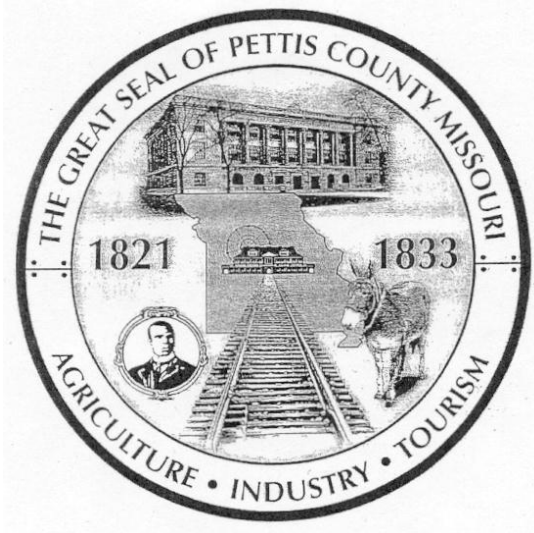


PETTIS COUNTY MISSOURI



EMPLOYEE HANDBOOK

March 2012

EMPLOYEE HANDBOOK

TABLE OF CONTENTS

| | |
|---|-----------|
| WELCOME..... | 7 |
| INTRODUCTION | 8 |
| PETTIS COUNTY ORGANIZATION & HISTORY | 8 |
| 1.0 EMPLOYMENT | 9 |
| 1.1 ADVANCEMENT | |
| 1.2 ATTENDANCE & PUNCTUALITY | |
| 1.3 BREAKS | |
| 1.4 CHANGE OF STATUS | |
| 1.4.1 ADDRESS CHANGE | |
| 1.4.2 PHONE NUMBER CHANGE | |
| 1.4.3 CHANGE IN LEGAL NAME OR NUMBER OF DEPENDENTS | |
| 1.4.4 CHANGES IN INSURANCE/QUALIFIED PLAN BENEFICIARIES | |
| 1.4.5 CHANGE IN EMPLOYMENT STATUS (PART-TIME-FULL-TIME) | |
| 1.5 EMPLOYEE CATEGORIES | |
| 1.5.1 REGULAR FULL-TIME | |
| 1.5.2 EXEMPT | |
| 1.5.3 NON-EXEMPT | |
| 1.5.4 PART-TIME | |
| 1.6 EMPLOYMENT OF RELATIVES | |
| 1.7 EMPLOYMENT VERIFICATION | |
| 1.8 EQUAL EMPLOYMENT OPPORTUNITY | |
| 1.9 EQUAL OPPORTUNITY FOR DISABLED APPLICANTS AND EMPLOYEES | |
| 1.10 HARASSMENT (SEXUAL & OTHER) | |
| 1.11 HOURS OF OPERATION | |
| 1.11.1 WORKWEEK | |
| 1.11.2 WORK SCHEDULE | |
| 1.11.3 CALL IN | |
| 1.12 IMMIGRATION REFORM & CONTROL ACT OF 1986 | |
| 1.13 PERFORMANCE APPRAISAL | |
| 1.14 EMPLOYEE PERSONNEL FILES | |
| 1.15 EMPLOYMENT APPLICATIONS | |
| 1.16 INTRODUCTORY PERIOD | |
| 2.0 EMPLOYEE LEAVE BENEFITS | 16 |

| | | |
|---------|--|----|
| 2.1 | BEREAVEMENT LEAVE | |
| 2.2 | HOLIDAYS | |
| 2.3 | JURY DUTY OR RELATED COURT RESPONSIBILITIES | |
| 2.4 | LEAVE OF ABSENCE | |
| 2.4.1 | FAMILY MEDICAL LEAVE | |
| 2.4.1.1 | ELIGIBILITY | |
| 2.4.1.2 | LEAVE ENTITLEMENT | |
| 2.4.1.3 | INTERMITTENT OR REDUCED SCHEDULE LEAVE | |
| 2.4.1.4 | NOTICE AND SCHEDULING | |
| 2.4.1.5 | CERTIFICATION | |
| 2.4.1.6 | RELATIONSHIP TO PAID LEAVE | |
| 2.4.1.7 | MAINTENANCE OF BENEFITS | |
| 2.4.1.8 | RESTORATION TO POSITION | |
| 2.4.1.9 | DEFINITION | |
| 2.4.2 | SICK LEAVE | |
| 2.4.2.1 | COORDINATION WITH WORKER'S COMPENSATION | |
| 2.4.2.2 | DISABLED EMPLOYEE | |
| 2.4.2.3 | COORDINATION OF SICK LEAVE AND VACATION LEAVE | |
| 2.4.2.4 | UKPDATING THE DEPARTMENT HEAT | |
| 2.4.2.5 | ILLNESS IN THE IMMEDIATE FAMILY | |
| 2.4.2.6 | REPORTING EXPECTED ABSENCE | |
| 2.4.3 | SICK LEAVE CERTIFICATION & APPROVAL | |
| 2.4.4 | SICK LEAVE RELEASE | |
| 2.4.5 | ABUSE OF EXCESSIVE USE OF SICK LEAVE | |
| 2.5 | LEAVE OF ABSENCE WITHOUT PAY | |
| 2.5.1 | RETURN TO WORK | |
| 2.6 | MILITARY LEAVE | |
| 2.7 | VACATION LEAVE | |
| 2.8 | SHARED LEAVE | |
| 2.8.1 | PRINCIPLES OF THE PROGRAM | |
| 2.8.2 | DONATION OF LEAVE | |
| 2.8.3 | RULES FOR EMPLOYEE'S RECEIVING LEAVE AWARDS | |
| 3.0 | OTHER EMPLOYEE BENEFITS | 35 |
| 3.1 | QUALIFICATIONS FOR BENEFITS | |
| 3.2 | INSURANCE BENEFITS | |
| 3.2.1 | DENTAL INSURANCE | |
| 3.2.2 | DISABILITY INSURANCE | |
| 3.2.3 | HEALTH INSURANCE | |
| 3.2.4 | LIFE INSURANCE | |
| 3.2.5 | VISION INSURANCE | |

| | | | |
|-----|-------|--|----|
| | 3.2.6 | INSURANCE CONTINUATION (COBRA) | |
| 3.3 | | TUITION REIMBURCEMENT PROGRAM | |
| 4.0 | | COMPENSATION | 38 |
| | 4.1 | COMPENSATORY TIME | |
| | 4.2 | DEDUCTIONS FROM YOUR PAYCHECK | |
| | 4.3 | OVERTIME | |
| | 4.4 | PAY INCREASES | |
| | 4.5 | PAY PERIODS | |
| | 4.6 | TIMESHEETS | |
| 5.0 | | EMPLOYEE RELATIONS | 40 |
| | 5.1 | CONFIDENTIAL INFORMATION | |
| | 5.2 | CONFLICT OF INTEREST | |
| | 5.3 | CUSTOMER RELATIONS | |
| 6.0 | | SAFETY & HEALTH | 41 |
| | 6.1 | CATASTROPHIC ILLNESS | |
| | 6.2 | INCLEMENTAL WEATHER POLICY | |
| | 6.3 | HEALTH & SAFETY | |
| | | 6.3.1 WORKPLACE SECURITY | |
| | 6.4 | POSSESSION AND USE OF DANGEROUS WEAPONS | |
| | 6.5 | THREATS AND INTIMIDATION | |
| | 6.6 | SMOKING | |
| | 6.7 | WORKER'S COMPENSATION | |
| | 6.8 | SUBSTANCE ABUSE | |
| 7.0 | | MISCELLANEOUS | 46 |
| | 7.1 | CODE OF ETHICS | |
| | 7.2 | APPEARANCE | |
| | 7.3 | COMPUTERS AND THE CONFIDENTIALTY OF DATA | |
| | 7.4 | VOICE MAIL & EMAIL | |
| | 7.5 | SOLICITATION | |
| | 7.6 | TELEPHONES | |
| | | 7.6.1 CELLULAR TELEPHONES | |
| | 7.7 | USE OF COUNTY RESOURCES | |
| | | 7.7.1 FAX | |
| | | 7.7.2 COPIER | |
| | | 7.7.3 SUPPLIES | |
| | | 7.7.4 COMPUTERS | |
| | | 7.7.5 PURCHASED ITEMS DELIVERED TO PETTIS COUNTY | |
| | | 7.7.6 COUNTY VEHICLES | |
| | | 7.7.7 USE OF COURT HOUSE | |

| | | |
|-------|--|----|
| 7.8 | VISITORS | |
| 7.9 | VOTING | |
| 8.0 | DISCIPLINE | 53 |
| 8.1 | DISCIPLINE PROGRAM | |
| 8.2 | SUSPENSION WITHOUT PAY | |
| 8.3 | DISMISSALS | |
| 9.0 | TERMINATION/RESIGNATION | 54 |
| 9.1 | TERMINATION | |
| 9.2 | RETURN OF COUNTY PROPERTY | |
| 9.3 | LAYOFFS | |
| 10.0 | DRUG & ALCOHOL-FREE WORKPLACE POLICY | 55 |
| 10.1 | STATEMENT OF NEED | |
| 10.2 | THE COUNTY'S POSITION | |
| 10.3 | THE COUNTY'S AND EMPLOYEE'S RESPONSIBILITIES | |
| 10.4 | DEFINITIONS | |
| 10.5 | CIRCUMSTANCES UNDER WHICH TESTING IS TO BE PERFORMED AND PERSONS WHO ARE SUBJECT TO DRUG AND/OR ALCOHOL TESTING. | |
| | 10.5.1 PRE-EMPLOYMENT | |
| | 10.5.2 REASONABLE SUSPICION | |
| | 10.5.3 POST-ACCIDENT OR ON-THE-JOB INJURY | |
| | 10.5.4 RANDOM | |
| | 10.5.5 RETURN TO DUTY | |
| | 10.5.6 FOLLOW-UP | |
| 10.6 | VIOLATIONS | |
| | 10.6.1 ALCOHOL | |
| | 10.6.2 CONTROLLED SUBSTANCES | |
| 10.7 | REFUSAL TO TEST | |
| 10.8 | EMPLOYEE ASSISTANCE PROGRAM | |
| 10.9 | WORKER'S COMPENSATION | |
| 10.10 | EMPLOYEE EDUCATION AND SUPERVISOR TRAINING | |
| 10.11 | PROCEDURES AND PROVIDERS | |
| 10.12 | CONFIDENTIALITY | |
| 10.13 | APPROVAL BY THE COUNTY OF PETTIS | |
| 11.0 | FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION DRUG/ALCOHOL POLICY | 65 |
| 11.1 | POLICY STATEMENT | |
| 11.2 | EMPLOYEE CATEGORIES | |
| 11.3 | TYPES OF TESTING | |

- 11.3.1 PRE-EMPLOYMENT
- 11.3.2 RANDOM
- 11.3.3 POST-ACCIDENT
- 11.3.4 REASONABLE CAUSE
- 11.3.5 RETURN-TO-DUTY
- 11.3.6 FOLLOW-UP
- 11.4 REFUSAL TO SUBMIT TO A DRUG OR ALCOHOL TEST
- 11.5 OBSERVED URINE SPECIMEN COLLECTION
- 11.6 VIOLATION OF THE DRUG/ALCOHOL ABUSE POLICY
- 11.7 SERVICE PROVIDERS
 - 11.7.1 LABORATORY
 - 11.7.2 MEDICAL REVIEW OFFICER
 - 11.7.3 SUBSTANCE ABUSE PROFESSIONAL
 - 11.7.4 PROGRAM ADMINISTRATION AND DRUG/ALCHOL
COLLECTION
- 11.8 EDUCATION/TRAINING
- 11.9 REFERRAL & EMPLOYEE ASSISTANCE PROGRAM
- 11.10 WORKER'S COMPENSATION
- 11.11 RECORD KEEPING/RETENTION
- 11.12 CONFIDENTIALITY
- 11.13 APPROVAL

EMPLOYEE ACKNOWLEDGMENT 73

WELCOME!

You have joined an organization that is committed to excellence in service to Pettis County as well as providing employees with a pleasant, friendly work environment, a challenging job, and an opportunity for career advancement. We believe that mutual respect and open, honest communication will promote an atmosphere that encourages productivity and job satisfaction. We firmly believe our employees are the county's most valuable assets and we are excited to have you as part of our progressive team.

Our team received the Missouri Association of Counties 2011 MAC County Achievement Award in recognition of innovative efforts to serve Pettis County citizens.

This handbook was developed for you to describe some of our expectations and to outline the policies, programs, and benefits available to you as an employee. You have an important position. The future of Pettis County is dependent upon each of our individual efforts and when we work together we can meet the high expectations of the public.

Welcome Aboard! We look forward to your contribution to the County.

INTRODUCTION

This handbook describes the personnel policies and practices of Pettis County Missouri (the “County”) and outlines the various benefits for which you may be eligible. We believe our policies treat employees fairly and equitably with respect to pay, benefits, and other employment practices.

The policies that follow do not cover every situation that might arise. They serve as a standard in keeping with sound business practices and as a guide for personnel actions. If you need an interpretation of a policy or feel you need to deviate from an established policy, please consult your supervisor or the county human resources department. In any event, your good judgment and cooperation are expected.

The County Commissioners and other county elected officials recognize that there is great value in uniformity of treatment of employees who work for Pettis County, even though these employees may be supervised by different elected officials. However, elected officials have the authority to establish personnel policies and practices within their respective offices. There may be occasions where the needs of the individual offices will require deviation from the policies set forth in this handbook. Therefore, employees who are supervised by an elected official should consult with the elected official before relying on policies set for in this handbook.

PETTIS COUNTY ORGANIZATION & HISTORY

Pettis County is located in the heart of Missouri in the greatest nation on earth. The county was organized on January 28, 1833 by the Missouri General Assembly from parts of Saline and Cooper County and is named in honor of U.S. Congressman Spencer Darwin Pettis. As of 2010, the population was 42,201. Its county seat is Sedalia.

The county has a total area of 686 square miles (1,778 km²), of which, 685 square miles (1,774 km²) of it is land and 1.5 square miles (4 km²) of it (0.22%) is water.

The Pettis County Road and Bridge Department, located at 2208 West Main, Sedalia, MO has 868.3 total miles of road and 164 bridges to maintain. Of that total, 687 miles are gravel, 164.1 miles are paved/blacktop, 11.0 miles of concrete, and 6.2 miles of graded roads.

The Pettis County Sheriff’s Office is located in the Public Safety Building located at 319 South Lamine, Sedalia, MO.

The Pettis County Jail was opened in 2004 at 333 South Lamine, Sedalia, MO. And has the capacity to house 210 inmates.

The Juvenile Service Center is located at 403 South Lamine, Sedalia, MO 65301.

The Sedalia-Pettis County Emergency Management Agency keeps us out of harms way during storms and disasters through an early warning system and preparedness program. The EMA is located in the Public Safety Building at 319 South Lamine, Sedalia, MO.

1.0 EMPLOYMENT

The following section outlines our basic employment policies and procedures. If you have a question regarding this section, please consult with your supervisor or the county human resource department.

1.1 ADVANCEMENT

The County recognizes the importance and benefit of providing advancement opportunities to employees. When possible, open positions will be filled from within. Any questions regarding advancement opportunities or the requirements to move into other areas of the County should be directed to your supervisor or human resources department.

1.2 ATTENDANCE & PUNCTUALITY

Because your job is important to the County, we expect you to be regular and prompt in attendance. Punctuality is a matter of forming good habits, and is a characteristic you will want to maintain. You must be in your designated work area ready to begin work at your designated start time. Poor attendance and poor punctuality, regardless of the reason, may result in disciplinary action up to and including termination.

1.3 BREAKS

For each eight-hour day of work, you may take two paid fifteen-minute breaks; one in the morning and one in the afternoon. Your lunch hour may not be extended by taking your breaks.

You are expected to respect this privilege and not remain away from your work area longer than the fifteen minutes.

"Lunch" breaks will be 60-minutes, are not paid, and should be coordinated with your supervisor to ensure that there is proper coverage. Lunch breaks can be reduced to 30-minutes at the discretion of the department head to assist with office coverage, opening, and closing times. Some positions will require continuous coverage and not allow for a lunch break. Employees will be paid for this time.

Punctuality in returning from all breaks is a necessity for efficient operations. Excessive tardiness in returning from breaks will be treated the same as tardiness in reporting for work, and will be subject to disciplinary actions up to and including termination.

1.4 CHANGE OF STATUS

To assist us in making sure that your records are correct, we ask for your help in keeping us informed when any of the following changes occur:

1.4.1 Address Change-Please complete a new W-4 form after your address changes.

1.4.2 Phone Number Change-Please notify us if your home/primary phone number changes.

1.4.3 Change in Legal Name or Number of Dependents-If you undergo a legal name change (after marriage or divorce, for example). Any alteration in your marital status and number of dependents is vital information that must be reported on a new withholding tax form (W-4).

1.4.4 Changes in Insurance/Qualified Plan Beneficiaries-After marriage, divorce or the birth of a child, you may want to change the beneficiary on your insurance policies or qualified plans in which you participate. Changes need to be made within 30 days of the life-changing event.

1.4.5 Change in Employment Status (Part-time/Full-time)-Required paperwork for insurance, retirement, etc. must be filed within 30 days.

Failure to notify the County of changes in marital status and changes in dependents may result in monetary charges to the employee for the cost of health benefits for ineligible persons.

1.5 EMPLOYEE CATEGORIES

1.5.1 Regular full-time employees: Employees working at least a 35-hour workweek for an indefinite period of time. Eligible for complete County benefits.

1.5.2 Exempt employees: Employees who are exempt from the overtime provision of the Fair Labor Standards Act. Exempt employees are generally management, supervisory, professional, or sales personnel and work at least 40 hours per week.

1.5.3 Non-exempt employees: Employees who are covered by the provisions of the Fair Labor Standards Act and, therefore, are eligible for overtime payment.

1.5.4 Part-time employees: Employees who work less than 34.75 hours during a one-week period. Part-time employees are not to work in excess of 34.75 hours during a one-week period. Disciplinary action may be taken against the violating supervisor and employee.

Thirty-four hours is not an arbitrary number, it is based on information provided by our out-side auditing firm and the Department of Labor.

1.6 EMPLOYMENT OF RELATIVES

In order to provide the best possible management atmosphere, no immediate relatives (husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild) may be employed in the same area or report to the same immediate supervisor. *This policy is effective as of August 2006. Working relationships of relatives prior to August 2006 will not be affected. However, if a current employee is rehired, this policy must be enforced.*

In the event of a marriage between two employees in the same department, one of the two parties must transfer to another department or terminate his or her employment within 30 days. The choice as to which employee must take this action will be decided by the employees involved.

1.7 EMPLOYMENT VERIFICATION

All requests for employment verification and references should be directed to the human resource division. Generally, the only information we will provide is employee start date, position held, and termination date. In certain situations, with your prior approval, we will provide more information.

1.8 EQUAL EMPLOYMENT OPPORTUNITY

In accordance with applicable federal, state, and local laws, this Employee Handbook shall be applied equally to all employees without regard to race, color, sex or gender, religion, age, marital status, national origin or ancestry, disability or military status. The County is committed to equitable treatment for all employees and to compliance with all applicable federal, state and local equal employment opportunity in the workplace.

- All employees are to receive equitable treatment in the workplace and employment decisions are to be based on the principles of equal employment opportunity.
- Personnel actions and activities will be administered without regard to race, color, sex or gender, religion, age, marital status, national origin or ancestry, disability or military status.
- Discrimination, including harassment, against any employee on the basis of race, color, sex or gender, religion, age, marital status, national origin or ancestry, disability or military status will not be tolerated.
- Prohibited conduct under this policy includes retaliation for making a complaint or notifying the County of conduct prohibited by this policy, testifying as a witness at a hearing or otherwise assisting in an investigation of any complaint made pursuant to this policy.

Discipline (up to and including discharge) for violation of this policy shall be administered after investigation according to the particular situation and the severity of the offense.

1.9 EQUAL OPPORTUNITY FOR DISABLED APPLICANTS AND EMPLOYEES

It is the intent of the County to provide equal opportunity for employment, training, promotion and transfer to all disabled applicants and employees.

Employees who are disabled or become disabled should notify the County if the conditions of the disability may impair their ability to perform the essential functions of their position. If necessary, reasonable accommodation(s) will be considered for employees and/or applicants to perform the essential functions of their job.

1.10 HARASSMENT (SEXUAL & OTHER)

It is the intent of the County that all employees enjoy a work environment free from all forms of discrimination, including harassment. Harassment based on race, creed, color, sex, age, disability, religion, disabled or Vietnam-era veteran status or national origin is considered a violation of the County's policy on Equal Employment Opportunity.

You are expected to deal fairly and honestly with other employees to ensure a work environment free of intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist, sexist slurs, or through other derogatory or objectionable conduct is offensive employee behavior and may be subject to disciplinary action.

Sexual harassment is a specific form of harassment that undermines the integrity of the employment relationship. It will not be tolerated. Unwelcome sexual advances, requests for sexual favors, unwelcome sexual overtures and/or conduct and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual's employment or the rejection of the conduct is the basis for an employment decision affecting the harassed employee.
- B. The harassment substantially interferes with an employee's work performance and/or creates an environment, which may be intimidating, hostile or offensive.

Examples of sexual harassment may include, but are not limited to: sexual advances, sexual flirtations, sexual requests, lewd comments, sexually suggestive gestures, display of photographs, cartoons, articles and/or objects of a sexual nature.

Any employee or applicant who feels that he or she has experienced or observed harassment or has been discriminated against due to race, creed, color, sex, age, disability, religion, disabled or Vietnam-era veteran status or national origin should report such incidents to his/her supervisor, human resources, or to the County Commission without fear of reprisal.

The County will exercise the strictest level of confidentiality to ensure anonymity in reporting harassment activities. An investigation will be made and appropriate action taken to ensure that neither discrimination nor harassment persists.

We also realize that intentional false accusations of harassment can have serious effects on innocent employees. Thus, false accusations may also result in disciplinary action.

1.11 HOURS OF OPERATION

The work period will begin at 12:00 A.M. on Sunday morning and will end at 11:59 P.M. on Saturday evening for Pettis County employees. The official hours of the Courthouse will be 8:00 A.M. to 5:00 P.M. The normal workday for most County offices will be determined by the County Commission. The sheriff's department may adopt a schedule for work up to 28 days in a work period for earning of overtime after affected law enforcement employees have worked for more than 171 hours in the 28-day period. Such schedule shall be filed with the County Commission when adopted by the sheriff.

1.11.1 Workweek

The County's work schedule is based on a 40-hour workweek. Hours worked in excess of 40 hours will be compensated at time and one-half.

1.11.2 Work Schedules

The elected official or department head will have authority for setting work schedules for all employees of his/her department. The elected official or department head may designate a person in a supervisory role within the department to coordinate work schedules.

1.11.3 Call In

If employees are called in for unexpected or emergency duty, then the work beginning time is important for purposes of figuring overtime compensation or compensatory time off at a rate of 1.5 times.

1.12 IMMIGRATION REFORM & CONTROL ACT OF 1986

All new employees are required to provide the necessary documents to prove identity and employment eligibility within their first three (3) days on the job. If an employee does not have the document(s), a statement must be signed stating the required documents have been requested. The statement must be received within three (3) days of the hire date. According to Federal Law, failure to provide the proper documents within 90 days results in termination.

1.13 PERFORMANCE APPRAISAL

As an employee of the County, you are expected to maintain the highest standards of performance. The continued growth and success of the County depends on that level of performance.

Your supervisor constantly reviews your work. Many factors are considered

including quality and quantity of work, dependability, cooperation, attendance/punctuality etc.

You and your supervisor will discuss your strengths, weaknesses and progress in these areas. You will also have the opportunity to discuss your ideas and concerns.

1.14 EMPLOYEE PERSONNEL FILES

The County Commission and elected official or department head maintains employee personnel files. You may view information in your file by requesting access in writing. No copies may be made of materials in the file; however, you may take notes regarding the documentation. Personnel files will be maintained as confidential under the provision of CHAPTER 610, RSMo.

The County Clerk and the Human Resource Department have been designated by the County Commission as the repository for all personnel files and records deemed necessary.

1.15 EMPLOYMENT APPLICATIONS

All applicants must complete an employment application. Pettis County may also require a resume' and letters of reference depending on the position being applied for. An application must be completed before an applicant will be considered for a position, and can be obtained from the Pettis County Clerk's Office.

Following the review of all completed applications, the involved department head will begin interviewing the most qualified candidates. Those who do not meet employment requirements for whatever reason will remain classified as applicants, and may be eligible to reapply for future positions.

Pettis County will make conditional offers of employment to those candidates selected during the interview process. The conditional aspect of the job offer depends on the employee's agreeing to acknowledge county policies in writing, consenting and passing all necessary drug, background, medical, and reference checks and finally any other condition that should be met before the candidate may consider themselves an employee.

Following an acceptance of an offer of employment, all new employees will be given a start date and a location to report for an orientation session. During the orientation, new employees will be given workplace rules, policies and other information about their positions. Authorization forms and policies must be signed at this time before actual work is performed.

1.16 INTRODUCTORY PERIOD

All new employees of Pettis County will be subject to a 6-month mandatory introductory period. The pay scale for employees during their probationary period will be 95% of the base salary for the specific position they are hired to fill. Should an adjustment be made to the base salary during the introductory period, the salary of the employee will be adjusted to reflect the change. (Court Order No: 2-98#135).

The County Commission reserves the right to waive the introductory period for current part time employees. This action will be taken on a case-by-case basis weighing prior service and other factors.

The elected official or department head may elect to dismiss the employee at any time during the introductory period without a statement of reason or notice.

2.0 EMPLOYEE LEAVE BENEFITS

This section outlines the paid and non-paid absences for employees. These benefits are written with the general philosophy that good attendance is expected of employees at all times.

The Absence Policy for (**ALL**) **salaried employees** is as follows: This policy falls into two categories: paid absence and unpaid absence. Except for earned vacation, both paid and unpaid absences are not an entitlement for extra days off but rather a benefit to be used **only in time of need**. If an employee is absent in excess of three consecutive workdays, the absence must be supported by a doctor's certification. Supervisors retain the right to have the employee seen by a county-designated physician. Appropriate verification may be required at any time an employee takes time away from work for non-work-related activities. Absences have a greater impact on some areas of business than others.

Salaried employees must report, *in advance*, to the Human Resource department any absences from work during their regularly scheduled working hours. This includes any vacation, personal days or sick time.

2.1 BEREAVEMENT LEAVE

In case of death in the immediate family, which includes the employee's spouse, child, step-child, father, mother, step-parent, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparents, grandchildren, spouse's grandparents, and any other person who is a member of, or guest in, the employee's household at the time of death, an

employee shall be allowed up to a maximum time of two days with pay for any such verified death.

In the event such a death necessitates travel away from the employee's home for which two days are insufficient, up to five days may be allowed, upon advance notification to the supervisor. Such extra time shall be charged against the employee's personal leave, designated holiday, compensatory time, vacation, or sick leave.

If an employee accepts a call to serve as an active pallbearer for a fellow employee or retired employee, family member, or for a member of the immediate family of a fellow employee, he or she will be permitted to be absent from work without loss of pay for whatever time may be reasonably necessary, but not to exceed one day.

Bereavement leave may not be used to receive overtime compensation over 40 hours in a weekly pay period.

2.2 HOLIDAYS

All regular, full-time employees will receive a regular day's pay (8 hours) for the declared holidays, as approved annually by the County Commission, providing that the last regularly scheduled shift prior to the holiday was worked and the next scheduled shift following the holiday is worked. The commission usually considers the following holidays:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday After Thanksgiving
- Afternoon of Christmas Eve
- Christmas Day

In addition, each employee will receive two personal days (8 hours each) to be used with prior consent and approval from their supervisor. The two personal days shall be awarded to the employee upon successful completion of the six-month trial period prior to December 31st, and awarded annually on January 1, thereafter. Those hours not used by December 31st of each year will be lost, and awarded annually on January 1, thereafter. No prorating will be permitted.

If scheduled vacation leave time encompasses County holidays, the employee may extend vacation time by those holidays for which time is normally granted.

When a holiday falls on Sunday, the following Monday will be observed as a paid holiday (RSMo 9.10). If a holiday falls on a Saturday, the preceding Friday may be observed if approved by the County Commission.

An employee working on a designated holiday will be granted pay at double time, or if jointly agreed to by their supervisor, the employee will be granted straight time off for the holiday worked to be taken during that pay period. If the holiday falls on the employee's scheduled day off, this employee will be compensated with one (1) day's pay (8 hours). An employee working the actual holiday can request their 8-hour holiday compensation for that day or the observed day, but not both.

Individuals on unpaid leave or while being paid Worker's Compensation are not eligible to receive Holiday pay.

2.3 JURY DUTY OR RELATED COURT RESPONSIBILITIES

Employees called for jury duty, and/or to serve as a witness in court for the County will receive their regular salary from the County based on a 40-hour workweek. Credit for jury duty may not result in overtime or compensation time off. The goal of this policy is to prevent the employee from receiving a short paycheck.

Show your summons to your supervisor promptly and he/she will arrange the necessary time off. When your obligation to serve on jury duty ends before the end of the workday, you should report back to work. The maximum coverage to continue to receive regular pay provided for employees serving in jury and/or witness duty is 5 working days.

2.4 LEAVE OF ABSENCE

This section outlines the paid and non-paid absences for employees.

2.4.1 Family Medical Leave

It is the policy of the County to operate in compliance with the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA).

The County is committed to creating an environment that promotes a healthy balance of work and family life, while maintaining the highest quality of service delivery possible. Employees who qualify for family

medical leave as a result of a qualifying military leave issue may seek up to a total of 26 weeks of FMLA for such qualified time. The federal regulations provide the qualifying events related to such medical leave. In addition to those persons eligible for FMLA regular leave, military leave may be extended to the "next of kin" as defined in the federal regulations. For persons who believe that they may qualify for military leave related to FMLA benefits, they should contact the personnel administrator to make application and to determine what benefits may be available.

The County will provide up to 12 weeks of job-protected leave and continuing health coverage to "eligible" employees for certain family and medical reasons, as required by the FMLA. Leave under this policy may be referred to as FMLA leave.

The County uses the 12-month period measured forward from the date an employee's first FMLA leave begins.

2.4.1.1 Eligibility

To be eligible for leave under this policy, an employee must:

- A. Have worked for the County for at least 12 months; and
- B. Have worked at least 1,250 hours during the 12 months preceding the start of the leave.

2.4.1.2 Leave Entitlement

- A. An eligible employee shall be entitled to up to a total of 12 work weeks of leave, either paid or unpaid or a combination of the two, during any 12-month period, for any of the following reasons:
 - 1. For the birth, adoption, or foster placement of a child. Leave for this purpose must be taken with the first 12 months after the birth or placement.
 - 2. To care for a spouse, child or parent, who has a serious health condition.
 - 3. For a serious health condition that makes the employee unable to perform the employee's job.
- B. If both a husband and wife are employed by the County and are eligible under this policy, they will be limited to an aggregate total of twelve (12) weeks leave for both of them if the leave is for birth, adoption, or foster placement or to care for a permitted family member.

2.4.1.3 Intermittent or Reduced Schedule Leave

- A. Leaves to care for a serious health condition of either the employee or of one of the permitted family members may be taken on an intermittent or reduced schedule basis when medically necessary, subject to the notice and scheduling provisions of this policy.
- B. Only the actual time used by an employee will be charged against the employee's 12-week FMLA leave entitlement.
- C. The County may temporarily transfer an employee to an alternative position with equivalent pay and benefits in order to accommodate intermittent leave or a reduced leave schedule if the employee is qualified for the position and it better accommodates recurring periods of leave than the employee's regular job.
- D. Where an employee normally works a part-time schedule or variable hours, the amount of leave to which that employee is entitled is determined on a pro rata basis.

2.4.1.4 Notice and Scheduling

- A. An employee giving notice of the need for FMLA leave must explain the reason for the needed leave so as to allow the supervisor to determine that the leave qualifies under the FMLA. If the employee fails to explain the reason, leave may be denied. Supervisors should consult with the County Commission if they have questions.
- B. In any case in which leave is for birth, adoption, or foster care and is foreseeable based on an expected birth or placement, the employee shall provide the County with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.
- C. In any case in which leave is to care for a serious health condition, either of the employee or a permitted family member and is foreseeable based on planned medical treatment, the employee shall

1. Make a reasonable effort to schedule the treatment so as not to unduly disrupt County operations, subject to the approval of the health care provider of the employee or of the permitted family member, as appropriate; and
 2. Provide the County with not less than 30 days' notice before the date the leave is to begin of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.
- D. If an employee fails to give 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the County may deny leave until 30 days after the employee gives the notice.
- E. When the need for leave, or its timing, is not foreseeable, an employee shall give notice to the County of the need for FMLA leave as soon as practicable.
- F. The employee notifies Human Resources to request paperwork for FMLA. The human resource division then notifies the employee verbally (preferably within two business days) that the leave is designated and will be counted as FMLA leave and confirms it in writing no later than the next regular pay day, unless less than a week remains until the next pay day, in which case the confirmation shall be given as soon as practicable after the pay day. At the time the human resource division staff determines the leave should be counted as FMLA leave, the Human Resources staff will give the employee's supervisor the Notice to Employee and Employee Acknowledgment FMLA policy form and, if the leave is for serious illness of the employee or a permitted family member, a Certification of Health Care Provider form. The supervisor will then give the forms to the employee.
- G. As directed by his or her supervisor, the employee on FMLA shall report every 30 days on his or her status and intent to return to work.

2.4.1.5 Certification

- A. In the case of leave to care for a serious health condition of a permitted family member, the employee must obtain and

submit a certification issued by the health care provider of the family member that the employee is needed to care for such family member.

- B. In the case of leave due to the employee's own serious health condition, the employee must obtain and submit a certification issued by the employee's health care provider that the condition makes the employee unable to perform the essential functions of the employee's position.
- C. If an employee has notified the County that his or her leave will be on an intermittent or reduced schedule basis, the certification issued by the applicable health care provider must include:
 - 1. Either of the following statements:
 - a. That such type of leave is a medical necessity, or
 - b. That such type of leave is necessary to care for the family member or will assist in the family member's recovery; and
 - 2. The expected duration and schedule of such leave.
- D. The County may require the employee to obtain a second opinion from a health care provider designated by the County at the County's expense. If opinions differ, the County may require a third opinion at its expense. The third opinion will be final and binding.
- E. The County requires recertification during the period of leave if:
 - 1. The employee requests an extension of leave;
 - 2. Circumstances described by the original certification have changed significantly; or
 - 3. The County receives information that casts doubt upon the continuing validity of the original certification.
- F. Prior to returning to work, an employee whose leave was due to

the employee's own serious health condition must submit certification from his or her health care provider that the employee is able to perform the essential functions of his or her job. The employee will not be reinstated until such fitness for duty certification is submitted.

- G. If an employee fails to provide any certification required under this section within a reasonable time under the circumstances, the County may deny the leave, or return from leave until certification is provided or may deny continuation of the leave.
- H. If the certifications do not establish the employee's entitlement to FMLA leave, the leave will not be counted as qualifying under the FMLA and will be treated as paid or unpaid leave or unauthorized absence under other established County policies.

2.4.1.6 Relationship to Paid Leave

- A. Paid leave, which is classified as FMLA leave, may constitute part or all of the 12 weeks of FMLA leave to which an employee is entitled. FMLA leave will be paid leave until the employee has exhausted all accrued paid leave including: sick leave, vacation, floating holidays, personal leave, compensatory time and any other accrued paid leave.
- B. After the exhaustion of any paid leave that the employee uses under this policy, any additional time used as part of the employee's 12-week FMLA leave entitlement shall be without pay.
- C. The employee's FMLA 12-week entitlement will run concurrently with any leave taken under workers' compensation when the injury is one that meets the criteria for a serious health condition. In other words, workers' compensation will be counted as FMLA leave.
- D. Based on the information provided by the employee, the County will determine whether paid leave used by an employee counts as FMLA leave and will notify the employee as soon as possible. Once leave is classified as FMLA leave, the employee must comply with the requirements of this policy if he or she has not already done so. Paid leave taken for purposes other than those designated under this policy will not be counted against the employee's 12-week FMLA leave entitlement.

- E. If the other requirements of this policy are met, available FMLA leave will be used during any waiting period or qualifying period prior to receiving long-term disability benefits.

2.4.1.7 Maintenance of Benefits

- A. The employee who takes FMLA leave will not accrue any employment benefits except seniority during any period of unpaid leave.
- B. The County will continue health care coverage at the same level of contributions and benefits as provided if the employee continued working. If the County provides a new health plan or benefits or changes health benefits or plans while an employee is on FMLA leave, the employee will receive the new or changed plan or benefits to the same extent as if the employee were not on leave.
- C. Except as required by the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), the County's obligation to maintain health benefits under this policy ceases:
 - 1. If and when an employee informs the County of his or her intent not to return from leave; or
 - 2. If the employee fails to return from leave and thereby terminates employment; or
 - 3. If the employee exhausts his or her FMLA leave entitlement and any other paid leave entitlement prior to returning to work.
- D. If the employee does not return to work after the period of leave has expired, the employee must reimburse the County for the County's share of the health care coverage premium during the period of unpaid FMLA leave, unless the reason the employee does not return to work is:
 - 1. The continuation, recurrence, or onset of a serious health condition, either of the employee or a permitted family member; or

2. Other circumstances beyond the control of the employee.

The County may require certification from a health care provider if an employee states he or she is unable to return to work under D.1. above.

- E. Except as otherwise provided in this policy, during any period of FMLA leave, whether paid or unpaid, the County will continue to provide the same benefits to the employee as it would have provided if the employee continued working. Pension plan benefits are governed by the Retirement Pension Plan document.
- F. During any period of unpaid FMLA leave, the County will not pay any amounts normally paid by the employee through voluntary payroll deductions, including but not limited to union dues, deferred compensation contributions, credit union payments. The County will not pay the employee's pension contributions.
- G. The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. However, nothing in this policy shall be construed to entitle any restored employee to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

2.4.1.8 Restoration to Position

- A. Except as provided in subsection B, an eligible employee who takes leave under this policy shall be entitled, upon return from such leave:
 - 1. To be restored by the County to the position of employment held when the leave began; or
 - 2. To be restored by the County to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
- B. If the employee is unable to perform the essential functions of

the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to the same or another position under the FMLA. As a condition of restoration under this section for an employee who has taken leave due to his or her own serious health condition, the County will require a certification from the employee's health care provider that the employee is able to resume work and perform the essential functions of the job with or without an accommodation.

2.4.1.9 Definitions

As used in this policy, the following terms have the following meanings.

- *Health care provider* means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices or any other person designated by the U.S. Secretary of Labor.
- *Parent* means the biological parent of an employee or an individual who treated the employee as a son or daughter during the time the employee was under 18 years of age.
- *Permitted family member* means a spouse, child, or parent.
- *Serious health condition* means an illness, injury, impairment, or physical or mental condition that involves either "inpatient care" or "continuing treatment."
 - A. *Inpatient care* involves an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity (inability to work) or any subsequent treatment in connection with such inpatient care.
 - B. *Continuing treatment* includes any one or more of the following:
 1. A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity relating to the same condition that involves:
 - (a) Treatment two or more times by a health care

provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., a physical therapist) under orders of, or on referral by, a health care provider; or

- (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
2. Any period of incapacity due to pregnancy, or for prenatal care.
 3. Any period of incapacity or treatment for such incapacity due to a "chronic serious health condition." *A chronic serious health condition* is one which:
 - (a) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 - (b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 4. A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
 5. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely

result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy) or kidney disease (dialysis).

C. *Treatment* includes but is not limited to examination to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examination, or dental examinations.

D. *Period of incapacity* means inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment for the condition, or recovery from it for more than three (3) consecutive calendar days.

Unless complications arise, the common cold, flu, earaches, upset stomachs, headaches, and routine dental problems are not ordinarily serious health conditions.

- *Child or son or daughter* means a biological, adopted, or foster child, a stepchild, a legal ward, or a person whom the employee treats as the employee's child.
- *Spouse* means a husband or wife and includes a common law spouse.

2.4.2 SICK LEAVE

The County recognizes the need to provide employees paid time off for illness. The employee is subject to the following provisions.

Employees are allowed to take sick leave when the employee is suffering from a non-service connected illness or disability, provided they are eligible and have accumulated sufficient leave credit.

Regular full-time employees (hired prior to March 9, 2011), will earn eight (8) hours of sick leave for each completed calendar month in which a minimum of fifteen (15) days have been worked. Sick leave will be allowed to accumulate up to ninety (90) days. No sick leave shall accumulate when an employee is on authorized sick leave *without pay* or while being paid under Worker's compensation.

Regular full-time employees (hired after March 9, 2011), will earn four (4) hours of sick leave for each completed calendar month in which a minimum of fifteen (15) days have been worked after a six (6)-month introductory period. Sick leave will be allowed to accumulate up to thirty (30) days. No sick leave shall accumulate when an employee is on authorized sick leave *without pay* or while being paid under Worker's Compensation.

Introductory employees who are not eligible to receive sick leave may be granted an unpaid excused absence if they are unable to work due to injury or illness.

Pettis County recognizes the value that employees with many years of experience offer to the County, and appreciates their dedication to service as evidenced by not using all of the allotted sick pay. Therefore, the County adopts the following scale to reward those County employees that retire after July 1, 1999;

- After 10 years of full-time service, the employee shall receive compensation for 25% of the sick time accrued, valued at the average of their last three annual salaries.
- After 15 years of full-time service, the employee shall receive compensation for 40% of the sick time accrued, valued at the average of their last three annual salaries.
- After 20 years of full-time service, the employee shall receive compensation for 50% of the sick time accrued, valued at the average of their last three annual salaries.

The above scale does not apply to County employees who are subsequently elected to County office. For purposes of this selection, compensation is based on their date of employment as a full-time County employee. For purposes of this section, full-time is defined as thirty-five (35) hours per week (Order No.: 8-99, #324).

2.4.2.1 Coordination with Worker's Compensation

Any authorized absence due to injury or illness covered by Worker's Compensation shall not be charged against an employee's accrued sick leave. No sick leave will accrue during any time an employee is absent from work while under Worker's Compensation.

If an employee is receiving disability benefits from Worker's Compensation and has sick leave accrued, sick leave may be coordinated with Worker's Compensation payments to allow the employee to receive up to 100% of his or her base pay when Worker's Compensation and pay from the county due to his or her use of accrued sick pay are totaled.

2.4.2.3 Coordination of Sick Leave and Vacation Leave

An employee will not be granted sick leave pay nor in effect receive a refund of vacation for illness or injury incurred while on vacation time.

2.4.2.4 Updating the Department Head

An employee shall keep his or her Department head fully informed and updated for any use of sick leave that exceeds two (2) days duration.

2.4.2.5 Illness in the Immediate Family – *is not a qualifying event for sick leave pay.*

2.4.2.6 Reporting Expected Absence

An employee who cannot report to work for reason of illness or injury will report to his or her supervisor within 15 minutes of the time the office/department is scheduled to open.

2.4.3 Sick Leave Certification and Approval

If the County has reason to believe sick leave is being abused, it may require any employee requesting sick leave to furnish substantiating evidence or a statement from his or her attending physician certifying that the employee's absence from work was required. In any case, such certification must be presented whenever sick leave is requested for three (3) or more consecutive workdays.

The County shall have the right, at its discretion, to verify the report of the attending physician concerning the illness or disability of an employee, and to require the employee to be examined, at the County's expense, by a physician selected by the County to determine the nature and extent of the illness or disability.

As a result of this physician's statement and examinations, the County may approve or deny an employee's sick leave request, and establish limits and conditions for any further approved sick leave connected with the same illness or disability.

If the sick leave is classified as FMLA leave, then the requirements of that policy governing health care provider certification control.

2.4.4 Sick Leave Release

Employees who are sick or disabled for ten or more consecutive work days shall be required to secure and submit a physician's certification they are able to perform the essential functions of their position prior to returning to work. This certification must be submitted to Human Resources before the employee will be permitted to return to work.

Furthermore, the County may require, at its discretion and at its cost, that an employee take a medical examination in conjunction with the above sick leave release procedure, with the nature and extent of such medical examination to be determined by the County. Depending upon the results of this medical examination, the County may approve or deny the employee's request to return to work.

If the sick leave is classified as FMLA leave, then the provisions of the Family & Medical Leave Policy control.

2.4.5 Abuse or Excessive Use of Sick Leave

The abuse of sick leave, as well as the excessive use of sick leave, constitutes just cause for disciplinary action, up to and including discharge. It is the intent of the County to take such corrective action as it determines to be necessary.

2.5 LEAVE OF ABSENCE WITHOUT PAY

An employee may request in writing at least two weeks prior to the expected time of departure a desire to be granted, by the department head (elected official) and

the commission, a leave without pay. Eligible employees include those who have met their introductory time, who are regular full-time employees of the County.

2.5.1 Return to Work

An employee who has been granted a leave without pay may return with the same rate of pay and with the same or different position so long as that position is consistent with good employment practice. The designation of the position to which the employee returns is at the discretion of the department head and the Commission.

The reason for requesting and receiving leave without pay need only consist of a “good and sufficient” reason. The determination of whether a good reason exists shall be made jointly by the Commission and the department head. This may include leave time for furthering one’s education or leave time for some other personal reason where it is in the best interest of the county and the employee to consider eventual return.

2.6 MILITARY LEAVE

All regular employees who have met their introductory status and are active members of the National Guard, the Officers’ Reserve Corps, or the Enlisted Reserve Corps will be entitled to a leave of absence with pay for a time not to exceed 15 calendar days in any one calendar year or in keeping with current state and federal law related to the matter. Compensation from the County will reflect only the difference between the military compensation and the employee’s regular pay for the period if the military compensation is less than that of the employee’s County pay.

A written application will be made to the Department head at least 30 days prior to the time that it is expected that leave time will begin unless an emergency call-up is involved wherein no advance advisory is required.

For longer-term call-ups where pay does not continue, the county will allow the employee to return to the same or to a similar position of equal or greater pay at the end of the employee’s duty.

2.7 VACATION LEAVE

Accrual of vacation leave begins from the anniversary date of full-time employment and employment must be continuous. Vacation time is awarded annually:

For Full Time Employees hired before March 9,2011

| <u>Years of Service</u> | <u>Annual Entitlement</u> |
|---|---------------------------|
| Less than 1 year | 0 days |
| More than 1 year, less than 3 years | 5 days |
| More than 3 years, less than 7 years..... | 10 days |
| More than 7 years, less than 10 year..... | 15 days |
| More than 10 years | 20 days |

(vacation caps at 20 days)

For Full-Time Employees hired after March 9, 2011

| <u>Years of Service</u> | <u>Annual Entitlement</u> |
|---|---------------------------|
| Less than 1 year | 0 days |
| More than 1 year, less than 3 years | 5 days |
| More than 3 years, less than 7 years..... | 10 days |
| More than 7 years, less than 15 year..... | 15 days |
| More than 15 years | 20 days |

(vacation caps at 20 days)

After completion of one year of service, if the County terminates an employee prior to their anniversary date, vacation time will be awarded and paid on a monthly, pro-rated basis.

All vacations will be approved in advance at the discretion of the department head. Vacation leave will be used in its entirety within the year ended. Unused vacation will be forfeited at the end of each year on their anniversary date. Vacation leave must be taken as time off – no pay will be issued in lieu of vacation leave.

If an employee is confirmed ill or injured and needs or desires to use accrued vacation time along with sick leave time, he or she may do so with the understanding that accrued vacation time cannot be used in excess of what is remaining and due given the employee’s tenure and the afore-referenced schedule. In the event of major confirmed illness or injury there is no prohibition against the use of sick leave time, and worker’s compensation time.

2.8 SHARED LEAVE

The purpose of the Pettis County Shared Leave Program is to establish a program, which may make sick leave time available to Pettis County employees who have exhausted their own accrued leave due to personal catastrophic illness or injury, or that of their spouse or children.

2.8.1 Principles of the Program

- Only accrued sick leave may be accepted for donation.
- To be eligible to donate or receive leave an employee must be in a permanent position and have completed one year of employment with Pettis County.
- To be eligible to receive leave, an employee must document that he/she has experienced a personal illness or injury that is life threatening, catastrophic, or resulting in potentially permanent disability.
- To be eligible an employee must have exhausted all accrued leave and any worker's compensation indemnity payments, if applicable.
- Employees eligible for insured long term disability benefits are *not* eligible for shared leave.
- Because of legal requirements, employees of the Road and Bridge Department may only donate leave to other employees of Road and Bridge. The same restriction does not apply to employees paid from other funds of the County.

2.8.2 Donation of Leave

- Employees eligible to donate leave must notify the Payroll Clerk in the County clerk's office in writing. The notification must include the date, donor's name, signature and maximum number of hours to be donated and to whom donated. Forms are available from the Payroll Clerk.
- A maximum of 50% of the actual accumulated sick leave at the time of the donation may be accepted for donation, but not less than four (4) hours.
- Donations can be made only one time per twelve (12) month period, per employee, unless approved by the commission.
- Donated leave will be recorded and processed by the Payroll Clerk with the approval of the county Commission. Donated leave will be deducted from the donor's time sheet only as needed by the donee, not in a lump sum.
- Donations of sick time shall be voluntary. Any employee giving or receiving compensation for a leave donation will be subject to disciplinary action that could include termination of employment.
- Donations of leave will be used on a first-in basis dependent upon the date of receipt of the notification by the Payroll Clerk. In instances when more than one employee donates on the same date, the time will be used in descending order of donors with the most time available for donation.
- Any donated leave not used by the recipient may be returned to the donor.

2.8.3 Rules for Employees Receiving Leave Awards

- There will be no waiting period once accrued leave is exhausted.
- The minimum request for shared leave shall be forty (40) hours.
- An employee receiving donated leave will not be credited with accrued sick or vacation leave during that period.

- The maximum leave authorized for a single employee is twelve (12) weeks in one calendar year.
- Because donated leave will be credited to a donee as actually used, no excess sick leave will be allowed to accumulate on behalf of a recipient.
- The tax liability associated with donated leave will be the responsibility of the recipient, in compliance with IRS Revenue Ruling 90-29. Paid time will be subject to all tax liability associated with regular pay including Federal, State, and FICA withholding.

3.0 OTHER EMPLOYEE BENEFITS

The County provides a well-balanced benefit package to all regular, full-time employees. A complete explanation of these benefits is given in the individual benefits booklets. However, a brief explanation follows:

3.1 QUALIFICATIONS FOR BENEFITS

| BENEFIT | LENGTH OF SERVICE REQUIRED | | | |
|-------------------------|--|--|----------|--------|
| | Immediately | 90 Days after 1 st of the Month | 6 Months | 1 Year |
| Bereavement Leave | ✓ | | | |
| Disability Insurance | ✓ | | | |
| Educational Assistance | | | | ✓ |
| Holiday Pay (full-time) | ✓ | | | |
| Jury Duty | ✓ | | | |
| Life Insurance | | ✓ | | |
| Medical Insurance | | ✓ | | |
| Family Medical Leave | | | | ✓ |
| Military Leave | ✓ | | | |
| Sick Leave | New employees are eligible after 6 months. | | | |
| Vacation | awarded annually after 1 year of service. | | | |

3.2 INSURANCE BENEFITS- available through payroll deductions

3.2.1 Dental Insurance

County maintains plans exclusively for employees, their spouses and dependents, if applicable. See plan documents for details.

3.2.2 Disability Insurance

County maintains plans exclusively for employees, their spouses and dependents, if applicable. See plan documents for details.

3.2.3 Health Insurance

County maintains plans exclusively for employees, their spouses and dependents, if applicable. See plan documents for details.

3.2.4 Life Insurance

County maintains plans exclusively for employees, their spouses and dependents, if applicable. See plan documents for details.

3.2.5 Vision Insurance

County maintains plans exclusively for employees, their spouses and dependents, if applicable. See plan documents for details.

3.2.6 Insurance Continuation

Congress has passed the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Omnibus Budget Reconciliation Act (OBRA), which affect insurance coverage. These laws require employers to offer health insurance continuation to employees in the following instances:

| EVENT | EXTENDED COVERAGE AVAILABLE FOR | NOTIFICATION PROCEDURE |
|--|--|---|
| Termination of employment or reduction in hours of employment | 18 months for employee and dependents | County will advise you of your rights when you resign or are terminated |
| If disabled at termination of employment or reduction in hours of employment | 29 months for employee and dependents | County will advise you of your rights when you resign or are terminated |
| Death of employee | 36 months for spouse or dependent children | County will advise your spouse or dependent children of their rights |
| Divorce or legal separation | 36 months for spouse | Employee notifies County of desire for coverage |
| Employee entitled to Medicare benefits | 36 months for dependent child | Employee notifies County of desire for coverage |

| | | |
|---|--|--|
| Dependent child reaching the maximum age for coverage | | |
|---|--|--|

Employees have 60 days after the events listed above to advise the County if they wish to continue health care benefits under these laws. When an employee decides to continue health care benefits, they are responsible for payment of insurance premiums on a regular basis. In addition to the regular premium charge, employees will be charged a service fee ranging from 2% to 50% of the premium to cover administrative costs associated with continuing this benefit. Nonpayment of premiums by the end of the 45-day grace period will terminate rights to receive continued health care coverage under COBRA. Coverage can also be terminated in other specific situations.

COBRA contains many other provisions that are not possible to reproduce here. If you have any questions regarding this information or your rights under COBRA, contact the human resource department.

3.3 TUITION REIMBURSEMENT PROGRAM

The Pettis County Commission recognizes the importance of having a well-trained workforce and encourages Pettis County employees to continue their training and education. Therefore, the Commission has adopted a policy of tuition reimbursement for county employees who have been employed full time for no less than twelve (12) months prior to the start of any school semester covering up to 60% of the costs, not to exceed five hundred dollars (\$500.00) in any calendar year and two thousand dollars (\$2,000.00) per employee, which are subject to appropriations and the following conditions :

- I. Upon successful completion of the course, the County may reimburse the employee at the following rates ;
 - a. For a letter grade or equivalent of « A » --60%
 - b. For a letter grade or equivalent of « B » --50%
 - c. For a letter grade of equivalent of « C » --40%
- II. To be considered for reimbursement the employee must receive prior approval from both their supervisor and the Commission.
- III. Reimbursement is for academic or vocational training in which the student will receive college or university credit hours.
- IV. Reimbursement will cover tuition and lab fees only.

- V. Training must be related to the employee's current job responsibility, duties, or related to skills or education that are required to further the employee's job opportunities with the County.
- VI. Participation will be on a voluntary basis only.
- VII. Employee must agree to remain an employee of the County for a period of two (2) years after the paid date of the last award, or will be required to reimburse the County for all tuition awards received unless the position is terminated or eliminated by the Commission.
- VIII. Attending classes and training will be on the employee's personal time. If the course or class is only available during normal business hours, prior approval for unpaid time off and scheduling arrangements must be made with the employee's supervisor.
- IX. The County Commission has final authority and decision-making ability in implementing this program, including making exceptions on a case-by-case basis.

The tuition reimbursement program is not available to any elected officials.

4.0 COMPENSATION

4.1 COMPENSATORY TIME

All comp time must receive prior approval from the Pettis County Commission. Employees should use the comp time within the next two (2) pay periods from which it was earned. The County has the right to compel employees to take the time off. In extenuating circumstances, requested payout for comp time may be made by the elected official or department head but is subject to final approval of the Commission.

4.2 DEDUCTIONS FROM YOUR PAYCHECK

The County is required to make the following deductions from your paycheck:

1. **Income Tax (Federal and State)**: Deductions will be made in accordance with Federal and State Withholding Tax Tables and will be based upon employee's salary and number of dependents.
2. **F.I.C.A.**: The amount of tax prescribed by the Federal Insurance Contributions Act (F.I.C.A.) will be deducted. A percentage goes to Social Security and to Medicare.
3. **Group Insurance**: Portions of group insurance costs not covered by County

will be deducted.

4. **Garnishments**: Required by court ruling for taxes or unpaid bills.
5. **Voluntary contributions** - United Way, payroll savings plan, etc.
6. **County Employees' Retirement Fund**: Required contributions not paid by the county will be deducted.

4.3 OVERTIME

Overtime compensation for ***time worked*** in excess of forty (40) hours within the work week is computed at the rate of 1.5 times the number of ***hours worked*** in excess of forty (40) hours and if payment is made will be computed at the rate of 1.5 times the usual rate of pay if payment is made. The County Commission or Department Heads must approve all overtime in advance unless a true emergency arises. Any compensatory time accumulated within any given pay period ***should*** be used by the employee within the following two (2) pay periods. In extenuating circumstances, payment for comp time may be requested by the elected official or department head but must receive approval of the County Commission. The Department Head may elect, at his or her discretion, to allow straight time off for overtime worked if this is awarded within the regular workweek in which the excess time was accumulated. An employee must meet the 40-hour plus workweek (not simply exceed an 8-hour day) before being eligible for overtime compensation.

The elected official or department head is authorized to require employees to work overtime as a condition of employment if the conduct of public business is such that this is necessary for the welfare of the Department. All employees will be so advised of this as a condition of employment.

Clarification for overtime pay for the Division of Road and Bridge:

Overtime is calculated on a basis of "over 40 hours worked" in a one-week pay period

Exception: Mandatory emergency call in's

- a. Example: Employee is required to work on Saturday to remove snow (overtime is paid for hours worked for the call in).
- b. Example: Employee is required to report to work while off on an advanced scheduled vacation day (overtime is paid on hours worked for the call in).
- c. Example: Employee is required to report to work during an official county holiday (employee is paid straight time during working hours in addition to 8 hours pay for the holiday)

An extension of the normal working hours on any given work day is not considered subject to overtime pay when the actual hours worked by an employee does not exceed 40 hours in a given work week.

“Averaging” of two or more weeks for purposes of figuring overtime compensation across two or more weeks is not allowed under the provisions of FLSA. In other words, averaging of overtime worked for purposes of reducing compensation in either pay or compensatory time earned is not allowed.

4.4 PAY INCREASES

Pay increases may be given annually. Pay increases are at the discretion of the County Commission, and are based on factors such as employee performance, economic conditions, available funds, additional duties, etc. and therefore, are not automatic.

4.5 PAY PERIODS

Hourly paid employees shall be paid on a biweekly basis for the preceding weeks. Salaried employees shall be paid bi-weekly for the two week period ending on Friday. Checks will be issued on the scheduled payday unless it falls on a holiday, then it will be the preceding day.

4.6 TIME SHEETS

Every hourly employee of Pettis County will make time clock entries, on a daily basis, (unless another formal mechanism for tracking time is used within the department). It will be completed accurately and truthfully by the employee and, to the extent possible, all information on the time sheet will be verified by the department head or elected official of each office prior to submission to the County Clerk’s office. The time sheets will be submitted to the county Clerk on the day and time designated by the County Clerk. Late, incomplete or inaccurate time sheets may result in a delay in the issuance of a payroll check for the period covered by the time sheet.

5.0 EMPLOYEE RELATIONS

Good communication is essential to maintaining a productive work atmosphere. Should a problem develop or you have questions or ideas about procedures, policies, or your own position, please discuss it with your supervisor. Every effort should be made to resolve differences at this level. If the issue cannot be resolved between you and your supervisor, it can be submitted to the next level of management and eventually to the County Commission. The County Commission’s actions will be final.

5.1 CONFIDENTIAL INFORMATION

Some material and information handled throughout a normal workday is considered confidential information. Information such as account lists, account performance,

payroll, confidential correspondence, etc. are essential to the day-to-day operations of the organization, but are highly confidential, and should be treated as such. Anyone responsible for distribution of this type of information to unauthorized sources may be terminated immediately.

5.2 CONFLICT OF INTEREST

All elected and appointed officials as well as employees of Pettis County must comply with all conflict of interest federal and state laws including but not limited to Section 105.454 of Missouri Revised Statutes on conflict of interest.

5.3 CUSTOMER RELATIONS

Good relationships with our customers are clearly essential for our continued success. In a highly regulated and customer centered business, service and that "personal touch" may be our best selling point in retaining "happy" customers.

Potentially, all of us at one point will directly or indirectly come into contact with current or potential customers. Regardless of the nature of the contact, you are expected to be courteous and helpful at all times.

Remember, you are a representative of the County.

6.0 SAFETY & HEALTH

6.1 CATASTROPHIC ILLNESS

Catastrophic illness will be treated like other employee illnesses by the County. Since catastrophic illnesses cannot be transmitted by casual contact in the workplace, affected employees will not be terminated just because they have a catastrophic illness. These employees will be expected to maintain acceptable performance levels, as will all other County employees.

The County prohibits discrimination against, and harassment of, employees with catastrophic illnesses. If an employee feels he/she has been treated unfairly, he/she should contact the human resource division or the County Commission.

6.2 INCLEMENT WEATHER POLICY

The County Commission and elected officials will be the only authority to release any employees earlier than the regular closing hours of the Courthouse and its departments or to delay the regular time to report to work due to inclement weather conditions. The County commission has sole authority in closing the entire courthouse due to inclement weather or other severe conditions. The above situations are rare and are not to be considered time worked.

The County Commission will be the sole authority in determining the closing of the Courthouse and its departments for any reason or circumstances deemed appropriate or necessary.

6.3 HEALTH & SAFETY

All employees shall be responsible for performing work assignments in a safe manner. Prime consideration shall be given to safety in all work situations. All employees shall:

- Be thoroughly familiar with safety requirements and practices applicable to their respective work assignments;
- Not use a cell phone or other electronic device while operating a County vehicle
- Actively observe safety practices, and report unsafe or potentially dangerous conditions and accidents to their supervisor immediately. If an employee is on medication or under a doctor's care for any reason that could affect the employee's operation of machinery, equipment, or other job duties, the employee must inform his or her supervisor of his or her condition. It is also the employee's responsibility to immediately report any injury (no matter how minor) to his or her supervisor. The supervisor must report the injury to the Pettis County clerk in the same work shift in which the injury occurred. Failure to report a health or injury condition may subject the employee to disciplinary action;
- Refrain from engaging in horseplay, wrestling, hazing of co-workers, and any other unsafe practice under penalty of disciplinary action up to and including dismissal;
- Wear protective equipment, use protective devices and wear safety belts in all County vehicles so equipped;
- Reporting to supervisor any suspension, revocation or other loss or potential loss of the right to legally drive a motor vehicle if driving a County vehicle is a responsibility or privilege of the job;
- Be properly licensed at the time of employment or assignment to a vehicle (if they are responsible for driving county vehicles) and, upon each license renewal date, must complete driver training or driver performance qualification checks as required by the department before operating County vehicles.

The county will provide a limited number of protective device styles meeting safety standards from which the employees may select. Safety equipment will be repaired or replaced by the County as necessary. Replacements and repairs may be made without cost to the employee if the equipment is damaged in the course of the employee's job performance. Employees must present their damaged equipment to the supervisor to

obtain permission before obtaining replacements.

Department heads or elected officials have the responsibility of recording, in detail, all relevant facts surrounding an investigation of accidents or injuries on the job. Every reasonable effort will be taken to prevent accidents. Department heads or elected officials will be responsible for reviewing preventive measures on an annual basis that may be helpful and applicable to their areas of responsibility. Such a review should be documented. A copy will be retained by the department head and one sent to the County Commission.

The County may retain a physician(s) to perform services for the County. These services may include post-offer employment physicals, disability retirement physicals, examinations and/or treatment of on-the-job injuries, and verification of illness and/or injury, among other services. An employee may be directed by his supervisor to see the retained physician(s) at the expense of the county, and it will be the responsibility of the employee to make any scheduled appointments with the retained physician(s). For charges not covered by Worker's compensation, the county will pay for the cost of the examination only. Any referral or additional charge outside the examination can be submitted to the County health insurance plan, with the employee responsible for any portion not paid by the health plan.

The County will pay for immunizations when approved by the County Commission.

6.3.1 Work Place Security

The County is committed to providing a safe environment for working and conducting business. The County will not tolerate acts of violence committed by or against employees or members of the public while on County property or while performing County business at other locations. Any unlawful violent actions committed by employees or members of the public while on County property or while using County facilities will be prosecuted as appropriate. The County intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public.

The County maintains a "zero tolerance" policy regarding workplace violence (see definitions that follow). Possession of any type of dangerous weapon or explosive is grounds for termination. Threats of violence or attempts to harm other individuals will result in immediate disciplinary

action including termination.

If you sense any threatening situation, you are encouraged to report it immediately to your supervisor, the County Commission, or any proper authority.

6.3.2 Definitions:

- For the purposes of this policy “violent action” or “violence” shall mean an act or behavior that occurs on County property or while performing County business that:

A. Is physically assaultive;

B. A reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance or romantic interest in another person and reasonably likely to result in harm or threats of harm to people or property;

C. Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;

D. Would be interpreted by a reasonable person as carrying potential for physical harm to the individual;

E. A reasonable person would perceive as menacing;

F. Involves carrying or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening;
or

G. Consists of a communicated or reasonably perceived threat to destroy property.

6.3.3 Responsibilities:

You are responsible for:

A. Refraining from acts of violence and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace. The County maintains an Employee Assistance Program to aid in this effort.

B. Reporting to managers, supervisors, and the County Commission any dangerous or threatening situations that occur in the workplace.

1. Managers and supervisors are responsible for assessing complaints or reports of violence, initiating the investigation process, and making judgments on the appropriate response in consultation with the County Commission and responding as appropriate. The County Commission is responsible for

developing procedures that in so far as it is reasonably possible, are designed to achieve:

- a. Establishment of oversight of investigations of violence;
- b. Prompt and appropriate response to any act of violence;
- c. Accountability among employees for acts of violence committed in the workplace;
- d. Establishment of avenues of support for employees who experience violence and
- e. Communication of this policy.

6.4 POSSESSION AND USE OF DANGEROUS WEAPONS BY EMPLOYEES

Dangerous Weapons Defined: Firearms and explosives are considered dangerous weapons. Any other object may be considered a dangerous weapon if the use or possession of the object is reasonably seen as threatening and the object is capable of doing bodily harm.

Prohibition: In the interest of maintaining a workplace that is safe and free of violence, possession or use of a dangerous weapon is prohibited on County property, in County vehicles, or in any personal vehicle used for County business except as authorized by the Sheriff.

6.5 THREATS AND INTIMIDATION

You are encouraged to report threatening, intimidating or harassing situations to your immediate supervisor. In cases where this reporting procedure might not be feasible, you may make confidential reports directly to the County Commission

6.6 SMOKING

The County promotes a smoke-free environment. No smoking is allowed inside any County building or within 15 feet of any building entrance. No smoking is allowed inside any county vehicle. This policy is intended to promote the safety, health and wellness of County employees and applies to all employees, visitors, and contractors.

6.7 WORKERS' COMPENSATION

Workers' Compensation laws of the State of Missouri cover the County employees. All injuries occurring on the job, regardless of how minor, must be reported immediately to your supervisor or human resources, who will arrange for proper medical care and complete any injury report forms required by law. Failure

to report injuries immediately may result in disciplinary action.

6.8 SUBSTANCE ABUSE

The County recognizes that alcoholism and drug addiction are serious social and medical problems that can negatively impact the performance and image of employees and the county. As a responsible organization, our obligation to our employees, members, and community requires that we maintain a workplace free from persons involved in substance abuse.

7.0 MISCELLANEOUS

7.1 CODE OF ETHICS

Employees and representative of Pettis County will endeavor to uphold not only appropriate state and federal laws and statutes but will conduct themselves in a manner consistent with their role as holders of the public trust.

- **Civility** – *All personnel will be civil, orderly, diligent, discreet and courteous as a reasonable person is expected to be in any situation, public or private.*
- **Contact with Citizens** – *All personnel will answer questions from citizens in a courteous manner and if unable to supply an answer, will make every effort to obtain the answer for the citizen, avoiding argument and unnecessary conversation. If requested, an employee will give their name in a courteous manner to any person who so requests. All persons will receive equal courtesy regardless of race, color disability, creed, religion, sex, or age.*
- **Truthfulness** – *All personnel will speak the truth at all times under all circumstances. In cases that they are not allowed by the regulations of their office to divulge facts within his or her knowledge, he or she will respectfully decline to speak on the subject.*
- **Malicious/ Slanderous Criticism and Malicious Gossip** – *Personnel will not criticize any other person or employee, except in the line of duty as a superior to a subordinate. Nor will the employee criticize or maliciously gossip about any superior, fellow employees, order, policy, procedure, case or event that should remain official information. No employee will cause discredit, lower or injure the morale of the personnel of the county or that of any individual of the County.*
- **Possession / Use of Intoxicants/ Drugs** – *Except as prescribed by law - Personnel will not bring, permit to be brought, placed, or kept in any County owned building, location, or vehicle any intoxicants or illegal drugs. Use of intoxicants/drugs in any manner while on duty or within eight hours prior to scheduled duty is not permitted.*
- **False Information on Records** – *Personnel will not make false official reports or knowingly or willingly enter or cause to be entered into any County books,*

records, or report any inaccurate, false or improper information or material matter.

- ***Misappropriation of Property*** – *Personnel will not appropriate for his own use any lost, found, or stolen property nor convert to his own use any County property or other person's property.*
- ***Marking or Altering Department Notices*** – *Personnel will not mark, alter, or deface any printed or written notice, memorandum, general order or directive relating to County business nor any notice posted on any bulletin board or blackboard maintained by the County. All notices of a personal nature and/or of a derogatory character regarding any member, employee, or department of the county are prohibited.*
- ***Statements Concerning Liability*** – *Personnel will not make any oral or written statements to anyone concerning liability in connection with the operations or administration of County business.*
- ***Seeking/ Accepting Gifts*** – *No person will seek or accept, directly or indirectly, any gift, present, or gratuity from any person, firm, group of people, relatives, friends, employees of the same for any service rendered or expense incurred on the basis of his employment or association with the county if the purpose of that gift is to in any manner influence the action/ function of the employee or if the gift has any significant monetary value.*

7.2 APPEARANCE

While the County has no formal dress code, employees are expected to adhere to standards of good taste that is business appropriate. The elected official or department head may establish a reasonable dress code for employees under his or her direction. Remember, you represent the County to our customers.

7.3 COMPUTERS AND THE CONFIDENTIALITY OF DATA

All information stored in the computer system, data files or word processing documents, is to be treated as confidential information, of a proprietary nature of the County. Moreover, please be aware that the County may purge files on its computer at any time, without notice. All information of any kind is considered to be County nproperty.

7.4 VOICE-MAIL AND E-MAIL

It is the policy of the County that the E-mail system, like other assets such as the voice mail system, be used solely for the benefit the County. Use of the E-mail or voice mail system to violate other County policies is prohibited and may lead to disciplinary action, up to and including termination.

All electronic and telephonic communication systems and all communication and information transmitted by, received from, or stored in these systems are the property of the County, and as such are to be used for job-related communications only.

Employees should be aware that E-mail and voice messages, like County correspondence, may be read or heard by County employees or outsiders under certain circumstances, similar to the circumstances under which County may need to access your other business files and information. No employee shall have an expectation of privacy when using County electronic communications regardless of the purpose.

7.5 SOLICITATION

County employees are not permitted to take time during working hours for the purpose of selling to other employees, or the public, such items as chances, candies, cosmetics, cards, cookies, etc., or to solicit or collect funds or to distribute non-County written material.

7.6 TELEPHONES

When answering the telephone, please do so promptly and courteously, always giving your name to the caller. Courtesy, friendliness, and patience create good public relations for the County and for you.

Telephones are to be used only in the conduct of County business. Long distance calls will not be made at Pettis County expense except in the conduct of County business. No long distance phone calls of a personal nature will be made by any County employee at County expense unless a valid emergency arises. If a long-distance call is made, the employee should use a calling card, call collect, or reverse the charges. If, however, it is impossible to avoid making a long-distance call, which is billed to the county, it is the obligation of the employee to advise his or her department head of the fact the call was made and then reimburse the County for the call as soon as the amount of the charge can be determined.

7.6.1 CELLULAR TELEPHONES

It is the policy of the County Commission to provide cellular telephones to County employees when the Commission and their Department Heads determine that there is a need that benefits the County and funds are available. All County cellular telephones shall be on plans, group or individual, approved by the Commission and managed by the Department Head. Employees may use cellular telephones on a limited basis for personal calls as long as the monthly bill does not exceed the plan. In the

event the plan is exceeded, each employee on the plan must reimburse the County for personal minutes used for that billing period. Individuals determined to be abusing a County cellular telephone by excessive personal use, may have their cellular privileges revoked by the Commission or the Department Head.

The use of a cell phone or other electronic devices while operating a county vehicle or piece of equipment is prohibited. Employees must always put safety first.

7.7 USE OF COUNTY RESOURCES

Unless specifically permitted under these guidelines, the use of County resources by employees including the department head is forbidden.

7.7.1 FAX

Employees may occasionally send short faxes to local numbers so long as they do so while on break or on lunch, and so long as the fax machine is not needed by any other employee for county business. If employees send a long-distance fax, they must keep track of the call so that they can reimburse the County for the expense. Employees should not encourage others to send faxes to them on the County fax machine.

7.7.2 COPIER

Employees may occasionally use the copying machine to make a couple of copies. For any personal use beyond that, the employee must reimburse the county as the same rate charged to the public.

7.7.3 SUPPLIES

Employees may not use office supplies for personal use. While it is impossible to avoid the occasional, incidental use of supplies, such usage should be kept to a minimum. Examples of permissible usage would be jotting down a note on a piece of paper or inadvertently carrying a pen out of the office. Examples of impermissible usage would be taking home a stack of envelopes or a box of staples.

7.7.4 COMPUTERS

Employees may use their computer for brief word processing tasks so long as this work is done on break, during lunch hour, or before or after work.

While Internet access is an increasingly valuable, approaching necessary, tool, it can also be a great consumer of time. Employees should not use their computer to “surf the net.”

During break, employees may send and read personal e-mails. However, all employees should be advised 1) that the County owns the content of everything on the computers, which would include e-mails, and 2) that it is very likely that such records would be subject to open records requests. No employee shall have an expectation of privacy when using County electronic communications regardless of the purpose.

Request for computer maintenance or associated problems should be directed to the Pettis County Information Technologies Department. Primary problem reporting should be done with the SysAid Help Desk icon on individual computers. If specific problems prohibit use of the online report, calling in the problem is acceptable.

7.7.5 INTERNET USAGE

Internet access to the global electronic information resources on the World Wide Web is provided by the COUNTY to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. All Internet usage is limited to job-related activities.

All internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the COUNTY and, as such, is subject to disclosure to law enforcement of other third parties. Consequently, employees should always ensure that the business information contained in internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provide to access the internet remain at all times the property of the COUNTY. As such the COUNTY reserves the right to monitor internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it or has not gotten authorization for its use, it should not be put on the internet. Employees are also responsible for ensuring that the person sending any material over the internet has the appropriate distribution rights.

To ensure a virus-free environment, no files may be downloaded from the internet without prior authorization from the county IT department.

Abuse of the internet access provided by the COUNTY in violation of law or COUNTY policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, harassing, or threatening messages or images.
- Using the organization's time and resources for personal gain.
- Stealing, using or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission.
- Sending or posting confidential material, trade secrets, or proprietary information outside of the company.
- Violating copyright law.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the COUNTY or initiate unwanted internet services and transmissions.
- Sending or posting messages or material that could damage the COUNTY's image or reputation.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Using the internet for political causes or activities, religious activities, or any sort of gambling.
- Jeopardizing the security of the COUNTY's s electronic communications systems.

- Sending or posting messages that disparage another organization's products or services.
- Passing off personal views as representing those of the COUNTY's.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.

7.7.5 PURCHASED ITEMS DELIVERED TO PETTIS COUNTY

This action could be a violation of state law if 1) done to avoid sales tax or if 2) the transaction is construed to impose liability on the County. Thus delivery to the courthouse is not condoned. If personal items must be delivered to a County address, such as the courthouse, Jail, or Road Barn, these items shall be addressed only to the individual making the purchase.

7.7.6 COUNTY VEHICLES

For the benefit of the citizens of Pettis County and to enhance public safety, the Pettis County commission may permit designated employees to take a County vehicle to their home, provided that it is within the boundaries of Pettis County. The Pettis County commission shall not permit an employee to take a county vehicle home, to a residence located outside of Pettis County. These individuals will be selected because they are on-call 24 hours a day, 7 days a week. The vehicles are not for personal use and may not be operated by a member of the employee's family.

No employee shall transport a non-county person when engaging in County business without specific written authority.

Employees and elected officials must strictly observe all federal, state, and local laws and regulations governing safe motor vehicle operation, including mandatory use of seat belts, where provided.

Observe and immediately report problems and mechanical deficiencies to the appropriate party.

7.7.7 USE OF COURTHOUSE

Nothing in these guidelines shall prohibit the use of the Courthouse for meeting space for community groups, which have scheduled such meetings through the County Commission.

7.8 VISITORS

Office visits by fellow employees, former employees or friends, while pleasant, can be time consuming and disruptive in most instances, not only to the individual

being visited, but also to the entire office. Visitations for other than business should be limited to lunch periods or break periods.

7.9 VOTING

As a citizen, it is your privilege, as well as your responsibility, to vote. Because the polls are open early in the morning and late in the evening, employees are expected to take advantage of those hours and not use work time for voting.

8.0 DISCIPLINE

8.1 DISCIPLINE PROGRAM

County recognizes the need to maintain discipline, establish and communicate reasonable rules of conduct, and to consistently enforce these rules where necessary.

The purpose of maintaining discipline is to improve employee performance and morale. Disciplinary action should be applied to the extent necessary to correct misconduct and to bring employee performance back into conformance with acceptable standards.

These disciplinary provisions do not represent an employment contract, but rather are intended to enhance employee performance and morale. Employment with the County is at-will. The County has made no commitment for employment for any specified duration. Either the County or the employee may terminate the employment relationship at any time.

Any individuals found by the county to be committing acts of waste, abuse, or damage involving county property will be subject to discipline, including, but not limited to those allowed under this policy and sections 49.490 and 49.266 of the Revised Statutes of Missouri.

8.2 SUSPENSION WITHOUT PAY

Any elected official, department head, or supervisor may suspend, without pay, any employee of Pettis County under his or her authority for a minimum of three (3) working days for sufficient reason.

The above actions shall be in keeping with all Missouri statutes, including RSMo. 610.025 and Federal Labor regulations regarding personnel record keeping, personal actions, and confidentiality of such actions.

8.3 DISMISSALS

An elected official or department head may dismiss any employee so long as the employee's constitutional rights are not violated. A written statement of the effective date of dismissal will be immediately filed with the Pettis County Commission. Pettis County is an AT Will employer.

9.0 TERMINATION/RESIGNATION

9.1 TERMINATION

We encourage employees to give two weeks notice of resignation. Notice should include anticipated date of departure, reason for resignation, signature, and other pertinent data. Termination may occur as following;

An employee may be terminated at any time without notice.

An employee may terminate employment at any time without notice.

Also see "Dismissals" and "Drug-free Workplace"

The wages of any employee who is terminated, fired, or discharged are considered due on the day of discharge. If not paid on the day of discharge, the employee may request in writing the payment of his wages, and the County shall pay within three (3) days. Also see "County Property."

If the employee voluntarily leaves the County employment, the County shall pay final payment of wages during the next regularly scheduled payday. Also see "County Property."

When a full time, 70 to 80 hours per pay period, employee becomes a part time employee working at least 35 hours per pay period, that employee is entitled to carry over accrued vacation time, sick leave and compensatory time.

When a full-time, 70 to 80 hours per pay period, employee becomes a part time employee working less than 35 hours per pay period, that employee loses any accrued sick leave time. No additional benefits will accrue after the date the employee changed from full time to part time.

9.2 RETURN OF COUNTY PROPERTY

Any employee separating from employment of Pettis County government for any reason will, prior to separation, return all County property, keys, and equipment in the

possession or under the control of the employee. Failure to return county-owned property and equipment by date of separation, or failure to return property and equipment in acceptable condition will result in the withholding of any compensation or benefits due the employee. Where compensation does not equal the value of the not returned property, legal action may be taken to recover such property or its monetary value.

9.3 LAYOFFS

The Pettis County Commission has the right to call for employee reduction in the workforce so long as it is done for budget purposes and is in accord with the needs of individual office holders.

The County Commission can reduce budgets in a department or unit of government with the decision of Individual employee layoff being left to the discretion of the elected official in that department.

In the event of a layoff of County employees, the Pettis County Commission shall retain the right to distribute incentive funds, if any are available, on a pro-rata basis for earned time for which the employee would otherwise be eligible.

10.0 DRUG & ALCOHOL-FREE WORKPLACE POLICY

10.1 STATEMENT OF NEED

The County of Pettis (hereafter referred to as “The COUNTY”) considers its employees to be its most valuable asset and is concerned about the health, safety, well-being and satisfactory work performance of all employees. We understand that substance abuse can increase the possibility of accidents, absenteeism, usage of health care benefits and Workers Compensation claims, as well as jeopardize the safety and work performance of all employees. Therefore, the COUNTY has chosen to institute a Drug and Alcohol Free Workplace Program. The following policy will provide the guidelines to implement such a program.

10.2 THE COUNTY’S POSITION

The COUNTY is most concerned about those situations where the use of alcohol and/or drugs seriously interferes with the safety, health and job performance of our employees. Such interference can only be considered detrimental to our employees and the County’s business. While we have no intent or desire to intrude upon the private lives of our employees, we do have an obligation to provide the safest and best possible working environment for all our employees. The COUNTY also understands that certain employees may fall under the

regulations stipulated by 49 CFR, Part 382, and will require all said employees to meet the requirements of those regulations (see attached 11.0)

10.3 THE COUNTY'S AND EMPLOYEES' RESPONSIBILITIES

The COUNTY recognizes that it has a responsibility to provide a safe and productive work environment for all its employees. Our employees also have a responsibility to report to work fit for duty with no illegal drugs or alcohol in their systems.

10.4 DEFINITIONS

As used in this Policy, the terms listed below shall have the following meanings:

- ALCOHOL – the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.
 - APPLICANT – a person who has applied for a position of employment with the COUNTY.
 - BREATH ALCOHOL TECHNICIAN (BAT) – an individual who instructs and assists employees in the alcohol testing process and operates an evidential breath-testing device. For DOT purposes, a BAT must also meet the criteria of 49 CFR, Part 40, Subpart J.
 - DESIGNATED EMPLOYER REPRESENTATIVE (DER) – An employee and/or official authorized by the COUNTY to take immediate action(s) to remove employees from duties or cause employees to be removed from duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the COUNTY, consistent with the COUNTY's drug and alcohol testing policy. The current DER is Kimberly Lyce and may be contacted at the following phone number: 660-826-7187.
 - DRUGS – DOT testing will include amphetamines, cannabinoids, cocaine, phencyclidine (PCP) and opiates. DFWP tests may also include barbiturates; benzodiazepines, methaqualone, methadone and propoxyphene, as well as any other drug the COUNTY may designate in the future.
 - LABORATORY – Any U.S. laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA), pursuant to federal and state law requirements.
 - MEDICAL REVIEW OFFICER (MRO) – A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by the COUNTY's drug testing program and evaluating medical explanations for certain drug test results.
8. Safety-Sensitive employee:
 - a. Any employee who drives a vehicle of or for The COUNTY, carries a firearm, or operates equipment of The COUNTY that

could affect the safety of said employee, other employees of The COUNTY or a member of the public at large. Examples of these positions would be:

- i. All sworn LAW ENFORCEMENT officers, including reserves and non-sworn communication officers.
- ii. All members of the Road and Bridge Department who drive county vehicles but are not required to carry a Class A or B CDL license.
- iii. Other departments as deemed appropriate.

b. Any employee who performs safety-sensitive functions as defined by administrations subject to the Department of Transportation (DOT) regulations. These administrations include FMCSA, PHMSA, FAA, FTA, FRA and USCG.

- **SUBSTANCE ABUSE PROFESSIONAL (SAP)** – A person who evaluates employees who have violated the COUNTY’s drug and alcohol policy and makes recommendations concerning education, treatment, follow-up testing and aftercare.

10.5 CIRCUMSTANCES UNDER WHICH TESTING IS TO BE PREFORMED AND PERSONS WHO ARE SUBJECT TO DRUG AND/OR ALCOHOL TESTING.

10.5.1 Pre-employment

All applicants for employment must pass a pre-employment drug screen prior to the beginning of their work for the COUNTY. This includes all part-time and summer help applicants. All potential new hires will have the COUNTY’s policy explained during the interview and will be required to be tested for drugs prior to employment. A negative test will be a condition of employment. The COUNTY will not hire any applicant who refuses to undergo said drug testing or whose drug test is confirmed to be positive.

10.5.2 Reasonable Suspicion

The COUNTY will require an employee reasonably suspected of being under the influence of alcohol and/or drugs, and so documented, to be tested by qualified personnel for the use of drugs and/or alcohol.

A. Observations of employee conduct while the employee is at work or on duty, which cause the COUNTY to require reasonable suspicion testing of an employee. A supervisor or department head that has received training for the detection of symptoms or manifestations for being under the influence of drugs or alcohol shall make these observations. The supervisor and/or department head making the observation shall be required to make written documentation of the observations leading to reasonable suspicion testing immediately before, or as soon as possible

after, the determination to test is made, but no later than 34 hours after the determination to test is made. Testing will be required of all employees, regardless of classification, when reasonable suspicion exists.

B. Every effort shall be made to have post-accident/on-the-job injury testing administered within two (2) hours of the accident/injury. But, the attempt to test shall cease: for alcohol, if the test is not performed within eight (8) hours after the accident/injury; for drugs, if the test is not performed within thirty-two (32) hours of the accident/injury.

10.5.3 Post-Accident or On-the-Job Injury

A. An employee who is involved in an on-the-job accident or injury will be tested for alcohol and drugs, as part of the COUNTY's investigation into the cause of the accident. The COUNTY will require the alcohol and drug testing of any employee involved in an on-the-job accident resulting in significant damage to personnel, materials, equipment, vehicles or products. The COUNTY will also require the alcohol and drug testing of the driver of any of the COUNTY's cars, trucks, or other vehicles involved in an accident. The COUNTY, additionally, will require the alcohol and drug testing of any employee, whose on-the-job injury warrants medical treatment at a medical facility.

B. Every effort shall be made to have post-accident/on-the-job injury testing administered within two (2) hours of the accident/injury. But, the attempt to test shall cease: for alcohol, if the test is not performed within eight (8) hours after the accident/injury; for drugs, if the test is not performed within thirty-two (32) hours of the accident/injury.

10.5.4 Random

10.5.4.1 All safety-sensitive employees are subject to unannounced testing based on a random scientifically based selection. If an employee is randomly chosen to take a drug and/or alcohol test, and the test is positive, the employee will be subject to immediate disciplinary action up to and including termination. The COUNTY shall test at the frequency and volume it deems necessary to ensure the safest, most productive workplace possible, or to meet federal testing percentages (when applicable). Dates for this testing are spread throughout the year.

10.5.4.2 The COUNTY will establish an employee random testing pool of all safety-sensitive employees to effectively administer random testing.

10.5.5 Return-to-Duty

Any employee who elects to make use of the COUNTY's Employee Assistance Program (EAP) will be required to submit to, and pass, a Return-to-Duty drug and/or Alcohol test prior to being allowed to return to work. This test will be given after completion of the EAP process. The EAP process for DOT violations involves an evaluation by a certified Substance Abuse Professional (SAP) and successful completion of the SAP's recommended rehabilitation program. A substance abuse program acceptable to the COUNTY may evaluate employees not involved in DOT compliance. The cost of the above evaluations, rehabilitations and testing will be the employee's responsibility.

10.5.6 Follow-Up

Any employee who successfully completes a SAP or substance abuse program (as described in Return-To-Duty), completes the rehabilitation program and passes a Return-To-Duty drug and/or alcohol tests. Follow-up testing will be unannounced. The frequency and volume of testing will be determined by the appropriate examining counselor, but no less than six (6) tests in the first twelve (12) months immediately following the employees return to work, and no greater than sixty (60) months.

10.6 VIOLATIONS

A violation is considered misconduct and may result in suspension or termination of employment.

10.6.1 Alcohol:

10.6.1.1 Possession or drinking of any alcoholic beverage on the COUNTY's property, including the parking lot, driveways, at the COUNTY's work sites and in the COUNTY's vehicles, at any time, including during breaks or lunch, is prohibited. Also, reporting for work while under the influence of alcohol is prohibited. An individual who is found to have a concentration level of alcohol in the body of .02 or greater is in violation of this policy and will be subject to disciplinary action.

10.6.1.2 Levels of consequence are:

a. .02 - .039. The employee will be immediately removed from work, without pay, and will not be allowed to return to work for twenty-four (24) hours.

b. .04 or greater. The employee will be immediately removed from work, without pay, and will not be allowed to return to work until successful completion of the COUNTY's employee assistance program.

10.6.2 Controlled Substances (Drugs)

10.6.2.1 Possession, use, distribution, purchase, sale or offering for sale of narcotics or any controlled or illegal substance, on the COUNTY's property, including the parking lot, at the COUNTY's work sites, and the COUNTY's vehicles, at any time, including breaks or lunch is prohibited.

10.6.2.2 Reporting for work or working while under the influence of any controlled or illegal substance, except a drug prescribed for the employee by a physician and used by the employee as prescribed, will be disciplined. The burden of proof lies with the employee and the COUNTY will determine the disposition of each case.

10.6.2.3 Employees who are not actually on the COUNTY's property, but are performing work for the COUNTY, are expected to follow these work rules. Failure by any employee to comply with these rules while on COUNTY business off-site will be treated the same as if the employee were on the COUNTY's property.

10.7 REFUSAL TO TEST

A refusal to comply with a directive to undergo an alcohol or drug test will be treated in the same manner as a positive alcohol and/or drug screen. Discipline, up to and including termination, is the penalty for failing a drug and/or alcohol screen.

10.8 EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. An employee of the COUNTY may utilize the Employee Assistance Program (hereafter referred to as the "EAP") of the COUNTY one time during the course of said employee's tenure with the COUNTY. Once an employee has made use of the EAP, any future violation of the COUNTY's drug and alcohol program will result in immediate termination of said employee.

B. An employee may make use of the EAP under the following circumstances:

1. Voluntary request prior to being notified to test. Once an employee has been notified to take a required drug and/or alcohol test, the employee must submit to the test and may not invoke use of the EAP.
2. Failure to pass a drug and/or alcohol test. An employee who fails a required drug and/or alcohol test will be offered the opportunity to complete the COUNTY's EAP. An employee who does not elect to complete the EAP will immediately be terminated.
3. An employee who elects to make use of the COUNTY's EAP shall be required to bear the costs related to completing the program, which

includes, but is not limited to: the SAP evaluation; any rehabilitation; the return-to-duty test (s); and all follow-up testing.

4. Any employee who seeks to make voluntary use of the COUNTY's EAP shall make their request directly to the COUNTY's Designated Employer Representative (DER). The DER shall be responsible to offer the COUNTY's EAP to any employee who fails a drug and/or alcohol test.

C. Completion of the COUNTY's EAP shall involve the following:

1. Evaluation by a certified Substance Abuse Professional (SAP) to determine what assistance, if any, the employee needs in resolving problems associated with alcohol and/or drug abuse or misuse.
2. Successful completion of the SAP's prescribed rehabilitation program. The SAP shall be responsible to determine if the employee has properly followed and completed the prescribed rehabilitation program.
3. Upon successful completion of steps 1 and 2, the employee must pass a return-to-duty drug and/or alcohol test prior to being allowed to return to work.
4. Once the employee has returned to work, said employee must pass a series of follow-up drug and/or alcohol tests. The number of follow-up tests will be consistent with the COUNTY's policy for follow-up testing.

10.9 WORKER'S COMPENSATION

Missouri's Worker's Compensation Law allows penalties against employees who test positive for the use of alcohol and/or illegal drugs after a work-related accident and/or injury. These penalties may result in the forfeiture of 50% to 100% of Worker's Compensation benefits, depending upon the circumstances and cause of the accident.

10.10 EMPLOYEE EDUCATION AND SUPERVISOR TRAINING

10.10.1 Employee education shall consist of:

10.10.1.1 Educating employees about the harmful effects of drugs and alcohol in the workplace. In connection therewith:

- a. The COUNTY shall provide educational materials that explain the COUNTY's policies and procedures with respect to meeting the requirements of this policy.
- b. The COUNTY shall ensure that a copy of these materials is distributed to each employee prior to the start of drug and/or alcohol

testing and to each driver transferred into a position requiring driving a commercial motor vehicle.

10.10.1.2 Encouraging employees to voluntarily seek assistance through the EAP.

10.10.1.3 Informing employees about the collection process, times of compliance, certification of laboratory, MRO and SAP, and process to appeal results.

10.10.1.4 Informing employees about the COUNTY's concern for correcting drug and/or alcohol use or dependency before it adversely affects the employee's work record and causes irreparable harm to the employee and the residents of the COUNTY.

10.10.1.5 Providing written notice to representatives of employee organizations of the availability of this information.

10.10.1.6 Designating the COUNTY's owners and/or the COUNTY's designee as the DER to answer questions concerning distributed materials and the COUNTY's policies.

10.10.2 Supervisor training shall include a minimum of 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substances use. The training will be used by supervisors to determine whether reasonable suspicion exists to require an employee to undergo reasonable suspicion testing. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. In addition, training will include effective methods of confrontation and documentation.

10.11 PROCEDURES AND PROVIDERS

10.11.1 Drug and/or Alcohol Collections and Collectors/TPA Services

10.11.1.1 Individuals who meet federal testing requirements as set forth by 49 CFR, Part 40, will perform drug and/or alcohol collections.

10.11.1.2 Federal and lab-based drug and/or alcohol collections will be performed in a manner consistent with federal testing regulations as set forth in 49 CFR, Part 40. When the use of instant devices in non-federal collection situations is permitted, standard collection procedures that follow the device's instructions will be followed.

10.11.1.3 Collections and TPA Services will be provided by:
Employee Screening Services of Missouri, LLC
2055 S. Stewart, Ste. A
Springfield, Missouri 65804
Phone: 417-887-7697
Fax: 417-887-7692

10.11.2 Laboratory and Medical Review Officers (MRO)

10.11.2.1 The process for laboratory testing of drug specimens and MRO evaluation of drug test results and reporting of results shall be consistent with the guidelines set for in federal regulations found in 49 CFR, Part 40.

10.11.2.2 Laboratory services will be provided by:
Alere Toxicology Services, Inc.
1111 Newton St.
Gretna, LA 70053
Phone: 800-433-3823

10.11.2.3 MRO services will be provided by:
Dr. Benjamin Gerson, MD
University Services MRO
10551 Decatur Road, Ste. 200
Philadelphia, PA 19154
Phone: 215-637-6800

10.11.3 Substance Abuse Professional

10.11.3.1 The COUNTY will supply the name(s) of the individual(s) that meet federal criteria to perform the services of a Substance Abuse Professional consistent with 49 CFR, Part 40.

10.11.3.2 SAP programs recommended by Employee Screening Services:

Tri Star Counseling/Dr. Michael Londe
712 E. 32nd Street, Ste 1
Joplin, Missouri 64804
Phone: 800-621-3426
Fax: 417-781-1922

NSAPN
1615 Orange Tree Lane
Suite 101
Redlands, CA 92374
Phone: 800-879-6428

ASAP

711 West 40th Street
Suite 235
Baltimore, MD 21211
Phone: 888-792-2727, X105

10.12 CONFIDENTIALITY

- 10.12.1** The COUNTY shall maintain all drug and alcohol test results and related information, including, but not limited to, interviews, reports, statements and memoranda, as confidential records, separate from other personnel records. Such records, including the records of the testing facility, shall not be used in any criminal proceeding or any civil or administrative proceeding except in those actions taken by the COUNTY or in any action involving the individual tested and the COUNTY or unless such records are ordered released pursuant to a valid court order.
- 10.12.2** The records described in Paragraph A above, and maintained by the COUNTY, shall be the property of the COUNTY and, upon the written request of the applicant or employee tested, shall be made available for inspection and copying to the applicant or employee. The COUNTY shall not release such records to any person other than the applicant, employee of the COUNTY's MRO, unless the applicant or employee, in writing, following receipt of the test results, has expressly granted permission for the COUNTY to release such records or unless released pursuant to a valid court order.
- 10.12.3** Records of federal drug test results shall be kept for a minimum length of time consistent with federal testing regulation found in 49 CFR, Part 382, Subpart D. Results from non-federal testing may be kept in the same manner.

10.13 APPROVAL BY THE COUNTY OF PETTIS

The COUNTY will coordinate the implementation of this policy and assure reasonable and consistent application. All managers and supervisors are responsible for enforcing this policy in accordance with applicable work rules.

11.0 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION DRUG/ALCOHOL POLICY

11.1 POLICY STATEMENT

The purpose of this policy is to establish procedures for the administration of the Department of Transportation's (DOT) Federal Motor Carrier Safety Administration's Controlled Substance (FMCSA) and Alcohol Use Program, pursuant to the Code of Federal Regulations, Title 49 (49CFR), Part 382.

Any job applicant applying for a position covered in this policy, that refuses or fails a pre-employment drug or alcohol test, will not be hired. Any employee covered by this policy, who refuses or fails an alcohol or drug test, will immediately be removed from the safety-sensitive functions, operation, maintenance or emergency-response functions covered by this regulation.

11.2 EMPLOYEE CATEGORIES

11.2.1 Applicants and current employees

An employee means a person or applicant that is subject to breath and urine testing under FMCSA regulations. Generally, those individuals who operate a commercial motor vehicle in interstate or intrastate commerce and are subject to the Commercial Driver's License requirement of Part 382 are included. This would include drivers of a commercial motor vehicle that:

11.2.1.1. Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or

11.2.1.2 Has a gross vehicle weight rating of 26,001 or more pounds; or

11.2.1.3 Is designed to transport 16 or more passengers, including the driver; or

11.2.1.4 Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR, Part 172, subpart F).

11.2.1.5 Supervisors: Employee Assistance Program (EAP Training) Supervisory positions will receive EAP training for detection symptoms of drug and alcohol use.

11.3 TYPES OF TESTING

Employees subject to this alcohol and drug-testing program are required to be tested under the following six types of testing.

11.3.1 Pre-employment

11.3.1.1 A pre-employment drug test will be conducted when an individual is hired for the position of driver and BEFORE he/she performs safety-sensitive functions. If a pre-employment drug test has a positive result, the offer of employment will be withdrawn.

11.3.1.2 An individual is not required to undergo a drug test if the driver has participated in a drug testing program within the previous 30 days and was tested for controlled substances within the past 6 months (from the date of the application) or participated in a random controlled substance testing program for the previous 12 months (from the date of the application)

11.3.2 Random

All employees working in a position covered by this policy are subject to unannounced testing based on a random selection. The dates of testing are to be spread reasonably throughout the calendar year.

11.3.2.1 Alcohol:

- a. The current minimum annual percentage rate for random alcohol testing shall be 10% of the average number of drivers.
- b. A driver shall only be tested for alcohol just before, during, or just after the driver has performed such functions.

11.3.2.2 Controlled Substances:

- a. The current minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions
- b. Each year the Federal Highway Administration will publish in the Federal Register the new minimum annual percentage rate. The new minimum annual percentage rate for random controlled substance/alcohol testing will be applicable starting January 1 of the calendar year following the publication.

11.3.3 Post-Accident

11.3.3.1 A surviving driver who was performing a safety-sensitive function shall be tested for alcohol and controlled substances following an accident;

- a. If the accident involved the loss of human life; or

b. The driver receives a citation of a moving traffic violation under state or local law plus either:

1. Disabling damage to a vehicle, which has to be towed; or
2. An injury requiring immediate medical treatment away from the scene.

11.3.3.2 Alcohol

An alcohol test must be administered as soon as practical after an accident. If an alcohol test is not administered within two (2) hours of the accident, the employer shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test required by this section is not completed within eight (8) hours of the accident, the employer shall cease attempts to administer the alcohol test and maintain on file a record stating the reasons the test was not completed.

11.3.3.3 Controlled Substances

A controlled substance test must be administered within thirty-two (32) hours following the accident. After this time the employer shall cease attempts to administer a controlled substance test and prepare and maintain on file a record stating the reasons the test was not promptly administered.

11.3.4 Reasonable Cause

The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol or a controlled substance test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver and so documented.

11.3.5 Return-to-Duty:

Before a driver returns to duty in the performance of a safety-sensitive function, he/she must undergo an alcohol test with a result indicating an alcohol concentration of less than 0.02 and a controlled substances test with a verified negative result. Such a driver must be evaluated by a substance abuse professional and successfully complete any recommended treatment. Mandatory observed collection required.

11.3.6 Follow-Up

Following a driver's return to duty, follow-up testing shall consist of at least six tests in the first 12 months, and may continue for up to 60 months (decided by the SAP) from the date of the driver's return to duty. Mandatory observed collection required.

11.4 REFUSAL TO SUBMIT TO A DRUG OR ALCOHOL TEST

If an employee refuses to submit to a drug or alcohol test, all consequences of a positive test will be instituted. The entire list of what is considered a refusal to test can be found in 49 CFR, Part 40.191 (drug) and 40.261 (alcohol). Some examples of a refusal to test are:

- A. Failure to appear for a test within a reasonable amount of time (except pre-employment).
- B. Failure to cooperate with any part of the collection process.
- C. Admission by the donor to the collector or MRO that the donor adulterated or substituted the specimen.
- D. The possession or wearing of a prosthetic or other device that could be used to interfere with the collection process.
- E. Failure to sign Step 2 of the Federal Alcohol Testing Form (ATF).

11.5 OBSERVED URINE SPECIMEN COLLECTION

11.5.1 Method

Effective August 25, 2008, DOT change the method for an observed collection. Now, prior to receiving a specimen, a donor must be checked for prosthetic devices designed to carry a clean urine specimen into the collection facility. A same gender observer, in the privacy of the bathroom or private collection area, must have the donor lower pants and undergarments to mid-thigh, raise shirts to the navel area and then turn completely around to prove the donor is not wearing such a device. Once this step is completed, the donor will be allowed to return clothing to their original position and then provide a specimen where the observer must see the specimen leave the donor's body and go into the collection cup.

11.5.2 Reason – an observed collection is to be conducted:

11.5.2.1 For all return-to-duty or follow-up tests. This was mandated by DOT and given an effective implementation date August 31, 2009.

11.5.2.2 When ordered by the MRO

11.5.2.3 When the collector notices an attempt to adulterate a specimen by the donor (e.g. the donor reveals a container of urine, the specimen provided has no temperature, the specimen provided has a foreign appearance and/or odor).

11.6 VIOLATION OF THE DRUG/ALCOHOL ABUSE POLICY

11.6.1 A violation is considered misconduct and may result in suspension or termination of employment.

11.6.2 If a covered driver has an alcohol test result of .040 or greater, and/or has a positive drug test, the employer must provide the driver with information concerning the recovery process required to regain the use of the covered driver's CDL. This information will include the name and contact information of a DOT qualified Substance Abuse Professional. The driver must complete the following process to regain the use of his/her CDL:

- 11.6.2.1** Be evaluated by a substance abuse Professional (SAP);
- 11.6.2.2** Successfully complete any recommended treatment;
- 11.6.2.3** Pass a return-to-duty test.

Once a driver has completed the above process, he/she will then be subject to follow-up testing as prescribed by the SAP and federal regulations.

11.7 SERVICE PROVIDERS

11.7.1 Laboratory

Alere Toxicology Services, Inc.
1111 Newton St.
Gretna, LA 70053
800-433-3823

11.7.2 Medical Review Officer (MRO)

Dr Benjamin Gerson, MD
University Services MRO
10551 Decatur Road, Ste 200
Philadelphia, PA 19154
215-637-6800

11.7.3 Substance Abuse Professional (SAP)

Tri Star Counseling/Dr. Michael Londe

712 E. 32nd Street, Ste. 1
Joplin, MO 64804
Phone: 800-621-3426
Fax: 417-781-1922

National Substance Abuse Professional Network
1615 Orange Tree Lane, Ste. 101
Redlands, CA 92374
Phone: 800-879-6428

American Substance Abuse Professionals
711 West 40th Street, Ste. 235
Baltimore, MD 21211
Phone: 888-792-2727, X105

11.7.4 Program Administration and Drug/Alcohol Collections:

11.7.4.1 Drug and alcohol collections must be performed by an individual meeting the federal testing requirements as set forth by 49 CFR, Part 40.

11.7.4.2 Drug and/or alcohol collections will be performed in a manner consistent with federal testing regulations as set forth in 49 CFR, Part 40.

11.7.4.3 The provider of these services will be:

11.7.4.4

Employee Screening Services of Missouri, LLC
2055 South Stewart, Ste. A
Springfield, MO 65804
Phone: 417-887-7697 or 888-379-7697

11.8 EDUCATION/TRAINING

11.8.1 Education

Every employee covered by this policy will receive alcohol misuse and drug abuse education.

11.8.1.1 Drug information will be periodically distributed and displayed in work areas.

11.8.1.2 A copy of the Substance Abuse Policy will be given to each employee and displayed in the work areas.

11.8.1.3 Hot-Line telephone numbers for the employee assistance program will be given to each employee and displayed in the work areas.

11.8.2 Training

Every supervisor covered by this policy, who will determine whether an employee must be drug or alcohol tested based on reasonable cause, will receive the following training.

11.8.2.1 At least a one-hour minimum training period on the contemporaneous physical, behavioral, and performance indicators of controlled substance abuse.

11.8.2.2 At least a one-hour minimum training period on alcohol misuse specifically covering physical, behavioral, speech and performance indicators.

11.9 REFERRAL & EMPLOYEE ASSISTANCE PROGRAM

Each driver who has engaged in conduct prohibited by the COUNTY policy, shall be advised by the employer of the resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and/or use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals, counseling and treatment programs.

Such a driver shall be evaluated by a substance abuse professional (SAP). The SAP shall determine what assistance, if any, the employee needs in resolving problems associated with the alcohol misuse and/or controlled substances use. The determination shall be forwarded to the employer in writing.

11.10 WORKER'S COMPENSATION

Missouri's Workers Compensation Law allows penalties against employees who use alcohol or illegal drugs from 50% to total forfeiture of benefits, depending upon the circumstances and cause of the accident.

11.11 RECORD KEEPING/RETENTION

11.11.1 When requested by an authorized DOT agency, the employer shall prepare and maintain a summary of the previous calendar year's results from its alcohol and controlled substances testing program (49 CFR, Part 282.403).

11.11.2 Test results and record retention shall be maintained in accordance with 49 CFR, Part 382.401

11.12 CONFIDENTIALITY

The employer shall not release driver information, including drug and/or alcohol test results, without the expressed written consent of the driver.

11.13 APPROVAL

The following persons have the authority to coordinate the implementation of this policy and assure reasonable and consistent application. All managers and/or supervisors are responsible for enforcing this policy and failure to do so will result in disciplinary action or removal.

ACKNOWLEDGMENT

I have reviewed Pettis County's Employee Handbook that outlines policies, benefits and employee responsibilities. I will familiarize myself with the information contained in the manual and will seek verification or clarification where necessary. I understand the information contained in this manual supersedes any written or verbal policies I may have received in the past.

I understand that the information contained in the manual is subject to change as situations warrant and that changes in the policies may supersede, modify or eliminate any or all policies summarized in the manual. Changes in policy may be communicated to me by supervisor or through other notices issued to me in writing, posting on the County Employee Homepage or on bulletin boards. I accept responsibility for keeping informed of these changes.

I further understand that the policies, practices, procedures and benefits contained in the manual do not constitute an employment contract between Pettis County and myself. My employment with Pettis County is not for any stated period of time. My employment relationship with Pettis County is by mutual consent and may be terminated by either Pettis County or myself at any time and for any reason.

Signed: _____

(Please Print Your Name)

Date: _____