PARK COUNTY

Personnel Policy & Procedure Handbook

Effective December 2013

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RESOLUTION NO. 1166

A RESOLUTION ADOPTING PERSONNEL POLICIES AND ADDENDA

(SUPERSEDING ALL OTHER PERSONNEL POLICIES AND AMDENDMENTS)

WHEREAS, the Park County Commission desires to establish uniform policies and procedures for personnel administration;

WHEREAS the attached personnel policies and addenda will supersede all previous personnel policies;

NOW, THEREFORE, BE IT HEREBY RESOLVED that these Personnel Policies and Procedures are adopted, effective December 5, 2013.

PARK COUNTY COMMISSION

Commission Chair

Commission

Absent

Commission

APPROVED AS TO FORM AND CONTENT:

Park County Attorney/Deputy Park County Attorney

SEAL

ATTEST:

Denise Nelson
Clerk and Recorder

RESOLUTION NO. 1167

RESOLUTION AMENDING ADOPTION OF PERSONNEL POLICIES AND ADDENDA

WHEREAS, Park County previously passed a resolution adopting the Park County Personnel Policies and Addenda on December 5, 2013; and

WHEREAS, it was discovered a few changes requested by the Park County Commission were not included in the version of the Park County Personnel Policies and Addenda adopted by the Commission; and

WHEREAS, Park County has determined the requested changes are needed and wish to amended the Park County Personnel Policies and Addenda to reflect these changes; and

WHEREAS, the Park County Personnel Policies and Addenda adopted herein supercede al other personnel polices and amendments.

THEREFORE, IT IS HEREBY RESOLVED: that these Park County Personnel Policies and Procedures are adopted and become effect the date set forth below.

DATED this 6 day of January, 2014.

ATTEST:

Denise Nelson
Park County Clerk & Recorder

BOARD OF PARK COUNTY COMMISSIONERS

Marty Malone

James R. Durgan

Clint Tinsley

APPROVED AS TO FORM:

Shannan M. Piccolo
Deputy Park County Attorney

EMPLOYEE ACKNOWLEDGMENT

I hereby acknowledge that I have received and read my copy of the Park County Personnel Policy and Procedure Handbook dated December 5, 2013. In consideration of my (continued) employment, I agree to conform to the policies, procedures, rules and statements of the Handbook. I understand that the policies procedures and statements contained in the Employee Handbook do not form a contract of employment between me and Park County. I further understand that the policies, procedures and benefits described herein may be modified by Park County at any time. The handbook supersedes all written, verbal or implied policies or benefits distributed prior to this date.

_____ _____

Employee's Signature Date

PURPOSE AND DISCLAIMERS

This handbook answers questions concerning Park County and its policies and procedures. Please read it thoroughly and retain it for future reference.

These Personnel Policies and Procedures shall apply to all Park County employees, including Department Heads, Commission Direct employees, Elected Official employees, and volunteers. Elected Officials may be exempt from certain portions of these policies including the hiring, time off, discipline and other provisions of these policies that may conflict with statutory, regulatory or other legal requirements, responsibilities or privileges. Likewise, volunteers may be exempt from certain portions of these policies which constitute an employment relationship. In the event of conflict between these rules and any collective bargaining agreement or contract for a specified term of employment, Park County resolution or rule, Sheriff's Operating Procedure, or state or federal law, the terms and conditions of that contract, operating procedure, regulation, rule or law shall prevail to the extent they differ. In all other circumstances these policies and procedures apply.

In the event of the amendment of any resolution, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes as of the effective date of the change.

Park County specifically reserves the right to repeal, modify or amend these policies at any time, with or without notice. To the extent that any provision of these policies is declared void or unenforceable by a competent authority, the remaining provisions will be deemed to remain in full force and effect.

None of these provisions shall create a vested contractual right in any employee or to limit the power of the Commission to repeal or modify these rules.

EQUAL EMPLOYMENT OPPORTUNITY / NON-DISCRIMINATION

It is the policy of Park County and its Elected Officials, Department Heads and employees to provide an environment free from all forms of intimidation, hostility, offensive behavior and unlawful harassment or discrimination. Where the reasonable demands of the job do not so require, Park County and its officers and employees shall not discriminate on the basis of race, color, religion, creed, political beliefs or ideas, genetic history, sex, age, marital status, physical or mental ability, pregnancy or national origin when:

- Providing and performing all services;
- Distributing funds, providing grants, loans, other financial assistance, and administering training programs;
- Granting, denying, or revoking licenses;
- Contracting or subcontracting for construction of public buildings or for other public work or for goods or services; and
- Providing educational or on the job training opportunities.

As an equal employment opportunity employer, Park County does not refuse employment or discriminate in compensation or the other terms, conditions and privileges of employment based upon race, color, national

origin, age, physical or mental disability, marital status, religion, creed, sex, political beliefs or ideas, or genetic history except where the reasonable demands of the job permit a distinction to be made. Please contact the Human Resource Office for a copy of Park County's resolutions regarding non-discrimination.

Any applicant for employment with Park County or employee who believes he or she has been subjected to discrimination, including harassment, based upon any of these factors, should immediately contact any supervisor in the chain of command or the Human Resource Manager.

Park County will not discharge, expel, blacklist, or otherwise discriminate against an individual because he/she has, in good faith, opposed any discriminatory practices or because he/she has filed a complaint, testified, assisted, or participated in any manner in an investigation involving allegations of discrimination. This provision shall not, however, be construed to prohibit appropriate disciplinary action against employees who raise allegations they know or should know are untrue or that engage in violence, intimidation, insubordination or other inappropriate methods to exhibit their opposition to a particular circumstance.

NEPOTISM

Park County does not discriminate against applicants or employees based upon marital status unless required to do so by the reasonable demands of the position. Marital status includes whether a person is married, divorced, separated or single and the identity and occupation of a person's spouse. Compliance with Section 2-2-302 and 2-2-303 MCA, which prohibit nepotism in hiring and appointment, is not unlawful discrimination.

EQUAL PAY

Park County does not pay any employee less than an employee of the opposite gender for work involving substantially equivalent skill, effort, and responsibility and which is performed under similar working conditions unless the disparity is based upon a factor other than gender.

REASONABLE ACCOMMODATION

Park County does not discriminate against any applicant or employee in hiring or in the terms, conditions and privileges of employment due to physical or mental disability. When Park County becomes aware of any physical or mental disability which prevents an otherwise qualified applicant or employee from performing the essential functions of a job, prior to refusing employment or making a distinction in terms, conditions or privileges of employment because of the disability, Park County will assess whether any reasonable accommodation would allow the person to perform the essential functions of the job. An accommodation which creates an undue financial hardship on Park County or which endangers health or safety or hinders efficiency to an unreasonable degree is not a reasonable accommodation. Park County will make any reasonable accommodation necessary to allow an otherwise qualified applicant or employee to perform the job.

Any otherwise qualified applicant for employment or employee with a disability who requires reasonable accommodation may inform the hiring official or their immediate supervisor or the Human Resource Manager of the nature of the disability and the accommodation requested. Employees with access to information about a candidate's or employee's medical condition or disability is obligated to maintain the confidentiality of the information to the extent reasonably possible and shall not release the information to co-workers or others who do not have the right or need to know.

CHRONIC DISEASES

Certain chronic diseases, including AIDS, may be physical disabilities. Park County will not discriminate against any applicant for employment or employee based upon chronic disease unless required to do so by the reasonable demands of the position. Prior to making any distinction based upon disease, Park County will evaluate:

- The nature of the risk;
- The duration of the risk;
- The severity of the risk;
- The probability that the disease will be transmitted and/or cause harm to the employee or others in the workplace; and
- The ability to mitigate the risk of transmission through reasonable accommodation.

Park County will evaluate these factors in consultation with qualified healthcare professionals.

RELIGION

Park County will make reasonable accommodation for religious beliefs. Any otherwise qualified applicant for employment or employee who requires reasonable accommodation may inform his or her immediate supervisor or Human Resource Manager of the religious accommodation required. All employees with access to such information shall maintain the confidentiality of the information to the extent reasonably possible and shall not release the information to anyone who does not have the right or need to know.

HARASSMENT

Harassment of employees and any other persons based on their gender, race, national origin or other protected class membership is prohibited. It is Park County's policy to provide employees with a work environment free of sexual, racial and other forms of unlawful harassment or similarly inappropriate behaviors.

Harassment includes unwelcome verbal or physical conduct when:

- Submission to the conduct is implicitly or explicitly made a term or condition of employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual; or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

Examples of prohibited harassment may include, but are not limited to:

- Propositions or pressure to engage in sexual activity;
- Sexual assault;
- Repeated intentional body contact;
- Repeated jokes, innuendos, or comments that contain sexual, religious, racial or other inappropriate content;
- Constant staring or leering;
- Inappropriate comments concerning appearance, and individual's religion or religious beliefs, ethnicity or national origin;

- Display of magazines, books, or pictures with a sexual, racial or other prohibited content;
- The hiring or promoting of sex partners over more qualified persons;
- Any harassing behavior directed toward a person because of the person's gender, race, national origin, religion, disability or other protected class status including, but not limited to, hazing employees working in nontraditional work environments.

Any employee found to have made an accusation of harassment or discrimination that the employee knows (or should have known) to be untrue may be subject to disciplinary action.

RETALIATION

Park County will not retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices, filing a discrimination complaint, testifying or participating in any other manner in a discrimination investigation or proceeding.

GRIEVANCE PROCEDURE FOR DISCRIMINATION POLICY

Any employee who believes he/she or another employee has been subjected to a violation of these Equal Employment Opportunity policies should immediately report the incident to his or her immediate supervisor. If the immediate supervisor is involved in the matter, the employee should inform his or her immediate supervisor's supervisor, or the Human Resource Manager.

Any supervisor who observes or has knowledge of a violation of these policies shall promptly notify his/her Department Head or Elected Official and the Human Resource Manager regardless of their perception of the merits of the report.

The Human Resource Manager will cause an investigation of the complaint to take place. The investigation may be conducted by any person(s) deemed qualified to do so by the Human Resource Manager, including the Human Resource Manager. The investigator(s) will make a confidential factual report to the Human Resource Manager and/or Elected Official as soon as possible after receiving notice of the alleged violation. The investigation shall include, but not necessarily be limited to, interviewing as many of those persons who have knowledge of the matter and reviewing any relevant documents. The factual report and final decision shall remain confidential and be disseminated only to persons having a right to know as determined by the Human Resource Manager after balancing the right to know against the right of privacy of the involved individuals and Montana state law.

Upon receipt of a complaint alleging discrimination, including, but not limited to sexual harassment, the Human Resource Manager and Commission may take any steps deemed appropriate to prevent the alleged conduct from continuing while the investigation is being conducted.

If the results of the investigation establish that there is insufficient evidence to find that a policy violation occurred, the Elected Official and Human Resource Manager will inform all parties involved that the matter is concluded. If the results of the investigation establish that a policy violation occurred, the Elected Official(s) will take appropriate actions to mitigate the effects of the discrimination and to discipline any employees who were found to be in violation of these policies.

Neither Park County nor any employee will retaliate against any employee for filing a discrimination grievance in good faith, or for participating in any way in a grievance procedure.

EMPLOYMENT CLASSIFICATIONS AND POSITION DESCRIPTIONS

EMPLOYMENT CLASSIFICATIONS

All County employees shall be assigned by the Human Resource Manager and Commission to an employment category (Section 2-18-601 MCA).

The following definitions of employment classifications define employment status and benefit eligibility. If you have any questions concerning your status, ask your immediate supervisor or the Human Resource Manager.

PERMANENT, TEMPORARY OR SHORT-TERM

A "Permanent Employee" is an employee who has completed their probationary period of employment and is assigned to a position of indefinite duration that has been classified as "permanent." Permanent employees earn the benefits provided by these policies after satisfactorily completing a waiting period as detailed in each policy. Permanent employees may be either full-time or part-time positions.

A "Temporary Employee" is an employee who is hired for a period of time not to exceed twelve (12) months. Temporary employees are not permanent employees, are terminated at the end of the employment period, and are not eligible to become permanent employees without participating in a competitive selection process for the position they seek to hold. Temporary employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week). Temporary employees must complete any required waiting periods before they earn benefits as detailed in each policy.

A "Short-term Employee" works at an hourly rate of pay established by Park County for a period of not more than ninety (90) days in a continuous twelve (12) month period. They are not eligible to become permanent employees without a competitive selection process. Short-term employees do not earn the holiday and paid time off benefits provided by these policies.

A "Seasonal Employee" is an employee, assigned as seasonal, who is assigned to a permanent position where the work is interrupted by the seasonal nature of the duties and is, therefore, not generally performed on a year-around basis. At the end of each seasonal period of employment, the employee is laid off. Seasonal employees may, at the discretion of Park County, be recalled without the loss of benefits accrued during the preceding season. Seasonal employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week). Seasonal employees earn vacation credits. However, seasonal employees must be employed for six qualifying months before they may use the vacation credits. In order to qualify, seasonal employees shall immediately report back for work when operations resume in order to avoid a break in service. (Section 2-18-611, MCA).

FULL OR PART-TIME

Employees normally scheduled to work forty (40) hours per week are considered full-time employees. Those normally scheduled to work less than forty (40) hours per week are considered part-time.

EXEMPT OR NON-EXEMPT

Employee positions are designated as either exempt or non-exempt from the minimum wage and/or overtime provisions of federal and Montana wage and hour laws. Non-exempt positions are entitled to

overtime pay under the provisions of federal and state laws while exempt positions are excluded from the minimum wage and/or overtime requirements of law. However, exempt positions must meet the salary test of $455 per week.

A list of current positions that meet these criteria are maintained by the Human Resource Manager. An employee's exempt or non-exempt classification may be changed only upon written notification by the Commission and in compliance with Montana and Federal law.

ELECTED

Elected officials are exempt from the time off, compensation, discipline and grievance policies contained in this policy handbook. To the extent that the provisions of the statute under which the person has been elected provide for different terms and conditions of employment than provided by these policies, those provisions will take precedence.

PROBATION PERIOD

Newly hired permanent or seasonal employees must work throughout a probationary period of at least a six-month duration. Short-term workers and temporary employees are continually on probation. Deputy Sheriffs serve a probation period of one year pursuant to Section 7-32-2105, MCA. Probation periods for employees subject to any collective bargaining agreement will be as provided in the agreement.

Evaluations may be conducted during the probation period to assess performance and to advise the probationary employee of expectations regarding performance. During the established probationary period, Park County reserves the right to terminate the probationary employee's service for any reason not prohibited by law or these policies.

A probationary employee, who is terminated, shall be notified in writing by the appropriate Department Head or Elected Official. A copy of the notification shall be retained in the probationary employee's personnel file.

If the probationary employee successfully completes the probation period, the appropriate Department Head or Elected Official shall inform the employee in writing. The appropriate Department Head or Elected Official may extend the probationary period in writing prior to the expiration of the initial period.

Except for cost of living increases (COLA's), raises are not being granted during a probationary period.

If a situation arises during an employee's probationary period for which a leave without pay is granted, the probationary period may be extended by the length of the approved period of time.

If a non-probationary employee is subsequently promoted or transfers into a new position, they do not serve another probationary period.

POSITION DESCRIPTIONS

Position descriptions and job specifications shall be maintained by the Human Resource Office for all permanent full-time, permanent part-time, temporary, seasonal and short-term worker positions.

Duties listed in a position description are intended only as illustrations of the various types of work assigned as of the point in time the description was created or last updated and therefore the description does not

constitute an employment agreement between Park County and the employee. Each position description shall include the wording "other duties as assigned."

Park County reserves the right to assign duties to any competent employee except where doing so would violate the terms of an applicable law, policy or contract. Position descriptions are subject to change as the needs of Park County and the duties and responsibilities assigned to the position change. Duties may be added or deleted from position descriptions.

Each employee's position description is maintained as part of his/her personnel file with the Human Resource Office. Additional copies of position descriptions may be requested through the Human Resource Office.

RECRUITMENT AND HIRING PROCESS

It is the policy of Park County to recruit, select, and promote personnel without regard to race, color, religion, creed, political beliefs or ideas, sex, age, marital status, physical or mental handicap, genetic information or national origin, except where the reasonable demands of the job require a distinction to be made.

As provided by Section 7-4-2110(5), MCA, the following procedures should be adhered to by all departments in filling positions except where otherwise provided by law:

Requests to fill vacancies and newly created positions, whether through internal or external recruitment, must be made to the Commission as soon as an Elected Official or Department Head becomes aware of a possible vacancy. Upon receipt of notification and approval of the County Commission to fill the position, the selection process will begin. The selection process will be a coordinated effort between the Human Resource Manager and the affected office.

A position description must be created or reviewed and updated as necessary. The creation and review of position descriptions shall be coordinated by the Human Resource Manager and Elected Official or Department Head . All position descriptions must be reviewed by the Human Resource Manager prior to submission to Commissioners for final approval.

A determination of minimum education and experience qualifications for the position must be established. These qualifications are normally expressed as the number of years and types of education and experience, which typically qualify a person to perform the specific duties of the job. These qualifications should be stated as the "typical qualifications" of persons qualified to perform the job and an allowance for candidates to establish their equivalent qualifications through alternate means should be made unless a qualification is considered required by applicable law, rule, regulation or contract.

A selection committee consisting of three or more (must be an odd number) members, must be appointed by the Department Head or Elected Official. All members of the selection committee must have received training regarding appropriate interview techniques. The Human Resource Manager and Elected Official or Department Head, will develop the selection strategy for application review, determination of testing methodology, administration of tests and scoring, and reference check criteria. The selection strategy will normally include questions, model answers, assignment of relative importance of each job factor, total points, and minimum passing scores.

Selection strategy may include one or more of the following job related selection procedures:

- Applications/supplemental questionnaires or resumes;
- Written, oral and/or performance tests;
- Assessment centers, job simulation or job performance exercises;
- Oral interviews; and/or
- Reference checks
- Reasonable accommodations shall be made for disabled applicants to allow participation in the selection process.

Positions may be posted internally for at least five (5) working days. Park County may recruit simultaneously for vacant positions internally and/or externally.

Park County will recruit externally by filing the listing with the Livingston Job Service and/or other job listing service(s). Park County reserves the right to reject any and all applications for the position and re-advertise or extend the deadline for receipt of applications if there are not sufficient qualified applicants.

Park County reserves the right to reassign current County employees to positions without a competitive selection process when necessary to implement an accommodation, reorganization or for other legitimate business reasons.

Park County may also utilize the pool of candidates created in recruitment for additional vacancies that may become vacant if the positions are sufficiently similar and the pool is within six months of the date of review, to allow the hiring of additional individuals from the same pool.

Applications for a posted position will not be accepted after the published closing and/or receipt date unless the position is advertised as "open until filled."

All external hiring will comply with veteran preference and disability preference requirements under Montana and Federal law. Please contact the Human Resource Manager for preference requirements.

Background checks, including criminal record checks, and reference checks may be done as part of the screening process.

Position offers shall be made in writing by the Chair of the Commission and the appropriate Elected Official or Department Head. A position offer should specify whether the job is permanent, temporary, and seasonal or a short-term position; whether the job is full or part-time; and whether the position is exempt or non-exempt. The offer should also specify the position, title, grade, salary, work location, starting date and hours of work and any additional special information related to terms and conditions of employment (i.e., responsibility to acquire or maintain a license or certification, need to work rotating shifts, etc). The terms of all position offers must be consistent with existing policy and provided by the Human Resource Manager.

PRE-EMPLOYMENT INQUIRIES

Except as may be required by the reasonable demands of a position (a bona fide occupational qualification) or compliance with a lawful affirmative action plan or government reporting or record-keeping requirements, Park County will not elicit information concerning race, color, national origin, age, physical or mental

disability, marital status, religion, creed, sex, political beliefs or ideas, or genetic history from applicants for employment.

Park County will obtain information required for tax, insurance, social security, compliance with garnishment or immigration laws or other legitimate business purposes after employment.

PRE-EMPLOYMENT PHYSICAL EXAMINATIONS

Park County may require pre-employment medical examinations only when necessary to determine ability to perform the physical duties of a particular position. All members of that class of employment when offered employment, must be required to perform a pre-employment medical examination. Any pre-employment medical examination will be job-related and paid for by Park County.

Park County will require a pre-employment medical examination only after a conditional offer of employment has been made to a job applicant and only when the following requirements are met:

All applicants for the same position are subjected to the examination regardless of the existence or severity of a disability.

The results of the examination are maintained on separate forms and in separate files and are treated as confidential, except that supervisors and managers may be informed regarding necessary restrictions and accommodations and safety personnel may be informed if a disability might require emergency treatment.

The results of the examination will not be used to refuse employment or to make a distinction in employment unless a medical evaluation establishes inability of the particular applicant to safely and efficiently perform the essential duties of the position with reasonable accommodation, if necessary.

PAYROLL, WAGES AND COMPENSATION

WAGES AND COMPENSATION

Park County believes in equitable and fair compensation of its employees. Raises, or increases in base pay, will normally be given at the start of the new fiscal year. (Park County fiscal year (or budget year) runs from July 1 to June 30.) At the time of hire, the employee will normally be placed at the starting or introductory pay grade for that specific position, unless experience or qualifications justify otherwise.

Any other pay increases not addressed in this handbook are dependent solely upon performance or requirements of the specific position. Merit raises may only be granted after a performance appraisal substantiating performance, justifying a merit raise and if the raise can be accommodated within that fiscal year's department budget. There are classification requirements within the specific position descriptions, which more clearly define wage compensation rates. Minimum pay grades are reviewed and adjusted if necessary by resolution of the Commission. If you have specific questions or would like to review a copy of the Salary Administration Plan, please contact the Human Resource Manager.

All compensation received by an employee from any department or county administrative board is considered wages and is subject to taxes, withholding and benefits accrual unless otherwise provided by law.

TIME SHEETS / PREPARATION OF PAYROLL

Time sheets are to be completed and signed by all non-exempt and exempt employees, excluding Elected Officials. Since County employees are public employees, the public has a right to know what activities are being performed. Time records serve as these public documents. The Commission may modify time sheet formats and the method of recording time worked.

Employees should record all hours worked, rounded to ¼ hour increments, on time sheets approved by the Commission.

WORK WEEK / PAYCHECKS

The Park County workweek for non-emergency service personnel begins at 12:01 a.m. Saturday and ends at midnight on the following Friday. Emergency service personnel may be placed on an alternate workweek as provided for by 29 CFR 553.

All employees classified as non-exempt will receive overtime pay for all hours worked over 40 in this 168-hour workweek. Time for which an employee has been paid but did not work (vacation holidays, etc.) is not considered time worked for the purpose of calculating overtime. All overtime must be pre-approved by the employee's immediate supervisor. Working unauthorized overtime may result in disciplinary action.

Except as otherwise provided by labor agreement or approved by the Commission, the normal working hours for employees are eight (8) hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday, with one (1) unpaid hour lunch period. This does not include personnel engaged in shift work. In the case of emergency or whenever it is deemed necessary, employees may be directed to work in excess of eight hours per day, or on days they are not regularly scheduled to work.

With the approval of the employees or their duly constituted representative, the Commission may establish an alternate work period. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule.

Employees shall have a rest period of fifteen (15) minutes, on paid time, for each four (4) hour work period. Rest periods shall be scheduled as near as possible to the midpoint of each four (4) hour work period.

Daily attendance records will be maintained by each department; including date and time absent and reason for absence. Unauthorized tardiness or other attendance irregularities may be cause for disciplinary action.

Hours for employees may vary from the normal office hours established above due to the nature of the work. The appropriate Department Head or Elected Official must approve variances.

Nothing in this Policy limits Park County from establishing or changing work schedules as necessary for the successful operation of Park County programs.

A copy of the time sheet currently in use by Park County is available from the Human Resource Manager. All actual hours worked shall be reported accurately. Exempt employees must complete a time sheet.

An employee's paycheck may be released to the employee's spouse, designated family member, or another person only if authorized in writing by the employee.

An employee who separated from employment for cause or was laid off from employment will be paid all unpaid wages on the next regular payday for the pay period during which the employee was separated from employment or within 15 days from the separation, whichever occurs first.

NON-EXEMPT OVERTIME PAY

Non-exempt employees (an employee in a position not meeting the definition of exempt as defined by the Fair Labor Standards Act and the Montana Minimum Wage and Overtime Compensation Act) may receive overtime compensation for hours worked in excess of forty (40) hours per week at the rate of 1 ½ times the regular rate of pay. Absences while in a leave status (e.g., annual leave, sick leave, holiday leave, personal leave, etc.) shall not be considered hours worked for the purpose of calculating overtime payments.

NON-EXEMPT COMPENSATORY TIME

Non-exempt employees may receive compensatory time off in lieu of overtime payment if mutually agreed upon in writing between the employee and the Elected Official or Department Head. Compensatory time for non-exempt employees shall be earned at the rate of 1 ½ hours for each hour worked in excess of forty (40) hours per week and must be reported on the employee's time sheet. Employees may accrue up to a maximum balance of fifty (50) compensatory time hours (representing approximately 33 hours time worked). Employees, who have accrued compensatory time and request use of this compensatory time, shall be permitted to use the time off within a "reasonable time" after making the request, if the use does not "unduly disrupt" the operations of Park County. An employee shall, upon termination of employment, be paid for unused accumulated compensatory time that has been reported on their time sheets.

The Department Head or Elected Official shall have the authority to approve overtime and compensatory time. Compensatory time must be recorded on timesheets. No employee shall work overtime or compensatory hours without the prior knowledge and approval of the Elected Official or Department Head.

RECORD KEEPING

Department Heads or Elected Officials shall ensure that all overtime earned and compensatory time used is recorded on the employee's time card as it occurs and is submitted to the payroll office.

EMPLOYEE PERFORMANCE AND CONDUCT

PERFORMANCE APPRAISAL

There may be performance appraisals, from time to time, of full-time and part-time employees. The appraisal process is a joint effort of the Department Head, Elected Official and Human Resource Manager to maintain consistency in the evaluation process.

The primary purpose of an employee performance appraisal system is to provide the opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, re-employment, salary increases, and training. Draft appraisal forms shall be returned by the Elected Official or Department Head to the Human Resource Manager for review, prior to being issued to the employee. The Human Resource Manager will submit a final signed copy to the Commissioners. Fully signed appraisal forms shall be returned to the Human Resource Manager to be filed in the employee's file.

A special evaluation may be completed at any time it is deemed appropriate by a manager or supervisor.

If the employee disagrees with an appraisal, the employee has the right to submit, within ten (10) working days of receipt of the appraisal, a written rebuttal to his/her supervisor with a copy to the Human Resource Manager, which will be attached to and filed with the appraisal document. Employees may not grieve appraisals unless the information is used to support an adverse action affecting the employee.

EMPLOYEE CONDUCT

Park County employees have a responsibility to accept and adhere to acceptable business practices and standards of conduct. This not only involves sincere respect for the rights and feelings of others but also demands that in public life employees refrain from any behavior that might be harmful to self, co-workers, and/or Park County or that might be viewed unfavorably by the public at large.

Listed below are examples of the types of performance, behavior and conduct which are considered inappropriate and are therefore prohibited. This list should not be viewed as being all-inclusive.

- Violating Park County's Equal Employment Opportunity Policy
- Violating the Montana Code of Ethics (Sections 2-2-101; 1-1-304, MCA)
- Violating the Government Code of Fair Practices (Section 49-3-101, et. Seq. MCA)
- Falsifying employment or other Park County records or making false statements such as misrepresenting travel or other expenses reimbursed by the County
- Establishing a pattern of unauthorized absenteeism or tardiness or abusing break times and/or lunch periods
- Theft of or use of Park County assets including, but not limited to money, equipment, vehicles, supplies, and time or facilities used for private purposes
- Reporting for work or working while intoxicated or under the influence of prescriptive or non-prescriptive drugs whether on or off Park County owned property; operating Park County vehicles or equipment while under the influence, as defined in Section 61-8-401 MCA; possessing or using alcohol or non-prescription drugs in Park County vehicles or private vehicles being used for Park County business and/or violating drug and alcohol rules and regulations established for employees required to possess a commercial driver's license.
- Violating the Drug Free Work Place Act including, but not limited to, testing positive for drug use
- Bringing or using alcoholic beverages on Park County property while on duty
- Fighting or causing or performing violent acts in the workplace or threatening citizens or co-workers
- Possessing unauthorized firearms on Park County premises or while on Park County business
- Disregarding safety or security regulations
- Engaging in insubordination
- Failing to maintain the confidentiality of Park County and/or employee/personnel information
- Making oral or written false statements about Park County employees with a reckless disregard for the truth or veracity of the information
- Failing to perform duties in a satisfactory manner
- Using offensive conduct, gestures or language towards the public, Park County officials or other employees

- Failing to possess or maintain any required driver's license, commercial driver's license or other license necessary to perform essential duties
- Failing to operate or maintain Park County equipment or property safely or in the proper manner
- Failure to adhere to any federal, state or local ordinance applicable to the duties and responsibilities of the employee's position or profession
- Allowing children of employees, or Elected Officials to ride in Park County vehicles or to use Park County equipment including computers except in the performance of official County business
- Any other act, failure to act, or negligence, which is injurious to Park County, County employees or the general public

Pet Policy

Park County endeavors to enhance the safety and comfort of its employees while, at the same time, reducing the possibility of disruptions/distractions on County property. Even the calmest and most well-behaved of pets can be a distraction or disruptive to the work and lifestyles of County employees. In addition, members of the public and/or employees may have allergies or simply be afraid of animals. Furthermore, a poorly behaved animal may pose a safety concern. As a result, pets, other than service animals, are not allowed on Park County property when an employee is on duty.

DISCIPLINE HANDLING

Violations of the above standards or other County, state or federal rules or policies, or conduct which is injurious to Park County's interests or its employees' interests, may result in appropriate disciplinary action up to and including termination on the first offense.

In all cases, an employee subject to disciplinary action shall be informed by the Department Head or Elected Official of the alleged violations and employer's evidence and the employee shall be allowed to present his/her side of the story and evidence orally and/or in writing before discipline, if appropriate, is imposed.

If the disciplinary decision is termination, the Human Resources Manager shall, within seven (7) days of the date of discharge, notify the discharged employee of the existence of Park County's "Complaint Resolution Procedure" and provide the discharged employee with a copy of the "Procedure".

Deputy Sheriff

Deputy Sheriffs who have served a one-year probationary period may only be terminated for the reasons specified in Section 7-32-2107, MCA. This section provides that "gross inefficiency in the performance of official duties" is a reason for termination. Violation of County policy can constitute "gross inefficiency in the performance of official duties".

NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

Confidential information includes, but is not limited to, the following examples:

- Confidential criminal justice information;
- Confidential employee/personnel information;
- Confidential/sealed court files;
- Attorney work product; and
- Confidential medical records

Improper use or disclosure of confidential information may result in disciplinary action, up to and including termination of employment and legal action, even if the violator of this policy does not actually benefit from the disclosed information.

CONFLICT OF INTEREST

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs. A conflict of interest exists when the employee's loyalties or actions are divided between Park County and those of another, such as a customer's supplier or competitor or the conflict is defined under Montana law. Employees should not be employed or contracted as a consultant or expert relative to any matter which requires Park County review. Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with the Human Resource Office.

While Park County does not prohibit full-time employees from having a second job, secondary employment must not affect the employee's work hours, interfere or conflict with the employee's regular duties, raise any ethical concerns, or necessitate hours that may impact the employee's working effectiveness with Park County.

DRUGS IN THE WORKPLACE

In 1988, Congress passed a variety of anti-drug legislation, which included the Drug-Free Workplace Act (DFWPA). This Act requires that agencies and individuals, who receive Federal aid or who contract with the Federal Government, adopt specific policies regarding the illegal possession and use of controlled substances. To comply with this Act, Park County has adopted the following policy.

All Park County employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace. "Controlled substances" are defined in schedules I through V of Section 812 Title 21, United States Code. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants and hallucinogens.

Park County employees must abide by this Policy as a condition of employment. Violations of this policy will result in disciplinary action up to and including termination. Park County may also require employees who violate this policy to satisfactorily participate in a drug-abuse assistance or rehabilitation program as a condition of continued employment.

Any employee convicted of violating a criminal drug statute in the workplace or while conducting official Park County business must inform the employee's immediate supervisor of such conviction within five (5) days after the conviction. The supervisor must inform the Human Resource Manager of any such communication immediately.

Some jobs may be subject to the specific terms of the Park County Drug and Alcohol Testing Policy as adopted and amended. Any employee subject to testing will be provided with a copy of Park County's Drug and Alcohol Testing Policy.

PERSONAL APPEARANCE

Your personal appearance affects co-workers and public relations. It can create a favorable or unfavorable impression of you and Park County. Park County employees are expected to dress in a manner suitable to the job duties assigned them. Clothing that is excessively soiled, is in need of repair, or that might create a

safety hazard is considered inappropriate and is prohibited. Dress, hairstyle, cosmetics, tattoos and jewelry, including body piercings, which might reasonably be considered by the public or other County employees to be extreme, offensive, not in good taste, revealing or distracting, are inappropriate and unacceptable. Please see your Department Head or Elected Official regarding the specific dress/grooming code for your department/office.

PERSONAL TELEPHONE CALLS

Park County phones are those telephones owned or provided by Park County including but not limited to, any County cell phone and/or office phone. Park County phones are to be used for Park County business and may be used for personal matters on a limited basis only. Telephone calls received during business hours (including calls received or placed on personal cell phones) must be held to both a minimum number and time limit and must not interfere with the employee's work.

When a toll call must be placed, the call is to be billed to the employee's home number or called collect. It is the employee's responsibility to ensure that no cost to Park County results from personal phone calls.

COMPLAINT RESOLUTION PROCEDURE

To establish a policy and procedure to resolve employee complaints involving the interpretation or application of these Policies or an alleged violation of these Policies, this is to be used in all situations except for discrimination complaints. (For complaints alleging discrimination, employees should use the "Grievance Procedure" outlined in the Equal Employment Opportunity Policy.)

To ensure effective working relations, it is important that misunderstandings or conflicts are resolved before serious problems develop. Most incidents resolve themselves naturally; however, if a situation persists which is covered by this Policy, the employee is free to present the matter to management by using the following procedure. Any employee who believes he/she has been subjected to a violation of these policies should immediately report the incident to his or her immediate supervisor. If the immediate supervisor is involved in the matter, the employee should inform his or her immediate supervisor's supervisor, or the Human Resource Manager. An employee must begin Step 1 of the procedure within thirty (30) calendar days of their knowledge of the situation.

STEP 1

The employee shall informally discuss the situation and relevant evidence with the Department Head or Elected Official.

STEP 2

If the situation is not resolved after Step 1 with the immediate supervisor, the employee may, within five (5) working days of the Step 1 discussion, submit a written summary of concerns and relevant evidence to the Department Head or Elected Official. The Department Head or Elected Official will review the matter and will normally advise the employee in writing of his/her decision within fifteen (15) working days of the date the written summary was presented. The decision of an Elected Official at this step is the final decision.

STEP 3

If the employee is dissatisfied with the Step 2 decision, the employee may, within five (5) working days of the receipt of the written decision from the Department Head present a written summary and evidence

regarding the matter to the Human Resource Manager for review of the matter to the Commission. They will review the matter and will normally advise the employee in writing of its decision within thirty (30) working days of receipt of the written summary and evidence. The decision of a majority of the Commission shall be final.

The time frames established in this procedure may be extended upon written mutual agreement of the parties. The term "day" as used in this policy refers to work days, Monday through Friday, which is not observed as holidays by the County.

The employee filing the complaint carries the burden of moving the complaint forward within the time period specified for that step. Failure of the complainant to advance the complaint to the next step of the procedure within the allotted time frame may result in dismissal of the complaint.

RETALIATION

Park County does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting, or delaying Park County from taking disciplinary action against an employee, up to and including termination, when circumstances such as those enumerated in the "Guidelines for Appropriate Conduct Policy" are present.

If the complaint involves a disciplinary termination, the employee may request a hearing through the Human Resource Manager before the Commission. At the hearing, the employee may be represented by counsel (at their expense) and may present evidence and examine and cross-examine witnesses.

POLITICAL ACTIVITY/HATCH ACT

Employees of a Park County department which is financed in whole or in part by federal funds are subject to the provisions of the Hatch Act, Title 5 USC 1501.

A County officer or employee who is subject to the provisions of the Hatch Act is prohibited from engaging in the following activities:

- Use his or her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- Directly or indirectly coerce, command, or advise a County officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for political purposes;
- Be a candidate for public elective office in a partisan election (candidacy for political party office is not prohibited).

Additionally, in accordance with Section 13-35-226, MCA, the following are unlawful acts of employers and employees:

- It is unlawful for any employer, in paying employees the salary or wages due them, to include with their pay the name of any candidate or any political mottoes, devices, or arguments containing threats or promises, express or implied, calculated or intended to influence the political opinions or actions of the employees.

It is unlawful for an employer to exhibit in a place where the employer's workers or employees may be working any handbill or placard containing:

- Any threat, promise, notice, or information that, in case any particular ticket or political party, organization, or candidate is elected:
- Work in the employer's place or establishment will cease, in whole or in part, or will be continued or increased;
- The employer's place or establishment will be closed; or
- The salaries or wages of the workers or employees will be reduced or increased; or
- Other threats or promises, express or implied, intended or calculated to influence the political opinions or actions of the employer's workers or employees.

A person may not coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

A public employee may not solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue while on the job or at the place of employment. However, subject to Section 2-2-121, MCA, this section does not restrict the right of a public employee to perform activities properly incidental to another activity required or authorized by law or to express personal political views.

A person who violates this section is liable in a civil action authorized by Section 13-37-128, MCA, brought by the Commissioner of Political Practices or a County attorney pursuant to Section 13-37-124, MCA, and Section 13-37-125, MCA.

COUNTY PROPERTY AND EQUIPMENT

PERSONAL USE OF PARK COUNTY EQUIPMENT

All employees must turn off lights and equipment and lock office doors, outside doors and windows at the close of office hours.

All employees who utilize Park County equipment in the performance of their jobs must operate such equipment in a safe and prudent manner, keep it properly maintained, and follow operating procedures for equipment control.

Use of Park County equipment for personal reasons is prohibited, except as stated for personal telephone calls. Employees should take all precautions in maintaining the highest level of security to protect County property.

KEYS

The County will issue all keys for Park County buildings, offices, and other facilities to employees where necessary for the performance of their job duties. Lost keys must be reported immediately to the employee's supervisor.

VEHICLES

All vehicles owned, leased, rented, or otherwise under the authorized control of Park County are considered Park County vehicles. Elected Officials and employees who use Park County vehicles must ascertain and assure that they are properly authorized and currently licensed to do so. Only Park County employees or persons on authorized Park County business are allowed in Park County vehicles.

Employees who operate personal vehicles for work related purposes must possess and maintain a current driver's license.

Official travel includes travel from hotel or motel for meals (reasonable distance) and to conferences or conventions. The driver must follow all appropriate procedures and guidelines provided to them by Park County, obey all statutes pertaining to the operation of a vehicle, and use caution and care.

COUNTY OWNED COMPUTERS

Employees who are authorized to use County owned computers, including laptops, smart phones, tablets, etc. will receive under separate cover a copy of the current computer use policy as approved by the Commission through the IT Department.

County owned laptops are required to be backed up periodically by IT Staff.

This policy is intended to outline the acceptable and unacceptable computer equipment use during your employment at Park County. These rules are in place to protect the employee and Park County. Inappropriate use exposes Park County to potential risks including virus attacks, compromise of network systems, and services and legal issues. It is intended to provide general guidelines for determining acceptable and unacceptable computer uses, but is in no means exhaustive. Some issues may arise that are not explicitly spelled out in this policy, which will be handled on a case-by-case basis using this Policy as a general guide. Park County's computing equipment is to be used for legitimate business purposes, as determined by Park County.

This policy applies to employees, independent contractors, consultants, temporaries and other workers at Park County, including all personnel associated with third parties. This policy applies to all computer and network equipment that is owned, leased or otherwise used by Park County. Violation of the Acceptable Computer Use Policy will result in corrective action and may result in termination of employment with Park County.

Data used or created on Park County's systems remains the property of Park County. Park County cannot "guarantee" the confidentiality of information stored on any network device belonging to Park County.

Computers, other related technological computing devices, their software and Park County network are to be used for legitimate business purposes only, as determined solely by Park County. All data and information stored on County equipment is the property of Park County. All computers and data are subject to being monitored and reviewed by your Department Head or Elected Official, at any time, at their discretion and without your consent. All employees must provide their supervisor with the password to their County computer and all County software programs and/or networks.

Examples of Unacceptable Computer Uses:

- Employees must not use Park County computing devices to view, create or distribute adult or sexually explicit materials at any time.
- Employees must not use Park County computing devices to participate in any gambling activity at any time.
- Employees must not use Park County computing devices or network to download illegal or copyright protected music off the Internet at any time.
- Employees must not use Park County computing devices or network to participate in non-business related, "chat rooms" or instant messaging.
- Employees must not use Park County computing devices or network for any illegal activities at any time; such as violation of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Park County. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources or copyrighted music.
- Employees must not use Park County computing devices or network to put forth personal opinions publicly in any forum without the express written consent of the Commission.

Park County related business is to be conducted on Park County owned equipment. Using personally owned equipment to perform Park County work is not acceptable without the express written consent of the Commission. All Park County owned equipment, information and data in your possession at the time employment ends shall be returned to Park County immediately.

All email and attachments that are sent, received and/or stored via Park County equipment on County e-mail systems is the property of Park County and may be public information, (See Public Record Policy, Resolution 913). All email is subject to being monitored and reviewed by Park County management at their discretion and without employee consent.

Unacceptable Email Activities:

- Sending of unsolicited email messages, including the sending of non-business related or advertising material to individuals who did not specifically request such material (email spam).
- Any form of illegal harassment and illegal discrimination via email, whether through language, frequency or size of messages.
- Unauthorized use, or forging, of email header information.
- Solicitation by email for any other email addresses with the intent to harass or to collect replies.
- Creating and forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
- Use of unsolicited email originating from within Park County's network.
- Posting the same or similar non-business related messages to large numbers of Usenet newsgroups (newsgroup spam).
- Deleting e-mails except for e-mails tagged as non-business related or advertising.
- Using improper e-mail etiquette such that the e-mail is written in an offensive or threatening manner.

Network and Internet Access

Employee's network and internet access is subject to being monitored and reviewed by your Department Head or Elected Official, at any time, at their discretion and without your consent. The IT supervisor may monitor the network, internet access and e-mail to evaluate the firewall. This provision in no way limits the IT department's ability to assess the network and internet use.

Software

All software installed and used on Park County computing equipment must be legally owned, leased and/or licensed by Park County, unless the department has express authority to use software owned by another agency. Employees are not to install software on their computer unless approved by Park County's IT manager. Typically Park County's IT manager or designee will install and maintain software so that they can ensure that the software is installed correctly and is properly licensed. Unlicensed software must never be used on Park County computing devices.

Retention of Company Data

All information, data and your work remains Park County property and they must not be knowingly removed in the event that either you plan to leave your employment at Park County or your employment at Park County is terminated for any reason. This includes e-mails.

Statement Regarding Illegal Harassment and Illegal Discrimination

An employee must not use Park County's computing devices and their related software in any way that may be deemed to be in violation of Park County's harassment and discrimination policies.

Security

Park County maintains high security standards related to their data and intellectual property and you should never access computing systems or data that you are not authorized to access. If an employee finds, by accident, that the employee is able to access information that the employee is not authorized to access, then the employee must bring it to the attention of the employee's department head or elected official immediately. An employee must never try to knowingly breach the security measures that are currently in place at Park County.

Personal Use

Computers may not be used for personal use or purposes.

EMPLOYEE PERSONNEL RECORDS

The Human Resource Manager and/or any other individual designated by the Commission are responsible for establishing and maintaining an official personnel file for each County employee.

Personnel records are considered confidential and access is restricted in accordance with Montana state law. An employee's title dates and duration of employment and salary is, however, considered public information and may be released to any person upon request.

Access to files by the public or a person other than the employee or the employee's supervisor, through the Human Resource Office, will be in compliance with Montana state law.

Department Heads and Elected Official(s) are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.

Personnel files are the property of Park County. No materials in a personnel file may be removed unless in compliance with Montana state law.

The following permanent documents are retained in the employee personnel file in compliance with Montana state law:

- Employee application and resume;
- Position description and specification information;
- Position performance ratings and evaluations;
- Education / training information;
- Personnel action forms;
- Documentation of disciplinary action or warning of same;
- Information of a confidential nature pertaining to medical information and withholding authorizations. (This information may be retained in a separate file which is available only to the employee, Department Head or Elected Official and those whose job functions require access.);
- And establishment of procedures for the release and accessibility of information and audit of the personnel files.

Personnel must treat all employee information as confidential except for requests authorized by the employee, public information requests in compliance with Montana state law, or requests to learn or to verify information relating to job title, department, salary, and dates of employment.

Access to any information contained in the personnel file, will go through the Human Resource Office.

Files pertaining to employees, who are bona fide candidates of interdepartmental transfer or termination, may be reviewed by the prospective gaining Elected Official or Department Head.

ATTENDANCE AND LEAVE POLICIES

ATTENDANCE, PUNCTUALITY AND DEPENDABILITY

It is extremely important to the general operation and good customer service of Park County that all employees be at their work station and ready to begin work at the start of their shift. Normal working hours at Park County are 8:00 am to 5:00 pm, Monday through Friday. Absenteeism and tardiness place a burden on other employees as well as Park County. If you find you are unable to report to work on time and as scheduled due to illness or other emergencies, you are expected to personally notify your supervisor as soon as possible in advance of the anticipated tardiness or absence, but no less than two hours past your scheduled start time unless your work unit requires different notification requirements. If you are unable to report due to an emergency, please have another person call for you. A supervisor has the right to require documentation to support the use of sick leave when sick leave has not been previously approved.

When you are absent for more than one day, keep your supervisor informed on a daily basis (unless you have been otherwise instructed) as to when you may be expected to return to work. Failure to report for work or

call to notify of an absence can result in disciplinary action or, if the absence is in excess of five (5) working days it is considered as an abandonment or resignation from employment. Poor attendance and excessive tardiness may lead to disciplinary action up to and including termination of employment.

Commissioner Meetings

As citizens, employees of Park County may attend commissioner meetings on their own time. If an employee wishes to attend a meeting during their scheduled working hours and their presence has not been requested by the Commissioners or their supervisor, they may submit a request to use annual vacation leave. This absence from work is treated as any other absence and requires approval from the employee's supervisor.

SICK LEAVE

Accumulated sick leave credits are a valuable income continuation "insurance" that maintains an employee's income during a period of personal illness or family emergency. Sick leave credits should be carefully guarded and not dissipated or abused.

Employees are not entitled to be paid sick leave until they have been continuously employed for ninety (90) days. Permanent and Temporary full-time employees earn sick leave credits from the first full day of employment at the maximum rate of one (1) working day per month without restriction as to the number of working days that may be accumulated. For calculating sick leave credits, 2080 hours (52 weeks x 40 hours) equals one year. Sick leave credits shall be earned and credited at the end of each pay period. Sick leave cannot be used until the pay period following the pay period in which it was earned and credited.

Permanent part-time employees earn prorated sick leave credits from the first full day of employment. Prorated sick leave credits are calculated by multiplying .046 x hours in pay status. Credits are to be recorded by rounding to two digits beyond the decimal point and carried in each employee's account in that configuration. Sick leave cannot be used until the pay period following the pay period in which it was earned and credited. Short-term workers do not earn sick leave credits. Employees do not accrue sick leave, holiday or vacation credits while on leave without pay.

With the Department Head or Elected Official approval, an employee may substitute sick leave credits for annual vacation leave, if the employee becomes sick while on approved annual vacation leave.

Advancing sick leave after an employee's earned sick leave credits have been exhausted is prohibited.

Upon termination, an employee who has worked the qualifying probationary period shall be entitled to a lump sum payment in an amount equal to one quarter (1/4) of the amount attributed to accumulated sick leave. Termination pay will only apply to those credits earned since July 1, 1971. The pay attributed to the accumulated sick leave shall be computed on the basis of the employee's regular rate of pay at the time of termination of employment with Park County.

Employees may use sick leave credits for:

- Illness or injury of the employee;
- Illness or injury in the employee's immediate* family or household requiring the employee's personal attendance;
- Quarantine for contagious disease control, provided that certification is obtained from the attending physician.

- Maternity related disability, including prenatal and postnatal care, birth, miscarriage, abortion, or other medical care for either employee or child and must be coordinated with the Family Medical Leave Act if eligible;
- Appointments with licensed health care professionals for treatment of the employee's illness, injury or preventive care (When possible, the employee's supervisor shall be notified at least 48 hours in advance.); or
- To attend or make arrangements for a funeral of a member of the employee's immediate family or household for a period of time not to exceed four (4) consecutive calendar days except that such leave may be extended to five (5) consecutive calendar days if the funeral which the employee attends is more than 500 miles from the workplace.

**"Immediate" family means the employee's spouse and any member of the employee's household or any parent, child, brother or sister, grandparent, grandchild or corresponding in-law (mother-in-law, father-in-law and grandparents-in-law).*

Absences which will necessitate use of sick leave shall be reported by the employee to the supervisor, Elected Official, or Department Head as soon as practical. Failure to report such leave within two (2) hours of employee's regularly scheduled starting time may be considered absence without approved leave. An employee must report each day the employee is sick unless directed otherwise by the employee's supervisor, Elected Official, or Department Head. Sick leave absences may require physician's verification in writing. Unapproved absences can be grounds for disciplinary action.

Abuse of sick leave may be cause for dismissal, forfeiture of payment for accumulated sick leave, or other disciplinary action. The employee's supervisor may require an employee to submit appropriate medical certification to substantiate use of sick leave. Sick leave may not be used to delay the effective date of termination, whether voluntary or involuntary.

If the Department Head or Elected Official has reason to question the employee's ability to return to duty and safely and/or efficiently perform his/her duties without being a direct threat to the health or safety of himself/herself or others, the Department Head or Elected Official may require an employee to obtain a medical release to return to work.

SICK GRANTS

Giving Sick Grants

To be eligible to give a sick grant to another Park County employee, an employee shall have completed the ninety (90) day qualifying period to take sick leave (Section 2-18-618(1), MCA).

An employee may directly grant a maximum of forty (40) hours of accrued personal sick leave in any continuous twelve (12) month period to another Park County employee. The twelve (12) month period is calculated from the first day an employee makes a direct grant. If the employee's leave balance falls below forty (40) hours for a FT employee or a pro-rata amount for a part-time employee either before or as a result of the direct grant, the employee will not be eligible to make a direct grant.

Receiving Sick Grants

An employee must have been employed continuously with Park County for 90 days to be eligible to receive a sick leave grant. Full time employees must have exhausted all sick and compensatory leave banks. Additionally, the employee must have exhausted all annual leave in excess of 40 hours in their annual leave bank. Part time employees must do the same on a prorated basis.

A full time employee may receive no more than a maximum of 160 hours of sick leave in any continuous twelve (12) month period in direct grants. Leave granted to a part-time employee shall be prorated.

The twelve (12) month period is calculated from the first day the employee takes sick leave, which is a direct grant. No employee is eligible to receive direct grants of sick leave without the approval of the Elected Official, Department Head or designee.

If an employee is incapacitated and unable to apply for leave of absence or direct grants, another person may do so on behalf of the employee.

ANNUAL VACATION LEAVE

Employees earn annual vacation leave credit as follows:

- From the first full day of employment through ten years of service at the rate of fifteen (15) working days.
- From ten years through fifteen years of service at the rate of eighteen (18) working days.
- From fifteen years through twenty years of service at the rate of twenty-one (21) working days.
- After twenty years of service at the rate of twenty-four (24) working days.

For calculating annual vacation leave credits, only regular and benefit hours (not overtime hours) shall be considered and 2,080 hours shall equal one year. Proportionate annual vacation leave credits for all employees shall be earned and credited based on actual hours at the end of each pay period, but not to exceed the maximums noted above.

Annual vacation leave credits shall not accrue during a leave of absence without pay. Annual vacation leave taken on a legal holiday shall not be charged to an employee's annual vacation leave for that day. Absence from employment because of illness shall only be charged against annual vacation leave credits at the employee's request and with appropriate approval.

Annual vacation leave credits shall not be advanced after an employee's vacation leave credits have been exhausted. Annual vacation leave cannot be used until the pay period after the annual vacation leave has been earned and credited. Leave requests are limited to regularly scheduled hours. An employee may use no more leave than the difference between regularly scheduled hours and hours actually worked. (i.e. scheduled for 30, work 10, can take 20).

Annual vacation leave may be accumulated to a total not to exceed two (2) times the maximum number of days earned annually as of the end of the first pay period following the end of each calendar year. If leave is not taken within ninety (90) days from the last day of the calendar year in which the excess was accrued, the leave is forfeited in accordance with the provisions of Section 2-18-617, MCA. If, however, the employee submits a reasonable request to use the excess annual vacation leave prior to March 30th of any given year

and such request is denied, the employee shall not forfeit the leave and will have until the end of the calendar year to use the excess annual vacation leave.

Upon termination with Park County, an employee who has worked the qualifying period will be paid for unused annual vacation leave credits at the rate of pay in effect at the time of termination. Vacation time may not be used to delay the effective date of termination, whether voluntary or involuntary termination.

Scheduling of annual vacation leave shall be accomplished by an agreement between the supervisor and employee, giving consideration to the best interests of Park County and the employee. A vacation request form is available from the Human Resource Manager. If possible, the County prefers that requests for vacation are made at least 2 weeks in advance.

Permanent, seasonal, and temporary employees earn annual vacation leave credits from the first day of employment. (Section 2-18-611, MCA) They are not entitled to use annual vacation leave pay until they have been employed for six (6) calendar months. Prorated annual vacation leave credits are calculated from the following schedule multiplied by the number of hours in pay status:

Years of Employment Completed (Less Than 80 Hours per Pay Period)

Years of Employment	Rate
0-10 years	.058 x number of hours
10-15 years	.069 x number of hours
15-20 years	.081 x number of hours
20+ years	.092 x number of hours

Prorated annual vacation leave credits are to be reported by rounding to three digits beyond the decimal point and carried in each employee's account in that configuration.

Temporary full-time, part-time, seasonal full-time and seasonal part-time employees receive the same annual vacation leave credits as permanent employees provided they have been employed for six (6) months. In order to retain eligibility, seasonal employees must be recalled and immediately report back for work when operations resume in order to avoid a break in service. (Section 2-18-611, MCA)

Short-term workers do not receive annual vacation leave credits. (Section 2-18-611, MCA)

MILITARY LEAVE

An employee who is a member of a military reserve unit that is called to active state or federal military duty will, upon request, be granted the amount of time necessary to perform military service. Upon request, the employee must produce a copy of the official military orders directing the employee to report for duty or separation documentation.

At the time that the employee is released from military duty, the employee has a period of time as shown below within which the employee is required to return to work or, in the case of longer absences, apply for reinstatement.

PERIOD OF ABSENCE	RETURN TO WORK REQUIREMENT
Less than 31 days	The employee must report to work no later than the next scheduled shift following release from service plus travel time and an eight-hour rest period.
31-180 days	The employee must reapply within 14 days of release from service.
181 days to five years	The employee must reapply within 90 days of release from service.

Reinstatement rights for members of the National Guard who perform state ordered active duty are similar. For more information, contact the Human Resource Manager.

If the employee complies with the requirements shown plus additional requirements contained in the applicable federal or state reinstatement laws, the employee will be reinstated as soon as possible. Should the employee not return to work, or make application for re-employment as required by law, the employee will be considered to have voluntarily terminated their employment. Additional statutory requirements and exceptions are applicable to military leaves of absence. Additional information about military leaves of absence is available from any supervisor upon request.

A Park County employee who is a member of the organized militia of the State of Montana or who is a member of the organized or unorganized reserve corps or military forces of the United States and who has been an employee for a period of at least six (6) months shall be given a leave of absence with pay for a period of time accruing not to exceed fifteen (15) working days in a calendar year for attending regular encampments, training cruises, and similar training programs of the organized militia or of the military forces of the United States. This leave will not be charged against the employee's annual leave. Unused military leave must be carried over to the next calendar year, but may not exceed a total of 30 days in any calendar year.

JURY DUTY OR WITNESS LEAVE

Park County employees shall be eligible to serve as a witness or on jury duty when properly subpoenaed or summoned.

An employee who receives notice of jury duty or witness service must notify his/her supervisor as soon as possible in order that arrangements may be made to cover the position.

An employee on authorized jury duty or witness leave shall receive his/her normal daily wage. The employee shall collect all fees and allowances payable as a result of serving on jury duty or as a witness and forward the fees to the Treasurer's Office. The employee shall retain any expense or mileage allowance paid by the court.

If an employee elects to charge juror or witness time off against annual leave or compensatory time, the employee shall not be required to remit to Park County any fees or allowances paid by the court.

A part-time employee will receive prorated compensation for those hours the employee is scheduled to work.

If only partial daily service is performed, the employees are required to either report for the remainder of the regularly scheduled work shift, or contact the supervisor for instructions.

MATERNITY LEAVE

Employees may request the use of annual vacation leave, sick leave, compensatory time or other appropriate paid leave, or leave without pay, for necessary absences due to maternity related causes.

Under Montana law (Section 49-2-310, MCA), it is unlawful for an employer to:

- Terminate a woman's employment because of her pregnancy;
- Refuse to grant an employee a reasonable leave of absence for such pregnancy;
- Deny an employee who is temporarily disabled as a result of pregnancy any compensation to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by her employer, provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform her employment duties; or
- Require that an employee take a mandatory maternity leave for an unreasonable length of time.

Maternity leave shall be treated the same as any other leave, except that eligibility for maternity leave shall not require employment for any specified period of time.

LEAVE OF ABSENCE WITHOUT PAY

Any un-worked time for which an employee does not have sick leave or has not complied with the Family Medical Leave Act is automatically considered to be a leave of absence without pay and the employee must pay the employee's insurance benefits for the period of leave time to Park County. An employee cannot request a leave of absence if the employee is on leave under the Family Medical Leave Act. A leave of absence may be for reasons given other than illness.

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave and the date of return. The request shall be submitted by the employee to their Department Head or Elected Official. The Department Head or Elected Official shall make a decision based upon the best interest of Park County, giving due consideration to the reasons given by the employee and the requirements of any applicable state and Federal laws.

A Department Head or Elected Official may grant a permanent, temporary or seasonal full-time or part-time employee a leave of absence without pay not to exceed ninety (90) calendar days. The Elected Official or Department Head may approve an extension of the approved leave, not to exceed an additional ninety (90) calendar days at a time. No sick leave, holiday, annual vacation benefits or any other fringe benefits shall accrue while an employee is on leave of absence without pay unless otherwise required by law. An employee may continue to participate in the Park County insurance plan; however 100% of the premiums incurred during the leave are to be paid by the employee in a manner prescribed by the Human Resource Office. (Refer to the Family and Medical Leave Section of this handbook for situations involving the Family and Medical Leave Act).

Upon expiration of the approved leave of absence, the employee shall be reinstated to the same class and rate of pay, unless otherwise mutually agreed to by Park County and the employee.

Park County reserves the right to consider any employee who fails to return to work on the next working day following the expiration of the approved leave to have voluntarily terminated.

FAMILY AND MEDICAL LEAVE

Park County has adopted the following policy to establish the procedures and criteria for providing family and medical leave under the Federal Family and Medical Leave Act (FMLA). This policy is subject to change based on revisions to Federal law. Eligible employees receive up to twelve weeks of paid or unpaid, job protected, leave for certain family and medical reasons.

To be eligible for FMLA leave, the employee must:

- Have worked for Park County for a minimum of twelve (12) months and;
- During the twelve (12) month period immediately preceding the leave, have been in a pay status for at least 1,250 hours; and
- Work at an eligible work site.

Depending on the reason for the leave, eligible employees may take up to twelve (12)/twenty six (26) weeks of leave within a twelve month period from when the first day of FMLA is used. Leave may be taken in a single block of time, or, if medically necessary, on an intermittent basis or on a reduced schedule. When the leave is taken for childbirth or placement of a child for adoption or foster care, intermittent or reduced leave schedules are subject to approval..

An eligible employee will be granted up to twelve (12) weeks of FMLA leave for any of the following reasons:

- For the birth, placement for adoption or foster care of a child and/or to care for the newborn child who has been born, adopted or placed within the previous twelve months;
- For the care for a spouse, child or parent with a serious health condition;
- For a serious health condition that makes the employee unable to perform the functions of the employee's job; or
- Due to the occurrence of a "qualifying exigency" relating to the active-duty status or call to active-duty in the armed forces of an employee's spouse, son, daughter, or parent of the employee, including those contingencies set forth in the applicable regulations, summarized as follows:
    - Short-notice deployment;
    - Military events and related activities;
    - To arrange for childcare, or provide childcare on an urgent basis, or for school activities;
    - To make financial and legal arrangements;
    - To attend counseling;
    - To spend time with the service member while on short-term leave;
    - For post-deployment activities; and
    - For other activities in accordance with the regulations.

An eligible employee will be granted up to twenty-six (26) weeks of FMLA leave to:

- Care for a family member or next of kin who is a member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, or is

otherwise in outpatient status on the temporary disability retired list, for a serious injury or illness or who is otherwise eligible under the regulations set forth at 29 CFR 825.

- A "serious health condition" is an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.
    - "Serious health conditions" include:
        - Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or
        - Continuing treatment by a health care provider.
- A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
    - A period of incapacity (i.e., inability to work or perform other regular daily activities due to a serious health condition, treatment therefore, or recover there from) of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (i.e., physical therapist) under order of, or on referral by, a health care provider; or
    - Treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a health care provider.
    - Any period of incapacity of the employee or spouse due to pregnancy, prenatal care or childbirth.
- Any period of incapacity or treatment for such incapacity to a chronic serious health condition. A chronic serious health condition is one which:
    - Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
    - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
    - May cause episodic rather than a continuing period of incapacity (i.e., asthma, diabetes, epilepsy, etc.)
    - A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or a family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
    - Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under order of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

Employees are required to provide advance notice of leave requests whenever possible. Thirty (30) days notice is required when the need for leave is foreseeable unless the leave qualifies under a paid leave policy that has a shorter notice requirement. When advance notice is not possible, the employee must provide notice as soon as practical. Requests for FMLA leave must be made in writing to the Human Resources Manager. The Human Resources Manager must promptly (within five (5) business days, absent extenuating circumstances) notify the employee of Park County's response to the request for FMLA leave. The Human Resource Manager should use the US Department of Labor's Form WH-381. In accordance with 29 CFR 825.308, the County may request recertification of leave no more often than every 30 days in connection with an absence by the employee.

Park County may designate any period of qualifying absence as family or medical leave and charge the absence to the employee's FMLA eligibility. For example, if an employee is absent due to a workers' compensation related injury and the absence qualifies as FMLA leave, Park County may designate the absence as FMLA and count towards FMLA entitlement.

Employees must use any available accrued sick leave concurrently with FMLA leave, if the leave meets the conditions of Park County's Sick Leave Policy. The hours used will be counted against the employee's Family and Medical Leave Act entitlement. Employees may use accrued annual vacation leave time concurrently with the Family and Medical Leave Act leave. The hours used will be counted against the employee's Family and Medical Leave Act entitlement. Employees may also use compensatory time concurrent with the Family and Medical Leave Act leave. These hours may be counted against the Family and Medical Leave Act entitlements.

An employee's health insurance coverage will be continued at the same level he/she had prior to the use of FMLA leave. Employees who pay a portion of the contribution costs for dependent coverage for health benefits or other insurance coverage are required to self-pay those costs to maintain coverage during the FMLA leave. If an employee fails to return to work following an FMLA leave, the employee may be liable for repayment of health benefits contributions paid by Park County during the employee's unpaid FMLA leave. Repayment may be waived in situations where the continuing serious health condition or circumstances beyond the control of the employee prevents the employee from returning to work.

An employee returning to work following an FMLA leave will be returned to the same or equivalent position with equivalent pay as when the leave began. The use of FMLA leave will not result in the loss of any employment benefit accrued prior to the start of an employee's leave. A medical release may be required to return to employment.

BENEFITS

HOLIDAYS

Legal holidays shall be observed by County employees without loss of pay. The following are legal holidays:

- New Years Day (January 1)
- Martin Luther King, Jr. Day (Third Monday in January)
- Lincoln's and Washington's Birthday (Third Monday in February)
- Memorial Day (Last Monday in May)

- Independence Day (July 4th)
- Labor Day (First Monday in September)
- Columbus Day (2nd Monday in October)
- Veterans' Day (November 11th)
- Thanksgiving Day (4th Thursday in November)
- Christmas Day (December 25th)
- State General Election Day (November, even numbered years)

If any holiday falls upon a Sunday, the following Monday will be observed as the holiday. When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday, except as provided for in the next paragraph.

The employee shall receive holiday benefits and pay for work performed on the day the holiday is observed, unless the employee is scheduled or required to work on the actual holiday. If the employee is scheduled or required to work on the actual holiday, the actual (not the observed) holiday shall be considered as the holiday for purposes of calculating holiday benefits and pay for work performed on a holiday. The employee will receive either holiday benefits for working on the day the holiday is observed or for working on the actual holiday, but not both.

An eligible employee shall receive holiday benefits for legal holidays. This benefit is paid time off or pay at the regular rate. Holiday benefits shall not exceed eight hours per holiday regardless of the number of hours an employee is scheduled to work on a daily basis.

Holiday benefits are calculated based on an employee's regular schedule. For purposes of this policy, changes to an employee's schedule, which extend beyond one pay period, are changes to the regular schedule.

An employee must be in a pay status on the last regularly scheduled working day before or the first regularly scheduled working day after the holiday is observed to be eligible to receive holiday benefits.
An employee shall not be eligible to receive holiday benefits if the employee is a new employee to County government and begins work on the day after a holiday is observed; or the employee is reinstated or re-employed following a reduction in force, returns to work following a leave of absence without pay of more than one pay period or a disciplinary suspension, or is called back to seasonal or temporary employment the day after the holiday is observed.

A short-term worker is not eligible to receive holiday benefits.

A permanent, temporary or seasonal full-time employee, whose regular schedule calls for the employee to work on the day a holiday is observed, shall receive eight (8) hours of holiday benefits. The employee usually receives the day off; however, the County reserves the right to require the employee to work on the day a holiday is observed. The employee shall be compensated at straight time for the work performed on the holiday in addition to holiday benefits.

A permanent, temporary or seasonal full-time employee, whose regular schedule calls for a day off on the day a holiday is observed, shall be entitled to receive a day off with pay on the day preceding the holiday or on another day following the holiday in the same pay period or as requested by the employee and approved by the supervisor, whichever allows a day off in addition to the employee's regularly scheduled days off.

(Section 2-18-603 MCA) If an alternate day off cannot be provided, Park County will provide eight (8) hours of pay at the regular rate.

Holiday benefits paid to a part-time permanent, temporary or seasonal employee shall be an average of the employee's hours regularly scheduled to work during the pay period in which the holiday falls. To calculate the average, the number of hours regularly scheduled to work in the pay period in which the holiday falls shall be divided by ten (the number of working days in a pay period). Holiday benefits shall not exceed eight (8) hours. If, however, the pay period in which the holiday falls is not characteristic of the employee's regular schedule, Park County has the discretion to average hours over a longer period of time to calculate the holiday benefit.

While employees usually receive the holiday off, Park County reserves the right to require any employee to work on days holidays are observed. If an employee is required to work, the employee shall be compensated at their normal regular straight time rate for work performed on a holiday. In addition to the holiday benefits provide by this policy, an employee who is designated as non-exempt under the Fair Labor Standards Act (FLSA) and who works on the day a holiday is observed will receive either an alternate paid day off at the regular rate of pay as described below, at Park County's discretion.

If the holiday benefit is a paid day off to be taken at a later date within the same pay period, the employee shall receive pay at the regular rate for every hour worked on the holiday.

If the holiday benefit is to be paid, but no day off, the employee shall also receive holiday premium pay (regular rate x 1.5) for all hours worked on the holiday in addition to the holiday benefit itself.

If an employee does not work a regular schedule and is called in to work on the holiday, the employee shall receive pay at the regular rate for every hour worked on the holiday.

An employee who is exempt from the FLSA and who receives approval to work on the holiday will receive paid time off equivalent to the number of hours worked.

The non-exempt employee, by the approval of the supervisor, may take at a later date but within the same pay period upon request, equivalent paid time off for work performed on a holiday. When an employee requests to take the hours off and where the interest of Park County requires the employee's attendance, Park County's interest overrides the employee's.

WORKERS' COMPENSATION

Park County provides every employee and covered volunteers with wage supplement and medical benefits for work-related injuries or diseases covered under the Montana Workers' Compensation Act.

Every work-related injury shall be reported immediately to the injured employee's supervisor and Human Resources, who will report it to Park County's Workers' Compensation Insurer as soon as possible but in no case later than thirty (30) calendar days after the notice to the supervisor.

Benefits for compensable injuries are governed by state law, and include wages, medical, hospital and related services and other compensation. Wage loss benefits begin after a four (4) day waiting period. If an employee remains off work more than 21 days, the benefits may be paid retroactively to the first day of the

workers' compensation covered absence. Employees may use accrued annual sick leave benefits to cover wage loss during the four-day waiting period.

Criminal proceedings may be initiated against a person who obtains or assists in obtaining workers' compensation benefits to which the person is not entitled.

RETURN TO WORK

Park County believes the best approach to controlling incidents and cost is to prevent injuries and illness from occurring. We are committed to utilizing our resources to provide a safe work environment for everyone. We have developed a plan and process designed to help injured workers to receive prompt medical attention and recovery assistance through our Return to Work injury management plan. It includes a team effort involving the injured worker, the treating health provider, insurance provider and internal County management. Please refer to the current plan on file with the Human Resources Office.

We will, when whenever possible, retain you at work if you are temporarily unable to perform your regular work duties as a result of on-the-job illness or injury. We will endeavor to keep you working in a meaningful and productive manner. By providing transitional temporary work assignments such as modified duty or alternative work, injured/ill employees remain an active and vital part of our team. All stay at work or return to work opportunities are contingent on a suitable opportunity being available and the ability of the injured employee to perform useful work for the County.

Employees play a major role in the success of our Return-to-Work program. It is your responsibility, if injured on the job, to report the injury to your supervisor immediately and to inform your medical provider of our program and have him/her complete the appropriate medical form(s). Communicate regularly with your supervisor and Human Resources Manager about your progress.

Temporary modified or light duty assignments are offered, if available for the position, and when there is medical documentation that the employee is temporarily unable to perform their regular duties, but is able to perform their regular duties with temporary modified/light duty. These will be devised to meet the employee's capabilities while recovering from the injury. Transitional temporary work assignments, if available for the position, will be for varying durations and are not to be considered permanent unless specifically designated as such.

BENEFIT ELIGIBILITY

Not all benefits are available to the employee at all times. Each employee is urged to read the entire program for the individual benefit to determine if they qualify both in terms of length of service and the employee's eligibility for the individual plan as well as their own individual and financial need. Employees of Park County should also be aware that any one or all of these benefit programs may be modified or even discontinued at any time by Park County. The offer of this benefit package to individual employees should never be construed as a guarantee of coverage under the benefit of Park County. If you have questions, please contact the Human Resource Office about the benefits available.

HEALTH INSURANCE

Park County provides a group health insurance plan available to all permanent full-time and part-time employees who work a minimum of 20 hours per week. Qualifying employees will become eligible for health insurance the first of the month following 30 days of employment who are classified as permanent

employees. Those eligible for coverage after 30 days of employment will receive a contribution towards the premium for health insurance in an amount set from time to time by the Commissioners. Permanent part-time employees regularly scheduled to work at least 20 hours a week are eligible to receive a contribution towards health insurance on a pro-rated basis depending on the number of hours they are regularly scheduled to work on a weekly basis. Please review the individual plan currently in force to determine if you qualify and the details of coverage. If you have questions, please speak with the Human Resource Office.

Park County also offers FLEX accounts to all eligible employees. Employees accumulate funds for allowable expenses on a pretax basis annually.

Health insurance programs are available to all qualifying Park County employees. Information on this program is sent out to all employees at the beginning of each fiscal year.

LIFE AND DISABILITY INSURANCE

Park County offers life and disability insurance coverage to eligible employees who participate in one of the medical health insurance plans. Please see the Human Resource Office for information.

RETIREMENT

Park County employees who work more than 960 hours in any 12 month period are required to enroll in the Montana Public Employees Retirement System (MPERS). On the first day of employment, eligible employees are required to enroll in the Sheriffs Retirement System (SRS). Both the employee and Park County make a contribution based on a formula established by law. Please see the Human Resource Office for information and forms to enroll in the plan.

SAFETY IN THE WORKPLACE

To assist in providing a safe and healthful work environment for employees, customers and visitors, Park County has established a workplace safety program. The Montana Safety Culture Act requires that a safety committee be formed which includes members from non-management staff and management. This program is a top priority for Park County. The designated Safety Officer has the responsibility for implementing, administering, monitoring and evaluating the safety program, but the overall success will depend on each individual employee's alertness and personal commitment to safety.

Monthly safety meetings are held in the commissioners' chambers with the safety committee and the Safety Officer. Minutes of this meeting will be prepared and circulated through the office mail for each employee to sign off on as having read and understood the items discussed.

New employees will receive workplace and equipment training with their departmental orientation. Additional training will be provided with new equipment as needed.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear to be, you should immediately notify your supervisor and the Human Resource Manager. This is necessary to comply with laws and initiate insurance or worker compensation benefits procedures.

SMOKE-FREE WORKPLACE

In compliance with the Montana Clean Indoor Air Act, Park County offices, County-owned vehicles and all Park County buildings and other enclosed spaces are non-smoking sites. Employees wishing to use lawful tobacco products may do so in their own vehicles, or in designated areas outside the building.

SEAT BELT USE

Employees and their passengers operating any Park County vehicles will use seat belts and all other safety equipment as provided on the equipment. Failure to do so may be subject to disciplinary action and depending on the severity of such action may result in termination.

REPORTING ACCIDENTS

Employees involved in an accident while operating Park County vehicles must immediately report damages and injuries to their supervisor and Human Resource Manager. Any traffic citations received while operating Park County vehicles must be reported immediately to the supervisor and the Human Resource Manager. Payment of fines resulting from a citation/ticket while operating a Park County vehicle is the sole responsibility of the employee. Citations/tickets resulting from an accident or negligent operation of a vehicle or other equipment, or being under the influence of drugs or alcohol may result in suspension or termination.

VIOLENCE AND VIOLENT BEHAVIOR IN THE WORKPLACE

It is the intent of this policy to address violence in the workplace. Park County has adopted the following policy regarding confrontations between co-workers, customers and citizens.

Park County has a "ZERO TOLERANCE" attitude regarding violence in our workplace. This policy prohibits but is not limited to the following types of conduct:

- Injuring another person physically;
- Engaging in behavior that creates a reasonable fear of injury to another person;
- Engaging in behavior that subjects another individual to extreme emotional distress;
- Possessing, brandishing, or using a weapon that is not required by the individual's position while on County premises or engaged in County business;
- Intentionally damaging property;
- Threatening to injure an individual or to damage property;
- Committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and
- Retaliating against any employee who, in good faith, reports a violation of this policy.

Violent acts of employees occurring outside the workplace also may be grounds for disciplinary action, up to and including termination of employment if the violent conduct committed has an adverse impact on the employee's ability to perform the assigned duties and responsibilities or that it undermines the effectiveness of the County's activities.

Note: Employees may be authorized by their agencies to possess weapons in the workplace if they are required as a part of the employees' job duties with the County.

Anyone, employee, customer or visitor, entering Park County property carrying weapons or exhibiting threatening or abusive language or mannerisms as designated above will be asked to leave the premises immediately. Failure to do so immediately will result in law enforcement being called to the premises to have the individual removed and criminal charges may be filed.

EMERGENCY OPERATIONS

If a formal declaration of an emergency and/or disaster in Park County is made, any exempt employee who works additional hours because of the declaration will not receive compensatory time. Timesheets submitted by the exempt employee must include notation of hours worked over forty hours per week and state the emergency and/or disaster. On occasion, Park County offices may open late or close early due to weather related conditions. In such cases where the office is closed by request of the Commissioners, any leave time associated with such a closure may be declared as administrative leave by the Commissioners. For weather related conditions in which road closures affect individual employees for commuting to and from home and work, supervisors may approve deviations to work schedules, rather than requiring employees to take leave benefits.

TERMINATION OF EMPLOYMENT

VOLUNTARY TERMINATION / RESIGNATION

Employees desiring to voluntarily terminate their employment relationship with Park County should notify Park County in writing at least two weeks in advance of their intended termination. The notice should be given to the supervisor and Department Head or Elected Official. Proper notice generally allows Park County sufficient time to calculate all accrued overtime (if applicable) as well as other monies to which the employee may be entitled and to include such monies in the final paycheck and to begin the recruitment process, if desired.

Failure to comply with the notice requirement may be cause for denying future employment with Park County.

Any employee who voluntarily terminates at any time and is then rehired at a later date, the County will retain the prior time employed in the calculation for vacation accruals.

All departing employees may be given the opportunity to participate in an exit interview.

RETIREMENT

Employees who plan to retire are urged to provide Park County with a minimum of one month's notice. This will allow ample time for the processing of appropriate retirement forms. A retired employee may continue County health insurance coverage, providing that premium amounts are paid in accordance with Park County policies.

REDUCTION IN WORK FORCE

If a reduction in Park County work force becomes necessary, consideration will be given to the programs to be carried out by Park County. Temporary, seasonal and short-term workers within the classification

and department(s) affected by the reduction in force will be terminated before any permanent employees will be laid off.

Permanent employees within the same classification and department will be retained, giving consideration to the general employment history of the employee with Park County. The general employment history may include qualifications, experience, capabilities and disciplinary actions. If no documented difference in employment history can be determined, an employee's length of continuous service with Park County will be used as the criterion for retention, with the most senior employee being retained. "Continuous service" means that the employee's service has not been interrupted by a break in service of employment.

The forgoing procedure will be utilized in all cases unless a performance appraisal system is being used. If a performance appraisal system is being used, a veteran, disabled veteran, or eligible relative whose performance has not been rated unacceptable shall be retained over other employees with similar job duties and qualifications and the same length of service. A disabled veteran with a service-connected disability of 30% or more shall be retained over other veterans, disabled veterans, and eligible relatives with similar duties, qualification and length of service. (Section 39-29-111, MCA)

Employees should be provided with notice of the reduction in force, as much in advance of the reduction as is possible.

In the event Park County decides to re-staff the position as it had prior to the reduction in force, individuals who have been laid off shall have a preference for recall to the position they were removed from for a period of one calendar year from the effective date of lay off. In the event Park County decides to fill the position within the one calendar year period, the laid off individual will be sent a written notice at his/her last known address. The individual shall have five (5) working days to respond to the written notice. If the individual fails to respond or declines the recall, the individual shall have no further recall rights.

COUNTY VEHICLES AND EMPLOYEE TRAVEL

TRAVEL REQUESTS AND REIMBURSEMENTS

All travel related to County business must be approved by the Elected Official or Department Head. All authorized requests for reimbursement should be submitted to the Accounting Office, who will submit all claims to the Park County Commission for the next claims cycle. The Park County Commission will contact the appropriate Department Head or Elected Official if there are any issues.

VEHICLE POLICY

Park County encourages the use of fleet vehicles for Park County Business. Persons not employed by Park County or not on official Park County business are not allowed in Park County owned vehicles unless authorized. Park County vehicles do not have to be used in the following instances:

- The Park County Commission pre-approves the use of personal cars.
- If a suitable County vehicle is available and the employee opts to use a personal vehicle, mileage will be paid at a lower rate.

Employees assigned a Park County vehicle as a condition of their employment will be subject to the terms of the County Vehicle Use Policy, and will be provided with a copy of such policy upon vehicle assignment.

County employees may not use cell phones, other data devices, or engage in other activities including text messaging which may cause distracted driving except in the case of emergencies or when otherwise authorized by the Commission.

TRAVEL EXPENSE REIMBURSEMENT

Park County employees are reimbursed for travel expenses as stated in Montana law and in accordance with rates for mileage, meals and motels, as amended. Mileage will be paid for the use of personal vehicles as stated in the vehicle policy and shall be paid according to the shortest and most reasonable route to and from the destination, according to the mileage calculator on the State of Montana travel web site. An employee must furnish a reason and receive approval from the employee's supervisor for additional mileage. Eligible reimbursement will be paid upon completion of a Park County travel voucher form with the Park County Travel Authorization Form attached. If an employee lives in another community and travels to a regular place of work to begin work, the employee is not in travel status and cannot claim a meal allowance unless the employee is required to stay overnight.

TRAVEL ADVANCES

Advance travel reimbursement will be allowed when submitted thirty (30) days in advance of the travel, in compliance with travel expense claim procedures.

DRIVERS LICENSE REQUIREMENT

Employees whose work requires that they drive Park County vehicles must hold a valid Montana State Drivers License, including, if applicable, a Commercial Drivers License that is valid for the type of vehicle(s) operated.

All persons offered employment with the County in a position requiring the operation of a County vehicle will be required to submit to a Montana State Division of Motor Vehicles driving record check as a condition of employment. Persons with numerous minor traffic citations/convictions or serious traffic convictions may not be offered employment that requires them to operate a County vehicle. Park County may, during employment, periodically conduct checks of employee driver's license through visual and/or formal review by the Division of Motor Vehicles. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Any employee performing work, which requires the operation of a County vehicle, must immediately notify his/her immediate supervisor in all cases where his/her license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Division of Motor Vehicles.