of such service; provided in both instances that the employee, upon being served a summons that their name has been drawn as a juror or upon being served a subpoena to appear as a witness, shall immediately advise their supervisor or official, as appropriate, in writing, stating the time, place and name of the court to which they is to attend.

2) Funeral Leave- Five (5) days of funeral leave will be granted to employees for death in the immediate family. Immediate family shall mean spouse, child, parent, sibling, or someone who bears a similar relationship to the spouse of the employee. For other family members, up to three (3) days of funeral leave may be granted to employees for death in the family. Other family shall include grandfather, grandmother, grandchild, spouse of any of these, or someone who bears a similar relationship to the spouse of the employee. Proof of an obituary or proof of death may be required. No funeral leave is available for persons not of the employee's family. Use of vacation time is at the discretion of the immediate supervisor.

Flowers: The County will provide flowers for any funeral for Elected Officials and Employees. Offices may take up collections to purchase flowers if wanted.

3) 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 regardless of if they want to be seen by a physician. The supervisor will have the necessary forms to fill out and can help you obtain proper medical treatment if wanted and/or needed. Eligibility for Worker's Compensation benefits can be jeopardized if the injury is not reported in a timely manner.

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 an injury or illness will be paid upon receipt of documented medical statements supporting the claim.

Employees being paid Workers' Compensation may use sick and/or vacation leave to supplement the payment up to, but not exceed, their regular rate of pay. Employees shall earn sick and vacation leave at the same rate being earned prior to the injury or disease. Holidays occurring during this period will be paid at a rate proportionate to the amount of sick and/or vacation leave being used. **After all sick and vacation leave has been exhausted, employees shall not be entitled to any leave or pay benefits except as authorized under Workers' Compensation and shall be carried in a leave-without-pay status while on Workers' Compensation.**

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

Employees with further questions may contact the Nebraska Intergovernmental Risk Management Association (NIRMA) office at (800)643-6671.

- 4) Military Leave: Military leaves of absence shall be granted to all County employees as may be provided by state law or by federal regulation. An employee who is a member of one of the Armed Forces (National Guard, Navy Reserve, Army Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve) may be granted up to fifteen (15) paid days of military leave per year in annual training and instruction to fulfill their service obligation provided copies of training orders are provided.

Employees, who are members of any of the reserve components, who perform their military obligation by participating for fifteen (15) workdays or less in annual training and instruction, when such training is performed pursuant to or authorization of competent authority, shall be entitled to receive their full County pay in addition to their military pay without using all or any part of their earned vacation leave. The fifteen (15) paid days of military leave are permitted only for annual training exercises or active-duty assignments and shall not be used for weekend drills.

In addition, employees who: (1) are either the spouse or the parent of an individual who is called to military service lasting 179 days or longer with the State or the United States pursuant to the orders of the Governor or the President; (2) have been employed by the County for at least 12 months; and (3) have worked at least 1250 hours in the preceding 12 months are eligible for Nebraska Family Military Leave Act leave. The County will provide eligible employees up to 15 days of unpaid military leave (30 days if the County has more than 50 employees) during the time state or federal deployment orders are in effect. Otherwise, eligible employees must provide as much advance notice as possible for 5 days. In addition, the County may require documentation verifying an employee's eligibility for leave.

- 5) State of Emergency Leave: Employees called to active service by the state when the Governor declares a state-of-emergency will be granted this leave. Employees will receive their normal compensation, less State active-duty base pay received from the State.
- 6) Leave of Absence: An employee may request to be absent on a personal or health matter. All employees become eligible for this type of leave after completing 12 months of employment. The length of time available for general Leave of Absence is up to 60 days. However, leaves prior to completing 12 months of employment and extensions of the leave period will be considered on a case-by-case basis. All leaves of absence are without pay, unless the employee has accrued paid time off (vacation, sick or comp time), in which case such paid time must be used as part of the general leave.

Employees must submit a request for a leave of absence to their department head as far in advance of the anticipated leave date as practicable. If the absence is due to an emergency, the employee or member of the immediate family must inform the department head as soon as possible.

If leave is due to medical reasons, the employee must submit medical documentation of the need for leave. Any employee returning from leave taken for medical reasons must provide the County with a release to return to work signed by the employee's doctor.

If an employee is on leave without pay status, the employee will be responsible for the entire cost of their insurance through COBRA and will no longer accrue any vacation or sick leave.

All Leave of Absence requests must be approved by the appointed official of the employees department.

- 7) Political Leave - Any employee who is a candidate for a state or national office may request a leave of absence without pay from the date of filing until the end of the term in which the election takes place. If the employee chooses to file and/or campaign for office without taking a leave of



absence, said employee and the supervisor or official are charged with taking whatever steps necessary to specifically ensure that all employee job responsibilities are properly delegated.

An employee who files for state or national office shall immediately notify their supervisor or official as appropriate. The Board will be informed when a County employee files for office.

While recognizing the value of public service, the Board will annually consider the needs of the individual institution in granting political leave of absence requests.

- 8) Sick Leave - Sick leave policy is adopted with the realization that an employee may become ill or injured through no fault of their own to the extent of being unable to work. Sick leave should be taken for absences made necessary by reason of illness, injury, or disability, including temporary illnesses covered by or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there from, by exposure to dangerous disease which may endanger the employee or public health, or by illness in the family making it necessary that the employee be absent from their duties. The term "family" shall be defined to include spouse, and dependent children, stepchildren, grandchildren, wards, brothers, sisters, parents, grandparents, or parents of the spouse. It is not intended as any earned time off with pay and shall not be granted as such.

Regular, full-time Dawes County employees shall be entitled to earn sick leave with full pay computed at the rate of one (1) day per month for each calendar month of consecutive service, not to exceed one hundred fifteen (115) days maximum accumulation of unused sick leave.

Sick leave shall not be advanced beyond the terms of the previous paragraph.

Seasonal, part time or temporary employees will not be eligible for sick leave or the accrual thereof.

Any employee granted leave under the provisions above that does not report to work immediately following the approved leave period, shall be considered terminated; termination under any circumstances is considered to be initiated by the employee and will be recorded as a resignation.

An employee may be required to submit a physician's statement when the employee's absence exceeds three (3) consecutive workdays or when the supervisor or official suspects sick leave abuse. Sick leave shall be denied when the immediate supervisor or official and the County Board have facts showing an employee is abusing sick leave.

Examples of sick leave abuse may include:

- a) Sick leave being used as vacation leave.
- b) Use of sick leave in small increments on a routine basis leaving the employee with no significant balance.
- c) Use of sick leave routinely in conjunction with a weekend, holiday, or specific day of the week. A noticeable pattern in this case will be significant.

Any employee leaving in good standing or retires and has been employed by Dawes County for ten (10) consecutive years, shall be reimbursed unused sick leave at their current wage rate getting one (1) day per year worked up to a maximum of twenty (20) days.

- 9) Family Medical Leave Act: Dawes County is a covered employer under the Family and Medical Leave Act (FMLA). Employees are asked to provide 30 days' notice of the need to take FMLA qualifying leave when the need is foreseeable. When 30 days' notice is not possible, the employee should provide notice as soon as practical and generally must comply with the County's normal call-in procedure.

Employee eligibility is dependent on three factors:

1. The employee must have been employed by the County for at least twelve months (which need not be continuous) at the time FMLA leave begins.

2. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding commencement of the leave.
3. The employee must be employed at an office or worksite where 50 or more County employees are employed by the County within 75 miles of that site.

Please notify your supervisor, who in turn will contact the County Human Resources Dept. to verify your eligibility requirements as listed above. Additional information may be required to determine whether the reason for leave is FMLA qualified. The link to the FMLA web site is: [dol.gov/general/topic/benefits-leave/fmla](https://dol.gov/general/topic/benefits-leave/fmla).

All leave designated as FMLA-protected will be calculated using the “rolling year” method. Employees on FMLA leave will be required to use available paid leave (not including compensatory time off) during their absence. Conditions usually applicable to the use of paid leave will still apply.

While on FMLA leave, the employee will remain responsible for their share of any payroll deductions enrolled in at the time leave begins (e.g. health insurance premiums, unreimbursed medical, supplemental insurance payments, etc.). The employee has a 30 day grace period in which to make payments. If payment is not made timely, health insurance benefits may be cancelled provided the employee is notified in writing at least 15 days before the coverage would lapse. Should the coverage lapse, COBRA would take effect and the employee would be solely responsible for premium costs for the duration of their absence. Only Blue Cross/Blue Shield will be reinstated when an employee returns to full time status. Aflac and VSP will be dropped indefinitely, and an employee may reinstate these during the open enrollment period.

Fitness for Duty Certification: it shall be the policy of Dawes County to require a fitness for duty certification from the employee’s health care provider in those cases where there is a reasonable safety concern involved with the employee’s return to work. Dawes County will advise the employee in the FMLA Designation Notice in such cases and the employee will bear the cost of the fitness for duty certification. In addition, ADA requires employers to reasonable accommodate the employee who can continue to perform the essential functions of their job with a reasonable accommodation upon return to duty. It shall be the responsibility of the employee to request reasonable accommodation upon return to work.

This act also includes Military Family Leave Entitlements; an expansion to the FMLA, 2008 National Defense Authorization Act (NDAA) and is applicable when Dawes County employs 50 or more people. Leave is granted for two qualifying events:

- a. Service Member Caregiver Leave - To be eligible the Caregiver must meet existing FMLA eligibility requirements (12 months employment, 1250 working hours) and be the spouse, child, parent or next of kin of a covered service member. Caregiver leave may be taken when a service member has a serious injury or illness incurred in the line of duty rendering the member medically unfit to perform their military duties; and is undergoing medical treatment, recuperating, in therapy, otherwise in outpatient status or on the Department of Defense Temporary Disability Retired List. May take up to 26 weeks leave in one 12-month period.
- b. Service member family leave- To be eligible for service member Family leave, an employee must meet the FMLA requirements and be the spouse, child, or parent of a covered service member. Family leave may be taken for a qualifying exigency, an urgent need. The qualifying exigency must arise out of the service member’s current tour of active duty or an impending call or order to active duty. May take up to 12 weeks leave in any 12-month period.

A copy of Employee Rights and Responsibilities under the Family and Medical Leave Act and NDAA are is available from the County Human Resources Dept. or online at FMLA website: [dol.gov/general/topic/benefits-leave/fmla](https://dol.gov/general/topic/benefits-leave/fmla)

- 10) Crisis Leave Sharing Program – Dawes County employees may contribute accrued vacation leave and/or compensatory time off to benefit another employee of Dawes County or within a specific department of Dawes County who is suffering from a catastrophic illness or injury. Donated leave must be made in no less than one (1) day increments.

To be eligible to receive donated leave; an employee must have exhausted all paid vacation or sick leave which will likely cause the employee to take **leave without pay**. The crisis leave sharing program will permit wages and health insurance to continue for those employees receiving this benefit. It will be the responsibility of the Supervisor(s) to document and track time donated and by whom; time used and by whom. Contact County Human Resources Department for more information and forms to be completed.

- 11) Vacation Leave - County employees shall, during each year of continuous employment, be entitled to ten (10) days of vacation leave with full pay. Employees who complete five (5) years of continuous employment shall be entitled to eleven (11) days of vacation leave during their sixth (6th) year of employment and shall thereafter be entitled to one (1) additional day of vacation leave with full pay for each additional year of continuous County employment up to a maximum of fifteen (15) days of vacation leave a year.

Vacation leave shall not be advanced beyond the terms of the previous paragraph.

Recording the Use of Vacation Leave-To accommodate flexible work schedules, office hours and the leave of absence provisions, use of vacation leave shall be recorded in one-quarter hour increments. When computing the leave against the employee's vacation account, round off to the nearest quarter hour.

Year-End Balance-The vacation leave account of each County employee shall be balanced as of December 31 each year. Each employee shall be entitled to carry over to the following calendar year any balance accumulated as of December 31 of vacation leave which they earned during that calendar year. Hours of vacation leave accumulated in excess of that number shall be lost.

New employees will accrue vacation while on orientation but may not use vacation time until successful completion of the probationary period. Probationary employees whose employment is terminated for any reason during the probationary period shall be paid for any accrued vacation leave.

Termination of Employment-Each employee shall be paid for unused accumulated vacation leave. Upon the death of an employee, their beneficiary shall be paid for their unused accumulated vacation leave. Vacation will be pro-rated out should an employee leave before the end of the calendar year as vacation is up fronted on January 1 for the calendar year

Vacation leave is available to be used once it has accrued with supervisor approval based on department needs. To ensure adequate staffing to handle general operations and unusual or emergency situations, vacation leave is subject to prior supervisory approval. It is recommended that vacation leave be requested at least five (5) days in advance.

Temporary, seasonal, or part-time employees do not earn vacation.

- 12) Personal Leave- As a benefit of employment with Dawes County, all regular employees who have worked for Dawes County over 6 months and successfully completed their orientation period will earn the equivalent of one (1) day of Personal Leave to be used however they wish within the remainder of the calendar year. Employees who have worked five (5) years or more shall be given an additional day, for a total of two (2) days of Personal Leave.

Regular part time employees will earn one fifth of their usual work week hours as paid Personal Leave (e.g., An employee scheduled to work 20 hours per week would earn 4 hours of personal leave upon completion of the orientation period and, providing there is no deviation in hours, 8 hours after working for 5 years).

The following conditions apply:

- Personal Leave does not carry over into the next year and cannot be accumulated.
- Employees will be granted Personal Leave at the beginning of the calendar year once eligible.
- Personal days cannot be paid out while currently employed by Dawes County.
- Personal days earned and not used within the calendar year an employee terminates employment will be paid out.

N. EMERGENCY RESPONSE

Any person who is on staff with the local Volunteer Fire and Rescue Department may respond to calls under these guidelines.

- 1) While on duty for Dawes County, Fire Fighters and EMT's will be allowed to respond to calls that are classified as emergencies.
- 2) All Emergency Response County employees must document time out when responding to emergency calls.

O. MEAL PERIOD

Full-time employees are permitted one meal period during each working day; the meal period is not counted as time worked nor is it paid time. The regular meal period is to be designated by the supervisor for each employee.

Under unusual circumstances, the supervisor may shorten the meal period to not less than thirty minutes and the beginning or end of the employee's work shift adjusted accordingly.

P. OVERTIME:

Under provisions of the Fair Labor Standards Act (FLSA), County Employees not exempted by the Wage and Hour Law for payment of overtime wages, must be compensated for overtime hours worked. Any Employee who works more than forty (40) hours (actual hours worked does not include holiday, vacation, sick leave or any other type of leave) during a defined workweek will be entitled to compensatory time off, in lieu of overtime payment, at time-and-one-half for each hour of overtime worked.

The following conditions will apply:

- 1) Adjusted time on a one-for-one basis must take place within the work week, (e.g., employee works ten hours Wednesday and can be compensated by working six hours on Thursday to avoid exceeding the 40-hour limit in one work week), unless the overtime is accrued at the end of the work week or otherwise authorized by the Supervisor. Individual officials may establish their workweek to accommodate departmental needs.
- 2) Any accrued compensatory time will be paid out at termination of employment.

Employees may choose to be paid out for overtime hours worked or accrue compensatory time off; up to forty (40) hours of compensatory time off (26.67 hours worked) maximum can be earned by any employee working forty (40) hours in a week. If an employee accrues the maximum forty (40) hours of compensatory time off, they will be paid any overtime exceeding the maximum on a monthly basis. The employee shall submit along with their timesheets any overtime worked and the option they have selected. All accrued compensatory time must be used prior to December 1 of each year. The employee may request to accrue more than the maximum forty (40) hours compensatory time off with a letter written in good faith stating a general reason, approximate dates of absence, and an estimate of the hours requested to exceed the maximum to the department head for approval. Supervisors and Officials will be responsible for monitoring and scheduling compensatory time off for their employees, so accruals are not exceeded.

Employees working thirty-five (35) hours a week may earn other than comp time at a rate of one hour worked to one hour of other than comp time. This is to be earned if working more than thirty-five (35) hours in a week up to forty (40) hours. An employee may accumulate seven (7) hours of other than comp time. If an employee accrues more than the maximum of seven (7) other than comp time hours, they will be paid out on a monthly basis for those hours at regular hour rate unless they exceed forty (40) hours during the work week. Any time over forty (40) hours worked in the week will be paid out at overtime rate. **All accrued compensatory time must be used prior to December 1 of each year. Supervisors and Officials will be responsible for monitoring and scheduling compensatory time off for their employees, so accruals are not exceeded.**

Supervisors and officials are responsible for the planning and monitoring of employee work schedules in a manner that minimizes or eliminates the need for overtime work. However, it is recognized that unusual or emergency circumstances will arise, at which time supervisors have the responsibility to adjust employee work schedules to meet the needs of such circumstances and/or award compensatory time.

If an employee is required to work on a scheduled County holiday, the employee will be compensated time and one-half for hours worked, plus holiday pay. Holiday pay will be straight time based on the hours usually worked that day. Weekends are not considered holidays.

The appropriate supervisor must specifically authorize overtime work before any overtime work is performed. Any unauthorized overtime will result in discipline.

If the supervisor decides to adjust the work schedule, it is the County's intent that the work schedule will be adjusted for two reasons: first, when work is required before or after a regularly scheduled shift due to an emergency, such as snow removal; and second, when work outside the regular workweek is necessary for a scheduled County activity.

Reporting: All compensatory time must be reported to Payroll. All earned and used time must be reported even if it is earned and used within the same month resulting in a balancing out for the month.

#### Q. CELL PHONE USE

This policy applies to any device that makes or receives phone calls, leaves messages, sends text messages, accesses the Internet, or downloads and allows for the reading of and responding to emails.

In addition, use of a cell phone or other electronic device while driving is dangerous and specifically prohibited while on working time. If a vehicle is equipped with a hands free device, an employee may use their phone for work purposes; otherwise, employees are prohibited from using a cell phone or electronic device at any time while driving a County vehicle. If you must make an emergency communication while driving, you should pull to the side of the road and stop before making a call, texting, or otherwise using the device.

##### PERSONAL CELL PHONES:

The use of cell phones for personal business during work hours is discouraged and should be limited to emergency situations. Use during breaks and meal periods are not monitored.

Dawes County will consider reimbursing employees for their business use of personal cell phones on a case-by-case basis if there is a substantial non-compensatory business reason for the reimbursement and substantial business-related use. The following rules apply to reimbursement:

- The employee maintains the type of cell phone coverage that is reasonably related to County business needs.
- The reimbursement is reasonably calculated to not exceed the employee's actual expenses of maintaining the cell phone;
- The reimbursement is not a substitute for any portion of the employee's regular wages; and
- The employee agrees to allow County to monitor usage to determine if usage is primarily for business reasons.

## COUNTY-ISSUED CELL PHONES:

Dawes County will only provide cell phones or similar communication devices to those employees whose work for Dawes County requires the use of cell phones for substantial non-compensatory business reasons. If an employee is provided cell phone by Dawes County, the employee is expected to use it primarily for business. Personal use of the employer-provided cell phone must be kept to a minimum and must be for essential personal business. Personal use of the employer-provided cell phone must not interfere with business and may only take place during break periods or lunch periods only.

Cell phones will not be provided by Dawes County as a means to promote employee morale or goodwill, as a recruiting enticement or as a means to compensate or reward an employee for past or future services.

Examples of situations in which there is a substantial non-compensatory business reason include, but are not limited to:

- Supervisor needs to contact the employee at all times for business or work-related emergencies
- Essential duties of the position require the employee to be available to customers and contacts when outside the office; or
- The employee needs to speak with customers and clients located in other time zones before or after the employee's normal workday.

Dawes County reserves the right to audit all County-owned cell phones with or without notice to the assigned employee.

## R. RESIGNATIONS, ABANDONMENT, LAYOFF

### 1) Resignation:

For County Employee to resign in good standing, written notice must be given to Supervisor or Official at least 10 working days before separation, unless Supervisor or Official agrees to a shorter period.

An employee who has submitted their resignation will work the length of the notice period. Employment status cannot be extended using vacation or sick leave.

### 2) Abandonment:

County Employees may be considered to have abandoned the job if they have been absent from work for longer than two (2) workdays without being on approved leave, and such abandonment shall be considered as a resignation not in good standing.

### 3) Layoffs:

The supervisor or official decides when a layoff is necessary, and which classes of employees and positions will be affected. Layoffs may be determined necessary because of budget adjustments or reallocations, a modification of position workloads, or elimination of or change in scope of County services, or as the result of any other job-related management decision.

When the supervisor or official decide that a layoff among County offices is necessary, the supervisor or official shall layoff people so that the reduction shall be made in such manner that the remaining members of the work force possess the necessary qualifications to perform all the tasks that need to be done by County employees.

The County supervisors or officials will make an effort to avoid a layoff by use of attrition wherever possible.

The County Board may review a supervisor or official's layoff plan prior to the initiation of any layoff.

S. REST PERIOD (“BREAK”)

During each full-time day, each employee may be allowed two fifteen (15) minute rest periods or “breaks”, free from regular duties. Such periods are counted as time worked and are to be taken at a time approved by each employee’s supervisor. Employees whose work assignment is less than seven (7) hours, but more than three (3) hours are allowed one fifteen (15) minute “break”. Employees are not required to take rest breaks, nor can employees be regularly denied same; however, depending on the nature of the immediate work being performed, the supervisor may shift one or both “break” periods to other parts of the workday.

These same break periods will be used/provided to nursing mothers to express breast milk for her nursing child. The frequency of breaks needed to express milk as well as the duration of each break will require supervisor approval.

Time for breaks voluntarily not taken by an employee may not be accrued, “banked”, or used in an accumulated manner at later dates. Time for breaks voluntarily not taken by an employee may not be used to alter the employee’s scheduled work start or stop times, nor may such time be used to lengthen the meal period.

T. COUNTY VACANCIES

- 1) Position Vacancy - No position shall be considered vacant until a letter of resignation has been received or a termination occurs.

The resigning employee shall submit a letter of resignation to their immediate supervisor or official. To resign in good standing, a ten (10) working day notice of resignation is required. An employee’s employment status cannot be extended by vacation or sick leave.

- 2) Position Advertisement - The County Official will advertise the position with local and regional publications, websites, and other sources. Current County Employees may apply for vacancies by following the application procedures. A copy of the job description will be available with the handout of applications. All departments under the supervision of the County Commissioners will run their job advertisements through the County Human Resources Dept. Other offices may use the County Human Resources Dept. to run their advertisement, but it is not required.
- 3) Applicant Selection - All applications received will be routed directly to the County Official or the County Human Resources Dept. for those departments falling under the County Commissioners who in turn will get it to the necessary person to look over be it the appointed official or the board chair. The Applicable Supervisor, Department Head or Official will review the applications and select applicants to interview. The Applicable Supervisor, Department Head or Official shall contact as many references as possible prior to selecting the best qualified and suitable applicant for the position. All job applications must be turned over the County Human Resources Dept. to be kept in a locked file for a certain number of years as designated by the state.
- 4) Position Appointment - When an applicant has been selected for employment, the supervisor will make arrangements with the County Human Resources Dept. to have the applicant complete the New Employee Package of information and forms before employment begins. County Human Resources Dept. needs to know at least one (1) business day in advance of a new employee being hired as to get the necessary paperwork ready.

U. THE WORKWEEK AND WORKDAY

The workweek for full-time employees consists of thirty-five (35) to forty (40) hours during any defined seven (7) day period. The standard workweek runs from Saturday (12:00 a.m.) through Friday (11:59 p.m.).

The length, in hours, of each employee’s workday must be considered when reporting absences or when an employee is required to work on a holiday (see also “Holidays”). It is the responsibility of each

supervisor to specify the days and hours that comprise a workweek for each employee under their supervision. Such specification should include the times for work start, lunch periods, and work stop. Further, it is the responsibility of each supervisor to designate the locations of each employee's work assignment and rest period.

When unusual circumstances arise (emergency conditions, special events, etc.) the employee's workweek, days, or hours, may be changed to meet the demands of such situations. The County official may designate varying work and office hours during summer or other periods of time as circumstances may warrant. In some cases, the work week, days, or hours, may be changed on a "seasonal" basis. When a "seasonal" change is made in an employee's workweek, days or hours, the employee should be given appropriate advanced notice.

To ensure that accurate records are kept of the hours actually worked (including overtime hours where applicable), all nonexempt employees are required to record their time on timesheets. Recordable time includes beginning work, start and return from lunch, end of workday, and any other time an employee is away from work with supervisor approval. All time worked must be included. No employee is permitted to work "off the clock", that is, work without recording the hours worked. No supervisor is permitted to ask any employee to work off the clock. If you make an error, please correct and initial it. Falsifying a time record or recording time for another employee will lead to discipline, up to and including terminated. Time clocks shall be required at the discretion of appointed or elected officials.

Working from home must be preapproved by applicable Supervisor, Department Head or Official.

#### V. TYPES OF APPOINTMENTS; NOTICE REQUIREMENTS

Every appointment to a County position shall be assigned to an authorized staff position as designated by the Board and compensated for work performed in accordance with the County's Pay Plan and include a job description.

A job description will be developed and maintained for every position in Dawes County. The description will list essential job duties and determine the employment status of each position as either non-exempt or exempt. Non-exempt status being entitled to overtime compensation and rules based on the Federal Fair Labor Standards Act (FLSA). A copy of the fact sheet provided by the department of labor concerning the determination of an exempt or non-exempt employee will be kept on file in the County Human Resources Dept.

Appointments to County positions are not issued written contracts or letters of appointment, as County Employees are at-will employees who are employed on an hourly/salary basis and may be terminated at any time with or without cause and with or without notice.

Nothing in this policy or in other County policies may be construed as a contract or guarantee of employment for a definite period of time. Notwithstanding the foregoing, a reasonable effort will be made to give County Employees whose employment is being terminated for reasons other than misconduct as much notice as possible.

#### W. CREDIT CARD USE POLICY

The Dawes County credit card has been issued to Elected Officials and other County employees. It is to be used for mandatory work-related purchases. Itemized receipts and statements must be attached to a claim for it to be paid. Other expenses will be paid through the claim reimbursement system.

#### X. TRAVEL EXPENSE POLICY

When traveling out of the Dawes County area as part of your job requirements, expenses for travel will be reimbursed by the County under the following provisions.

- 1) Reimbursement for mileage on your personal vehicle is only eligible for reimbursement when a county vehicle is not available for use. If a County vehicle is available and you choose to take your personal vehicle, you will not receive reimbursement. If the County vehicle is located more



than twenty-five (25) miles from your workstation, use of your personal vehicle for travel will be reimbursed. Mileage for use of a personal vehicle shall be reimbursed per the federal reimbursement rate in affect at the time of travel. When mileage reimbursement is being requested only those miles traveled from your residence in Dawes County to/from the destination of your assignment shall be eligible for reimbursement. A printed copy of a MapQuest map (www.mapquest.com) that includes distance estimates shall be attached to the mileage reimbursement request form. These must be turned in for the claim to be processed. Reimbursement claim sheets can be found by the calendar hanging in the mail room.

- 2) Meals during overnight travels for County business purposes will be reimbursed based on receipts provided up to the maximum per diem amount allowed under IRS guidelines. Meal costs while on business travel that does not include an overnight stay may be reimbursed dependent on Supervisor discretion but would be considered a taxable fringe benefit of the employee's wages. Meals provided by certain exempt organizations (i.e. NACO Conferences, law enforcement training) are not considered taxable fringe benefits if provided at the site of the meeting and required by the employer (Reg. section 1.274-2 (d) (3)). However, if the employee opts to eat elsewhere, they are not eligible for reimbursement of those meal costs. Tips will be reimbursed at a rate of 15%. No alcoholic drinks will be reimbursed. Itemized receipts must be turned in with the claim in order for them to be paid.
- 3) Motel & hotel accommodations will be reimbursed for those nights for which overnight accommodations are necessary. The County will not reimburse for any hotel or motel expenses for "extra days" taken for an employee's leisure. Expenses for the night before and/or after Travel dates are eligible for reimbursement dependent on class times and travel time. Accommodation dates should coincide with conference or class registrations.
- 4) When traveling out of town and an overnight stay is involved, travel time is compensable when it occurs during normal working hours, both on normal working days and on nonworking days.

#### Y. TOBACCO FREE POLICY

Tobacco use is prohibited on all property owned, leased, or operated by Dawes County. This consists of all buildings, all grounds, including exterior open spaces, sidewalks, parking lots, and in all Dawes County owned or leased vehicles. Areas designated for the use of tobacco will be available at some Dawes County locations. This policy covers the use of any tobacco product including e-cigarettes/vaporized nicotine and chewing tobacco. This will apply to employees, contractors, and visitors.

#### Z. EMERGENCY STAFF PLAN POLICY

During work-site emergency conditions, including inclement weather, certain "emergency staff" is expected to report to work whether or not the emergency conditions occur on a regularly scheduled workday. Persons needed to work during such conditions are to be identified in a preparatory manner by their respective supervisors.

Overtime provisions and leave provisions shall apply, when appropriate, for emergency work performed. The identification of an emergency staff may include but not necessarily be limited to the following general categories of Personnel:

- 1) Commissioners
- 2) Elected Officials
- 3) Sheriff's Department Employees
- 4) Physical Facilities/Maintenance Employees
- 5) Road Department Employees

#### AA. KEYS

Keys to the Dawes County buildings will be dispersed by the Applicable Supervisor, Department Head, or Official All office keys will be dispersed by the Supervisor. All employees who are issued a key or keys will sign a key log for each key which will be maintained by their supervisor. All keys must be

returned to the Supervisor's office upon termination of employment. Final paychecks may be withheld until the payroll office has received notice that all keys have been returned.

Proper care of County keys is essential in maintaining security of buildings, equipment, and supplies. Keys should not be left where they may be used by anyone other than the one to whom they were issued.

Please report lost or stolen keys immediately. The Board Chairman is the only person authorized to allow the making of more keys when needed.

#### **BB. MAIL SERVICES**

Mail service is provided for all departments. The postage machine is located behind the Commissioner's Office. All offices are responsible for posting their own mail and depositing it with the appropriate office that is responsible for mail drop off for that month.

In order to guarantee that mail is delivered to the U.S. Post Office daily, outgoing mail must be in the appropriate office no later than the set time designated based on the Post Office mail departure time.

#### **CC. COURTHOUSE OFFICE HOURS**

County Administrative office hours are typically Monday through Friday from 8:30 a.m. to 4:30 p.m.

#### **DD. COUNTY VEHICLE USE**

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

- 1) Employees must have a 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. Supervisors must verify that any person using a County vehicle is fully-insurable under the County's motor vehicle and other insurance policies. If said license is suspended or in any other way restricted, employees must notify their supervisor immediately.
- 2) County employees may not take County-owned vehicles home or use them for any personal reason unless authorized by an Official. The personal use of a County vehicle with authorization will be treated as a taxable fringe benefit of the employees' wages per IRS Reg. § 1.132-6(e)(2). All unauthorized personal use of a County vehicle is prohibited and will result in disciplinary action.
- 3) Law enforcement/emergency response personnel are exempt from the above condition as per TD 9483; §1.274-5 and Reg. § 1.274-5T(k)(3); Prop. Reg. 106897-08.
- 4) A County vehicle or equipment shall not be operated by anyone other than the employees to whom it is assigned.
- 5) Employees must secure the vehicle when leaving it unattended.
- 6) Every accident must be immediately reported to the employee's supervisor.
- 7) Employees may be held personally responsible for damage to a county vehicle if an investigation discloses negligence, carelessness, or misuse.
- 8) All persons must wear seat belts while operating and/or riding in County vehicles and shall not use a cell phone or any other electronic communication device while driving a County vehicle, unless a hands-free device is available. Sheriff's Department and Road Department personnel may use electronic communication equipment in the normal performance of their duties.
- 9) Employees shall not transport non-work-related passengers, in County vehicles at any time without prior approval from their supervisor.

- 10) 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.
- 11) Employees shall immediately report to their supervisor any hazardous or unsafe condition of the vehicle, which may result in injury to themselves or others.
- 12) Employees shall keep and return all County vehicles clean and free of trash and debris.
- 13) It is the responsibility of the employee operating a county vehicle or equipment to ensure that all supplies, equipment, machines, and vehicles being hauled or transported are properly secured to the transporting vehicle or trailer.
- 14) 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.
- 15) 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.

#### EE. NEPOTISM

It is the policy of Dawes County to hire the most qualified applicants available for job openings. A County official or employee can employ, recommend the employment of, or supervise an immediate family member if the official or employee does not abuse 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 County official or employee shall employ an immediate family member (a) without first having made a reasonable solicitation and consideration of applications for such employment; (b) who is not qualified for and able to perform the position's duties; (c) for an unreasonably high salary; or (d) who is not required to perform the position's duties. Neither shall a County official or employee terminate the employment of another employee in order to make funds or a position available for an immediate family member. Exceptions to this policy will be allowed only when permitted by applicable Nebraska law.

#### FF. SAFETY EQUIPMENT and APPAREL

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.

It is the policy of Dawes County to require that all employees working in hazardous situations to effectively utilize the appropriate equipment and apparel, as directed by their department, to minimize risk.

Applicable Employees 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.

#### GG. GIFT POLICY

Acceptance of all gifts, intended/received, from customers/vendors, should be discouraged by County employees.

When ordering from a company and a gift/item is included with shipment/order, it is considered County property and must remain/utilized in the Office as inventory. It cannot be taken home by any individual.

## V. PERFORMANCE

### A. DISCIPLINARY ACTION

County employees shall not be discriminated against on a basis not demonstratively related to the employee's job performance.

Job titles and general work responsibilities are available from the County Board, County Human Resources Dept. or Official responsible for the employee's office.

County Supervisors or Officials shall ensure that every possible effort is made to resolve grievances or complaints at the official level. County employees may ultimately appeal grievances not resolved at the official level to the County Board by filing a written notice of grievance with the County Board (See grievance procedures under Employment Policies).

During a person's orientation period, termination can happen immediately. No progressive discipline will occur during this period.

- 1) Disciplinary Action Guidelines - Appropriate disciplinary action may be taken (but not inclusive to) for any of the following offenses:
  - a) Violation of, or failure to comply with published rules, regulations, policies or procedures of the County or the County Board, applicable state statutes or federal laws.
  - b) Failure or refusal to comply with a lawful order or to accept a proper assignment from an authorized supervisor.
  - c) Inefficiency, incompetence or negligence in the performance of duties.
  - d) Unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcoholic beverage in the workplace or reporting for duty under the influence of alcohol and/or unlawful drugs.
  - e) Negligent or improper use of County or State property, equipment or funds, or conversion of same to one's own use.
  - f) Falsification, fraud or omission of required information on the employment application/resume.
  - g) Unauthorized, improper use or abuse of any type of leave, meal or rest periods.
  - h) Repeated tardiness or unauthorized leave, including unauthorized departure from work area.
  - i) Failure to maintain satisfactory working relationships with the public or other employees.
  - j) Failure to obtain and maintain a current license or certification required by law or County standards as a condition of employment.
  - k) Conviction of a criminal offense.
  - l) Insubordinate acts or language which seriously hamper the County's ability to control, manage or function.
  - m) Workplace harassment based, in whole or in part, on race, color, sex, religion, age, disability or national origin, which manifests itself in the form of comments, jokes, printed material and/or unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.
  - n) Possession of materials and/or the utterance of comments in the work place that are derogatory towards a group or individual based upon race, gender, color, religion, disability, age or national origin.

2) Guidelines for Imposing Disciplinary Action in Cases of Serious Misconduct

- a) As part of an investigatory proceeding leading to discipline, including termination and prior to imposing such discipline, County employees should be entitled to notice of the proposed charges against them which should identify the rule or policy violated and include an explanation of the County's evidence against them. The explanation should include a description of the incident involved and/or dates of occurrence to the extent the explanation would not impair the function or operation of the County or expose the Board to legal liability.
  - b) Prior to imposing discipline, the employee should additionally be entitled to an opportunity to present mitigating evidence or present reasons why disciplinary action should not be taken. If the opportunity or explanation is in the form of a meeting, the official or designated person should afford the employee adequate notice as to time, place, and purpose of such meeting. Reasonable notice of the meeting, which requires adequate time for the employee to prepare a presentation or defense, is required.
- 3) Employee Handbook Guidelines - Each official shall ensure that each employee has access to a copy of this employee handbook. A statement shall be included in the handbook emphasizing that handbook policies do not represent an employment contract, and that the County Board reserves the right to modify and amend such policies at any time.
- 4) Progressive Disciplinary Guidelines - The following types and levels of disciplinary actions for County employees are prescribed in a progressive manner; however, the nature and severity of the violation will dictate the level of discipline imposed and the due process protections to be applied. More severe levels of disciplinary action may be imposed when a lesser action is deemed inadequate or has not achieved the desired results. One or a combination of any of the following disciplinary actions may be imposed. If one or more of the prescribed disciplinary actions are imposed, it shall be in writing and on a single document and imposed concurrently.
- a) Written Warning - This action will be imposed whether the warning is verbal or not and consist of a discussion with the employee during which the supervisor explains in detail the reasons for the warning and advises the employee of the action required to correct the unsatisfactory performance. Documentation of such discussion shall be placed in the employee's personnel file with notice of such filing with the employee involved.
  - b) Disciplinary Probation Status - A disciplinary probation may be imposed for a period of up to six (6) months but may be extended to a total of one (1) year by the County Board. This is a designated time period during which the employee must improve. Improvement standards and time frames shall be set by the supervisor and put in writing and a copy given to the employee. An extension of disciplinary probation shall be considered as a separate disciplinary action.
    - 1) Employees on disciplinary probation shall not be promoted or granted merit pay increases.
    - 2) Employees granted leave while serving disciplinary probation may have their probation extended by the number of days absent on leave.
    - 3) An employee may be removed from disciplinary probation at any time.
  - c) Suspension - The period of suspension shall be without pay and shall not exceed twenty (20) working days. The document informing the employee of suspension shall be dated and include the reason for the suspension without pay and the number of days of the suspension.
    - 1) The employee's service date shall be adjusted by the number of calendar days absent during a suspension.

2) Employees on suspension shall not be granted vacation, sick or holiday leave nor unused compensatory time off during the suspension period.

- d) Demotion - The Applicable Supervisor, Department Head, or Official may demote a county employee and lower salary as a disciplinary action. The employee's duties shall be changed to reflect the new classification. Upon demoting an employee for disciplinary reasons, an Applicable Supervisor, Department Head or Official shall reduce the employee's salary a minimum of 5%. However, demoted employees' salaries may be reduced no lower than 15%.
- e) Reduction in Salary within the Same Position - Officials may reduce a county employee's salary as a disciplinary action. Officials may restore employees to their previous salary when circumstances justify.
- f) Termination - Termination of County employees shall be conducted in accordance with Board Policy except in cases as described below:

Employees may be granted two (2) calendar weeks' pay in lieu of notice at the discretion of the official. Employees granted two (2) calendar weeks' pay in lieu of notice shall not be eligible to accrue sick or vacation leave for the period for which payment in lieu of notice is made.

An employee terminated for gross misconduct such as conviction of a felony or an employee who commits an offense which threatens the safety or health of another person, or an offense of sufficient magnitude that the consequence causes disruption of work, shall not be entitled to two (2) calendar weeks' notice of termination or two (2) calendar weeks' pay in lieu of notice.

Employees may be terminated during disciplinary probation if they do not take positive action to correct the conditions that resulted in the disciplinary probation. The serving of disciplinary probation is not a prior requirement for termination.

- 5) Investigatory Suspension - Investigatory suspension is not a disciplinary action. An employee who is under investigation by an official or County Board or any State, County, Federal or civil agency or civil authorities for, or charged with, criminal activity or who is alleged to have committed an offense which threatens the safety or health of another person, or an offense of sufficient magnitude that the consequence causes disruption of work or County activities, may be suspended without pay pending outcome of the investigation or trial. If no immediate danger would result, the official, before suspending an employee under this section, should attempt to verify evidence with the employee and may afford the employee an opportunity to refute this information or present mitigating evidence. If a meeting takes place, the official shall notify the employee prior to such meeting and shall inform the employee of the purpose of the meeting in accordance with procedures outlined herein. Other employees may be notified of the general nature of the investigation if necessary for the investigation to proceed.

An employee who is found not guilty through a court proceeding or County investigation, or has no judicial action taken, may or may not be reinstated to their position by the official based on relevant facts acquired in the investigation. If reinstated to the former position, it shall be with full back pay and service credit for the period of suspension. If evidence in an investigation shows that disciplinary action should be taken, the official shall initiate disciplinary procedures.

## B. EVALUATION

A performance evaluation for newly hired County persons will be prepared at the end of the first six (6) months of employment by the employee's immediate supervisor and at the end of one (1) year of continuous employment and annually thereafter at the supervisor discretion. Each performance

evaluation must be conducted by the employee's immediate supervisor and must be reviewed with the employee and placed in the employee's file.

Performance evaluations must be reviewed and acknowledged by each employee. Acknowledgment signifies only that the employee has reviewed and discussed the performance evaluation. Each employee shall receive a copy of their performance evaluation and an opportunity to comment or rebut any performance assessment.

The original of each performance evaluation and any rebuttal or comment submitted shall be included in the employee's personnel file.

### C. COMPENSATION

1) Pay Period - Dawes County Personnel are paid on the first (1<sup>st</sup>) and the fifteenth (15<sup>th</sup>) day of each calendar month. Paychecks are deposited directly into the employee's bank account on the indicated paydays. Non-exempt, hourly employees will be compensated based on actual hours worked and/or paid leave taken as documented on the payroll requisition turned in by the Supervisor with accompanying time records. Elected Officials and non-exempt Officials will be paid a salary as determined by the County Board.

2) Payroll -The following deductions are mandatory and will be withheld from the employee's paycheck each month:

- |                       |                                   |
|-----------------------|-----------------------------------|
| a) Social Security    | c) Nebraska State Income Tax      |
| b) Federal Income Tax | d) NPERS Retirement (if eligible) |

The following deductions may be withheld from the employee's monthly paycheck at the employee's option:

- |                                       |   |
|---------------------------------------|---|
| a) Health & Dental Insurance          | c) VSP Insurance                        |
| b) AFLAC Supplemental Insurance Plans | d) Flex 125 Plan (Unreimbursed Medical) |

3) Direct Deposit is required. Direct Deposit Vouchers will be mailed to each individual employee on the date the payroll is effective.

4) Salary and Wage Adjustments - Pay increases are dependent upon County Board budget negotiations.

- a) Employees who are promoted to a higher position, or who occupy a position that has been reclassified to a higher position, will have their new rate of pay determined by adding the difference between the minimum rate of pay of the existing position and the minimum rate of pay of the new position to their current wage.
- b) Employees who are demoted or move to a lower position will have their new rate of pay determined by subtracting the difference between the minimum rate of pay of the existing position and the minimum rate of pay of the new position from their current wage.
- c) Employees who transfer laterally within the same salary grade shall not receive any reduction or increase in pay.

## VI. BENEFITS

### A. HEALTH/DENTAL BENEFITS

The Board shall make available to Regular Full Time County employees employed on a continuing basis group medical, dental and life insurance coverage. Eligible employees shall be advised of specific details of such coverage and a summary of benefits on initial appointment and of any subsequent changes in coverage. (See Appendix B for complete listing and brief details of provided benefits.) All employees of the County are entitled to benefits provided under the Social Security Act, subject to whatever conditions may be applied by the State of Nebraska or the United States government.

Employees wanting to enroll in the medical insurance plan can be enrolled in either the medical or dental plan or both. Insurance coverage will begin the first full month following full time employment.

Health/dental coverage may be retained by the employee while on an approved leave of absence as long as the employee is using paid leave time and/or is on FMLA protected leave. If the employee does not have any paid leave time and is not protected by FMLA leave the employee will have to access insurance coverage using COBRA.

Once an employee resigns, retires, etc., insurance coverage will terminate on the last day of the month in which their employment ends. Vacation or sick leave time may not be used to extend the employment period in order to continue benefits. Additional premiums maybe deducted from last pay cycle to pay premiums.

Details about coverage, limitations, exclusions, etc., can be obtained by contacting the current insurance provider.

### B. HOLIDAYS

Holidays - Dawes County provides for twelve (12) paid holidays for regular full-time employees. The following holidays coincide with nationally recognized holidays:

- |                                     |                                |
|-------------------------------------|--------------------------------|
| 1) New Year's Day                   | 8) Labor Day                   |
| 2) Martin Luther King, Jr. Day      | 9) Columbus Day                |
| 3) President's Day                  | 10) Veteran's Day              |
| 4) Arbor Day (last Friday in April) | 11) Thanksgiving Day           |
| 5) Memorial Day                     | 12) Day After Thanksgiving Day |
| 6) Juneteenth                       | 13) Christmas Day              |
| 7) Independence Day                 |                                |

County offices will be closed on the afternoon of the following days by Board approval.

- |                                    |                           |
|------------------------------------|---------------------------|
| 1) ½ Day on Good Friday for Easter | 2) ½ Day on Christmas Eve |
|------------------------------------|---------------------------|

Per Nebraska State Statute 25-2221, if any holiday falls on Sunday, the following Monday shall be observed as a holiday. If such holiday falls on Saturday, the preceding Friday shall be a holiday. Any holiday falling within your scheduled vacation leave will not be counted as a vacation day.

In order to be eligible for holiday pay, an employee must work his/her scheduled workday before and after the holiday. Exceptions include vacation, sick leave or compensatory time approved prior to the holiday. Bona fide illnesses are acceptable exceptions and may require written verification by a physician. Holiday pay shall be at the regular rate of pay and actual time worked on a holiday shall be one and one-half of the regular rates of pay.

Seasonal, part time or temporary employees will not be eligible for holiday leave.

### C. LIFE INSURANCE

The County provides a set amount of term life insurance coverage for all full-time employees. This shall be mandatory for all full-time employees.



D. FLEXIBLE BENEFITS PROGRAM

This benefit allows employees to pay their out-of-pocket medical and dependent care expenses using pre-tax dollars. All contributions to the Plan are deducted from each paycheck prior to federal, state, and Social Security tax withholdings. Enrollment is available for new employees at the time of their hire as well as during annual enrollment.

E. RETIREMENT PLAN

Participation is mandatory of all permanent, full-time -and permanent full-time seasonal- employees. Participation is mandatory for permanent part-time employees when, in a calendar year, their hours exceed half or more of their department's regularly scheduled hours for at least six (6) pay periods. Both the employee and the County make contributions to the Retirement Plan based on a percentage of the employee's pay. Employee contributions are vested immediately and belong to the employee the day they enroll. Dawes County contributions are vested after three years of continual employment. Employee contributions are made on a pre-tax basis thus reducing the employee's federal and state income tax.

Any permanent part-time employees or permanent seasonal employees age 18 years or older may voluntarily elect to participate within 30 days of hire. Temporary employees are not eligible to participate.

Retirement/Death Benefits-Each employee who is eligible for retirement under any existing state or federal retirement system shall, upon termination of his/her employment with the County by reason of retirement, or voluntary resignation in lieu of retirement, be entitled to the same benefits as any other terminated employee.

F. SOCIAL SECURITY

All employees are covered by Social Security. The amount of tax withheld from the paycheck is in accordance with current rates. If anyone is not familiar with the benefits available, it is recommended that they contact the nearest Social Security Administration branch office for information.

G. WORKERS COMPENSATION INSURANCE

Employees of the County are covered by Worker's Compensation at no cost to them. When a county employee sustains injury or illness arising in the course of their employment, observe the following procedures:

- a) Seek prompt and adequate medical attention, pending the seriousness of the injury. If the injury is not life threatening, first contact your supervisor or Official.

IMPORTANT: If possible, at the time of treatment, or as soon as possible thereafter, indicate to the doctor or the hospital that you are employed by Dawes County and are covered by Worker's Compensation.

- b) In the event of a possible claim, notify your supervisor immediately in order to promptly process the appropriate forms which can be obtained from your supervisor.
- c) Advise your supervisor of the time absent from work due to injury or illness and date of return to work. (A doctor's note is required for record purposes.)
- d) Identify and forward to your supervisor or official all medical, hospital, drug, and other bills you receive arising from the injury or illness.
- e) All claims related to injury or illness arising in the course of employment at the County are administered and reviewed by the Worker's Compensation Insurance Administrator.

## VII. ADMINISTRATIVE PROCEDURES

### A. PERSONNEL RECORDS

The following shall constitute Board policy regarding personnel records:

- 1) Accessibility of Records - It is the policy of the Board that personnel records of County employees shall not be made public. However, information concerning an employee or former employee's name, position, gross salary, date of hire, date of separation and County where employed shall be considered public information.

All personnel data maintained by the County offices in computer databases, microfilm files and personnel files shall be secured in strict conformance with state law governing the confidentiality of information.

Non-public information may be released to the employee, the employee's supervisory chain of command, County administrative personnel, and to other state agencies performing a civil or criminal law enforcement investigation authorized by law. The Department of a requesting state agency shall identify in writing what is sought and the purpose for the request. In addition, non-public information shall be released to any requesting party provided the employee has signed a release authorization, or a legal warrant is served requesting such information.

- 2) Maintenance of Records - Applicable Supervisor, Department Head or Official shall maintain official personnel records.
- 3) Rights to Review - Employees shall have the right to review their personnel file maintained at the County during regular office hours. Review is to be done in the office in the presence of the Applicable Supervisor, Department Head or Official.

Confidential information such as recommendations solicited by the County during the hiring process or communications with references supplied by the employee in connection with the employee's initial employment are deemed confidential and shall not be made available to any employee.

Anyone requesting to view a personnel file should schedule an appointment in advance.

- 4) Negative Documentation - Documentation, including performance reports, which reflects unfavorably on an employee or former employee, shall not be placed in their personnel file without their knowledge.

Employees or former employees have the right to file a written rebuttal within thirty (30) calendar days from the date of notice to any item placed in their personnel file with the exception of grievances settled in accordance with Board policies. This written rebuttal shall be placed in their personnel file.

No negative documentation shall be placed in an employee's file after termination, resignation, or retirement of the employee, unless the former employee is notified. Exceptions are reports, letters, or documents originated and signed by the employee.

- 5) Records of disciplinary action shall be maintained in the employee's personnel file.
- 6) Other Documentation - Only documentation, which is in rebuttal to information, shall be placed by an employee into a personnel file. It is not appropriate for employees to place; thank-you notes, newspaper clippings, letters of praise, etc. in their official personnel file unless they are part of a performance evaluation

A written rebuttal by an employee, in response to documentation, will be given to the direct supervisor, who will then forward it to the Applicable Supervisor, Department Head or Official's office where it will be placed in the employee's personnel file.

## B. SECURITY, WEAPONS & EXPLOSIVES

### Security

In case of emergency, please call 911 immediately.

Officials and their staff are responsible for maintaining the security of their respective offices. Officials are also responsible for security of computers and equipment within their respective departments.

All applicable laws and ordinances are in effect in County buildings and are enforced by the appropriate law enforcement officials.

### Weapons & Explosives

Dawes County prohibits all persons (Officials, employees, applicants, vendors, contractors, visitors, etc.) who enter County property from carrying or possessing a handgun, firearm, explosives (including fireworks), prohibited weapons of any type or any item designed to cause injury or death regardless of whether the person is licensed to carry the weapon or not. Only certified law enforcement officials who have appropriate approval will be allowed to carry a weapon on County properties.

Nebraska Legislature has passed a concealed handgun law, prohibiting concealed weapons on County premises, buildings, grounds or any other County property or at County activities.

Employees who possess a weapon on County property are in violation of this policy and may be subject to disciplinary actions up to and including termination of employment. Any violator may also be reported to law enforcement officials to face the possibility of criminal prosecution.

## C. TELEPHONE SERVICES

Employees may use County telephones for appropriate personal reasons during nonworking time, or so long as it is not excessive, or on an "as needed" basis during work time. Any personal use of County telephones may not result in added expense to the County.

## D. COUNTY OWNED ELECTRONIC DEVICES

All information processed through a County computer is considered sensitive and/or confidential. This information is based on a legitimate "need to know".

The unauthorized use or abuse of any County owned, or leased computer system and installed software and files is prohibited.

Dawes County reserves the right to initiate disciplinary action, limit or restrict access to computer accounts and/or equipment, file criminal charges or take other appropriate action against individuals who act in an irresponsible manner and/or infringe upon the rights of others.

Employees found browsing; hacking or attempting any type of security breach into areas outside of their assigned Department will face revocation of computer access and possible termination of employment.

Security Violation - In the event of an actual, suspected, or anticipated violation of the security of a computer system, designated system administrators may inspect any file on Dawes County computers, without the user's knowledge, in an effort to determine the nature and means of the violation and the perpetrator thereof. In order to protect the integrity of the investigation, incoming calls over the phone system may be monitored, network activity may be monitored, files found in user Departments may be reviewed, and user accounts may be disabled until the conclusion of the investigation. Files will be backed up so that they may be recovered if circumstances warrant.

Intellectual Property Rights - Intellectual property stored on any Dawes County computer which has been written or created by a user shall have its ownership determined by applicable law. One is

prohibited from using, either for commercial purposes or for nonprofit academic publication, any file or programs created by an employee without that person's written permission.

Software - Software is purchased for and licensed to a single CPU. Copying any software may violate Dawes County's license agreements and/or be in violation of the copyright laws of the United States.

Employees are prohibited from using any equipment owned by Dawes County to make unauthorized copies of data, computer software or related documentation.

Individuals apprehended copying or in possession of copied Dawes County software or software licensed to Dawes County without the knowledge and permission of the official will be treated under "Unauthorized Use". In addition, such individuals may be prosecuted under federal law.

No individual may change or destroy software or data that is not licensed to or owned by him or her unless authorized by the owner or license holder. Such action will be considered as improper use and dealt with as "Unauthorized Use".

Social Media- Employees will not be on social media accounts on any County owned electronic devices.

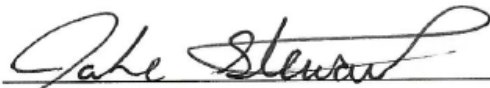
#### E. HANDBOOK COMPLIANCE

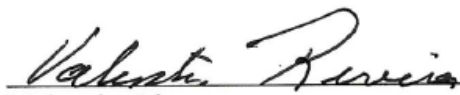
This Employee Handbook applies to all employees of Dawes County; unless a set of employee policies/procedures are developed by an Elected Official specifically for their office, in which a copy will be maintained in the Dawes County Human Resources Dept. Employees of the jail and Sheriff's Office are subject to additional rules and regulations which stipulate jail and law enforcement procedures and guidelines. Employees of the jail and Sheriff's Office will be required to adhere to the policies set forth in the Dawes County Employee Handbook and the written policies established for the jail and Sheriff's Office. Copies of the jail and Sheriff's Office policies can be obtained by contacting the Dawes County Sheriff's Office.

F. DISCLAIMER

This Employee Handbook supersedes any previous employee handbooks, policies, procedures and/or resolutions and takes effect immediately and in its entirety when voted into existence by the Dawes County Board.

Adopted as policy for Dawes County on the 9 day of Aug 2022.

  
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Jake Stewart

  
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Valentin Rivera

  
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Webb Johnson