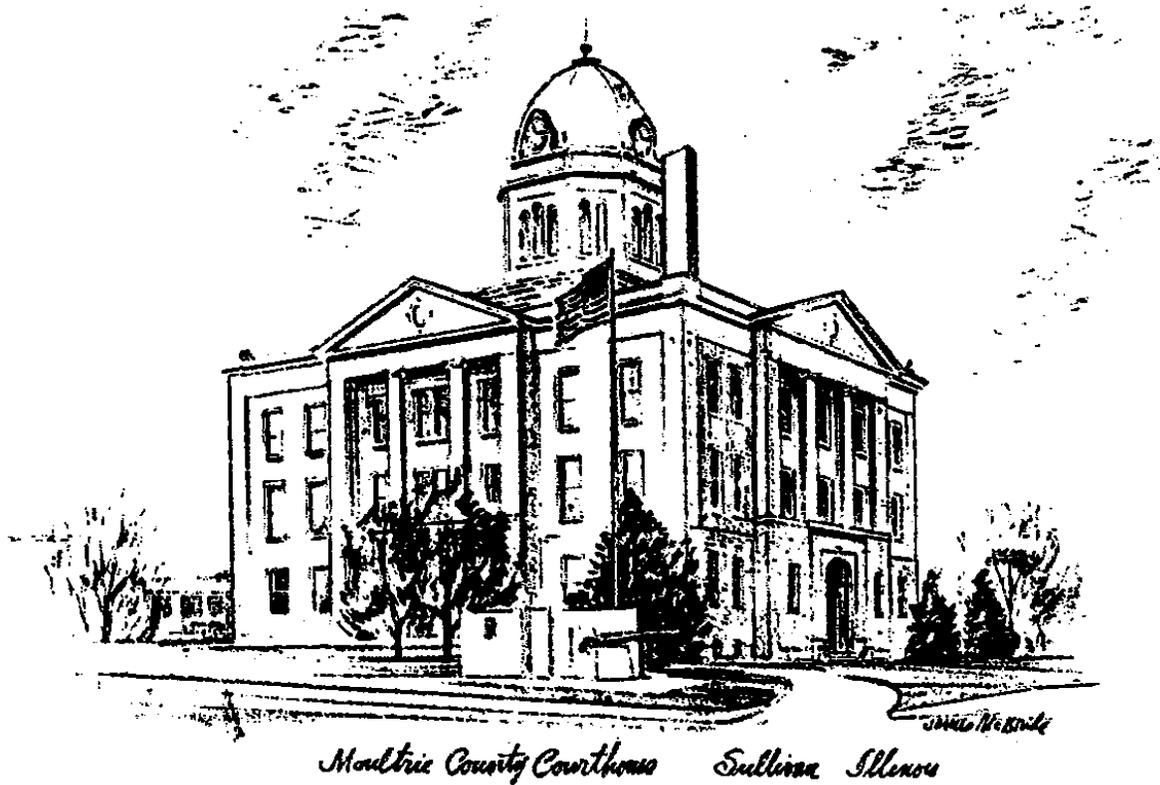


MOULTRIE COUNTY EMPLOYEE HANDBOOK



ADOPTED: 08/10/2006
REVISED: 04/09/2015
Addendum 1; Resolution 17-02: 02/09/2017 Ch. III, Sec. 3.5(A)
Addendum 2; Resolution 18-01: 07/12/2018 Ch VI, Sec. 6.5, SS XIII

Introductory Statement

This Employee Handbook has been prepared as a reference guide. It is designed to give employees of Moultrie County an understanding of the basic policies and rules that are applicable to them, as well as the benefits available to them as County employees. This Employee Handbook does not apply to employees of elected officials unless an elected official has chosen to adopt this Employee Handbook as his/her own reference guide. **Please note, however, that neither the handbook nor any of its individual terms constitute or represent binding contractual commitments between the County and its employees, or modify the prevailing at-will employment relationship or modify the policies of the County's elected officials.**

The personnel policies, as prescribed herein, contain all official rules and regulations regarding the employment of individuals with the County and are compiled in accordance with the policies adopted from time to time by the County Board. These benefits, privileges and obligations are extended by the County in good faith and each employee is expected to fulfill his/her obligation in good faith. It is the employee's responsibility to read and understand this Employee Handbook.

The County Board reserves the right to unilaterally revise, supplement or discontinue any of the policies, rules or benefits described in this Employee Handbook. All employees will be duly informed of any such revisions, supplements or other charges.

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CHAPTER I GENERAL REGULATIONS

Section 1.1 DESIGNATION

This handbook shall be known as the "MOULTRIE COUNTY EMPLOYEE HANDBOOK" and the same may be so cited and referred to for purpose of identification.

Section 1.2 SCOPE

It is the express purpose of this Employee Handbook to bring to the attention of all concerned those benefits, privileges and obligations that are desirable on the part of both the employer and the employee.

This instrument is also designed to bring to the attention of all concerned the practices approved by the County Board together with benefits available to each employee.

The personnel policies, as prescribed herein, contain official rules and regulations regarding the employment of individuals with the County and are compiled in accordance with the policies adopted from time to time by the County Board. Once adopted, the personnel policies prescribed herein supersede and cancel any prior inconsistent written or oral policies, practices and agreements.

These benefits, privileges and obligations are extended by Moultrie County in good faith and each employee is expected to fulfill his/her obligation in good faith.

Section 1.3 CONSTRUCTION

In the interpretation of this Employee Handbook, its provisions shall be construed as follows: where the context permits, words in the masculine gender shall imply the feminine and neuter genders and words in the singular number shall imply the plural number. The descriptive headings of the various sections or parts of this Employee Handbook are for convenience only and shall not affect the meaning or construction nor be used in the interpretation of any of the provisions of this Employee Handbook.

Section 1.4 ADOPTION

These rules and regulations are adopted only by official action of the County Board. A new policy may be introduced at any regular meeting of the Personnel Committee of the County Board and referred to the County Board for action.

Section 1.5 REVISION

The County Board may at any time abolish, alter, change, make additions to or otherwise amend these regulations by action at a regular or special meeting.

Section 1.6 INTERPRETATION

Should any questions arise as to the proper interpretation of these regulations, the decision of the County Board shall be final. Department heads may adopt and enforce departmental regulations which clarify and add to these policies and which are not inconsistent with the policies of the County.

Section 1.7 SAVINGS CLAUSE

If any provision of this Employee Handbook or any application thereof should be rendered or declared unlawful, invalid or unenforceable by virtue of judicial action, or by existing or subsequently enacted Federal or State legislation, or by Executive Order or other competent authority, the remaining provisions shall remain in full force and effect. In such event, the County shall maintain the right to incorporate substitute provisions for those provisions rendered or declared unlawful, invalid or unenforceable.

Section 1.8 DISTRIBUTION

A copy of these policies will be issued by the County and made available to all employees upon employment. Employees will be required to sign the Acknowledgment of Receipt of Moultrie County Employee Handbook form, which will then be kept in the employee's personnel file. Any additions or significant changes to this Employee Handbook will be forwarded to each employee by the County Clerk's office when adopted by the County Board. It is the employee's responsibility to make sure that his/her Employee Handbook is kept current.

Section 1.9 VIOLATIONS OF POLICIES

An employee is expected to abide by the policies in this Employee Handbook. Failure to do so may lead to appropriate disciplinary action. Documentation of policy violations should be maintained in each individual's personnel file. A partial list of causes for possible disciplinary action is presented under Chapter VII, Section 7.2 of this Employee Handbook. This list is not to be considered all-inclusive.

Section 1.10 EQUAL EMPLOYMENT STATEMENT

Moultrie County provides equal employment opportunities for all employees or prospective employees. It does not discriminate in its employment policies and practices against any person for any reason, including sex, color, race, religion, national origin, ancestry, age, marital status, sexual orientation, arrest record, military, veteran status (except for those dishonorably discharged), physical or mental disability or any other protected group status.

CHAPTER II EMPLOYMENT POLICIES

Section 2.1 DEFINITIONS OF EMPLOYMENT STATUS

- A. **FULL-TIME EMPLOYEES:** A full-time employee shall be one who is employed by the County and works an average of at least thirty-five (35) hours per week, interrupted only by absence with official permission, and who has completed the ninety (90) day probationary period required for full-time employees.
- B. **PROBATIONARY EMPLOYEES:** Employees who have been employed by the County on a full-time or part-time year-round basis for a period of less than ninety (90) days and who will become full-time employees or part-time year-round employees at the successful conclusion of ninety (90) consecutive days of employment. Successful completion of the probationary period will not alter the employee's at-will employment status.
- C. **PART-TIME EMPLOYEES:** Any employee who is employed by the County and works an average of fewer than thirty-five (35) hours per week, interrupted only by absence with official permission, but less than full time.
- D. **TEMPORARY EMPLOYEES:** Temporary continuous appointment (i.e., a position which is clearly understood to be six (6) months in duration at the maximum) may be made for specified positions.

Section 2.2 EMPLOYMENT POLICIES

- A. **PHYSICAL EXAMINATION:** Employees may be required to submit to a physical examination. Such examination shall be conducted by a physician approved by the County. All such employees must be certified by the physician as being able to meet the physical requirements of their positions. The costs of the examination shall be incurred by the County or by the department requiring the examination.
- B. **DRUG & ALCOHOL TESTING:** The County reserves the right to require a drug or alcohol breath test following a workplace accident or in the event the employee's supervisor or department head/elected official has reason to believe that the employee may be under the influence of drugs or alcohol.
- C. **PROBATION:**
 - 1. **Purpose:** The probationary period shall be utilized for the most effective adjustment of a probationary full-time or part-time employee and for the release of any probationary employee whose performance does not meet the required standards of work. It is the final determination of whether the person should be given regular status. Successful completion of the probationary period will not alter the employee's at-will employment status.
 - 2. **Period of Time:** All full-time and part-time employee appointments are made for a probationary period of ninety (90) days, during which time the employee's performance is subject to review as to his/her competency to carry out the assignments of the position for which he/she was employed.

A department head/elected official may extend this probationary period to a maximum of an additional ninety (90) days if, in his/her opinion, it is necessary.

3. **Regular Appointment:** Appointment to full-time or part-time employee classification will be given to any probationary employee upon satisfactory completion of the ninety (90) day probationary period in the position to which he/she was appointed.
4. **Release:** An employee serving his/her probationary period may be released at any time without the right of appeal or hearing.
5. **Promotion and Reassignment:** A full-time employee who is reassigned to any other position may be required to serve a probationary period not to exceed ninety (90) days in the new position. Part-time employees who have served ninety (90) days or over may, if appointed to a full-time position in the same class or position, acquire full-time status on the effective date of the transfer. The decision to grant full-time status on the effective date of the transfer resides with the supervisor of the new position.

- D. **SUPERVISION:** The organization of the County shall be such that all employees have a clear understanding of their duties and/or to whom they are responsible or accountable.

Line of responsibility shall be direct. Supervisory responsibility descends from the top organization "through channels" to the employee who performs the units of work for which the respective department is organized. The employee who performs any unit of work reports to and is responsible to his/her immediate supervisor. No employee shall be required to be accountable to or direct the work of another employee of equal rank unless directed by the supervisor.

- E. **PAYROLL:** Employees will be paid through direct deposit. The County Clerk's office will develop direct deposit procedures in conjunction with the Personnel Committee of the Board.

1. **PAY PERIODS FOR FULL TIME EMPLOYEES HIRED BEFORE APRIL 1, 2013:**
Moultrie County pays bi-weekly (every two weeks). These employees are paid through payroll date – no pay period was withheld upon their employment with the County. Pay periods run from 12:00 a.m. Monday and continues for a two-week period through 11:59 p.m. on Sunday, which is Sunday after payroll, with the exception of Hourly Employees and the Sheriff's Department Employee's overtime and holiday pay.
2. **PAY PERIODS FOR FULL TIME EMPLOYEES HIRED AFTER APRIL 1, 2013:**
Moultrie County pays bi-weekly (every two weeks) with a two week delayed pay. The first pay for new hires would be on the second payroll from date of hire. Pay periods begin 12:00 a.m. on Monday and concludes two weeks later at 11:59 p.m. on Sunday. The payroll date would be the following Friday of that week, but would be for the previous payroll period. (New Hire Example: if payroll is Friday August 16 the pay period would be Monday July 29 at 12:00 a.m. through Sunday August 11 at 11:59 p.m. If an employee begins work on July 30, their actual first payroll would not be until August 30 and that pay would be for days worked from July 30 to August 11. All pays thereafter will be every two weeks.)
3. Upon employees' retirement or termination of employment, their final paycheck, after clearance of all indebtedness to the County, would be for any and all money earned in their final pay period, and any accruals owed.

Section 2.3 SEPARATION PROCEDURES

- A. **SENIORITY/WORK FORCE REDUCTIONS:** Moultrie County has historically offered its employees steady long-term employment. However, should general economic conditions or some phase of the County's operations change significantly, a reduction in work force may be necessary. This will only be done after careful analysis of the staffing required to provide essential services. Department heads will determine which job classification will be affected by lay-offs.

If an employee is qualified for an open position in another department as determined by the department head/elected official in the department with the opening, every effort will be made to transfer employees to another department rather than lay the employee off. When this is impractical, the department head/elected official will consider seniority where skill, qualifications, ability and performance factors are substantially the same in determining whom to lay off.

Seniority is the continuous length of time an individual has been a regular full-time employee of the County. A person whose continuous regular employment with the County has been broken by a period of more than ninety (90) calendar days where he/she was not employed by the County and where he/she was not on sick leave or other approved leave of absence shall not have his/her service with the County prior to his/her resumption of regular employment counted as part of his/her seniority.

A regular full-time employee who is laid off only as a result of the necessity to reduce the number of County employees (reduction in force) will be given preference in filling positions which subsequently open and for which the employee is qualified as determined by the department head/elected official of the department with an opening for a period of one year.

- B. **RESIGNATION:** A regular full-time or regular part-time employee resigning from a position should give sufficient notice of his/her intention to enable the County to make proper adjustments. Sufficient notice is two (2) weeks at a minimum. All regular full-time or regular part-time employee resignations shall be in writing and may contain the reasons for leaving. A resignation will be placed in the employee's personnel file. The department head/elected official is authorized to accept all resignations. Appropriate written notification of resignations/terminations should be initiated by the immediate supervisor and forwarded to the County Clerk's Office so that all pertinent records and files can be updated.

- C. **EXIT INTERVIEW:** Any time an employee permanently terminates employment with the County, an exit interview may be scheduled with his/her department head. A separate exit interview may be scheduled with the Personnel Committee.

The employee is encouraged to provide input into matters directly associated with his/her employment with the County, such as discussing job satisfaction, training both in-house and outside, employee's impression of supervision, compensation and employee benefits, and general suggestions for improvement of the delivery of services to residents.

- D. **RETURN OF COUNTY PROPERTY:** An employee leaving County employment, whether through resignation, lay-off or dismissal shall return any property, including keys, equipment and identification cards in his/her possession to the appropriate location. Failure to return all County property may result in prosecution.

- E. **REINSTATEMENT:** Employees who have resigned while in good standing may be rehired. The conditions of rehire will be as a new employee and there shall be no

carry forward of accrued service time, unless the rehire date occurs within ninety (90) calendar days of separation of employment.

Employees who resign while awaiting disciplinary action or who are discharged shall not be eligible for re-employment.

F. **EMPLOYEE REFERENCES:** All requests for reference information about a current or former County employee should be referred to the appropriate department head. It shall be the policy of the County that subjective or interpretive information about an employee's job performance will not be offered to those making reference inquiries. The County will only authorize the release of the following information:

1. Job title
2. General description of job responsibilities
3. Length of employment (starting date, termination date)
4. Final salary

Any other information provided by a department head/elected official will be considered a personal reference and the County will accept no responsibility for the information relayed.

CHAPTER III ADMINISTRATIVE POLICIES

Section 3.1 RULES OF CONDUCT

Moultrie County expects its employees to exercise mature judgment and common sense in their employment, to give conscientious attention to their duties, to maintain a high level of efficiency and to conduct themselves in a manner that reflects well upon them, as well as on the County.

DRESS AND APPEARANCE: The personal appearance of employees conveys to the public a general impression of the organization. The attire of the employee on the job should be in good taste, neat, clean, and appropriate for the duties performed. Each department head/elected official is responsible for establishing a reasonable dress code appropriate to the job the employee performs. Safety equipment and attire will be required for certain jobs. If required, uniforms and tools for specialized jobs will be provided.

EMPLOYEE COOPERATION: As a part of a team providing services for the benefit of the public, each employee must cooperate with fellow workers and the public in order to set a high standard of work performance. Unwillingness or failure to cooperate shall be cause for disciplinary action.

The total staff of the county must function as a team, and each employee is required to make a positive contribution in the interest of reflective and efficient public service.

Section 3.2 HOURS OF WORK

A. **WORK WEEK:** The standard work hours for County employees will be thirty-five (35) hours per week. Most County offices are open from 8:30 a.m. to 4:30 p.m. Monday through Friday. The actual hours that an employee will work will be determined by the department head/elected official in accordance with the office hours approved by the County Board or authorized by statute. An employee may have one (1) hour for lunch and two (2) rest periods (one in the morning and one in the afternoon) of fifteen (15) minutes each. All offices will be open during lunch and coffee breaks, unless designated otherwise by the department head/elected official or elected official, with the consent of the County Board.

B. **OVERTIME AND COMPENSATORY TIME:** Each department head/elected official will handle overtime issues within his/her office. Each department head/elected official may design a compensatory time system that works better for his/her office as long as all compensatory time is zeroed out on an annual basis. Working in excess of the normal work hours within a workweek requires **prior** approval by the employee's supervisor. The supervisor and the employee must agree, prior to working beyond the normal work hours, how time is to be compensated (i.e. compensatory time or cash payment).

C. **ATTENDANCE:** It is the responsibility of the department head/elected official or designee to prepare and maintain attendance records. When a reporting employee is absent from a normally scheduled workday or absent from accepted overtime assignment, that employee is required to report that absence. When an employee knows he/she will be absent, that absence should be reported as far in advance as practical. All absences must be reported to the employee's supervisor or department head. A physician's statement may be required for absences in excess

of three consecutive workdays or where there is a pattern of absences. Excessive absenteeism may result in disciplinary action up to and including termination.

- D. **EMERGENCY CLOSURES:** County facilities shall be open at all times during regular business hours. If an employee is unable to come in to work, the employee will make up the lost time. The buildings will be open in all instances except for a disaster. When necessary, the County Sheriff or his/her designee will determine if the County building should be closed.
- E. **SUGGESTIONS:** Employees are urged to make any suggestions they feel will be of benefit to the County and which would save time, reduce waste, promote safety and increase efficiency. Suggestions should be made to department heads, supervisors, Personnel Committee or the Health/Safety and Welfare Committee.

Section 3.3 SAFETY

Moultrie County's policy is to provide safe and pleasant working conditions for all employees. Department heads should follow insurance company recommendations for safety and utilize good judgment regarding health and safety for all employees. Should an employee incur a job-related injury or illness, the County provides insurance coverage for medical care and lost time from work. Upon occurrence of an accident or emergency, the employee's immediate supervisor should be notified immediately. Delay in filing official notice may result in loss or delay in receiving benefits.

The County maintains that its residents and employees are its most important assets. Therefore, their safety is the County's greatest responsibility. In all of the County's assignments, the health and safety of all should be the utmost consideration.

Department heads and supervisory personnel at all levels of the County work force are directed to make safety a matter of continuing concern, equal in importance with all other operational considerations.

This program is part of management procedures designed to efficiently utilize County capital and personnel.

Every department head/elected official or director is responsible for developing positive safety attitudes among all the personnel under his/her supervision, and emulating a safety program in conjunction with the County program that will reduce conditions that can cause unnecessary injuries and accidents. It will also be the department head's responsibility to advise the Board chairperson of any federal, state and local standards with which compliance is felt to be lacking. Within the operational activities of any endeavor, there may be exposure to personal injury or property damage. A review of operations should include consideration of hazards, which could be present. The possibility of unsafe job procedures and/or improper equipment can also contribute to the occurrence of an accident. Accidents are unplanned events, which through proper planning can be minimized. Continual emphasis on safe working has been shown to significantly reduce injuries, property damage and work interruption. Every employee is charged with the responsibility of supporting and cooperating with the County Safety Program. All employees are expected, as a condition of employment, to adopt the concept that the safe way to perform a task is the most efficient and the only acceptable way to perform it. Safety adherence and performance will be considered as an important measure of supervisory and employee performance evaluation.

Section 3.4 REPORTS OF INJURY

- A. **SAFE WORK HABITS:** Each employee is required, as a condition of employment, to develop and exercise safe work habits in the course of his/her employment, to prevent injuries to himself/herself, his/her fellow employees and to conserve the County's property and equipment.
- B. **REPORTING:** An employee who is injured or becomes ill while performing his/her duties for the County shall make an immediate report of the injury to his/her immediate supervisor. The failure of an employee to report an on-the-job injury or illness may be deemed to be grounds for disciplinary action up to and including discharge. Every injury, including those not requiring medical attention, shall be reported in writing to the County Clerk's Office by the injured employee's supervisor within twenty-four (24) hours of the injury. Department heads/elected officials shall be responsible for notifying the County Clerk's Office of all injuries reported by employees under their jurisdiction and shall insure that proper written reports are prepared and forwarded to the County Clerk's Office for insurance purposes in a timely manner.
- C. **IMMEDIATE MEDICAL CARE:** If an employee is injured to such an extent that the employee requires immediate medical care, the employee shall go immediately to a physician after notifying his/her supervisor.
- D. **RETURN TO WORK:** If the employee is released by his/her physician for regular or light duty, the employee shall obtain from the attending physician a certification that the employee can return to work. Employees shall be required to release all medical information relative to the injury to the County's authorized agents. In addition, the employee shall be responsible for securing the necessary documentation to justify worker's compensation payments. In the case of an employee who has been released for light duty, said employee may be placed on light duty, if available.

Section 3.5

OTHER ADMINISTRATIVE POLICIES

(TEXT AMENDMENT -04/09/2015 IN Italic and Underlined)

(All of Section 3.5A repealed and replaced by Addendum No. 1 Resolution 17-02 on 02/09/2017. A copy of which is at the back of the Employee Handbook.)

- A. ~~**CONFERENCES, AND PROFESSIONAL ORGANIZATIONS, AND TRAVEL REIMBURSEMENTS:**~~ In order for employees to keep abreast of new concepts and new methods of doing business, employees are encouraged to affiliate with professional organizations. County sponsored memberships and attendance at conferences and workshops are contingent upon there being sufficient funds in the departmental budget to provide for reimbursement.

~~*Employees are not prevented from obtaining travel tickets and monies in advance for approved trips.*~~

~~*When attending a training conference or workshop requiring an overnight stay, or otherwise traveling on county business overnight, the County shall reimburse the lodging and all meals that are not included in a training conference registration. Any meal that is part of a registration fee shall be paid by the County. Reimbursement of lodging expenses shall be normally single room rate. Whenever traveling out of county for training that does not require an overnight stay, or on county business that does not require an overnight stay, an employee may be reimbursed for meals not included in a training conference registration if approved by the employee's department head at the department head's discretion.*~~

~~*Any meals not covered in a conference registration fee shall be reimbursed at the following rate (including tips): up to \$7.00 for breakfast, up to \$15.00 for lunch, and up to \$20.00 for supper. Tips are only reimbursable up to 20 percent of the total meal cost, including tax. The County will not reimburse purchases of alcoholic beverages, entertainment, or meals for other persons.*~~

~~*When attending a training conference that requires the use of the employee's personal vehicle, the employee shall be reimbursed at the mileage rate currently established by the Moultrie County Board.*~~

~~*Reimbursement of travel expenses shall be for the means of travel that is the least expensive and/or the most practical. Employees may be reimbursed for the cost of vehicle parking fees and tolls.*~~

~~Reimbursement of lodging expenses shall be for a normally single room rate. Reimbursement of travel expenses shall be for the means of travel that is the least expensive and/or the most practical.~~

~~When attending a training seminar/conference, which requires the use of the employee's personal vehicle, the employee shall be reimbursed at the mileage rate currently established by the Moultrie County Board.~~

~~The County does not discourage the attendance of spouse/civil union partner; however, cost for their attendance, lodging and other related expenses will not be incurred by the County.~~

~~*A County or department credit card may be available for use by employees. All receipts obtained while using such a credit card will be turned in to the employee's supervisor upon the return of the employee to work along with the credit card.*~~

~~*All requests for reimbursement must be supported by a receipt or other proper documentation. No reimbursements will be made without this documentation.*~~

- B. **BULLETIN BOARDS:** Bulletins and bulletin boards are the County's "official" way of keeping everyone informed about new policies, changes in procedures and special events. Information of general interest is posted regularly on the bulletin boards. Employees should form the habit of reading the bulletin boards regularly so that they will be familiar with the information posted on it. The County Board shall have the option of directing the removal of inappropriate material from all bulletin boards. The official bulletin boards will be in the West entryway of the courthouse. They will be maintained by the County Clerk's office.
- C. **POLITICAL ACTIVITIES AND CONTRIBUTIONS:** Moultrie County employees have a constitutional right to engage in political activity through voluntary political contributions or voluntary political work. Nothing should be done to abridge the constitutional right of an employee to participate in the political process. An individual's employment with the County will not require him/her to participate in any political activity. While in a duty status during regular working hours, Moultrie County employees shall not participate in political activities.

No employee shall use or threaten to use the influence of his/her position of employment to coerce or to inhibit.

- D. **GIFTS AND GRATUITIES:** The County has a policy in place modeled after the State of Illinois Act which states that employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or other thing of monetary value, except those of nominal value from any person, corporation or other organization, as outlined in the State Ban Gift Act.
- E. **AUTO INSURANCE:** Employees required to use their own vehicle on County business must have auto insurance with at least the following coverage:
1. \$20,000 for injury or death of one person in an accident;
 2. \$40,000 for injury or death of more than one person in an accident;
 3. \$15,000 for damage to property of another person

The defense and indemnity by the County will be, in all cases, secondary to the policy coverage mentioned above. It is the responsibility of each employee to maintain coverage as specified and by driving a vehicle while on the job, it is assumed that coverage is in force.

- F. **USE OF COUNTY EQUIPMENT AND VEHICLES:** Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

The employee should not use or allow the use of County property for any activity other than official, approved duties.

An employee should notify his/her supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair. Prompt reporting could prevent the deterioration of equipment and possible injury to employees or others. Failure to report damage caused by accidents with County equipment and vehicles shall be considered grounds for disciplinary action up to and including discharge. The supervisor can answer any questions about an employee's responsibility for maintenance and care of the equipment or vehicles used on the job.

The improper, careless, negligent, destructive or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

- G. **USE OF COUNTY OFFICE EQUIPMENT:** Office equipment such as computers, printers and copiers must also be used with care by County employees. If any office machinery becomes inoperable or requires service, employees are to notify their supervisor and arrange for the necessary repair.
- H. **NO SOLICITATION:** Solicitation will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working. Distribution or circulation of printed material by employees will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working nor will distribution be permitted at any time, including working and non-working time, in working areas. "Working time" refers to that portion of any workday during which an employee is supposed to be performing any actual job duties; it does not include other duty free periods of time. Solicitation and distribution by non-employees on County property is strictly prohibited.

Section 3.6 WORKPLACE VIOLENCE

The County's policy is to strive to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behavior; physical abuse; vandalism; arson; sabotage; use of weapons; carrying unauthorized weapons of any kind while on duty, in county vehicles or on County property; or any other act, which, in the supervisor's opinion, is inappropriate to the workplace. In addition, jokes or offensive comments regarding violent events will not be tolerated and may result in disciplinary measures.

If an employee feels he/she has been subjected to any of the behaviors listed above or has witnessed such behavior, the employee is requested to immediately report the incident to his/her immediate supervisor, department head/elected official or the appropriate County Board Committee Chairman. Complaints will be investigated. Based upon the results of the investigation, disciplinary action up to and including termination may be taken against the offender.

The employee is also empowered to contact the proper law enforcement authorities without first informing the employee's supervisor, if the employee reasonably believes a threat to his/her safety or that of others exists.

CHAPTER IV PERFORMANCE

Section 4.1 PERFORMANCE APPRAISAL

Each department head/elected official should strive to conduct annual performance appraisals with employees. Performance appraisals become part of the employee's personnel records and a copy of each shall be contained in the employee's personnel file. Department heads' performance appraisals may be done by the committee chairperson to whom they report.

CHAPTER V BENEFITS

Section 5.1 INSURANCE – EMPLOYEES AND DEPENDENTS

The County provides life insurance, accidental death and dismemberment insurance, medical and hospitalization insurance, dental and vision insurance to employees who work an average of at least thirty (30) hours per week, interrupted only by absence with official permission. Plan documents for specific benefits are available in the County Clerk's Office. Dependent coverage at group rates is available.

At the employee's option, he/she may elect coverage through any one of the applicable health, dental, vision and life insurance plans made available by the County.

Health, dental and vision insurance coverage shall commence following the ninety (90) day probationary period and shall cease on the employee's final day of employment or when regularly scheduled hours are reduced below an average of thirty (30) hours per week, interrupted only by absence with official permission.

Life insurance coverage shall commence on the first day of the month after thirty (30) days of full-time employment. (Example: employee hire date is March 6; + 30 days = April 6; the first day of the month after April 6 then being May 1 for coverage to commence). Life insurance coverage shall cease on the employee's final day of employment or when regularly scheduled hours are reduced below an average of at least thirty (30) hours per week, interrupted only by absence with official permission.

The Moultrie County Clerk will furnish a "Guide to Benefits for Moultrie County Employees" to each employee working an average of thirty (30) hours per week upon his/her employment.

A pre-tax deduction Plan is available at the time of enrollment that allows employees to pay their share of the medical insurance premium with pre-tax dollars, along with certain other allowable expenses. The premium is taken out of the paycheck before taxes are calculated so Federal, State and Social Security are not deducted from the premium.

Any elected official or employee, whose position does not include paid health insurance through the County's program, may join said program at 100% their own expense. This option shall extend to former elected officials and former employees at the discretion of the insurer.

Summary plan descriptions that explain coverage of health, dental, vision and life insurance benefits in greater detail are available in the County Clerk's Office. The actual plan documents, which are available by making a written request to the County Clerk, are the final authority in all matters relating to benefits described in this Employee Handbook or in the summary plan descriptions and will govern in the event of any conflict. Additionally, the County reserves the right to change insurance carriers, change health maintenance organizations, self-insure, and/or change or eliminate any benefits at any time in accordance with applicable law.

Upon retirement or disability, the employee may be eligible to elect to continue certain coverage under the County's plans. If the employee is eligible, and he/she elects such coverage, he/she must pay the entire premium. The insurance summary plan description should be reviewed for more details.

Continuation of Medical Coverage (COBRA)

If an employee would otherwise lose his/her health insurance coverage because of a reduction in his/her working hours or the termination of his/her employment for reasons other than gross misconduct on the employee's part, he/she is eligible under the provisions of COBRA for a temporary extension of health coverage under the County's health plan for such period of time as prescribed by law. The County Clerk's office will notify the employee of the time period for which continuation coverage may be provided, depending upon the employee's individual situation. Premium payments are to be made in the County Clerk's office. The County Clerk will inform the employee of the date the premium is due.

If an employee elects to continue coverage, he/she is responsible for payment of the full premium, which amount may change from time to time.

Termination of COBRA Coverage occurs when the earliest of the following occurs:

1. End of the month during which the maximum continuation period ends. For example, if the maximum period ends 3/19, coverage would remain in effect through 3/31.
2. Retroactive to the last date paid if the employee fails to pay the premium.
3. The employee becomes a participant in another group health plan through employment or marriage/civil union, provided that the plan does not have a pre-existing waiting period.
4. The employee becomes eligible for Medicare.

Section 5.2 WORKERS' COMPENSATION

The Workers' Compensation law provides protection for employees experiencing occupational disabilities through accidents or illness arising out of and in the course of employment.

When an employee suffers an on-the-job injury, a "Report of Injury" form must be completed in every instance and filed with the County Clerk's office within 24 hours of the accident. In the event hospitalization is required, the Report of Injury form must be filed within 48 hours. If medical attention was required as a result of the injury or illness, a claim will then be filed with the County Clerk's Office by the hospital and/or attending physician as directed by the employee receiving treatment.

All expenses involved with the treatment of a work related illness or injury are covered by the State of Illinois Workers' Compensation Act.

Employees receiving worker's compensation benefits should also contact their IMRF field representative for important information regarding IMRF disabilities benefits, rights and responsibilities. The IMRF field representative's contact information and the IMRF's website address may be obtained from the County Clerk.

Section 5.3 RETIREMENT

The Illinois Municipal Retirement Fund ("IMRF") provides employees of local governments and school districts in Illinois with a sound and efficient system for the payment of retirement, disability and death benefits. These benefits, payable to qualifying members, are in addition to those provided by Social Security.

- A. EMPLOYEES COVERED: Participation is compulsory through payroll deduction at the time of employment if the employee occupies an IMRF qualified position.
- B. DETAILED IMRF INFORMATION: An IMRF Field Representative and an IMRF website are available to answer any questions; the IMRF field representative's contact information and the IMRF website address may be obtained from the County Clerk.

CHAPTER VI PAID AND UNPAID LEAVES

Section 6.1 VACATIONS

- A. **VACATION BENEFITS:** All regular full-time employees are eligible for paid vacation benefits. The length of eligible service is calculated on the employee's date of hire. Eligible employees shall earn vacation time in accordance with the following schedule:
- 5 working days after one (1) full year of service
 - 10 working days after two (2) full years of service
 - 15 working days after five (5) full years of service
 - 20 working days after ten (10) full years of service
- B. **VACATION AVAILABILITY:** Vacation benefits will be available to all employees as earned. With permission of the department head/elected official, one week of vacation may be deferred to the following year.
- C. **VACATION SCHEDULES:** Vacations will be scheduled with prime consideration given to the efficient operation of each department. While employee's requests will be honored whenever possible, final approval must be given by the department head/elected official to provide continuity of operations.
- D. **VACATION TIME PAYMENT UPON TERMINATION OF EMPLOYMENT:** Any employee leaving the County shall be compensated for vacation leave earned and unused at the date of termination of employment, at the employee's current pay rate, or as may be prescribed by state and/or federal laws.
- E. **HOLIDAYS DURING VACATION LEAVE:** Whenever a paid holiday falls during an authorized vacation leave, the employee's leave on the date of the paid holiday shall be considered a holiday for payroll purposes, and shall not be charged to the employee's accumulated vacation leave.
- F. **PAYMENT IN LIEU OF VACATION:** For active employees, no salary payment shall be made in lieu of vacation not taken on a yearly basis.

Section 6.2 SICK DAYS AND PERSONAL LEAVE:

The personnel policy regarding sick leave for County employees stipulates that:

- A. **SICK DAYS:** After completing the ninety (90) day probationary period, each full-time employee of the County of Moultrie shall be given sick leave under the following conditions:

- ~~1. One working day per month and any portion thereof will be rounded to the nearest month, accumulative to a total of forty five (45) working days [amended from 40 days 10-14-2010]. Employees with ten (10) years or more of service shall be allowed to accumulate an additional ten (10) days, in addition to any current accumulation, but the total shall not exceed fifty five (55) days [amended from 50 days 10-14-2010].~~

Effective 06/12/2014:

Employees shall accrue one sick day per month of employment provided that the employee either works or is on paid leave for at least one-half of the month. For example, if an employee begins employment on April 11th, he or she will accrue one sick day on May 11th. If an employee begins working on the last day of a

month and the next month has no corresponding numeric day, the employee will accrue a sick day on the last day of the next calendar month (i.e. an employee beginning employment on May 31st would accrue a sick day on June 30th).

Employees with less than ten (10) years of service may accumulate up to but not exceed 45 days of sick leave. Employees with ten (10) years or more of service may accumulate up to but not exceed 55 days of sick leave. Employees with less than ten (10) years of service may not use more than 45 days of accumulated sick leave in a 12-month period. Employees with ten (10) years or more of service credit may not use more than 55 days of accumulated sick leave in a 12-month period. Each time an employee requests to use sick leave, the elected official or department head will review the preceding 12 month period of time. Any sick leave taken during that preceding 12 months will be deducted from the maximum usable sick leave.

Employees who participate in IMRF may accrue additional sick days, up to a maximum of 240, for the purpose of obtaining additional IMRF service credit upon retirement. If an employee has utilized his or her 45 or 55 maximum accrued sick days, any additional days which the employee had accrued for IMRF purposes may then be re-classified as "usable" sick days, however, an employee is still limited to taking no more than 45 or 55 days of sick leave in a 12-month period based on their Anniversary Date.

2. In addition to personal illness, sick leave may be granted for sickness in the employee's immediate family, child birth by an employee or by employee's spouse/civil union partner, adoption, to meet physical, dental, and vision examinations that cannot be scheduled during the employee's off duty hours for employee or employee's immediate family, or to take other necessary measures to insure good physical health of employee or employee's immediate family. For purposes of determining authorized sick leave under this provision, "immediate family" is defined to be spouse/civil union partner, mother, father, child (birth, adopted or step), and any blood relative that resides full-time in the employee's home.

B. **PERSONAL LEAVE:** Personal leave is granted by the County to transact personal business and must have the approval of the department head/elected official. After completion of the ninety (90) day probationary period, each employee may take two (2) personal days of leave per employment year. Personal leave is non-accumulative.

C. **UNUSED DAYS:** In no event shall any compensation be paid to any employee for unused sick days ~~or unused personal leave~~. Any employee leaving the County shall be compensated for personal leave earned and unused at the date of termination of employment, at the employee's current pay rate, or as may be prescribed by state and/or federal laws. [revised 09/11/2014]

D. **APPROVAL OF SICK/PERSONAL DAYS:** Use of sick/personal leave is subject to approval by the employee's supervisor. When an employee is incapacitated, it is his/her responsibility to notify the supervisor at the earliest possible moment. Such notification should include the employee's best estimate of the duration of the absence, if possible.

Requests for sick day use for medical, optical and dental examinations or treatments must be made prior to the beginning of the absence and should be made so as to

create minimal disruption of work schedules.

When a supervisor has reason to believe that the sick day privilege is being abused, proof may be required of individual employees for every absence, regardless of the period of time. Prior to use of this control, the employee in question should be counseled and notified of the constraint being placed upon the use of sick days. For periods of absence of more than three consecutive workdays or a pattern of sick leave requests, the employee may be required to provide a physician's statement.

- E. **DONATED SICK LEAVE:** Employees shall have the right to donate up to five (5) days of their unused, banked sick leave to another employee.
- E. **IMRF CREDIT:** Retiring IMRF members, 55 years and older, qualify for a maximum of one year of additional pension service credit for unpaid, unused sick leave accumulated at the rate of one month for every 20 days of unpaid, unused sick leave or fraction thereof.

Section 6.3 BEREAVEMENT

Three (3) paid days per occurrence shall be allowed for a death in the immediate family of full-time employees. Immediate family is defined for the purposes of this section to be spouse/civil union partner, mother, father, child, brother, sister, grandmother, grandfather, grandchild, spouse/civil union's relatives of the same degree of blood relationship and any blood relative who resides full-time in the employee's home. These paid days are considered as bereavement days and not sick/personal days. If any additional time is needed, the time off may be taken from paid vacation/sick/personal days, with approval of the department head.

Section 6.4 JURY DUTY

Court leave shall be granted to employees who are called to jury duty or are required to be absent from work because of subpoena from any legislative, judicial or administrative tribunal. Time away from work with pay and regular benefits shall be granted for such purposes. Per Diem court reimbursement must be written over to the County. Employees are expected to return to work whenever possible during jury time and carry out as many of their job responsibilities as time permits during regularly scheduled working hours.

Section 6.5 FAMILY AND MEDICAL LEAVE ACT AND MILITARY LEAVE (FMLA) POLICY

This policy document supersedes any other existing policy or policy document governing the handling of leave taken pursuant to the Family and Medical Leave Act of 1993 ("FMLA"). It is intended to conform with Moultrie County's obligations under 29 C.F.R. §825.300.

I. ELIGIBILITY

To be eligible for FMLA benefits, an employee **must:**

- (1) have worked for Moultrie County for a total of 12 months; and
- (2) have worked at least 1,250 hours over the previous 12 months.

II. LEAVE ENTITLEMENT

A covered employee is entitled to up to a total of 12 workweeks of unpaid leave in a 12 month period for one or more of the following reasons:

- For the birth of a son or daughter, and to care for the newborn child;
- for the placement with the employee of a son or daughter for adoption or foster care;
- to care for the employee's spouse, son or daughter or parent (but not parent-in-law) who has a serious health condition,
- when the employee is unable to perform the functions of the employee's job because of a serious health condition, or because of incapacity due to pregnancy, prenatal medical care or child birth.

Leave to care for a newborn child or for a newly placed child must conclude within 12 months after the birth or placement.

Spouses employed by the County may be limited to a **combined** total of 12 work weeks of family leave for the following reasons:

- birth and care of a child;
- for the placement of a child for adoption or foster care, and to care for the newly placed child; and,
- to care for an employee's parent who has a serious health condition.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty, is entitled to up to 26 weeks of unpaid leave in a single 12-month period to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is on the temporary disability retired list. An eligible employee is entitled to a combined total of 26 workweeks of leave for any FMLA -qualifying reason during the single 12-month period, but is entitled to no more than 12 weeks of leave for:

- the birth of a son or daughter of the employee and in order to care for such son or daughter;
- because of the placement of a son or daughter with the employee for adoption or foster care;
- in order to care for the spouse, son, daughter or parent with a serious health condition;
- because of the employee's own serious health condition, or
- because of a qualifying exigency.

Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- If FMLA leave is for birth and care or placement for adoption or foster care of a son or daughter, use of intermittent leave is subject to the employer's approval.
- FMLA leave may be taken intermittently whenever **medically necessary** to care for a seriously ill family member or seriously ill or injured service member, or because the employee is seriously ill and unable to work.

The terms "son or daughter" are defined as biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability. An employee stands in loco parentis to a child when the employee intends to assume the responsibilities of a parent with regard to the child through either day-to-day care or financial support.

III. SERIOUS HEALTH CONDITION

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

IV. LEAVE AVAILABILITY CALCULATION

Moultrie County has adopted the "rolling 12 month period" method of calculating available FMLA leave for all types of leave with the exception of leave to care for a seriously ill or injured service member. Under the rolling 12-month period, in order to determine the amount of available FMLA leave, the calculation is made each time an employee commences an FMLA leave. From that date, the preceding 12 month period is examined. Any FMLA leave used during that preceding 12 months is deducted from the 12 weeks annual leave granted by the FMLA. The employee is entitled to take no more than the remaining balance of FMLA leave.

For FMLA leave requests made to care for a covered service member with a serious injury or illness, the single 12-month period begins on the first day the eligible employee takes FMLA leave.

V. SUBSTITUTION OF PAID LEAVE

Any employee taking FMLA leave is required to substitute and use any remaining paid "leave" benefits which are available or become available during the FMLA leave. This includes vacation, personal, sick days, and compensatory time (in offices where compensatory time is granted). Such paid leave is substituted for the unpaid FMLA leave, and is not in addition to such FMLA leave.

All other FMLA leave is unpaid.

VI. MEDICAL INSURANCE BENEFITS WHILE ON FMLA LEAVE

During FMLA leave, the County will maintain the employee's health coverage under any group health plan, under the same terms as if the employee had continued to work. If the employee was required to pay a portion of the premiums for coverage, that obligation continues while on leave. Payment is expected to be made in the same amounts, and at the same time (i.e. each payroll date) as was made while working. If any payment is more than 30 days late, medical coverage may be canceled pursuant to the FMLA Rules and Regulations.

An employee can elect not to continue medical coverage while on leave. If this election is made, the County will immediately place the coverage into COBRA.

If the coverage is continued while on FMLA leave, and the employee does not return to work at the end of the FMLA leave period, the County will bill the employee for the amount of premiums paid by the County during the leave period unless the employee does not return to work due to a reason exempted from this provision by FMLA Rules and Regulations.

No other employment benefits provided by the County to employees are continued during FMLA leave. All such benefits are instead held in abeyance until the employee returns to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

VII. PROCEDURE FOR REQUESTING FMLA LEAVE

An employee must provide the County with at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable. If 30 days notice is not possible, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will also be required to provide certification as specified below, and may be required to provide periodic recertification supporting the need for leave.

Any employee taking leave to care for the employee's covered family member with a serious health condition, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position must be supported by a certification issued by the health care provider of the employee or the employee's family member on the form attached to this policy. An employee taking leave because of a qualifying exigency or to care for a covered service member with a serious injury or illness must also be supported by a certification in the form attached to this policy except that an employee taking leave to care for a covered service member may provide an invitational travel order (ITO) or an invitational travel authorization (ITA) in lieu of certification for the leave taken through the expiration of the ITO or ITA. Additional copies of the certification forms can be obtained from the County Clerk's office. Employees are required to furnish the above-referenced certifications at the time the employee gives notice of the need for leave or within 5 business days thereafter. In the case of unforeseen leave, certification must be provided within 5 business days after the leave commences. FMLA leave may be denied in accordance with the FMLA Rules and Regulations if appropriate certification is not provided.

VIII. CONSEQUENCES OF TAKING FMLA LEAVE

Any FMLA leave taken will be counted against the available leave allowed by statute. Any employee seeking to return to work after leave taken because of the employee's own "serious health condition" must submit a medical certification of fitness to return to duty,

signed by the attending health care provider, before the employee will be allowed to return to work. Failure to comply with this requirement does not extend the leave.

On return from FMLA leave, the employee will be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The County reserves the right to deny restoration to “key employees” as defined by the FMLA regulations where restoration will cause “substantial and grievous economic injury” to the operations of the County.

If the employee is unable to perform an essential function of the position because of a physical or mental condition, including the continuation of a serious health condition or an injury or illness also covered by workers' compensation, the employee has no right to restoration to another position under the FMLA. The employee may, however, fall under the Americans with Disabilities Act (ADA).

IX. EMPLOYER RESPONSIBILITIES

The County must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the County will provide a reason for the ineligibility.

The County must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the employer must notify the employee.

X. UNLAWFUL ACTS BY EMPLOYERS

The FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

XI. ENFORCEMENT

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supercede any State or local law or collective bargaining agreement with provides greater family or medical leave rights.

XII. REFERENCE TO FMLA NOTICE POSTER

The County has posted in each building, a notice setting forth the relevant provisions of the FMLA. The terms of the notice are incorporated in this policy document as if they were specifically set forth. Each employee is charged with familiarizing him/herself with the contents of the notice concerning all applicable employee rights and obligations under the FMLA.

XIII. WORKING PROHIBITED WHILE ON FMLA (Subsection XIII added to Sec. 6.5 on 07/12/2018 – Resolution 18-01)

An employee out on FMLA leave may not use that time to engage in work elsewhere, whether as an employee, independent contractor, volunteer or otherwise, unless prior written approval from Moultrie County has been obtained. If an employee is taking FMLA leave, it must be because an FMLA-qualifying reason is preventing the employee from appearing at work for Moultrie County. Performing work elsewhere is contradictory to that premise and will create a presumption that the employee fraudulently obtained or continued FMLA Leave.

Section 6.6 IMRF DISABILITY LEAVE

All employees who may be eligible for IMRF disability benefits should contact the IMRF Field Representative (contact information available in the County Clerk's office) for important, detailed information regarding IMRF disability benefits, rights and responsibilities.

Section 6.7 MILITARY LEAVE

Military leave shall be granted as prescribed by state and federal law. Unless otherwise specified by law, military leaves of absence will be unpaid. Employees on military leave will continue to accrue seniority and to be entitled to certain other employee benefits to the extent required by law.

Section 6.8 GENERAL LEAVE OF ABSENCE

A. **LEAVE REQUESTS:** Employees may request a general unpaid leave of absence for personal matters. Leaves are granted on the assumption that the employee will be available to return to regular employment when the conditions necessitating the leave permit. The decision to grant such leave shall be at the sole discretion of the department head/elected official. Such leave may be requested for:

- The continuation of or completion of a pursuit of a degree for the purpose of training in subjects related to the work of the employee and which will benefit the County.
- To recover from their own illness or attend to family illness beyond the 12 weeks allowed under FMLA. (See Family Leave Section 6.5)
- Personal business which will require an employee's attention for an extended period, such as a settlement of an estate, liquidating a business, attending court as a witness on non-County related cases, and for the purposes other than the above that are deemed appropriate by the department head/elected official.
- A leave of absence will not be granted to enable an employee to try for or accept employment elsewhere or for self-employment. Employees who engage in employment elsewhere during such leave may immediately be terminated by the County.

B. **PROCEDURE:** Employees may submit a written request to their department head/elected official asking for a leave of absence without pay. The request shall be in writing, stating the reasons for the request, the date desired for the start of the leave and probable date of return. Authorization for such leave shall be within the

sole discretion of the department head/elected official whose decision will be based upon the operational needs of the department, the work record of the individual and the reason for the request. An employee is required to exhaust available paid vacation and sick/personal leave before an unpaid general leave of absence is commenced.

- C. **BENEFITS:** If the current Insurance Policy provider allows, for the remainder of the month during which a general leave begins, thereafter the County will continue to provide group health insurance coverage under the same conditions as it did before the leave began. Subsequently, such insurance coverage, if desired by the employee and otherwise available through the County, shall be fully paid by the employee through the duration of the leave.

With the exception of group health, life, dental and vision coverage, an employee is not entitled to accrue any other employment benefit while on a general leave.

Unless otherwise stated or otherwise required by law, length of service shall not accrue for an employee who is on an approved non-paid leave status. Accumulated length of service shall remain in place during that leave and shall begin to accrue again when the employee returns to work on a pay status. Unless otherwise stated, an employee returning from leave will have his/her seniority continued after the period of the leave. Upon return, the County will place the employee in his/her or her previous assignment, if vacant; if not vacant, the employee will be placed in the first available assignment according to the employee's seniority, where skill and ability to perform the work without additional training is equal.

If, upon the expiration of a leave of absence, there is no work available for the employee or if the employee could have been laid off according to his/her seniority except for his/her leave, he/she shall go directly on layoff.

During an approved unpaid leave of absence or layoff, an employee shall be entitled to coverage under applicable health, life, dental and vision insurance plans to the extent provided in such plan(s), provided the employee makes arrangements for the change and arrangements to pay the entire insurance premium involved, including the amount of premium previously paid by the County. The amount of this premium may change from time to time. The employee's premium payment is to be made in the County Clerk's office. The County Clerk will inform the employee of the date the premium is due.

- D. **DURATION:** A general leave of absence may be granted for up to twelve (12) workweeks. Extensions may be granted for an additional period at the discretion of the County Board Chairperson.
- E. **RETURN TO DUTY:** A return date shall be agreed to by the employee and the department head/elected official at the time the general leave is granted. Generally, this will be the probable return date specified in the employee's application.

An employee may request an extension of the general leave by making application to the County through the County Board Chairperson in the same manner as on original application, provided such extension may not be granted in excess of the limits set forth above.

Prior to reinstatement after a general leave of absence for an illness, an employee must present to the department head/elected official a physician's written statement certifying that the employee is capable of returning to work and performing, either with or without reasonable accommodations, the essential functions of the

employment position involved.

- F. **RESIGNATION:** An employee who fails to return from a general leave on the designated return date, either as originally agreed or as extended, shall be considered as having abandoned and resigned his/her employment position with the County.

Section 6.9 WORKERS' COMPENSATION LEAVE

An employee experiencing occupational disability due to an accident or illness arising out of and in the course of his/her employment may be placed on Workers' Compensation Leave; such workers' compensation leave, including any time off for required therapy or doctor visits, shall be designated as FMLA, assuming that all FMLA qualifications are satisfied. Participating employees should apply for IMRF Disability Benefits if eligible.

An employee still employed by the County, who is receiving workers compensation benefits, will continue to be covered under the County's group health insurance plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period.

Employee premium contributions will be required through direct payment to the County Clerk's office. The employee will be required to pay his/her share of health insurance premiums on the same schedule as he/she would under COBRA. Employee contribution amounts are subject to any change in rate that occurs while the employee is on leave.

If an employee's contribution is more than 30 days late and 12 weeks of FMLA leave have been utilized, the County will terminate the employee's insurance coverage. The employee will be notified at least 15 days before the coverage lapses.

Pursuant to this policy, the County has the right to seek reimbursement from the employee for costs incurred for health insurance premiums on behalf of the employee during the leave of absence. Prior to leave and again upon returning to work, the payroll office (County Clerk's office) will provide Salary Withholding Authorizations forms to be completed by the employee.

Other elective payroll deductions are the responsibility of the employee. Costs advanced by the County are subject to the same Salary Withholding Authorization as health insurance benefits.

Section 6.10 INABILITY TO CONTACT

If after reasonable efforts, the employee cannot be contacted regarding his/her intent to return to work after an approved leave of absence, the employee shall be deemed to have resigned his/her position with the County.

Section 6.11 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT POLICY

Illinois employees may take unpaid leave under the Victims Economic Security and Safety Act ("VESSA") to seek assistance in response to an act or threat of domestic violence, sexual assault, or stalking. Employees may take this leave to seek services for a victim of domestic or sexual violence if the victim is: 1) the employee, 2) a covered family member (spouse/civil union partner, child or parent) or 3) a household member who is currently residing with the employee. VESSA leave is not allowed, however, if the employee's interests regarding the violent act are adverse to the victim's interests. The employee may take leave for a child who is a victim if that child is under age 18 or, if 18 years or older, the child is mentally or physically disabled and incapable of self-care. An employee is eligible to take up to 12 weeks of unpaid VESSA leave within any 12-month period and be restored to the same or an equivalent position upon his/her return from leave.

- A. **REASONS FOR LEAVE:** An employee may take VESSA leave to obtain assistance or services for a victim for the following purposes: (1) to seek medical attention for, or recover from, physical or psychological injuries caused by the domestic or sexual violence, (2) to obtain services from a victim services organization, (3) to obtain psychological or other counseling, (4) to participate in safety planning, seek temporary or permanent relocation, or take other actions to increase the safety of the victim from future domestic or sexual violence or ensure economic security, or (5) to seek legal assistance or remedies to ensure the health and safety of the victim, including preparing for or participating in any legal proceeding related to or resulting from domestic or sexual violence. If the employee misrepresents facts in order to be granted a VESSA leave, he/she may be subject to immediate termination.
- B. **NOTICE OF LEAVE:** The employee must give the County at least 48 hours prior notice, unless providing advance notice is not practicable under the particular circumstances. If the employee is unable to provide advance notice, he/she must provide notice when he/she is able to do so, within a reasonable period of time after the absence. Failure to provide the required notice may result in treatment of the absences as unexcused.
- C. **CERTIFICATION:** Employees requesting VESSA leave must provide proper certification for all absences. The certification must show that: (1) the victim for whom the leave is requested is the employee, a covered family member, or a covered household member, (2) the victim was subjected to an act or threat of domestic or sexual violence, and (3) the leave is to seek assistance for a purpose covered by the Act. The employee must provide two types of written documentation as certification: (1) a sworn statement by the employee showing that the leave qualifies for a purpose covered by VESSA and (2) written documentation from the source from whom assistance was sought or who could otherwise verify the nature of the leave, such as documentation from: (a) a representative of a victim services organization, an attorney, member of the clergy, or a medical or other professional, from whom the employee has sought services on behalf of a covered victim to address domestic or sexual violence or the effects of the violence, (b) a police or court record, or (c) other corroborating evidence. It is the employee's responsibility to ensure that the County receives the proper certification. If the County does not receive adequate certification within a reasonable time period after it is requested, or if the certification does not confirm a VESSA-qualifying purpose, the employee's absences will be treated according to the County's attendance standards.
- D. **REPORTING WHILE ON LEAVE:** The employee may be required to contact his/her supervisor on a regular basis regarding the status of his/her leave and intention to return to work.

- E. **LEAVE IS UNPAID: VESSA** leave is unpaid leave. The employee must use any accrued paid time off which would otherwise apply to the circumstances of the leave. For instance, if the leave was for the employee, because he/she is temporarily disabled due to domestic or sexual violence, the employee must use any accrued sick time for the portion of the leave. He/she must also exhaust all accrued vacation or other personal time for any of the purposes allowed under the Act. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period.
- F. **MEDICAL AND OTHER BENEFITS:** During an approved VESSA leave, the County will maintain the employee's health benefits, as if he/she continued to be actively employed. If paid leave is substituted for unpaid leave, the County will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's leave is unpaid, he/she must pay his/her portion of the premium during the leave. Group health care coverage may cease if the employee fails to make timely payments of his/her shares of the premiums. Payments are to be made to the County Clerk's office. If the employee does not return to work at the end of the leave period, he/she may be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during his/her unpaid leave, unless he/she cannot return to work because of the continuance, onset or recurrence of domestic or sexual violence, or other circumstances beyond his/her control. If that is the case, the employee will be required to produce written certification to confirm the circumstances beyond his/her control.

Vacation, sick time, or other benefits will not accrue while on unpaid VESSA leave. The employee will remain entitled to all of his/her benefits which accrued prior to his/her leave, however.

- G. **INTERMITTENT AND REDUCED SCHEDULE LEAVE:** VESSA leave may be taken intermittently (in separate blocks of time) or on a reduced leave schedule (reducing the usual number of hours the employee works per workweek or weekday). If leave is unpaid, the County will reduce the employee's salary based on the amount of time actually worked.
- H. **OTHER APPLICABLE LEAVES:** VESSA leave will run concurrently with any other applicable leave. For instance, leave taken under VESSA which also qualifies under the Family and Medical Leave Act ("FMLA") will be simultaneously designated as both VESSA and FMLA leave. Likewise, absences for which an employee receives sick time or short-term disability benefits for a purpose covered under VESSA will be designated as VESSA leave.
- I. **RETURNING FROM LEAVE:** If the employee wishes to return to work at the expiration of his/her leave, the employee is entitled to return to his/her same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment, subject to any applicable exceptions. However, the employee has no greater right to reinstatement or other benefits and conditions of employment than if he/she had not taken leave. The employee must return to work immediately after the expiration of his/her approved VESSA leave in order to be reinstated to his/her position or an equivalent position.

If the employee takes leave because of his/her own medical or psychological condition, the employee is required to provide medical certification that he/she is fit to resume work, according to the County's usual policies.

- J. **REASONABLE ACCOMMODATION IN THE WORKPLACE:** The County will consider making reasonable accommodations to an employee or job applicant for a known limitation resulting from domestic or sexual violence, unless the

accommodation would cause the County an undue hardship. If the employee is an otherwise qualified individual who can perform the essential functions of his/her job, but needs such an accommodation, the County may provide an adjustment to the job structure, workplace facility, work requirements, telephone number, seating assignment, or physical security of the work area in response to a need covered by VESSA. The County will also consider a request for transfer, reassignment, or modified schedule if needed due to a known limitation caused by an act or threat of domestic or sexual violence. Other safety measures may also be appropriate. Any employee covered by VESSA may make a request for leave or for a reasonable accommodation to the appropriate department head/elected official.

- K. **CONFIDENTIALITY:** The County will maintain the employee's written certifications and other documentation regarding any requests for VESSA leave in a confidential file. The County will not disclose the nature of the employee's leave other than to those specific persons who need to know in order to ensure the employee receives his/her VESSA rights.

- L. **NO RETALIATION:** The County strictly forbids any of its employees, managers or other representatives from discriminating, retaliating, or otherwise treating an employee unfavorably for requesting or taking VESSA leave or exercising any other rights under VESSA. If an employee feels he/she has been denied his/her VESSA rights or if an employee feels he/she has been treated unfavorably for having exercised any VESSA rights, the employee should immediately report such action to the States Attorney. The County will investigate the employee's concerns and take corrective action if it determines that someone has violated the County's VESSA policy.

Section 6.12 HOLIDAY PAY.

Holiday pay will be available to employees from the employee's date of hire. Any employee on unpaid leave the working day prior to a Holiday does not receive pay for that Holiday.

CHAPTER VII DISCIPLINARY AND SEPARATION ACTION

Section 7.1 STANDARD OF CONDUCT

Whenever people gather together to achieve goals, rules of conduct are needed to help everyone work together efficiently, effectively and harmoniously. By accepting employment with the County, the employee has a responsibility to the County and to his/her fellow employees to adhere to certain rules of behavior and conduct. When each person is aware that he/she can fully depend upon fellow workers to follow the rules of conduct, then the organization will be a better place to work for everyone.

Section 7.2 DISCIPLINE POLICY

While on County premises or engaged in County business, every employee is expected to observe all County rules and to conduct himself/herself in a professional and respectful manner. Failure to do so may subject the employee to discipline appropriate under the circumstances, inclusive of discharge.

It shall be the duty of the immediate supervisor to initiate disciplinary action on his/her own or to recommend to the department head/elected official such disciplinary action as the circumstances may warrant to maintain the efficiency of the department. Disciplinary action may be imposed upon an employee for any cause deemed appropriate under the circumstances.

An employee may be reprimanded, suspended or discharged whenever it is determined to be in the best interest of the County. Such determination may be made for any such lawful reason, including, without limitation, any one or more of the following:

1. Possessing firearms or other weapons on County property;
2. Fighting or assaulting another individual;
3. Threatening or intimidating others;
4. Engaging in any form of sexual or other harassment;
5. Reporting to work under the influence of alcohol or illegal drugs or narcotics or using, selling, dispensing, or possessing alcohol or illegal drugs or narcotics on County premises;
6. Disclosing confidential County information;
7. Falsifying or altering any County record or report;
8. Stealing, destroying, defacing, or misusing County property or another employee's or customer's property;
9. Refusing to follow management's instructions concerning a job-related matter or insubordination;
10. Failing to wear assigned safety equipment or failing to abide by safety rules and policies;
11. Smoking in a location prohibited by local ordinance, County rules or State law;
12. Using profanity or abusive language;
13. Sleeping on the job without authorization;
14. Gambling on County property;
15. Playing pranks, practical jokes, or engaging in horseplay;
16. Wearing improper attire or having an inappropriate personal appearance;
17. Incompetence, negligence, inefficiency, or failure or inability to perform assigned duties;
18. Abusiveness in attitude or language, or in conduct resulting in physical harm, injury, or harassment to County employees or the public;

19. Conviction of a felony or any criminal misdemeanor;
20. Causing damage to public property or waste of County supplies through negligence or willful misconduct, or failure to take reasonable care of County property;
21. Absence from scheduled work without prior authorization;
22. Claiming sick leave under false pretenses;
23. Absence without leave for a period of three (3) days (an involuntary resignation), or a failure to report after leave of absence has expired or has been disapproved, revoked, or canceled by the employee's superior;
24. Having a work history that shows excessive or chronic absenteeism. Excessive or chronic absenteeism shall be defined as any absence from work that is not otherwise accounted for with the use of approved vacation, sick/personal leave, bereavement leave, jury duty, Family Medical Leave, IMRF Disability Leave, VESSA Leave, military leave or a general leave of absence;
25. Falsifying any employment records including failure to account for or report time off.
26. Any other reason as determined by the employee's supervisor, employee's department head/elected official or the County Board.

These grounds for discipline DO NOT constitute an exhaustive list of all the acts which will subject an employee to disciplinary action. No set of rules can cover all situations. The County reserves the right to discipline and discharge employees for unacceptable conduct other than those prescribed herein.

With respect to all employees, it is the policy of the County to apply progressive discipline in the forms prescribed below where appropriate. The County may forego lesser forms of discipline and proceed immediately to dismissal depending upon the nature of the employee's conduct.

In general, any action or attitude which adversely affects job performance or the reputation of Moultrie County government may be cause for disciplinary action.

The following is a recommended procedure for employee discipline consistent with legal guidelines and good personnel management, and which may be utilized unless otherwise provided by Statute. While a system of progressive discipline may be followed, it is not always appropriate that each step be completed before moving to the next level or that any step be taken prior to discharge:

- Documented Verbal Reprimand: The immediate supervisor may give a verbal reprimand and explanation to the employee of what he/she did wrong and why it is important that the episode not be repeated. The immediate supervisor will then make a short written record of their conversation. The supervisor and employee will both initial the written record, and both will retain a copy of it. This record will become part of the employee's departmental and County personnel file.
- Written Reprimand: If the employee continues to have difficulties in the same areas, or if the violation or infraction warrants, the immediate supervisor may prepare a written warning which contains a statement as to the date and nature of the infraction, and any other pertinent data including corrective measures to be taken. This record will be retained in the employee's personnel file.
- Disciplinary Probations: Repetition of conduct otherwise meriting a lesser form of discipline, or commission of more serious misconduct, may result in an employee being placed on probation for a period of from one to three months. This may be done simultaneously with or following a written reprimand.

- **Suspension:** The department head/elected official may use suspension as a disciplinary action. In appropriate circumstances, the department head/elected official may order an employee suspended from duties without pay for a period not to exceed 30 calendar days.
- **Dismissal:** Since all employees are at-will, the County retains the right to dismissal and that remains the right of the department head, elected official or County Board.

Section 7.3 GRIEVANCE PROCEDURE

A. **GENERAL:** A grievance is a non-probationary employee complaint arising from a situation that is contrary to regular and ordinary employment practices and falls in the following categories:

1. Safety
2. Working Conditions
3. Wages and Hours
4. Involuntary Termination

B. **DEFINITIONS AND RULES FOR GRIEVANCE PROCEDURE:** Workdays are considered to be Monday through Friday, exclusive of County observed holidays.

A grievance filed by an employee of the County shall be filed in accordance with provisions of this policy.

If at any step in the grievance procedure the representative of the employer fails to respond within the time limits set forth, the employee may appeal the grievance to the next step within the time limits set forth. Time limits may be extended by mutual consent of both parties involved provided their decision has been communicated to the County Board.

The Grievance Committee shall consist of the County Board Chair, the Vice-Chair, and the chair of the Personnel Committee. If there is a conflict of interest or a member of the committee declines to sit on the committee, the County Board Chair shall appoint a County Board member replacement.

C. **GRIEVANCE FILING PROCEDURE:** These procedures are intended to encourage open communications between employees and their supervisors, and swift resolution.

1 **Step 1:** The goal of swift resolution can best be achieved if an employee will present his/her grievance verbally to his/her immediate supervisor. This should be done as soon as the cause for the grievance is known, but not later than five (5) workdays from the occurrence or circumstance. The immediate supervisor should respond verbally as soon as possible, ideally within ten (10) workdays from receipt of the grievance. Many, if not most grievances can be resolved swiftly in this informal manner.

- 2 **Step 2:** If the grievance is not settled at Step 1, the employee may file a written grievance with the department head/elected official, within five (5) workdays after the immediate supervisor's response in Step 1. The department head/elected official and the supervisor shall discuss the grievance with the employee at a time mutually agreeable to the parties (ideally within ten (10) workdays). The department head/elected official shall strive to provide a written answer to the grievance within five (5) workdays following the meeting with the employee. If the department head/elected official is the immediate supervisor referred to in Step 1, then the employee will proceed to Step 3 immediately.
- 3 **Step 3:** If the grievance is not settled in Step 2 and the employee wishes to appeal the grievance further, the employee shall assume the responsibility of referring the written grievance within five (5) workdays to the Personnel Committee Chair. The committee chairperson shall notify the County Board Chairperson to call a Grievance Committee meeting. A meeting will be held between the Grievance Committee and the employee, the employee's representative (if applicable) and the immediate supervisor on a date agreeable to the parties not to exceed twenty-one (21) workdays after the grievance is presented to the committee. The Grievance Committee shall provide the employee with a written answer to the grievance following the Committee's resolution of the grievance.

D. **DECISION:** The decision of the Grievance Committee of the County Board shall be final.

E. **ACCELERATED GRIEVANCE PROCEDURE OF SUSPENSION WITHOUT PAY:** In grievance cases involving suspension without pay, the employee may elect to follow the following "fast track" grievance procedure: Omit Step 1 and go immediately to Step 2 unless his/her department head/elected official was the one who took the action to suspend the employee without pay or terminate the employee involuntarily. Then the employee shall proceed immediately to Step 3 and file the written grievance with the Personnel Committee Chairperson.

Section 7.4 ILLINOIS CLEAN INDOOR AIR/SMOKE FREE WORKPLACE

The Illinois Clean Indoor Air Law (Public Act 86-1018), July 1, 1990 established that non-smoking is the policy for the State of Illinois and prohibits smoking in all public places and places of work, regardless of size, except where specifically excluded from coverage.

Section 7.5 HARASSMENT POLICY

It is the policy of the County to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status, sex, or sexual orientation. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment. Any of the above conduct, or other offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age or military status is also prohibited.

Any employee who believes that a supervisor's, other employee's, or non-employee's

actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaints should be made to the employee's supervisor; to the department head/elected official if the complaint involves the supervisor or to the Chairperson of the Personnel Committee if the complaint involves a department head/elected official. Complaints of harassment will be handled and investigated under the County's grievance policy unless special procedures are considered appropriate. All complaints of harassment will be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved.

Any employee or supervisor who is found to have violated the harassment policy may be subject to appropriate disciplinary action, up to and including termination. The County prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However, if any investigation of a complaint shows that the complaint or information was false, the individual who provided the false information may be subject to disciplinary action, up to and including termination.

An employee who believes that he/she has been the subject of harassment or retaliation for complaining about harassment also has a right to file a charge of civil rights violations with the Illinois Department of Human Rights within 180 days of the harassment.

For further information, any such employee may call or write to:

Illinois Department of Human Rights
100 West Randolph Street, Room 10-100
Chicago, Illinois 60601
Telephone 312-814-6201

Section 7.6 DRUGS AND ALCOHOL POLICY

- A. **SCOPE:** This policy applies to all employees of the County while on the job and to situations where an employee's off-the-job or off-premises conduct impairs work performance or undermines the public confidence in, or harms the reputation, of the County.
- B. **POLICY OBJECTIVES:** The County values its employees and recognizes their need for a safe and healthy work environment. Establishment of a drug-free policy is consistent with the County's desired culture and is in the best interests of the County. The use of illegal drugs and controlled substance abuse, on or off duty, is inconsistent with the law-abiding behavior expected of all citizens. In addition, illegal drug use and controlled substance abuse inflict a terrible toll on the nation's productive resources and the health and well being of American workers. Employees who use illegal drugs or engage in controlled substance abuse on or off duty tend to be less productive, less reliable, and prone to greater absenteeism, resulting in the potential for increased cost, delay and risk in the County's business.

Employees of the County have the right to work in a drug-free environment. For these reasons, the County will not tolerate illegal drug use, sale, or possession, or controlled substance abuse by its employees.

Possession of or working under the influence of drugs or alcohol may result in disciplinary action up to and including immediate termination.

- C. **POLICIES:** It is the responsibility of both the County and the employee to maintain

a safe, healthful and efficient working environment. For that purpose, the County has adopted these policies.

1. The possession, use or sale of illegal drugs or the misuse of alcohol on County premises or while on County business is prohibited.
2. The County reserves the right to require a drug test or an alcohol breath test following a workplace accident or in the event the employee's supervisor has reason to believe that the employee may be under the influence of drugs or alcohol.
3. Any employee convicted of any criminal drug statute violation will notify the employer no later than five (5) days after such conviction.

Section 7.7 SEXUAL HARASSMENT POLICY AND COMPLAINT PROCEDURE

Moultrie County has a Sexual Harassment Policy and Complaint Procedure, a copy of which is provided to employees at the time of employment.

Section 7.8 COUNTY OF MOULTRIE ETHICS ORDINANCE

Moultrie County has an Ethics Ordinance, a copy of which is provided to employees at the time of employment.

CHAPTER VIII NETWORK AND SOCIAL MEDIA POLICY

Section 8.1 ORDER

Information Technology (IT) resources are assets of Moultrie County and must be protected from accidental or unauthorized access, use, disclosure, modification, or destruction by employees, contractors, or any individual whether on County or non-County provided equipment.

This policy applies to Moultrie County employees, Moultrie County Board Members, Elected Officials and their employees.

Section 8.2 OVERVIEW

The general use of IT resources is covered in this Employee Handbook. IT resources include, but are not limited to, electronic data processing equipment and software, and the information which is stored, processed, or transmitted from, to or through that equipment. Information Technology resources must be used for authorized County business purposes. Personal use is allowed only with permission of the department head/elected official. The County reserves the right to, among other actions, access, audit, block, delete, disclose, intercept, monitor, publish, recover, restrict, restore, review, screen, or trace any information at any time without notice. Logging onto the County Network or using any other Technology device constitutes agreement with this policy.

Section 8.3 SECURITY

Examples of job-related use could be: accessing external databases and files to obtain reference information or to conduct research; corresponding with constituents and providing document delivery; disseminating newsletters, press releases, or other documents to large groups of people, etc. Unauthorized access to information is strictly prohibited. All users must safeguard all County information. Users should be aware that many electronic documents and communications may be subject to disclosure under the Freedom of Information Act. A broader range of documents would be subject to disclosure in response to a subpoena issued as part of a lawsuit or a criminal investigation. Therefore, users must treat electronic documents and communications with the same level of care, both in production and storage, as is accorded documents and communications that are in print form. Access to IT resources will be immediately deactivated when a County employee terminates employment or rights are withdrawn for any other reason.

Section 8.4 ENFORCEMENT

Use of any County IT resource may be audited and monitored. It is each user's responsibility to understand and comply with the set forth Policy. Noncompliance with this Policy may be cause for disciplinary action as well as monetary charges being assessed where appropriate. If it is determined that an employee has used IT resources for personal use, without permission from the department head, the employee will be subject to appropriate disciplinary action for misuse of County property, up to and including discharge.

Section 8.5 DEFINITIONS

- A. **USERS:** The term "users" refers to all employees, independent contractors, consultants, temporary workers and other persons or entities who use County Information Technology resources.
- B. **INFORMATION TECHNOLOGY RESOURCES:** The term "information technology resources" refers to the County's entire computer network. Specifically, information technology resources includes, but is not limited to: individual workstations, file servers, communication servers, application servers, mail servers, fax servers, Web servers, laptops, software, data files and network cables, whether connected to the network or not.

Section 8.6 GUIDELINES

A. PRIVACY

1. **No Expectation of Privacy:** The computers and computer accounts are given to users to assist them in performance of their jobs. Users do not have an expectation of privacy in anything they create, store, send, or receive on any technology resource. The computer system belongs to the County.
2. **Waiver of Privacy Rights:** Users expressly waive any right of privacy or expectation of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel selected at the sole discretion of the County to access and review materials users create, store, send, or receive on the computer or through the Internet or any other computer network. Users understand that the County may use human or automated means to monitor use of its computer resource.

B. PROHIBITED ACTIVITIES

1. **Misuse of Software:** Without prior written authorization in the form of a "Request for Waiver" from the department head/elected official, users may not do any of the following:
 - Copy software for use on their home computers
 - Provide copies of software to any independent contractors of the County or to any firm or individual, unless specifically authorized through an official County contract or agreement
 - Install software on any of the County workstations or servers
 - Download any software from the Internet or other online service to any of the County workstations or servers
 - Modify, revise, transform, recast, or adapt any software; or
 - Reverse-engineer, disassemble, or decompile any software. Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to their department head/elected official.

2. **Prohibited Uses:** Without prior written permission from the department head/elected official, County computer resources may not be used for dissemination or storage of personal advertisements, solicitations, promotions, destructive programs (i.e., viruses or self-replicating code), or any other unauthorized use.
3. **Communication of Confidential Information:** Sending, transmitting or otherwise disseminating without authorization proprietary County data or other information identified as confidential is strictly prohibited.

C. PASSWORDS

1. **Responsibility For Passwords:** Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords.
2. **Passwords Do Not Imply Privacy:** Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in the material they create or receive.

D. SECURITY

1. **Accessing Other Computers And Networks:** A user's ability to connect to other computer systems through the network or by a modem does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.
2. **Computer Security:** Each user is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of County computer resources. This duty includes taking reasonable precautions to prevent intruders from accessing the County's network without authorization and preventing introduction and spread of viruses.

E. VIRUSES

1. **Virus Detection:** Viruses can cause substantial damage to computer systems. Each user is responsible for taking reasonable precautions to ensure he/she does not introduce viruses into the County's network. To that end, all material received on floppy disk or other magnetic or optical medium and all material downloaded from the Internet or from computers or networks that do not belong to the County MUST be scanned for viruses and other destructive programs before being placed onto the computer system. Users should understand that home computers and laptops might contain viruses. All disks transferred from these computers to the County's network MUST be scanned for viruses.
2. **Accessing the Internet:** To ensure security and avoid the spread of viruses, users accessing the Internet through a computer attached to the County's network must do so through an approved firewall.

F. **MISCELLANEOUS**

1. **Compliance with Applicable Laws and Licenses:** In their use of computer resources, users must comply with all software licenses; copyrights; and all other state, federal and international laws governing intellectual property and online activities.
2. **Other Policies Applicable:** In their use of computer resources, users must observe and comply with all other county policies and guidelines.

Section 8.7 I. Use of Social Media

The purpose of this policy is not to restrict the flow of useful and appropriate information but to minimize the risk to Moultrie County and its employees. The County recognizes the growing importance of online social media networks as a communication tool and respects the right of the employees to use the mediums during their personal time. Use of these mediums during work time is prohibited. Use of these mediums during lunch or on breaks using County equipment must have the prior approval of the elected official or department head.

The County takes no position on its employees' decision to participate in the use of social media networks. However, employees who participate in social media are encouraged to include information about their work for the County as part of their personal profile as it would relate to a typical social conversation. This might include:

- Work information such as employer, job title, and job duties.
- Status updates regarding an employee's own job promotion.
- Personal participation in County sponsored events, including volunteer activities.

A. In general, employees who participate in social media are free to publish their own personal information without censorship but County employees must avoid, however, posting information that could place the County at legal compliance risk or endangers the privacy of coworkers or County residents.

1. All employees are responsible for maintaining the County's positive reputation and presenting the County in a manner that safeguards the positive reputation of him or herself, as well as the County's other employees, elected officials, and department heads.
2. If an employee chooses to identify him or herself as a County employee on any social media network, he or she must state in clear terms that the views expressed are the employee's alone and that they do not reflect the view of the County. Employees are prohibited from acting as a spokesperson for the County or posting comments as a representative of the County.

There are some types of information employees are not permitted to discuss or display online including:

- Information that is confidential or proprietary to the County or a third party that has disclosed information to the County. For example:
 - Information about or identifying coworkers; residents using the services of the County offices, partners, vendors, and suppliers; or
 - Proprietary information obtained confidentially during discussions for the acquisition of a product or services that may be valuable to a bidder

including but not limited to product information, pricing, non-standard drawings and/or designs, software, ideas and innovations.

- The County's logo on any social media network without permission. Also, images of coworkers without their permission and the County's premises and property without permission.

There are some types of information employees are discouraged from discussing or displaying online including:

- Statements disparaging the County's services, leadership, or coworkers.
- Statements, comments, or images referencing illegal drugs or that include profanity or could be considered obscene.
- Statements, comments or images that disparage any race, religion, gender, sexual orientation, disability, or national origin. Also, any communication that engages in personal or sexual harassment, unfounded accusations, or remarks that would contribute to a hostile work environment. As well as, any behavior not in agreement with policies in the current Moultrie County Employee Handbook.

II. Notice

Employees will be subject to discipline for any social media postings that the County determines is detrimental to the County. Note that employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or proprietary information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media. Further, employees may be liable for monetary damages of such disclosure.

III. Violation of Policy

The nature of any social media posting and degree of harm to the County will be factors in determining whether discipline will be imposed and the severity of any such discipline, up to and including termination of employment.

CHAPTER IX WHISTLE BLOWER PROTECTION

Section 9.1 DEFINITIONS FOR WHISTLE BLOWER PROTECTION SECTION

"County" means: **"Moultrie County"**.

"Public body" means: any County elected official, any County appointed official, department head, or officer, any County Board Member, or any County agency; the federal government; any local law enforcement agency or prosecutorial office; any federal or State judiciary, grand or petit jury, law enforcement agency, or prosecutorial office; and any officer, employee, department, agency, or other division of any of the foregoing.

"Supervisor" means: any County elected official, any County appointed official, department head, or officer, any County Board Member, or any County employee who has the authority to direct and control the work performance of a County employee or who has authority to take corrective action regarding any violation of a law, rule, or regulation of which the County employee complains.

"Retaliatory action" means: the reprimand, discharge, suspension, demotion, or denial of promotion or transfer of any County employee in the terms and conditions of employment, and that is taken in retaliation for a County employee's involvement in protected activity, as set forth in Section 9.2 below.

SECTION 9.2 PROTECTED ACTIVITY

A County elected official, a County appointed official, department head, or officer, a County Board Member, a County employee, or a County agency shall not take any retaliatory action against a County employee because the County employee does any of the following:

- Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any County elected official, County appointed official, department head, or officer, County Board Member, County agency, or other County employee that the County employee reasonably believes is in violation of a law, rule, or regulation.
- Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any County elected official, County appointed official, department head, or officer, County Board Member, County agency, or other County employee.
- Assists or participates in a proceeding to enforce the provisions of this policy.

SECTION 9.3 BURDEN OF PROOF

Violation of this section may be established only upon a finding that:

- The County employee engaged in conduct described in Section 9.2 above; and
- That conduct was a contributing factor in the retaliatory action alleged by the County employee. It is not a violation, however, if it is demonstrated by clear and convincing evidence that the County elected official, County appointed official, department head, or officer, County Board Member, County agency, or other County employee would have taken the same unfavorable personnel action in the absence of that conduct.

SECTION 9.4 REMEDIES

The County employee may be awarded all remedies necessary to make the County employee whole and to prevent future violations of this section. Remedies imposed by the court may include, but are not limited to, all of the following:

- reinstatement of the employee to either the same position held before the retaliatory action or to an equivalent position;
- two (2) times the amount of back pay;
- interest on the back pay;
- the reinstatement of full fringe benefits and seniority rights; and
- the payment of reasonable costs and attorneys' fees.

SECTION 9.5 PREEMPTION

Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of a County employee under any other federal, state, or county law, rule, or regulation or under any collective bargaining agreement or employment contract.