



## **Employee Handbook**

**January 1, 2020**

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## SECTION ONE: INTRODUCTION

*The term “the County” has been used throughout this handbook to refer to the Employer, whether that be an elected official or governing body or agency.*

### 1.1 INTRODUCTION

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The Board of Supervisors and other elected and management personnel of Buena Vista County welcome you as you begin your employment with the County. Together we provide essential services to the citizens of the County.

The County depends upon your particular talents and ingenuity. Your efforts are supported by tax dollars and your conscientious performance can ensure the best possible results for each dollar spent. We anticipate that each employee will be provide the most efficient and responsible service possible to the citizens of the County and to each other.

This handbook was developed by Buena Vista County management personnel, including elected officials and appointed administrators, to describe some of the County's policies relating to your employment with the County. Some of the policies and benefits described in this handbook, such as the group health insurance plan, are covered in greater detail in official policy documents from the insurance carrier. You should refer to those documents for more information. The policies described in this handbook are presented as a matter of information only. While the County believes wholeheartedly in the plans, policies, and procedures described here, they are not conditions of employment.

The policies, procedures, benefits, and plans described in the handbook may be revised by the County without prior notice. The County retains the exclusive right to change, add to, eliminate, or modify any of the policies in the handbook at any time at its discretion, with or without notice. When changes are made, you will receive a supplement or a new handbook. Any suggestions you may have for changes in the policies explained in the handbook are welcome.

Any promises, representations, or actions by a County official or employee which are contrary to this handbook are not the official policy of the County and are of no force or effect. This handbook supersedes and cancels the effect of any previous versions of policies or employee handbooks.

This employee handbook is not intended to create any contractual rights in favor of you or the County. This handbook is not to be construed as an employment contract or as a promise that you will be employed for any specified period of time. Employment can be terminated at any time at the will of either you or the County. Nothing in this handbook changes the at-will nature of your employment with the County.

Departments vary in the services they provide for the public. Not all policies and regulations can be covered in this handbook. Your department head or supervisor will answer questions for you that are not answered in the handbook. This handbook provides guidelines to department heads and allows them discretionary power to efficiently perform the duties of their offices.

All County employees are covered by these policies except:

1. elected officials;
2. department heads, unless otherwise provided by the appropriate governing body;
3. employees hired on a contractual basis;
4. employees covered by collective bargaining agreements;
5. members of boards and commissions;
6. personnel appointed to serve without compensation;
7. persons employed on an intermittent basis including but not limited to reserve deputies and matrons.
8. persons covered by 28E Agreements, unless otherwise provided by the terms of the agreement.
9. employees of governing boards that have not signed the signature page.

**The policy prohibiting sexual harassment in county workplaces applies to all Buena Vista County employees, even those otherwise excluded from coverage.**

## **SECTION TWO: HISTORY OF BUENA VISTA COUNTY**

### **A LOOK AT EARLY BUENA VISTA COUNTY:**

The first settlement in Buena Vista County was at Sioux Rapids on the Little Sioux River. A trading post for trappers and Indians for furs, tobacco, liquor and supplies, it was the location of the first flour and timber mills. A stage road from Fort Dodge to Sioux City passed through.

On Jan. 15, 1851, the name and legal boundaries of Buena Vista County were established with 16 townships. The name was taken from the Battle of Buena Vista in Mexico won by General Taylor's American forces against General Santa Anna.

Buena Vista County was part of Woodbury County for voting and judicial activities until 1856. Sioux Rapids was the only town. A 3-man committee, designated by Judge A.W. Hubbard, selected Prairieville, (1 mile south of Sioux Rapids and later called Leesville) as the county seat. In 1858 an official county government was elected and organized.

In 1869 there were 242 county residents. The county was too remote and too small to furnish more than 3 men to serve in the Civil War in the Union Army upon President Lincoln's call. However, it grew rapidly to 2,000 in 1870.

## **COURTHOUSE HISTORY**

No town arose at Prairieville, so the first official county business was conducted in the living room of George Struble's log cabin in Sioux Rapids. The next location was a sod house built by Abner Bell, 14'x 14'. The first courthouse was erected in Sioux Rapids in 1870, 26'x 36', 2 stories high for \$4,945. It had just been finished when a series of battles for the county seat location began. A new railroad had just been laid with Alta, Storm Lake, and Newell along its line. The city of Newell erected a brick building hoping that the county seat would be located there. It was not.

On January 1, 1877, the Sioux Rapids courthouse burned to the ground with all its contents except for a safe and the Board of Supervisor's records. Court was held in a school-house and Newell and Alta gave up their aspirations to support Storm Lake. Storm Lake had constructed a 30'x 36' 2-story city hall. The city offered to lease it for 10 years to the county as a courthouse, if Storm Lake were named the county seat. The offer was accepted in 1878. A committee of Storm Lake residents went to Sioux Rapids, with 2 barrels of apples as a peace offering, to claim the county records. No struggle occurred. In 1888 a new brick courthouse (identical to the current Sac County courthouse) was constructed for \$25,000.

Construction on the present courthouse was started in 1969, with dedication in 1972, at a total cost of about \$1,200,000.

**Excerpted from:** *BV County Courthouse pamphlet by William B. Perry, and Iowa's Magnificent Courthouses by Edward & Jacqueline Stanek.*

## **SECTION THREE: EMPLOYMENT POLICIES**

### **3.1 EQUAL EMPLOYMENT OPPORTUNITY, HARASSMENT AND ADA COMPLIANCE**

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#### **Equal Employment Opportunity**

Buena Vista County is dedicated to equal employment and advancement opportunities. It is the County's policy to hire and promote qualified individuals on the basis of their qualifications, interest and aptitude, without unlawful regard to race, religion, color, sex, age, national origin, sexual orientation, gender identity, disability, marital status, veteran status or any other classification protected by applicable law. This policy applies to all terms, conditions, and privileges of employment, including but not limited to recruiting, hiring, training, transfers, promotions, layoffs and benefits.

#### **Harassment**

Harassment, retaliation, coercion, interference, bullying or intimidation of any employee due to that employee's race, religion, color, sex, age, national origin, disability or any other characteristic protected by local, state, or federal law is strictly forbidden.

Harassing conduct in the workplace includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts or words; and written or printed materials that denigrate or show hostility to an individual or group made or posted in the workplace or in the course of employment for the County. Such conduct is not conducive to supporting a cohesive working environment at the County. Such conduct is a prohibited form of discrimination under state and federal employment laws and is considered grounds for disciplinary action up to and including termination of employment.

If you believe that you are being harassed or subjected to discrimination of any kind, you should use the complaint procedure for sexual harassment allegations.

### **ADA Compliance**

The Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals on the basis of disability. It is the policy of Buena Vista County to comply with the Americans with Disabilities Act (ADA). Buena Vista County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability. In compliance with the ADA, the County will consider reasonable accommodations that do not pose undue hardship to the County to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The County encourages applicants or employees to make suggestions regarding reasonable accommodations to their supervisors, department heads, or the County ADA Coordinator.

## **3.2 PREVENTING SEXUAL HARASSMENT IN THE WORKPLACE**

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### **Purpose**

It is the policy of Buena Vista County that all employees are responsible for maintaining a workplace free from sexual harassment. Submission to sexual harassment is not a condition of employment or advancement with the County. The County does not tolerate offensive or inappropriate sexual behavior in the workplace, and all employees must avoid any conduct which could be viewed as sexual harassment. This policy has been prepared in accordance with the Equal Employment Opportunity Commission's directives and reaffirms that sexual harassment in the workplace is an unlawful employment practice under Title VII of the Civil Rights Act of 1964.

### **Definitions**

Sexual harassment is illegal discrimination on the basis of sex. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual or harassing nature by supervisors, managers, co-workers, or others in the workplace. Sexual harassment exists when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of your employment;
2. Submission to or rejection of the conduct is used as the basis for decisions affecting your employment; or

3. The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may consist of a variety of behaviors, including, but not limited to the following examples:

1. Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, or threats;
2. Non-verbal or visual materials such as derogatory posters, photography, graffiti, cartoons, drawings, or gestures;
3. Physical conduct such as unwelcome touching, hugging, kissing, coerced sexual contact or assault;
4. Threats or demands to submit to sexual requests in order to keep your job or receive some job-related benefit; or
5. Retaliation for reporting or threatening to report harassment.

**Procedures:**

1. Any employee who has a complaint of sexual harassment at work, by anyone, including supervisors, department heads, co-workers, or visitors to the workplace, should immediately bring the problem to the attention of their department head, the County Attorney, or any member of the Board of Supervisors. Employees are assured that they will not be retaliated against as a result of reporting a complaint about sexual harassment.
2. The person receiving a complaint of sexual harassment shall immediately notify the County Attorney or the Chairperson of the Board of Supervisors who shall promptly name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is possible in order to conduct a thorough investigation.
3. Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint under this policy, participating in an investigation, or filing a complaint with a state or federal agency.
4. Any employee determined after investigation to have harassed another employee will be subject to appropriate disciplinary procedures depending on the severity of the behavior, up to and including termination. The County will take appropriate action intended to correct the behavior and to prevent further harassment.
5. In the event a non-employee subjects an employee to sexual harassment in the workplace, the employee's supervisor or manager will inform the non-employee of the County's policy against sexual harassment. Other action will be taken as appropriate to prevent further harassment.

### **3.3 PROOF OF EMPLOYABILITY**

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To comply with the Immigration Reform and Control Act of 1986, the County requires all employees to present documented proof of identity and eligibility to work in the United States. You are required to complete Section 1 of the Form I-9 on the first day of employment and to submit proof of employability and identity within three days of hire.

### **3.4 MEDICAL EXAMINATIONS**

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The County may require you to submit to a pre-employment, job-related medical examination, (including a drug screen) by a physician designated by the County. Medical examinations will be conducted after you have been offered a position and before you start work if the medical examination is required of all entering employees in the classification.

You may also be required to submit to a job-related medical examination when necessary to determine if you are still able to perform the essential functions of your position, and to any fitness for duty examinations required by federal, state or local law or County policy.

All medical information collected by the County will be maintained in a confidential, locked file separate from personnel files.

### **3.5 JOB POSTING**

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Whenever a position becomes available, a notice of such opening will be posted on the main bulletin board located on the main floor of the Courthouse for at least ten calendar days before the deadline for filling the position. The notice will contain the position title, a brief job description, minimum hiring specifications, and an indication of the employment type as provided for under Section 4.1.

Application forms are available from and shall be submitted to the appropriate department head. Applicants, including current employees, shall be considered on the basis of job-related qualifications including attitude, skill, ability, past performance, efficiency and disciplinary record. Military service shall also be a factor in hiring decisions, as provided by Iowa's Veteran's Preference law.

### **3.6 EMPLOYMENT OF RELATIVES**

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It is the County's policy to hire the best qualified person available for each position. Relatives of current employees are eligible for employment with the County, subject to limitations of state law governing the employment of relatives of public officials and employees and the terms of this policy. This policy applies to all County departments and all categories of employment in those departments, including full-time, part-time, and temporary classifications. Elected officials shall also comply with the restrictions on hiring close relatives set forth in Iowa Code Chapter 71.

To avoid the appearance of favoritism and difficulties in administering discipline, the County will not hire, appoint, transfer, promote, or otherwise place an individual in a position that involves the supervision of, or by, a family member. For purposes of this policy, "family member" includes the individual's mother, father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparent, spouse, son, daughter, son-in-law, daughter-in-law, step-child, grandchild, great-grandchild, niece, nephew, aunt, or uncle.

If a supervisory relationship between family members is created by the marriage of two employees, the two employees will be given the option of deciding who will transfer, if possible, or who will terminate employment. If the decision cannot be made by the two employees in a timely manner, length of service in the department will be the deciding factor and the least senior employee will be transferred if possible. Otherwise, the employment of the least senior employee will be terminated.

### **3.7 PERSONNEL FILES AND REFERENCES**

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Department heads maintain personnel files on each employee in accordance with recordkeeping requirements established by state and federal law. These files contain job-related information including performance appraisals and disciplinary records.

The County will release personnel information only in response to – a written request and your release or accordance with applicable state or federal law.

If you are interested in reviewing the contents of your personnel file, you may do so at a time mutually agreed upon by you and your department head. A representative of the County may be present during your review. You may, at your own expense, request and receive copies of the contents of your file, Or the County may charge a reasonable fee for copying the requested items for you.

To assure that our records are current, please notify your department head whenever there are any changes in your home address, telephone number, marital status, emergency contact, beneficiary designations, and number of dependents. Department heads will notify the County Auditor of any changes.

### **3.8 RE-EMPLOYMENT**

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All former employees of the County are considered new hires and have no accumulated benefits from previous employment. Transfer of an employee from one department to another department of the County shall not be considered re-employment and the employee shall retain all accumulated benefits.

### **3.9 TERMINATION OF EMPLOYMENT**

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As your employment is at-will, your employment may be terminated at any time by either the County or yourself. The employment relationship will be broken and terminated if you resign, retire, or are discharged.

In the event you decide to terminate employment, the County asks that you provide written notice of resignation to your department head at least two weeks prior to the effective date of your resignation (not a holiday or vacation day). Department heads will notify the Auditor immediately so that the appropriate forms may be completed.

For purposes of determining when and how your final paycheck is issued (with accrued vacation and compensatory time), the last date worked, or approved vacation day, shall be the date employment ceases.

When an employee leaves the employ of the County, his/her final paycheck for the time worked, float day, compensatory time earned, and vacation accrued shall be issued on the next regular payday for the pay period during which employment ceases, except in the case of the death of the employee. Employees with less than 1 year of service are not eligible for vacation pay upon termination. An employee's final check will not be eligible for direct deposit, unless written approval is given by the Department Head.

#### **Employees Who Resign With 2-Week Notice**

Employees leaving the County after the first year of employment who desire to take a vacation after giving notice of resignation may take the vacation prior to the date employment ceases. Any vacation not taken prior to the date employment ceases shall be paid in the last paycheck. Any compensatory time due the employee prior to the last pay period of employment shall either be taken prior to the date employment ceases, subject to department head approval, or shall be paid in the last paycheck.

#### **Terminated Employees or Employees Who Leave Without 2-Week Notice**

An employee who leaves County employment without providing two weeks-notice, or who is terminated by Buena Vista County (including an official or employee of the County) ceases to be a County employee as of the date that he/she actually last performed work on the job for the County. Payment for vacation and/or compensatory time to which the person is entitled will be included in the last paycheck that is payable to the person.

### **3.10 REDUCTION IN FORCE**

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If it becomes necessary to reduce the number employees will be given two weeks-notice prior to the effective date of the reduction.

If an employee is called back to work within six (6) months of the date of layoff, he/she shall retain, but not accrue vacation, seniority, and sick leave during the period of layoff.

Employment of employees who are not called back to work within six (6) months will be terminated.

Employees must return to work within three (3) workdays of the notification to report to work, or his/her employment will be terminated, unless other arrangements are made with the department head.

Employees on layoff are not eligible for holidays, vacation, sick leave or County group insurance programs. County paid medical and dental insurance coverage terminate at the end of the month in which the employee ceases to be actively at work (See Continuation of Group Health Coverage, Section 6.2).

### **3.11 REIMBURSABLE EXPENSES**

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#### **Commuting to and from work**

Commuting to and from work is not considered hours worked and an employee will not be compensated for their time or mileage while commuting to or from work.

#### **Official business within the County**

If an employee is required to use his/her vehicle to fulfill the job requirements of the County, the employee will be reimbursed at the current mileage allowance. All mileage reimbursements must have approval of the department head. Meals eaten while performing job responsibilities are not eligible for reimbursement.

An employee using his/her own car while on county business is responsible for carrying the minimum automobile insurance which is required by the State of Iowa. The employee must also have a valid driver's license.

#### **Official business outside the County**

The following expenses for meetings, training, and conventions approved by your department head will be considered for reimbursement:

- a. Registration fee (may be paid directly by the County)
- b. Lodging expenses at reasonable cost (may be paid directly by the County)
- c. Reimbursement for meal expenses shall be limited to the maximums approved by resolution of the Board of Supervisors. Employees must submit itemized receipts for reimbursement. Alcohol and tips are not a reimbursable expense.
- d. Meals incurred while at a one day out of County meeting, are reimbursed through payroll and are taxable. Meals incurred while at an overnight meeting are paid as an expense claim and are not taxable.
- e. Auto mileage at the established County rate per mile. If available, a county vehicle may be used for this purpose.

Travel expense reports and receipts are to be submitted after the employee returns from the event. The County will follow the provisions of the Fair Labor Standards Act regarding pay for attending and traveling to required, approved in-service meetings,

schools, or other designated meetings. Employees shall be paid their regular hourly rate for hours spent at required meetings or training sessions. Time spent traveling to and from a required meeting or training session will be counted as hours worked.

### **3.12 SMOKING POLICY**

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Smoking is prohibited in or on County property, except in designated areas.

### **3.13 DEPARTMENTAL RULES**

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Each elected official or department head may establish reasonable work rules in addition to the rules set out in this Handbook. You will be expected to comply with those work rules. Failure to do so will be cause for disciplinary action up to and including discharge.

Departmental rules shall be filed in the Auditor's Office.

### **3.14 INCLEMENT WEATHER**

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Because Buena Vista County serves the citizens of the county, the courthouse will make every effort to remain open during regular business hours. In extreme circumstances, however, the Board of Supervisors or a designated committee may determine that it is necessary to close the courthouse or designate a later start time or early closing or other county offices/facilities. If an employee's office hours are changed or closed by the County, then full-time employees will be paid for hours lost due to the closing of the office using the following guidelines:

1. Courthouse Closed
  - If you were scheduled to work on the days the county closed the courthouse, you will get paid for your scheduled hours.
  - If you were scheduled to be off – vacation, float day or Dr. appointment, you will receive pay through the leave plan for the reason you were absent. You will not receive additional pay for the closure.
2. Late Start or Early Out
  - You will get paid for hours of late start or early out as “other” time and regular pay for the remaining hours you worked.
  - If you called in sick that day you will receive pay available through your sick leave plan.
  - If you were scheduled to be off – vacation, float day or Dr. appointment, you will receive pay through the leave plan for the reason you were absent. You will not receive additional pay for the late start or early out hours.

In case of a severe weather conditions, such as a severe snowstorm, tornado or flooding conditions (as determined by the National Weather Service, the following policy will be in effect for non-exempt employees:

1. If an employee is unable to get to work, he/she will be allowed to charge such an absence to vacation or compensatory time provided he/she has the time accumulated. If no paid time is available, the employee may choose to take the time off without pay with department head approval.
2. In the event a severe weather conditions should occur the day before or on the day after one of the observed holidays, holiday pay would be paid to all eligible employees.
3. An employee may request to leave work early because of severe weather conditions. If the request is approved, the employee may use accumulated compensatory time, float day or vacation. If no paid time is available, the employee may choose to take the time off without pay with department head approval.
4. Benefit accumulation and eligibility will not be affected if an employee chooses to take the time off without pay.
5. Employees in departments that serve the public during severe weather (including departments that provide snow removal and law enforcement services) are expected to report to work during severe weather conditions.

## **SECTION FOUR: HOURS OF WORK AND COMPENSATION**

### **4.1 DEFINITION OF EMPLOYEE STATUS**

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**Full-time employee**” means an employee who is regularly scheduled to work at least thirty-five (35) hours per week. Such employees may be exempt or nonexempt under the Fair Labor Standards Act (FLSA) as described below. Full-time employees are eligible for benefits described in this handbook.

**“Part-time employee**” means an employee who is regularly scheduled to work less than thirty-five (35) hours per week. Such employees may be exempt or nonexempt under the Fair Labor Standards Act (FLSA) as described below. Part-time employees are not eligible for benefits described in this handbook unless otherwise indicated.

**“Temporary” employee** means an employee engaged to work full-time or part-time with the understanding that his or her employment will be terminated no later than upon completion of a specific assignment. Temporary employees are not eligible for any benefits described in this handbook unless otherwise indicated.

**“Seasonal employee**” means an employee engaged to work full-time or part-time for less than twelve (12) months per year. Seasonal employees are not eligible for any benefits described in this handbook unless otherwise indicated.

**“Exempt employee”** means an employee who is not eligible to receive overtime for work performed beyond forty hours in a work week in accordance with the Fair Labor Standards Act (FLSA).

**“Nonexempt employee”** means an employee who is required to be paid at a rate of time and one-half their regular rate for all hours worked beyond forty hours in a work week in accordance with the Fair Labor Standards Act (FLSA).

Nothing in this or any other section of this handbook shall be construed as a guarantee of the number of hours an employee will be scheduled to work.

## **4.2 EARNINGS AND HOURS OF WORK: GENERAL PROVISIONS**

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### **Work Schedules**

Daily and weekly work schedules may be changed at the discretion of each department head to meet varying conditions and workload. Changes in work schedules will be announced as far in advance as possible.

### **Recording Work Hours**

All non-elected employees must accurately record their hours worked for each pay period on a form provided by the payroll department. The Assistant County Attorneys are exempt from recording their hours.

### **Payday**

Employees of Buena Vista County are normally paid by the end of the working day every other Friday for work performed the previous two (2) week pay period. Checks will not be available before 8:00 a.m. on Friday. In the event of a Holiday falling on a Friday, the paychecks will be available on the day before the Holiday.

All required deductions, including those for state and federal taxes and your contributions to IPERS, Medicare and Social Security, and all voluntary deductions you have authorized will be automatically withheld from your paycheck.

Direct Deposit is also available for County Employees. Contact the Auditor's office for details.

The County is required to withhold federal and state income tax from your pay. Your tax withholding is based on the number of dependents you have listed on your W-4 form which you are required to file with the Auditor's Office when you begin County employment. You may amend your W-4 to change the number of dependents at any time by contacting the Auditor's office.

### **Overtime**

Overtime work may be necessary to maintain County operations and you may be required to work overtime. If you are classified as a non-exempt employee under the Fair Labor Standards Act, you will be compensated for overtime hours in the form of monetary compensation or compensatory time (see Hours of Work for each

department). Employees who are classified as exempt employees under the Fair Labor Standards Act are not eligible for overtime payments.

Paid leaves, vacation time, holidays or other paid non-work time are not considered as work time for the purpose of determining overtime. Only hours actually worked are counted for purposes of computing overtime.

#### **4.3 HOURS OF WORK – PROVISIONS BY DEPARTMENT**

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##### **Accommodation for Lactating Mothers**

As part of our family-friendly policies and benefits, Buena Vista County supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The county has designated the room for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Scheduler in the Auditor's Office at 712-213-7403. Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work offsite or in other locations will be accommodated with a private area as necessary. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

##### **A. COURTHOUSE - Departments of Auditor, Treasurer, Recorder, Assessor, Buildings/Grounds, Office Manager and clerical employees of the Sheriff's Office.**

###### **Hours of Work and Work Period**

Courthouse hours shall be 8:00 A.M. to 4:30 P.M. It is the policy of the County officials in the above departments to normally follow a schedule of five (5) eight (8) hour days, with a one-half (1/2) hour unpaid lunch period for full-time employees.

The normal number of hours per work week for full-time Buildings/Grounds staff is 43. The normal number of hours per work week for full-time Buildings/Grounds Superintendent is 45.

Weekly schedules for part-time employees will be established by each department head.

Department heads may allow an interruptible fifteen (15) minute rest break during each four (4) hour work period or may permit the rest breaks to be added to the lunch period. If a partial day is used for sick, vacation or comp-time, you will be eligible for a 15-minute paid break during *each* four (4) hours of work. However, recognizing that varying demands of the public and the work load occur, the number of hours per day and per week may be changed from time to time by the County official.

### **Work Period**

The work week for payroll purposes and for computing overtime shall commence at 12:01 AM on Saturday and end at 12:00 Midnight the following Friday.

### **Overtime**

Each department head shall determine whether it is necessary for employees in their department to work overtime hours. All overtime hours must have prior approval from the department head. All nonexempt employees who work in excess of forty hours in any work week shall be granted compensatory time at the rate of one and one-half (1 1/2) hours for each hour of overtime worked. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office. An employee may not accrue more than eighty (80) hours of compensatory time.

## **B. SHERIFF'S DEPARTMENT**

Work schedules for deputies, jailers, and matrons shall be posted for each month as far in advance as possible. Varying demands of the work load and the Department may require changes in the work schedule.

### **Hours of Work and Work Period: Patrol Deputy Sheriffs**

The work period for Patrol Deputy Sheriffs will normally consist of 86 hours in fourteen (14) consecutive days beginning at 5:00 AM on Sunday and ending at 5:00 AM upon completion of the fourteenth (14th) day in the work period. The work week shall be 43 hours with two weeks in the pay period.

### **Hours of Work and Work Period: Contract Deputies**

The work period for Contract Deputies shall normally consist of fourteen (14) consecutive days beginning at 5:00 AM on Sunday and ending at 5:00 AM upon completion of the fourteenth (14th) day in the work period. The work period shall be 86 hours in the 2-week pay period.

### **Hours of Work and Work Period: Civil Deputies**

The work period for Civil Deputies shall normally consist of fourteen (14) consecutive days beginning at 6:00 AM on Saturday and ending at 6:00 AM upon completion of the fourteenth (14th) day in the work period. The work period shall be 86 hours in the 2-week pay period.

### **Hours of Work and Work Period: Jailers and Matrons**

The work period for jail personnel shall normally consist of fourteen (14) consecutive days beginning at 6:00 AM on Sunday and ending at 6:00 AM upon completion of the fourteenth (14) day in the work period.

**Hours of Work: Dispatchers**

The work period for dispatch personnel shall normally consist of seven (7) consecutive days beginning at 12:00 AM Sunday to 11:59 PM the following Saturday.

**Overtime and Compensatory Time**

The Sheriff will determine whether it is necessary for employees to work overtime hours. All overtime hours must have prior approval from the department head. All nonexempt Patrol, Contract, and Civil Deputy Sheriffs who work in excess of 86 hours in a work period shall be granted compensatory time at the rate of one and one-half hours for each hour worked over 86, up to a maximum of 240 hours, or the Sheriff may approve overtime at the rate of one and one-half times the employee's straight time hourly wage rate for each hour of overtime worked in lieu of compensatory time.

Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office. The Sheriff may require the employee to schedule accumulated compensatory time so that it does not build to an excessive level.

**C. SECONDARY ROAD****Hours of Work and Work Period**

The normal work week schedule for Secondary Road employees, including equipment operators, technicians, mechanics and supervisory personnel will normally consist of forty (40) hours in the work week. The normal work schedule for the Administrative Assistant shall consist of 40 hours per week.

The work period for payroll purposes and for computing overtime shall commence at 12:01 a.m. on Saturday and end at 12:00 midnight the following Friday.

**Overtime**

The Engineer or his designee will determine whether it is necessary for employees to work overtime hours. All overtime hours must have prior approval from the department head. All nonexempt employees who work in excess of 40 hours in the work period shall be paid overtime at the rate of one and one-half the employee's hourly wage rate for each hour worked over 40. As per Secondary Road Departmental Rules, employees may on specific occasions accumulate compensatory time. Employees will be allowed to accrue compensatory time in lieu of overtime pay during the 22-week winter period for their first two (2) years of employment with the Road Department, up to a maximum of 40 hours each year. Any compensatory time earned during a given 22-week winter period must be used as time off during the subsequent 30-week summer period. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office.

## **D. PUBLIC HEALTH**

### **Hours of Work and Work Period**

Full-time employees shall normally follow a weekly work schedule of forty (40) hours. However, recognizing that demands of the public and the workload vary, the number of hours per day or week may be changed by the Administrator from time to time. Hourly schedules will be assigned by the Administrator based upon client needs, and may include weekends, evenings or holidays as necessary.

The work week for payroll purposes and for computing overtime shall commence at 12:01 AM on Saturday and end at 12:00 Midnight the following Friday.

### **Overtime**

The Administrator or his/her designee shall determine whether it is necessary for employees to work overtime hours. All overtime hours must have prior approval from the Administrator or his/her designee. All nonexempt employees who work in excess of forty hours in any work week, shall be granted compensatory time at the rate of one and one-half (1 1/2) hours for each hour of overtime worked. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office. An employee may not accrue more than forty (40) hours of compensatory time.

## **Clerical Employees**

### **Hours of Work and Work Period**

Full-time clerical employees in the Community Services Department shall normally follow a schedule of five (5) eight (8) hour days, with a one-half (1/2) hour unpaid lunch period for full-time employees. Weekly schedules for part-time employees will be established by the Director.

The Director may allow an interruptible fifteen (15) minute rest break during each four (4) hour work period or may permit the rest breaks to be added to the lunch period. However, recognizing that varying demands of the public and the work load occur, the number of hours per day and per week may be changed from time to time by the Director.

The work week for payroll purposes and for computing overtime shall commence at 12:01 AM on Saturday and end at 12:00 Midnight the following Friday.

### **Overtime**

The Director shall determine whether it is necessary for employees to work overtime hours. All overtime hours must have prior approval from the department head. All nonexempt employees who work in excess of forty hours in any work week shall be granted compensatory time at the rate of one and one-half (1 1/2) hours for each hour of overtime worked. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the

operations of the department or office. An employee may not accrue more than eighty (80) hours of compensatory time.

## **E. ENVIRONMENTAL HEALTH/ZONING**

### **Hours of Work and Work Period**

Full-time employees shall normally follow a weekly work schedule of thirty-five (35) to forty (40) hours. However, recognizing that demands of the public and the workload vary the number of hours per day or week may be changed by the Administrator from time to time. Hourly schedules will be assigned by the Administrator based upon needs, and may include weekends, evenings or holidays as necessary.

The work week for payroll purposes and for computing overtime shall commence at 12:01 AM on Saturday and end at 12:00 Midnight the following Friday.

### **Overtime**

The Administrator or his/her designee shall determine whether it is necessary for employees to work overtime hours. All overtime hours must have prior approval from the Administrator or his/her designee. All nonexempt employees who work in excess of 40 hours in the work period shall be paid overtime at the rate of one and one-half the employee's hourly wage rate for each hour worked over 40. Employees may on specific occasions accumulate compensatory time. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office. The Administrator may require the employee to schedule accumulated compensatory time so that it does not build to an excessive level. Employees who have accrued compensatory time may request the use of compensatory time and shall be permitted to use such time within a reasonable period after making the request, if use of compensatory time does not unduly disrupt the operations of the department or office. An employee may not accrue more than forty (40) hours of compensatory time.

## **F. Emergency Management Agency**

The Emergency Management Agency is staffed by one employee, the Emergency Management Coordinator, who is the department head. The department head will notify the Executive Committee of the Emergency Management Commission of their work schedule for each month. Varying demand of the work load and unexpected occurrences may require changes in the work schedule.

### **Hours of Work and Work Period**

The work period for the Emergency Management Coordinator will normally consist of 64 hours in fourteen (14) consecutive days beginning at 5:00 AM on Sunday and ending at 5:00 AM upon completion of the fourteenth (14th) day in the work period. The work week shall be 32 hours with two weeks in the pay period.

### **Overtime**

The Emergency Management Coordinator may, due to varying circumstances, be required to work in excess of forty hours in a week. As a non-exempt employee, the Coordinator shall be granted compensatory time at the rate of one and one-half hours for

each hour of overtime worked. The Coordinator must utilize any compensatory time off prior to the end of the fiscal year it was accrued, unless granted special permission by the Emergency Management Commission. The Coordinator may not accrue more than eighty (80) hours of compensatory time.

## **G. Chief Deputy Medical Examiner**

### **Hours of Work and Work Period**

The position of Chief Deputy Medical Examiner is a part-time position. The Chief Deputy Medical Examiner will have administrative responsibility for the department. The work period for Chief Deputy Medical Examiner shall normally consist of seven (7) consecutive days beginning at 12:00 AM Saturday to 11:59 PM the following Friday. See the employee handbook for insurance eligibility.

## **SECTION FIVE: TIME OFF BENEFITS**

### **5.1 HOLIDAYS**

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Buena Vista County recognizes certain days of importance as holidays and pays employees for time off on these days in accordance with certain eligibility rules. Full-time employees are eligible for the following paid holidays:

New Year's Day (Jan.1)	Veteran's Day (Nov. 11)
President's Day (3rd Mon. in Feb.)	Thanksgiving Day
Memorial Day (last Mon. in May)	Friday after Thanksgiving
Independence Day (July 4)	Christmas Day (Dec. 25)
Labor Day (1st Mon. in Sept.)	

Full-time employees are also eligible for 16 hours of float day each calendar year subject to the following limitations. New employees will receive 8 hours of float day following 60 calendar days of employment and an added 8 hours after 90 calendar days of employment. You may take your earned float day at any time during the calendar year subject to the work requirements of your department, and subject to approval. This float day must be used within the calendar year and cannot be carried forward. A terminating employee who has not used his/her float day for the calendar year will be paid for the unused float day at the time of termination. Employees shall receive 16 hours of compensation at their regular rate of pay.

**Pay for Holidays**

Full-time employees who do not work on a holiday listed above shall receive eight hours of compensation (holiday pay) for the holidays listed above, computed at one regular rate of pay.

**Pay for Holidays Worked**

Full-time non-exempt employees who do work on a holiday listed above will be paid as follows:

**Non-exempt Buildings/Grounds Staff and IT** who are called to work on a holiday shall receive their regular holiday pay and one and one-half times their normal hourly rate of pay for any hours worked, whether or not they work in excess of 40 hours in that work week.

**Non-exempt Secondary Road Personnel, Nurses and Home Care Aides** who are called to work on a holiday shall receive their regular holiday compensation for hours worked on the holiday (holiday pay) plus one and one-half times their normal hourly rate of pay for all hours actually worked on the holiday, whether or not they work in excess of 40 hours in that work week.

Because hours worked on a holiday are paid at the overtime rate, hours worked on a holiday will not be counted again for purposes of computing weekly overtime. For example, if a holiday falls on Monday and the employee works Monday through Thursday at 8 hours each day and works 9 hours on Friday, pay for Friday will be at straight time. The hours worked on Monday will be excluded from the total weekly hours because those hours are already paid at the overtime rate. In this case, the employee would be paid for 33 hours at straight time (hours worked Tuesday thru Friday) and 8 hours at time and one-half, which is equivalent to 45 hours of straight time (hours actually worked on the holiday), plus 8 hours of holiday pay which is at the straight time rate.

**Deputy Sheriffs and Jailers** who are called to work on a holiday shall receive their regular compensation for hours worked on the holiday (holiday pay) plus one and one-half times their normal hourly rate of pay for all hours worked on the holiday, whether or not they work in excess of 86 hours in that two (2) work week pay period.

**Communications Center Personnel**, who are called to work on a holiday shall receive their regular compensation for hours worked on the holiday (holiday pay) plus one and one-half times their normal hourly rate of pay for all hours worked on the holiday, whether or not they work in excess of 80 hours in that two (2) work week pay period.

**Emergency Management Agency.** The Coordinator shall receive six (6) hours compensation for the holidays listed in Section 5.1.

**When December 24 – Christmas Eve Day** falls during the workweek (Monday-Thursday) county offices will close at noon allowing employees to use compensatory time, vacation leave or float day for the 4-hour time period or go unpaid.

**When a Holiday Falls on a Saturday or Sunday**

Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday.

**Eligibility for Holiday Pay**

To be eligible for holiday pay, you must work the last regularly scheduled workday preceding the holiday and the first regularly scheduled workday following the holiday. An approved vacation day is considered a scheduled workday. If you are absent due to illness or jury service on the day before or after a holiday, you may be required to present proof of illness or jury service satisfactory to the County in order to be eligible for holiday pay.

**Holidays During Paid Leave**

If a holiday falls during your vacation or any period of approved paid sick leave, it will be counted as a holiday and will not be deducted from your accumulated vacation or sick leave.

**Holidays During Unpaid Leave**

Employees on layoff or an unpaid leave of absence at the time a holiday occurs will not be paid for the holiday.

**5.2 VACATION**

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Buena Vista County grants vacation with pay to recognize each employee's length of service and performance and to show our appreciation by providing time off with pay. It is provided for the purpose of rest and recreation from daily routine.

**Eligibility and Accrual**

Full-time employees earn vacation based on continuous years of service based on their date of hire according to the following schedule:

<u>Years of Continuous Service</u>	<u>Days of Vacation</u>
Completion of one (1) year	1 week (5 days)
Completion of two (2) years	2 weeks (10 days)
Completion of seven (7) years	3 weeks (15 days)
Completion of twelve (12) years	4 weeks (20 days)
Completion of fifteen (15) years	4 weeks 2 days (22 days)
Completion of twenty (20) years	4 weeks 3 days (23 days)

Vacation is earned from anniversary date to anniversary date.

Full-time employees are eligible to receive vacation with pay after completing one full year of service.

After one year of employment, accrued vacation hours will appear on each paycheck. When an employee is eligible for an increase in the number of weeks of vacation, the procedure to make the change will be as follows: The employee will accrue vacation at the old rate and on the anniversary date that completes continuous employment of two years, seven years, twelve years, the employee will automatically be granted an additional five days of vacation and an additional 2 days of vacation at the completion of fifteen years, and an additional day at the completion of twenty years and will start accruing at the new rate.

The number of hours shown on your last paycheck is the maximum number of hours you may request for vacation.

### **Vacation Pay**

Vacation pay will be computed by multiplying your straight time hourly rate by the appropriate number of hours according to the following schedule:

Buildings/Grounds Staff	43 hours/week
Buildings/Grounds Superintendent	45 hours/week
Deputy Sheriff	43 - 8.6 hours/day
Jailers	43 - 8.6 hours/day
Secondary Roads (Maintenance)	40 hours/week
Emergency Mgmt. Coordinator	32 hours/week (6.4 hours/day)
All Others	40 hours/week (8 hours/day)
	35 hours/week (7 hours/day)

Vacation shall be paid at the employee's straight time rate of pay in effect at the time vacation is taken.

### **Accrual of Vacation During Leaves of Absence**

Vacation will accrue during the period of time you are actively at work, during paid leaves of absence, and during unpaid leave of absences of 15 days or less.

### **Vacation Scheduling and Carryover**

After you have completed at least one year of service with the County, you may take your earned vacation at any time during your anniversary year subject to the work requirements of your department, and subject to approval. If for some reason you do not take your earned vacation during the current year, you may carry over a maximum of five (5) days into the next year. Any days over the five will be lost.

### **Payment in Place of Vacation**

You may not take extra pay in place of vacation. However, if you have been actively employed for more than one year, and you leave the County for any reason, including retirement, you will be paid for any accrued and unused vacation time and for any unused float day.

### **If You Become Hospitalized While on Vacation**

If you are hospitalized during your vacation, the time you spend as a bed patient in the hospital and any period of recuperation immediately following your hospitalization are not considered part of your vacation if you have unused sick leave available. To ensure

that your vacation record is changed, you must provide your department head with documentation and request that your vacation record be changed.

### 5.3 SICK LEAVE

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You were hired by Buena Vista County because your service and skills are needed in order to provide quality services to the citizens of Buena Vista County. We do recognize that occasional illnesses may prevent you from reporting to work as scheduled and have and have created the following sick leave policy:

#### Eligibility and Accrual of Sick Leave

Full-time employees, beginning with their first day of work, accumulate paid sick leave at the rate of one and one-quarter (1 1/4) days per month worked, to a limit of one hundred twenty (120) days. A 'day' is defined for each classification of employee based on the normal number of hours worked per day for that classification:

	Daily Hours	Monthly Sick Leave Hours	Maximum Hours
Buildings/Grounds Staff	8.6	10.75	1032
Buildings/Grounds Sup.	9.0	11.25	1080
Jailers	8.6	10.75	1032
Deputy Sheriff	8.6	10.75	1032
Secondary Road	8.0	10.00	960
Emergency Management	6.4	8.0	768
All Others	8.0	10.00	960
	7.0	8.75	840

Accumulation of sick leave appears on your paycheck stub. The number of hours shown on your last check stub is the maximum number of hours you may use for sick leave.

#### Payment of Sick Pay

If an employee regularly works the scheduled hours as indicated above, sick pay will be allocated by multiplying the employee's straight time hourly rate by the appropriate number of hours absent.

#### Use of Sick Leave and Medical Certification

You are eligible to use sick leave after completing six full months of employment, for any non-work-related illness, injury or temporary disability, including pregnancy, or childbirth that prevents you from performing your job duties. Sick leave may be used for a work-related injury or illness as provided in Section 5.5 of this handbook. The department head may require you to provide a physician's certificate of evidence supporting absences due to illness, injury or temporary disability. During prolonged absences, the employee must submit a physician's statement at intervals specified by the department head. Granting of sick leave is not automatic and all sick leave must be approved by

your department head. The department head may also require medical certification satisfactory to the County to verify fitness for duty following your use of sick leave. Sick leave shall not be used in advance of accrual.

If it is not possible to schedule dental or medical appointments outside of your work day, your department head may authorize sick leave for these appointments.

### **Notification of Illness**

In the event you must use sick leave, you must notify your supervisor prior to your scheduled reporting time and indicate the expected duration of your absence. Failure to give adequate notice of absences may result in inability to classify the time as sick leave and loss of pay for the days involved.

### **Outside Employment During Sick Leave**

An employee is prohibited from working in any other employment while on sick leave. Working other employment while receiving paid sick leave from the County may result in disciplinary action up to and including discharge.

### **Use of Sick Leave for Family Illness**

With department head approval, you may use up to five (5) days of sick leave per calendar year in the event your immediate family, (i.e., mother, father, spouse, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepchild, stepmother, stepfather, stepbrother, stepsister, grandparent, grandchild, son-in-law, daughter-in-law, foster child or foster parent if foster child is presently residing, or has resided, with the parent for more than one (1) year) is seriously ill or injured and required medical care. Additional unpaid days may be granted with approval of your department head. Payment will be made for only those regularly scheduled days absent which would have been worked by the employee.

### **Conversion**

Accrued and unused sick leave over the amount allowable within your department, will be converted and paid annually. The sick leave shall be converted at the rate of one (1) hour regular pay to be paid for every three (3) hours of sick leave accrued, as of November 30<sup>th</sup>, over the maximum amount of sick leave allowed within the department. This amount will be included with the second payroll of December.

Accrued and unused sick leave over the amount allowable within your department, will be converted and paid to an employee who leaves employment. The sick leave shall be converted at the rate of one (1) hour regular pay to be paid for every three (3) hours of sick leave accrued as of the date of retirement.

## 5.4 WORK-RELATED INJURIES

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### **Coverage**

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related injury or illness, you are covered by workers' compensation insurance. The workers' compensation laws of the State of Iowa determine how employees receive medical care and how they are paid for lost work time as a result of a work-related injury or illness.

### **Employee's Reporting Requirement**

An employee must report a work-related injury, illness or incident to his or her department head immediately following the injury, or as soon as the employee has knowledge of the injury or illness. Within 24 hours of the injury, the employee or the department head, if the employee is unable to do so, must report the injury to the Auditor's Office and to the "Company Nurse" (identifying your employer as **Buena Vista County**) as provided by our Work Compensation provider, in order that workers' compensation injury reports may be completed as required by law. Your failure to report a job-related injury or illness may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize your right to benefits in connection with the injury or illness.

### **Income Replacement**

Generally, an employee who is eligible for workers' compensation may use sick leave for scheduled work days lost during the first three days following the injury or illness. If the employee continues to be eligible for workers' compensation, the employee will be paid by the workers' compensation carrier at the State of Iowa workers' compensation rate of pay starting on the fourth day of the disability. If the employee is off work for more than fourteen calendar days, the insurance carrier will then pay for the first three days following the illness or injury. The County will then deduct the pay for those first three days from the employee's next regular payroll check. An employee may supplement workers' compensation benefits with accumulated sick leave, vacation or compensatory time if the employee requests the supplement in writing. The employee's accumulated sick leave, vacation, or compensatory time payment will be reduced accordingly.

### **Workers' Compensation and FMLA**

A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with applicable Family and Medical Leave Act. Additionally, in cases where a temporary light duty assignment is not available, or where the employee has refused a temporary light duty assignment, available FMLA will be applied.

### **Return to Work**

Before returning to work, an employee who has been receiving Workers' Compensation benefits must submit evidence satisfactory to the County that the employee is safely able to return to work.

## **Workplace Safety**

The County is concerned about your safety and well-being. Please keep in mind that you share the responsibility of helping to maintain a safe workplace for other as well as yourself. You are expected to assist in the prevention of accidents and injuries by obeying the safety rules on your job, thinking before you act, remaining alert, consciously taking care to avoid unnecessary chances and by reporting irregularities which could cause an accident or injury to yourself, other County employees or members of the public. You are expected to use good judgment and observe safety rules as you perform your job.

The County provides training to employees in a number of safety-related areas. Training includes, but is not limited to, evacuation procedures in case of fire or threatening weather conditions, first aid provisions, and other safety requirements, including "Right to Know." Any questions you may have regarding safety should be directed to your department head

## **5.5 TEMPORARY LIGHT DUTY**

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### **Eligibility**

Temporary light duty assignments may be made by the County for employees with work-related injuries or illnesses who are covered by workers' compensation or for qualified individuals with disabilities that prevent them from temporarily performing their essential job duties. In either case, eligibility for light duty is limited to employees for whom the assignment would be a progressive step in their return to work.

An employee with a job-related injury or illness who refuses a light duty assignment will lose workers' compensation payments and will be placed on a Family and Medical Leave Act (FMLA) leave if the employee's condition qualifies as a serious health condition and the employee is eligible for leave under that policy. At that point, the employer may require, or the employee may elect to substitute any accrued paid leave from the date the workers' compensation benefits cease.

### **Duration of Light Duty Assignments**

Assignment of light duty tasks within an employee's medical restrictions is intended to be for a temporary duration determined by the County. Light duty assignments will be documented with a list of the functions assigned and the duration of the assignment. Temporary light duty assignments are not intended to become regular assignments.

### **Medical Certification**

Before assigning temporary light duty, the County will require medical certification from the employee's physician or other health care provider that the employee is unable to perform his or her essential job duties within medical restrictions, and that the employee is able to perform the proposed light duty assignment within medical restrictions. At the conclusion of the light duty assignment, the County will require fitness-for-duty medical certification to determine whether the employee is able to return to his or her essential job duties.

### **Return to Work After Light Duty**

If, at the end of the temporary light duty assignment, the employee is able to perform his or her essential job duties without posing significant risk of harm to his or her health or the safety or health of others, the employee may return to his or her normal position. If, at the end of the temporary light duty assignment, the employee is not able to perform his or her essential job duties without posing significant risk of harm to his or her health or the health or safety of others, the County will review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restrictions can be reasonably accommodated to allow the employee to return to work. Possible reasonable accommodations include job restructuring or unpaid leaves of absence. If no reasonable accommodation is available to return the employee to his or her previous position, the County will then consider transferring the employee to a vacant position for which the employee is qualified.

## **5.6 FAMILY AND MEDICAL LEAVE**

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It is the policy of the County to provide unpaid family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) of 1993. Whether or not a particular situation is covered by FMLA depends on whether the requirements for FMLA have been met, not on whether an employee actually requests FMLA leave. The County will designate leave as FMLA leave if the employee is eligible for FMLA leave and if FMLA requirements are satisfied, even if the employee has not requested FMLA leave.

### **Leaves Available**

An eligible employee will be granted up to twelve (12) work weeks of unpaid, job-protected leave each twelve-month period for any of the following qualifying reasons:

1. The birth of and/or need to care for your newborn child within one year of birth;
2. The placement of a child with you for adoption or foster care and to care for the newly placed child within one year of placement;
3. The need to care for your spouse, child, or parent with a serious health condition; or
4. A serious health condition that makes you unable to perform the functions of your job.
5. Because of any qualifying exigency (urgent need) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is a covered military member on covered active duty or has been notified of an impending call or order to active duty.

### **Service Member Leave**

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the service member with a serious injury or illness.

The 26 workweeks is a combined total with other reasons for FMLA leave. For example, if an employee had used 6 weeks of FMLA leave for his/her own serious health condition, 20 weeks would be available during that 12-month period for service member leave.

### **Eligibility Requirements**

To be eligible for family and medical leave, you must have worked for the County for at least twelve (12) months, and for at least 1,250 hours during the twelve (12) months immediately preceding the start of the leave.

### **General Provisions**

For purposes of this policy:

“**Child**” means son or daughter under 18 years of age, or a child 18 year of age or older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual daily responsibility for care and includes a biological, adopted, foster or step-child.

“**Parent**” means the employee's biological parent, or an individual who stood in place of the parent of the employee. "Parent" does not include parents-in-law.

“**Serious health condition**” means an illness, injury, impairment, or physical or mental condition that involves

- inpatient care in a hospital, hospice, or residential medical care facility; or
- continuing treatment by a health care provider.

“**Spouse**” includes any marriage recognized by the state of Iowa.

The “**twelve-month period**” during which the leave entitlement occurs is designated as the twelve (12) month period measured forward from the first date of leave.

### **Married employees**

If you and your spouse are both employed by the County, and are both eligible for family and medical leave, you and your spouse will be limited to a combined total of twelve (12) weeks of family and medical leave a year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement of a child with you for adoption or foster care, or to care for the child after placement; or to care for your parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of your spouse or child, or because of your own serious health condition.

### **How and When Leave May Be Taken**

Family and medical leave is taken either in consecutive workweeks; intermittently in separate blocks of time; or by reducing the number of days you work per week, or hours per day.

### **Intermittent or reduced schedule**

Intermittent or reduced schedule leave may be taken when medically necessary to care for your spouse, child, or parent with a serious health condition, or because of your own serious health condition. You must provide the County with medical certification of the need for intermittent or reduced schedule leave and must attempt to schedule your intermittent or reduced schedule leave so as not to disrupt County operations. You

may be transferred temporarily to an alternative position or schedule, with equivalent pay and benefits, which better accommodates the intermittent leave or reduced schedule.

Leave for childbirth, adoption or foster care may be taken intermittently or on a reduced leave schedule only if the employee's department head agrees to the proposed intermittent or reduced leave schedule.

Leave for the birth of a child or placement of a child for adoption or foster care must be taken within twelve (12) months of the birth, adoption or placement.

### **Notice and Planning Requirements**

If you know in advance that you will be taking leave because of birth, adoption or placement of a foster child in your home, or because of planned medical treatment for you or a covered family member, you must notify your supervisor in writing using a "Request for Family/Medical Leave" form at least thirty (30) days in advance.

When the need for leave is foreseeable based on planned medical treatment for you or your covered family member, the County expects you to consult with your supervisor and department head and to make a reasonable effort to schedule the treatment so as not to unduly disrupt County operations.

In the event the timing of the leave is not foreseeable, you are required to give notice of the need for leave as soon as practicable, generally within no more than one or two working days of learning of the need for leave.

### **Medical Certification**

The County reserves the right to require written medical certification from the appropriate health care provider when leave is requested to care for a child, spouse, or parent with a serious health condition, or because of your own serious health condition. Medical certification forms are available from your department head or the County Auditor's Office.

In lieu of medical certification, a notice from a health care provider or legal documentation shall be accepted for birth, or placement for adoption or foster care.

The County may require recertification and periodic reports from employees during leave.

### **Use of Paid Leave**

The County will require you to use paid leave as part of your family and medical leave as follows:

1. You must use any accrued vacation, applicable sick leave (see use of 5 days of sick leave for family illness covered in section 5.3) and float day for any portion of the twelve (12) week leave.

Any situations in which you use paid sick leave because you are unable to work due to a condition that qualifies as a serious health condition under this policy will be counted against your twelve-week FMLA entitlement.

When you have used all required paid leave for any portion of a FMLA leave, the balance of the leave will be without pay.

### **Rights and Benefits During Leave**

Seniority will accrue only during periods of paid leave. Vacation and sick leave will accrue during paid leave and during unpaid leaves of absence of 15 days or less.

Eligible employees will be paid for any holidays occurring during paid FMLA leave. Holiday pay will not be paid during any unpaid FMLA leave.

All benefits which you had accrued before taking leave will be retained after returning from an approved FMLA leave, if not depleted during the leave.

While you are on family or medical leave, paid or unpaid, the County will continue your group health insurance coverage at the same level and under the same conditions that coverage would have been provided had you continued working. The employee will be required to pay the same cost of coverage as if he or she were actively at work. Employee contributions to the premium will be required either through payroll deduction or by direct payment to the County Auditor's Office by the end of the month for the following month's coverage. The employee will be informed of the amount and method of payment at the beginning of the leave. Loss of insurance coverage may result if the premium amount is more than thirty days late. If the employee misses a premium payment and the County pays the employee's contribution, the employee will be required to reimburse the County for the delinquent payment upon return from leave.

Under certain circumstances, if you fail to return to work after an approved FMLA leave, the County may require you to reimburse it for the amount the County paid for your health insurance premium during the leave.

### **Returning to Work**

At the conclusion of your FMLA leave, you will be restored to your former position, if that position is vacant, or one with equivalent pay, benefits, and conditions of employment, provided you have complied with the requirements of this policy.

Upon returning to work from leave due to your own serious health condition, you may be required to provide certification from your health care provider that you are able to resume work and are fit for duty.

If you fail to return to work after your approved FML request has expired, and you have not contacted the County, the County shall regard this as your resignation.

## **5.7 UNPAID LEAVES OF ABSENCE**

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Unpaid leaves of absence may be granted in certain circumstances. If you have exhausted all applicable sick leave, vacation, compensatory time, adoption and FMLA leave, you may request an unpaid leave of absence. Applications for unpaid leave must

be made in writing and shall state the reasons for the leave and inclusive dates. Approval of unpaid leave is at the discretion of the County.

Employees who are not eligible for leave under the County's sick leave or Family and Medical Leave Act policies may apply for an unpaid leave under this section for purposes of pregnancy or a related condition as provided in Iowa Code section 216.6(2)(e). The County may require medical certification stating that the employee is not able to perform the duties of employment.

During an unpaid leave granted under this section, you do not receive compensation, do not accrue length of service, and are not eligible for paid holidays. The County does not make contributions to retirement programs during an unpaid leave. During a brief unpaid leave of 15 calendar days or less, vacation and sick leave will continue to accrue and the County will pay its share of the health/dental insurance premiums. For an unpaid leave of 16 calendar days or more, no vacation or sick leave will accrue from the beginning date of the unpaid leave, and the employee will be required to pay the entire premium for the health/dental insurance. Failure to pay the premium on time will result in termination of coverage, or continue benefits in accordance with COBRA regulations.

If you plan to return to work following an unpaid leave taken under this section, you must notify your department head before the end of your leave. The County will attempt to restore you to the position you held at the start of the leave, or in a comparable position, if possible. If no such position is available, your employment will be terminated.

When an employee has been on unpaid leave for thirty (30) calendar days, the department head shall review the circumstances and either extend the unpaid leave or terminate the employee.

## **5.8 JURY AND WITNESS DUTY**

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Any full-time or part-time employee required to report for jury duty shall receive a paid leave of absence for the time spent on duty subject to the requirements of this policy. Any full-time or part-time employee subpoenaed to appear as a witness in a civil or criminal proceeding in which that employee is not directly involved as a plaintiff or defendant shall be granted a leave without pay. Employees who must appear as a witness in a civil or criminal proceeding in which they are directly involved as a plaintiff or defendant may apply for an unpaid leave of absence under 5.7 of this handbook.

All employees summoned to jury duty or witness duty must submit a copy of the summons to their supervisor within two working days after receiving the summons. Employees on jury or witness duty are expected to promptly return to work when released from service, either permanently or temporarily, if more than two hours of their regularly scheduled work shift remains.

Hours spent by any employee appearing as a witness in any job-related legal proceeding at the direction of the County shall be considered to be work time.

While on paid jury leave, the County will continue your regular salary, but you must submit certification of the number of hours spent in such service.

## **5.9 BEREAVEMENT LEAVE**

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Full-time employees may be excused from work for up to three (3) days with pay in the event of the death of a member of your immediate family, (i.e., mother, father, spouse, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepchild, stepmother, stepfather, stepbrother, stepsister, grandparent, grandchild, son-in-law, daughter-in-law, foster child or foster parent if the foster child is presently residing, or has resided, with the parent for more than one (1) year).

Full-time employees may be excused from work for up to one (1) days with pay in the event of the death of an aunt, uncle, niece, nephew, aunt-in-law, uncle in-law, niece-in-law or nephew-in-law. Additional unpaid days may be granted with approval of your department head. Payment will be made for only those regularly scheduled days absent which would have been worked by the employee.

If a death in your family occurs, please notify your department head as to the expected length of your absence.

## **5.10 FUNERAL LEAVE**

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An employee may be granted up to one (1) day leave per calendar year with pay if required to act as an honor guard, pallbearer or kitchen assistant. Payment will be made for only those hours absent which would have been worked by the employee.

## **5.11 MILITARY LEAVE**

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### **Leaves Available**

The County will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first thirty calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the thirty-calendar day without loss of pay. If the leave is for a period of less than 30 days, only those days the employee normally works will count toward the 30 days of leave. Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the County's policies on vacation, personal, compensatory time, or unpaid leave, and with applicable state and federal law.

Employees must submit their written military orders to their department head prior to the commencement of the military leave.

### **Reemployment Rights – Eligibility**

Your eligibility for reemployment with the County after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the County for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service, you must report to work or submit a timely application for reemployment according to the following schedule:

For service of less than 30 days you must report to work by the beginning of your first regularly scheduled work day that would fall eight hours after you return home.

For service of 31 to 180 days you must apply for reemployment within 14 days after completing service.

For service of 181 days or more you must apply for reemployment no later than 90 days after completing service.

### **Continuation of Benefits During Military Service**

Employees on leave for military service and any of their dependents entitled to coverage under the County's health insurance plan are entitled to coverage as follows:

1. An employee that leaves employment for less than 31 days is entitled to continued health insurance coverage and will not be required to pay more than what an active employee would pay for coverage.
2. An employee that leaves employment for more than 30 days is allowed to elect to receive continued coverage under the County's health insurance plan for up to 18 months following separation from employment or until the employee's reemployment rights expire, whichever event occurs first. The County may require the employee to pay up to 102% of the premium.

## **SECTION SIX: INSURANCE BENEFITS**

### **MISCELLANEOUS BENEFITS**

It is the employee's responsibility to notify the County Auditor's office of any changes in marital status which may affect health insurance, the number of exemptions claimed for withholding tax purposes.

#### **6.1 HEALTH INSURANCE**

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In order to protect you against the consequences of medical expenses caused by sickness or accidents, Buena Vista County provides eligible full-time employees a health and dental and vision insurance program, and at your option, a program that covers your eligible dependents. The insurance program, coverage and eligibility will be subject to all terms and conditions of the contracts with the insurance carriers selected by the County, and by State and Federal laws. Information detailing the plans are available on the County website.

##### **Eligibility**

All full-time employees are eligible for health, dental, vision insurance, group term life and AD&D of the County's choice, to be effective the 1<sup>st</sup> day of the month following a full calendar month's employment. Buena Vista County will pay the full cost of a single health, dental, vision policy, group term life and AD&D. If the employee wishes family coverage, the County will contribute towards the monthly premium for health and dental coverage with the balance obtained by authorizing a payroll deduction for the remainder. The percentage contributed by the County will be determined annually at the time new rates are set. If the employee wishes to cover any dependents on the vision plan, group term life or AD&D, it will be at the employee's expense.

Part-time employees who work at least 20 hours per week year-round are eligible for health insurance coverage to be effective the 1<sup>st</sup> day of the month following a full calendar month's employment. Buena Vista County will pay 50% of the cost of the single health insurance policy with the other 50% of the monthly premium obtained by authorizing a payroll deduction for the remainder.

Part-time employees who work at least 20 hours per week year-round are eligible to purchase (single or family) dental and vision insurance at their own expense with coverage to be effective the 1<sup>st</sup> day of the month following a full calendar month's employment. The monthly premium will be obtained by authorizing a payroll deduction.

##### **Enrollment**

Upon employment, you will receive an enrollment application to complete and sign. This form tells us whether or not you wish to enroll yourself and your eligible dependents in the plan. You must submit your enrollment form to the Auditor's office within 30 days of

employment. Dependents can only be added at open-enrollment time and at the time of a life changing event.

#### **When Coverage Begins**

If you enroll, insurance coverage will be effective the 1<sup>st</sup> day of the month following 30 continuous days of employment. Premiums will be deducted from the employee's paycheck in the month prior to the date coverage begins.

#### **When Coverage Ends**

Insurance coverage will end on the last day of the month in which your employment ceases (See Section 6.2 for continuation of health, dental and vision insurance coverage).

#### **Payroll Deduction**

With your signed authorization, the County will deduct the approved premium for your family health and dental insurance and any dependent coverage of your vision plan under a program that allows premium payments to be deducted from your pre-tax earnings. A complete explanation of this program is available from the Auditor.

#### **Changes to Coverage**

Changes in health insurance must be made either prior to or no later than thirty (30) days after an "event," such as adding a dependent, a death, a divorce or a marriage. Any additional changes will take effect, as required by federal or state law.

### **6.2 CONTINUATION OF MEDICAL COVERAGE**

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Federal law generally requires employers with 20 or more employees to give employees, spouses and dependent children the right to continue group health benefits for limited periods of time under certain circumstances, such as voluntary or some types of involuntary job loss, reduction in hours worked, death, divorce and other life events. Employees ordinarily may continue their health coverage for up to 18 months when their employment is terminated.

#### **Continuation Coverage under Iowa Code Chapter 509A**

Employees who retire from County employment before age 65 are eligible to continue in the County's group health insurance plan up to age 65. Coverage must be continuous (the employee must elect the same coverage at retirement) and the retired employee is required to pay the full cost of the premium. For purposes of this section, a retired employee is one who has applied for and is receiving a retirement allowance.

### **6.3 HEPATITIS IMMUNIZATION**

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Employees who may be exposed to blood borne pathogens in the course of their employment will be offered required Hepatitis immunizations. The County will cover the cost of the expense.

## **SECTION SEVEN: EMPLOYEE RESPONSIBILITIES, WORK RULES AND DISCIPLINE**

### **7.1 PUBLIC INTERACTION**

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As a Buena Vista County employee, your job is to serve the public with efficiency and courtesy remembering that you represent the County at all times regardless of the department you are in or the position you hold. The impression you make as an individual reflects on your department, your Elected Official, and the County as a whole.

The opinions of the public concerning County operations are to a large degree, shaped by your behavior and attitude. Your responsibilities require you to treat all citizens with fairness and give special privileges to none; courteous and polite service is due all citizens regardless of the complaint or demand made and regardless of how it is expressed.

You should be aware that as an employee, not only are you protected from sexual harassment, you also have the responsibility to avoid any action, conversation, or casual comments that could be construed by others as sexual harassment. This applies to customers, the general public and workers in the building as well as all County employees.

### **7.2 EMPLOYEE LICENSES AND CERTIFICATIONS**

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It is the employee's responsibility to keep any required licenses and/or certifications current. All required licenses and certificates shall be brought to the appropriate department head to be copied for the employee's personnel file. Failure to keep required licenses and certifications current that cause the inability to perform the essential functions of the position may result in disciplinary action up to and including termination of employment.

### **7.3 SOLICITING ON COUNTY PREMISES**

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County policy forbids solicitation, buying or selling of any kind during working hours without prior approval from your department head. These activities should be conducted during your non-work time. This policy applies to any form of solicitation such as contributions to charities, selling of tickets or memberships in service clubs or other organizations. Solicitation by one employee of another is prohibited during the time either employee is required to be performing job duties. Distribution of non-work-related leaflets, pamphlets or other materials is also forbidden during work time. For purposes of this policy, working time does not include breaks or meal times. Distribution of leaflets, pamphlets, or other materials is forbidden in working areas at any time.

## **7.4 POLITICAL ACTIVITY**

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Employees may participate in or contribute to the election or appointment of public officials. However, as a public employee, political activity may not take place while on official duties and must be limited to time outside of your normal working hours. It is illegal for you to use your authority or influence to interfere with or affect the result of any election or nomination of an individual for public office.

No County employee will be forced to take part in political campaigns to support or oppose the appointment or election of candidates for any office. It is illegal for you to leave your place of employment or the duties of your job for the purpose of soliciting votes or engaging in political campaign work during the regular hours of your employment. An unpaid leave of absence may be granted to an employee who becomes candidate for elective office in accordance with applicable state law.

Additional Guidelines for Political Activity for County Employees are included in the Appendix. Employees should consult the guidelines for an explanation of permissible political activities of government employees.

## **7.5 GENERAL EMPLOYEE OBLIGATIONS**

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Employees are expected to maintain good work habits including regular attendance and punctuality, and to conduct your job duties in an ethical fashion. Employees must avoid any activity outside of their employment with the County that would adversely affect their performance on the job or involve a possible conflict of interest. Records you work with may involve people and their problems. It is your responsibility to safeguard any confidential information in these records. Any breach of confidence is a violation of trust and cause for disciplinary action up to and including discharge.

## **7.6 PHONE CALLS**

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The County's telephone lines must be kept free for business calls. You are required to limit your personal use of the phone to essential calls. If possible, make such calls either before or after business hours. Ask your friends and relatives not to call during working hours, except for emergency messages. Calls to other employees during the working hours should be confined to County business. Excessive or improper use of County telephones is cause for disciplinary action.

## **7.7 INVESTIGATIONS**

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All employees are required to fully cooperate with any member of management who is conducting a work-related investigation. Employees will be disciplined for supplying false statements to any member of management or providing information to any member of management that is false misleading, inaccurate, or incomplete.

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any member of management. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by management, and discouraging other individuals who may be contacted by management from responding to or cooperating with management. "Failing to cooperate" includes, but is not limited to, failing to provide information, documents, or materials requested by management, and providing information, documents, or materials to management that are false, misleading, inaccurate, or incomplete.

Unless an investigation concerns a potential violation of Iowa criminal statutes, if the County conducts an examination or inspection under the terms of this policy, there will be at least two individuals, consisting of at least the department head and the IT Director, if the inspection is computer related, present at the time of the examination or inspection. In the case of an investigation also concerning a potential violation of Iowa criminal statutes, the County Attorney shall indicate in writing to the department head, and any further investigation, including any examinations or inspections, shall be at the direction of the County Attorney, Sheriff, or other responsible entity and in accordance with applicable laws.

## **7.8 WORKPLACE PRIVACY AND SEARCHES**

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The County attempts to maintain equipment and supplies that permit work to be accomplished in the most efficient and effective manner possible. While employees are encouraged to use these items, it is important to understand that they are County property and are to be used to conduct County business.

As part of your employment, a desk or work space may be made available to you. The desk and work space are County property. Because the desk and work space are County property, not your personal property, the desk and work space are subject to being inspected by the County at any time, with or without notice to you.

The County assumes no responsibility or liability for any items of personal property which are placed in the desk or work space that is assigned to you.

## **7.9 USE OF WORKPLACE TECHNOLOGY**

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The County may provide electronic mail systems, computers, telephone systems, voice mail, fax machines and other technology to employees at County expense for their use in performing their duties for the County. The purpose of this policy is to prevent misuse of the County's workplace technology and to ensure appropriate, efficient and effective use of such technology. These machines and systems are business equipment owned by the County to be used for business purposes. Exceptions are limited to necessary personal phone calls, and authorized personal use of the Internet and e-mail systems during nonworking time as approved by department heads.

Employees shall maintain the highest professional ethics and conduct while on the County's electronic communication systems. Employees must restrict personal use to occasional use that does not interfere with the County business. Occasional, incidental personal use of County technology must not interfere with job activities nor result in any expense to the County.

Obscene, demeaning, defamatory, or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with the County's policies concerning workplace harassment and sexual harassment. Any use of the Internet or other technology to obtain, transfer, download, or send sexually explicit material for personal use is expressly prohibited.

All communications over and activity conducted on the County-owned systems are property of the County. The County may access, review, audit, and disclose all matters sent over its systems or placed into their storage.

Employees should have no expectation or right of privacy when using the County-owned systems. The Internet is an open, unsecured network. Also, some electronic communications such as electronic mail and computer files may exist on back-up tapes after the user deletes them. Simply deleting a message or file may not fully eliminate the message from the system. The use of personal passwords or access codes does not restrict the County's ability to access electronic communications or files.

The County may retrieve an employee's voice and electronic mail messages and computer files for non-investigative reasons (such as to retrieve a needed computer file or message) and as part of a valid investigative search relating to workplace misconduct.

The County may review a record of an employee's Internet usage. An employee's use of the electronic mail, Internet, voice mail or other computer systems constitutes consent to the County's review of the employee's electronically stored e-mail, files or messages. All messages should be composed with the expectation that they will be made public.

Loading, copying or installing any software, including commercial software, shareware, freeware, games, screen savers, or any other type of software, is prohibited without authorization from the appropriate department head. Employees who are authorized to download information from the Internet must comply with disk scanning procedures established by the County to minimize the risk of contracting a computer virus. Employees are prohibited from deactivating software designed to detect and destroy computer viruses.

Use of the electronic communication system to copy and/or transmit any documents, images, software or other information protected by a copyright owned by someone other than the County, without proper authorization from the copyright owner, is prohibited. Copyright protection applies to any document, image, software or information unless it is specifically marked as public, not copyrighted, or freeware. In the absence of any specific copyright markings, material or information should be considered copyright protected. The County assumes no responsibility for reviewing, ascertaining or policing copyright material that may be transmitted to or from the electronic communication system by employees.

Employees will be disciplined, up to and including termination, for violating the County's technology policy. Employees who are terminated, laid off, or on extended leave of absence have no right to access e-mail or other County electronic communications systems.

## **7.10 SOCIAL MEDIA**

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The term "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with the County, as well as any other form of electronic communication. The same principles and guidelines found in the County rules, policies and procedures apply to an employee's social media activities online.

Any conduct that adversely affects an employee's job performance or the performance of fellow employees, or otherwise adversely affects the County's legitimate business interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action, up to and including termination.

However, this restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

## **7.11 FIRE AND EMERGENCY RESCUE SERVICE**

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Employees who are members of a fire or emergency rescue service which is provided and maintained for the benefit of a town or area located in Buena Vista County will be permitted to perform fire or emergency rescue service during their regular working hours without loss of pay subject to the conditions of this policy.

Employees who are currently or become fire or emergency rescue service members shall notify the department if they are or become a member of any fire and/or rescue service. Employees shall provide the department head with name of the town and the service.

Employees who are fire or emergency rescue service members will obtain from their town, and file with their department head, a copy of the liability insurance and worker compensation or disability insurance policies which provide coverage for members of the service. A copy of these policies shall be updated annually. It is understood that the County is not liable for any injuries suffered or damages incurred by employees who are responding to a fire or emergency rescue service call and that liability for the actions of employees responding to such calls will be borne by the town providing the service.

Whenever possible, employees who are responding to a fire or emergency rescue service which occurs during their regular working hours shall provide immediate notice to

their supervisor that they have been called into service. If immediate notice cannot be given, employees shall provide notice as soon as it is reasonably practical for them to do so. If a fire or emergency rescue service call occurs outside of regular working hours but an employee response to the call cannot be completed before regular working hours begin, the employee shall provide notice to his/her supervisor that he/she will not be reporting for duty at the regularly scheduled hour and shall notify the supervisor upon return to work.

Whenever possible, employees who are responding to a fire or emergency rescue service call which occurs during working hours shall use their personal vehicle to respond to the call.

Leave with pay will be granted for the period of time reasonably necessary to respond to the call and return to work. Employees will be expected to return to work unless their regular working hours have already been completed.

It is further understood that during winter storms with known blocked roads, a secondary road employee should not respond to fire or emergency service rescue call if he is the only secondary road employee available in his community to open roads, but rather should remain available to a call to open roads.

## **7.12 WORKPLACE SAFETY**

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The County's Workplace Safety Policy is included in the Appendix.

## **7.13 WORK RULES AND DISCIPLINE**

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In order to maintain safe, efficient and harmonious operations, and to continue to provide the highest standard of public service, the County has adopted the following workplace rules. Each rule has been designed for our common protection and benefit and reflects a common understanding of what behavior is acceptable in the workplace.

These rules can be modified by the County as changing conditions warrant. The County may take whatever disciplinary action including escalating through the disciplinary process as it deems appropriate in response to unacceptable workplace behavior. This policy does not modify the status of employees as employees-at-will or in any way restrict the Company's right to bypass the disciplinary procedures suggested.

### **Work Rules**

While it is not possible to list all behaviors, which would constitute unacceptable workplace behavior the following are examples of inappropriate, unacceptable conduct:

1. Unsatisfactory work performance.
2. Falsifying employment or other job-related records.
3. Violating the County's policy against workplace harassment of any kind.
4. Establishing an unacceptable pattern of tardiness or absenteeism.

5. Unauthorized failure to return from a leave of absence.
6. Engaging in excessive, unnecessary, or unauthorized use of County property or supplies, particularly for personal use.
7. Reporting to work intoxicated or under the influence of non-prescribed drugs, alcohol, or other substances.
8. Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
9. Bringing or using alcoholic beverages to or in County workplaces or using alcoholic beverages while engaged in County business off of County premises.
10. Fighting or using obscene, abusive, or threatening language.
11. Stealing property of coworkers, customers, clients, or the County.
12. Having unauthorized firearms on County premises or while on County business.
13. Disregarding smoking, safety or security regulations.
14. Engaging in insubordination or failing to cooperate with assigned employees, coworkers, supervisor, or managers. However, this restriction will not apply to any actions made in the exercise of any rights granted to an employee by federal law.
15. Failing to follow County job instructions or to perform work requested by a supervisor or manager.
16. Violating a County safety rule or practice or creating or contributing to unsafe, unhealthy, or unsanitary conditions.
17. Failing to maintain confidentiality of County, client, patient, or customer information.
18. Failing to maintain necessary licenses and/or certifications.
19. Failing to maintain motor vehicle insurability.

## **Discipline**

If your performance, work habits, attitude, or demeanor becomes unsatisfactory in the judgment of the County, based on violations of either the rules listed above, or other County policies, rules, procedures, or expectations, you will be subject to disciplinary action, up to and including discharge. Certain offenses can be corrected using progressive discipline. Situations that the County believes will respond to corrective discipline will normally be handled as follows:

1. **Counseling:** The employee's supervisor will normally give the employee a verbal warning.
2. **Written warning:** If the unsatisfactory conduct continues, the employee's department head will normally issue a written warning.
3. **Suspension:** If sufficient improvement has not been made, or if the conduct continues, the employee may be suspended without pay. Exempt employees will not be subject to unpaid disciplinary suspensions of less than one-week intervals.
4. **Termination:** If the conduct continues, the County may terminate the employment of the employee.

The County reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including discharge, without regard to the progressive discipline guidelines explained above.

## **7.14 DRUG AND ALCOHOL USE IN THE WORKPLACE**

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### **Drug and Alcohol Use in the Workplace**

The County requires all employees to report to work on time and in the appropriate mental and physical condition for work. Employees using alcohol or drugs without medical authorization in the workplace or in the course of their employment are subject to discipline up to and including termination.

The County recognizes that drug and alcohol dependency and abuse pose major health, safety and security problems. Employees needing help with such problems are encouraged to use local support groups and services.

### **Drug Free Workplace**

It is the policy of the County to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988. The use of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and threatens the County's ability to function effectively and efficiently, and undermines the public's trust in our operations. In this connection, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in County business off the County's premises is strictly prohibited. Such conduct is also prohibited during nonworking time to the extent that in the opinion of the County, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the County.

Employees directly engaged in work performed pursuant to a federal grant or contract are required to report any conviction under a criminal drug statute for violations occurring on the employer's premises or off the employer's premises while conducting employer business to the employee's supervisor or other appropriate County official within five days of such conviction. At its discretion, the County may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

### **Drug Testing of Employees Required to Maintain a Commercial Driver's License**

Drug testing of employees required to have a commercial driver's license (CDL) shall be conducted in accordance with applicable state and federal law. The County's substance abuse policy governing drug testing conducted pursuant to federal regulations is included in the Appendix.

## **SECTION EIGHT: COMPLAINT RESOLUTION PROCEDURE**

### **8.1 COMPLAINT RESOLUTION PROCEDURE**

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Misunderstandings, conflicts, problems, or other questions about your job can arise in any workplace. To ensure effective working relations, it is important that such matters

be resolved before serious problems develop. If your concern relates to sexual harassment or another type of workplace harassment, follow the procedure in the sexual harassment policy contained in this handbook. Also, certain complaints may fall under resolution procedures established by state law. For other complaints, the County has adopted the following procedure to respond to your concerns.

### **STEP ONE: DEPARTMENT HEAD**

First see your department head. He or she is in the best position to resolve your problems or concerns. In an effort to resolve the problem, your department head will consider the facts and conduct an investigation, if necessary. You will normally receive a response regarding your problem within five days of meeting with your department head. If you are not satisfied with the response of your department head, or if the department head fails to respond to your complaint within five working days, you may proceed to Step 2.

If your department head is the person whom with you have the problem or concern, you may proceed to Step 2.

### **STEP TWO: BOARD OF SUPERVISORS OR GOVERNING BODY**

You may prepare a written summary of your concerns and request that the matter be reviewed by the Board of Supervisors or the appropriate governing body. Covered employees in the Secondary Road, Community Services, Buildings/Grounds, and Weed Department may direct their complaint to the Board of Supervisors. Employees of the Assessor, Conservation Department, Environmental Health, Public Health, Emergency Management, and Veteran's Affairs may direct their complaint to the appropriate governing body.

After a full examination of the facts (which may include a review of the written summary of your statement, discussions with all individuals concerned, and a further investigation if necessary) the Board of Supervisors, or appropriate governing body will normally advise you of its decision within fifteen days. The decision of the Board of Supervisors or governing body shall be final.

### **ELECTED OFFICIALS**

Employees of the Auditor, Recorder, Treasurer, County Attorney and Sheriff shall refer to the appropriate departmental rules.

RECEIPT OF EMPLOYEE HANDBOOK

Be sure to read this Handbook carefully. If you don't understand any portion of the Handbook or any other information provided, please ask your department head for an explanation. After filling in the information below, tear out the page and return it to the Auditor's Office within fifteen (15) days of receiving it. Please keep the handbook for future reference.

I have received my copy of the Buena Vista County Employee Handbook and I understand that it is my responsibility to comply with the policies contained in this handbook and any revisions to it. I understand that the handbook has been provided to me for informational purposes only, and that the County has the right to change or this handbook is not a contract of employment, and that I am not guaranteed employment for any specific duration. Either the County or I may terminate my employment at any time with or without cause.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Department

\_\_\_\_\_  
Date

Return either to your department head, or to the Auditor's office. This page will be filed in your personnel file in the Auditor's office.

Drug-Free Workplace Policy  
ACKNOWLEDGMENT

I, \_\_\_\_\_, an employee of the \_\_\_\_\_, hereby certify that I have received a copy of the employer's policy regarding the maintenance of a drug-free workplace (See Section 7.13 of this handbook). I realize that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited on this employer's premises or while conducting the employer's business. A violation of this policy can subject me to discipline up to and including termination. I realize I must abide by the terms of this policy and that if I am directly engaged in work performed pursuant to a federal grant or contract, as a condition of employment, I must notify the employer of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction. I further realize that federal law mandates that the employer communicate this conviction to the federal agency, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date