

MARTIN COUNTY

PERSONNEL POLICY

HANDBOOK

Effective Date: September 1, 2020

Revised: January 26, 2021

Revised: January 10, 2023

To: All Martin County Employees

This handbook outlines policies, programs, and benefits available to eligible employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

As an employee of the County, you should familiarize yourself with the contents of the employee handbook as soon as possible, for it will clarify many questions you may have had about employment with this County. The policies detailed in this handbook supersede all County personnel policies previously in effect.

No employee handbook can anticipate every circumstance or question about policy. Additionally, the variation in the functions performed by the many offices and departments of County government necessitate variations in working conditions, policies, and in the administration of some of the non-compensation benefits.

Finally, changes in circumstances and requirements may arise. The Board of Commissioners reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or Martin County to end our relationship for any reason at any time. Employees will be notified of such changes to the handbook as they occur.

Martin County Board of Commissioners

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INTRODUCTION

The Martin County Board of Commissioners (legislative body), with the support of the Martin County Council (fiscal body), believe that local government should be foremost among employers in compliance with existing legislation and regulations concerning employment practices. The Commissioners and the Council recognize that a necessary instrument to both facilitate and prescribe compliance is an operating personnel management policy.

The contents of this manual are not intended to create a contract between Martin County and any or all of its employees. Rather, this handbook is provided only for the purpose of providing information about the County's personnel policies. The legislative and fiscal bodies reserve the rights to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures, in whole or in part, at any time with or without notice. Nothing herein is intended to create any type of contract or guarantee of continued employment. Employment with Martin County is at will and may be discontinued by the respective hiring authority with or without reason, and with or without advance notice.

Unless specific provision is made otherwise, the procedures contained within this policy apply to all Martin County employees, excluding the elected officials. Elected officials are held to an even higher standard under State statute.

The Commissioners and the Council fully expect this personnel policy and system prescribed herein to be actively and consistently administered by their respective hiring authorities, and if not will be notified.

(While this form is a part of the Personnel Policy Handbook, the original copy will be completed and kept in the employee's personal file in the Auditor's office by the department head.)

EMPLOYEE ACKNOWLEDGMENT FORM

The employee handbook describes important information about the County, and I understand that I should consult my department head regarding any questions not answered in the handbook. If my elected official, department head or their designee is unavailable or unable to answer my questions, I should first ask Human Resources (County Auditor's Office), and as a last resort ask the County Commissioners.

Since the information, policies and benefits described herein are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the County Commissioners have the authority to adopt any revisions to the policies in this handbook.

I have entered into my employment relationship with this County voluntarily and acknowledge that there is no specific length of employment. Accordingly, either I or the County can terminate the relationship at will, with or without cause, at any time.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a promise of continued employment. I have received the County Handbook, and I understand that it is my responsibility to read and comply with the policies contained in the handbook and any revisions made to it.

Employee's Signature

Date

Employee's Name Printed or Typed

County Representative

APPLICATION, EXCEPTIONS AND GENERAL POLICIES

1-1 APPLICATION

The contents of this handbook apply to all County employees except those listed below in Section 1-2

1-2 EXCEPTIONS

Due to statutory requirements and other circumstances which may occur from time to time, it may be necessary to grant exceptions to certain departments for some policies covered herein:

Any exception to the Martin County Policy Manual shall be reviewed and approved by the County Commissioners prior to such exception's implementation. The County Commissioners reserve the right to approve or deny requests for exceptions. Each determination will be handled on a case-by-case basis.

The Martin County Sheriff's Department shall develop and adopt specific personnel guidelines for sworn merit deputy sheriffs. These personnel guidelines and any modifications thereof shall be presented to the Board of Commissioners and approved following review.

Deputies shall adhere to the following in the listed order of precedence when resolving conflicting rules or policies:

1. Federal Law
2. State Law
3. Sheriff's Office Specific Personnel Policy
4. Standard County Personnel Policy
5. Sheriff's Office Rules and Regulations

Sheriff's Authority.

The Martin County Sheriff ("Sheriff") has the authority to implement policy within the Sheriff's Department for the management of time accruals, time off requests, time management, time categorization, and how and when used.

If the exception is later determined to be invalid by a court of law or in violation of federal, state, or local statutes, said exception becomes null and void.

1-3 SEVERABILITY

If any section of this Employee Handbook or amendment or revision is held to be unenforceable, contrary to law or otherwise restrained from its full force and effect by a court or other tribunal of competent jurisdiction, the remaining section(s) of the Handbook, to the extent that they remain unaffected by such declaration restraint, shall continue in full force and effect.

1-4 EMPLOYEE RELATIONS

The County is committed to a mutually rewarding and direct relationship with its employees. Thus, the County attempts to be receptive to constructive suggestions, criticisms, and questions. The County, as part of its commitment to delivering the highest level of services to our residents and guests, expects all employees:

- To treat all residents, guests, and suppliers with respect.
- To represent the County in a positive and ethical manner.
- To perform assigned tasks in a safe and efficient manner.
- To attend work as required and to be punctual.
- To demonstrate a considerate, friendly, and constructive attitude toward fellow employees, Department Heads, and Elected Officials.
- To follow the County and departmental policies and practices.

The County retains the sole discretion to exercise all Commissioners' functions, including the following rights:

- To dismiss, assign, supervise, and discipline employees.
- To determine and change employee work schedules to meet the needs of our citizens and guests of the County.
- To assign employees to other jobs within departments or into other departments.
- To determine and adjust the employee number and specific qualifications of the workforce.
- To assign duties to employees in accordance with the County's needs and requirements and to carry out all ordinary administrative and management functions.
- To establish, change, and abolish policies, practices, roles, and regulations as the County works to meet the needs of our citizens.

1-5 CONFIDENTIAL INFORMATION

The nature of governmental responsibilities requires that Martin County employees are entrusted with important information relating to members of the public and their businesses. The nature of this relationship requires that confidentiality of such information be maintained.

Employment with Martin County assumes an obligation to maintain confidentiality, even after leaving employment with the County.

Martin County business and the business transacted by citizens with Martin County shall not be discussed with anyone who does not have employment responsibility directly relating to any such matter.

Should an employee be questioned by someone outside Martin County government or your department and there is concern about the appropriateness of providing any such

information, such request shall be referred to the appropriate department head or the Martin County Auditor.

No Martin County records, reports, or documents may be removed from Martin County offices or copied unless the release of said information is authorized by federal or statute or without prior approval of the Elected Official or Department Head.

1-6 COUNTY CONTRACTS

The Board of Commissioners has the sole authority to enter into contracts on behalf of Martin County, except to the extent that these powers and duties are expressly assigned to other Elected Officials by state statute.

1-7 JOB CLASSIFICATIONS

Elected Officials and Department Heads shall develop and maintain job descriptions for their employees. These descriptions will be maintained and on file in the Auditor's Office.

1-8 REQUESTS FOR INFORMATION

Occasionally, employees of the County are contacted by outsiders for information about the County's policies, practices or projects. All such requests must be referred to the officeholder or the Martin County Auditor.

1-9 COMPENSATION

The County Council conducts an annual wage and salary analysis that is reviewed during budget hearings. County Council sets the pay rates for all positions during annual budget hearings. Approved pay rates generally become effective at the beginning of the next budget year, unless otherwise indicated. All appropriate County documentation must be provided to the Auditor prior to an employee being compensated.

1-10 NEPOTISM

Employees who are relatives of an Elected Official or Department Head may not be employed by the County in a position that results in one (1) relative being in the direct line of supervision of the other relative.

Direct line of supervision means an Elected Official or Department Head who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the County, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the County.

Employed means an individual who is employed by the County on a full-time, part-time, temporary, intermittent, or hourly basis. The term does not include an individual who holds only an elected office. The term includes an employee who is a party to an employment contract with the County.

Relative means any of the following: (1) A spouse, (2) A parent or stepparent, (3) A child or stepchild, (4) A brother, sister, half-brother, half-sister, stepbrother, or stepsister, (5) A niece or nephew, (6) An aunt or uncle, (7) A daughter-in-law or son-in-law. An adopted child is considered the same as natural child of the individual.

This policy does not apply to employees in their current position as of June 30, 2012 unless the employee has a break in employment.

If an employee is absent from workplace while on paid or unpaid leave, including vacation, sick or family medical leave, or worker's compensation or employment with the County is terminated followed by immediate reemployment by the County, without loss of payroll time then they are not considered to have a break in employment.

1-11 NON-DISCRIMINATION SERVICE

The County is committed to ensuring that all citizens, visitors, contractors, suppliers, or other individuals who are served by the County or provide products or services to the County are treated respectfully regardless of their race, color, religion, sex, national origin, age, disability, genetic disposition, income disposition, limited English proficiency, or any other characteristic protected by law. It is the responsibility of all Elected Officials, Department Heads and employees to treat all persons equally in providing service to them.

1-12 BUSINESS ETHICS AND CONFLICTS OF INTEREST

In order to maintain the integrity of County government and administration as well as the confidence of the public, it is essential that employees not use their positions for personal gain. In order to achieve this goal, all employees must act in an ethical manner and avoid conflicts of interest as provided by Indiana law.

No employee shall use his/her official position for personal gain, participate directly or indirectly in any activity which conflicts with his/her official duties or disclose confidential information regarding the business of the County to any private concern for personal benefit. The County recognizes and respects the right of individual employees to engage in private activities outside of the organization that do not in any way conflict with or reflect poorly on the organization. However, the County also recognizes its right and obligation to determine when an employee's activities present a conflict of interest with the organization.

Employees found to be in violation of this section shall be subject to

disciplinary action up to and including discharge.

Employees having a pecuniary interest in or deriving a profit from a contract or purchase connected with an action by the county, must comply with the provisions of I.C. 35-44-1-3 and if permitted by law, file a conflict of interest statement with the county clerk, state board of accounts, contain the approval of the elected official appointing the employee, and be submitted to the Board of Commissioners and accepted by the Board of Commissioners in a public meeting prior to final action on the contract or purchase.

This paragraph shall be construed and implemented consistent with the requirements of J.C. 35-44-1 -3. If deemed by to be in the best interest of the County, those employees shall either divest themselves of such interest or investments or be ineligible for continued employment with the County.

1-13 SOLICITATION AND DISTRIBUTION

The County understands that in today's society, employees are constantly being pressured by telephone solicitors and door-to-door sales representatives to purchase items or otherwise contribute to organizations. The County believes that employees will be happier and more productive if there are certain limitations placed upon efforts to solicit employees at work.

Therefore, employees of the County may only engage in solicitation or distribution of literature in non-work areas during non-work time. "Work time" does not include breaks and meal periods.

The Board of County Commissioners may regulate the solicitation and distribution by any employee which disrupts or interferes with the normal operations of the County.

"Solicitation" includes, but is not limited to, any act which requests, urges or seeks to induce an employee to give or obligate to pay money for any cause/reason or to sign any document indicating membership in any organization, association/group, or indicating support for or a pledge to such organization.

"Distribution" is defined as providing literature (paper documents or email) advertising a good, service, organization or cause in which the materials are provided in an effort to encourage persuade the recipient.

1-14 USE OF CREDIT CARDS

The acquisition, issuance, and utilization of credit cards in Martin County government shall be supervised by the Auditor of Martin County, who has the specific delegated authority of the Board of Commissioners to so act.

The following office holders and department heads to utilize a Martin County credit card shall be designated as follows:

Judge of the Martin Circuit Court
Clerk of the Martin Circuit Court
Martin County Sheriff
Martin County Assessor
Martin County Recorder
Martin County Auditor
Martin County Treasurer
Martin County Prosecuting Attorney
Martin County Highway Supervisor
Martin County Coroner
Martin County Soil and Water
Martin County Veteran Service Officer
Martin County Extension Office
Martin County Commissioners
Martin County Council
Martin County Probation
Martin County Surveyor

The use of the credit card is limited to reasonable governmental purposes only. When the purpose for which the credit card has been issued has been accomplished, the card shall be returned to the custody of the Auditor's Office.

The Auditor's office shall maintain a log which includes the name of the individual requesting usage of the card, their position, the estimated amounts to be charged, fund and account numbers to be charged, and the date the card is to be issued and returned.

The Department Head or Elected Official shall monitor the use of the credit card and guarantee that it is utilized for only reasonable governmental purposes.

Credit cards should not be utilized to bypass the County accounting system. Purchase orders and receipts shall be acquired and maintained. Payment shall not be made on the basis of a statement or credit card slip only. Documents such as paid bills and receipts must be available.

Any interest or penalty incurred due to late filing or furnishing of documentation by an Elected Official, Department Head or employee shall be the responsibility of that Elected Official, Department Head or employee.

EMPLOYMENT

2-1 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement to all individuals, employment decisions of Martin County will be based on qualifications and abilities. Except where required or permitted by law, employment practices will not be influenced or affected by an applicant's or employee's race, color, religion, sex, national origin, age, disability, genetic disposition, income disposition, limited English proficiency, or any other characteristic protected by law. Only bona fide occupational and objective measures of fitness shall be considered in employment decisions.

Martin County will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship to the County. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, or their respective hiring authority, or the Board of County Commissioners. Employees can raise concerns and make reports without fear of reprisal.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2-2 AT WILL EMPLOYMENT

Employment with Martin County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Martin County may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

The policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the County and any of its employees. The provisions of the handbook have been developed at the discretion of the Board of Commissioners and, except for its policy of employment-at-will, may be amended or canceled at any time, at the Board of Commissioners' sole discretion.

2-3 PERSONS WITH DISABILITIES

It is the policy of Martin County to employ, advance and otherwise treat qualified individuals without regard to their disability in all employment practices. Martin County will attempt to accommodate disabled employees and job applicants to enable them to perform the essential functions of their jobs in a safe and efficient manner. Martin County will afford reasonable accommodation to qualified applicants and employees with a known disability, provided that the accommodation does not cause

undue hardship to Martin County, or, irrespective of the accommodation, that such individuals do not pose a direct threat to the health and safety of themselves or others.

Applicants may inform Human Resources and employees may inform their Department Head or Elected Official of the disability and may suggest, on a confidential basis, how Martin County may reasonably accommodate them.

2-4 IMMIGRATION LAW COMPLIANCE

Martin County is committed to employing only United States citizens and legal aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Auditor's Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

2-5 RECRUITMENT AND EMPLOYMENT APPLICATIONS

Authorization to recruit and hire to fill a vacancy in an existing or newly created position rests solely with the Elected Official or Department Head as approved by the Board of Commissioners.

Essential qualifications of formal education, background and experience shall be determined before recruiting begins and shall be based upon job requirements and in compliance with applicable federal, state and local laws.

At the discretion of the Board of Commissioners and based upon the urgency and specialization of the job requirements, newspaper, trade journal, county website and social media advertising may be used in recruiting applicants. Advertisements will describe the position, essential qualifications, and state that the County is "An Equal Opportunity Employer."

All applicants, including part time and seasonal applicants, are required to complete a Martin County Employment Application. This standardized job application form shall be maintained by the Department Head or Elected Official. Applications for County employment shall request only that information necessary for rational decision making. Only questions specifically related to occupational standards shall be asked.

All applicants must complete the County's Employment Application in its entirety. Applicants must account for periods of employment and unemployment.

The County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the County's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Placement of an employment application with the County does not mean that all applicants will be interviewed. Equal consideration will be given all applicants based on the qualifications listed for the position.

A copy of the employment application will be kept in the employee's personnel file in the Auditor's office.

2-6 EMPLOYMENT CATEGORIES

It is the intent of the County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period.

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. The County Commissioners may change an employee's exempt or non-exempt classification only upon written notification.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL TIME: employees who are not in a temporary or seasonal status and who are hired to work a regular schedule of at least thirty (30) hours per week. These employees are eligible for the County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

Employees who move from full time to part time status may lose their eligibility for benefits afforded to full time employees. In this case, the employee may be eligible for COBRA coverage (refer to page 39).

Employees who move from full time to part time status and have elected voluntary coverage plans will be responsible for paying their premiums directly to the appropriate carriers.

REGULAR PART-TIME employees are those who are not assigned to a temporary status and who are regularly scheduled to work no more than twenty-eight (28) hours per week

and have a specific work schedule. Elected Officials and Department Heads must have prior approval of the Board of Commissioners to schedule a part time employee for more than 28 hours per week. While these employees are not eligible for the County's benefit package, they are eligible for Workers Compensation and other legally mandated benefits.

Part time employees who average thirty (30) hours or more per week or 130 hours in a month during the County's designated measurement period are also eligible for the County's benefit package. Hours worked include all hours worked and all hours for which payment is made or due for vacation, illness, holidays, incapacity, layoff, jury duty, military duty or leave of absence.

Part time employees who meet the eligibility requirements will become eligible for health care benefits and all other benefit plans based on the date the employee is designated as a full-time employee.

INTRODUCTORY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the County is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change to another status. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are not eligible for all of Martin County's other benefit programs.

PRN employees are those who work on as needed basis. PRN employees must work at least one full shift each calendar month to remain on the active payroll.

CONTRACTOR. An individual who provides services to the County under the terms of a contractor entered by the individual and the County or is assigned by an employment agency.

ESSENTIAL EMPLOYEES

At the time of hire, employees will be advised if they are in a position that has been designated as "Essential" by the Elected Official or Department Head. These positions are those deemed necessary to maintain critical operations of the County in emergency situations such as severe weather, power failures or other situations where it is necessary to close certain offices of the County yet maintain essential services to the County.

This designation should be included in the job description the employee signs for at the time of hire. Current employees designated as "Essential" should also sign for a job description with this designation included.

Designating an employee as Essential must be approved by the Board of Commissioners. (Refer to Emergency Closings page 44)

2-7 ACCESS TO PERSONNEL FILES

Martin County maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the County, and access to the information they contain is confidential. Generally, only those officials and representatives of the County, as determined by the County Commissioners, who have a legitimate reason to review information in a file, will be allowed to do so.

Employees who wish to review their own file should contact their supervisor. With reasonable advance notice, an employee may review material in his or her file but only in the County's offices, and in the presence of the individual appointed by the employer to maintain the files. Access shall be consistent with state law.

Files of employees who participate in a drug and alcohol testing program are considered strictly confidential.

2-8 EMPLOYMENT REFERENCE AND BACKGROUND CHECKS

To ensure that individuals who join Martin County are well qualified and have a strong potential to be productive and successful, it is the policy of Martin County to require reference checks for all applicants who may be extended an offer of employment.

Elected Officials and Department Heads are encouraged to verify the references supplied by an applicant who may be extended an offer of employment. Martin County will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to inclusive dates of employment and positions held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

2-9 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the County of any changes in personnel data. Personal mailing address, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational

accomplishments, county of employment and residence and other such status reports should be always accurate and current.

The County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment.

Any misrepresentation, falsifications, or material omissions in any of this information or data may result in the employer's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

2-10 RESIDENCY

Recruitment of personnel shall not be limited only to those applicants who reside within Martin County. Upon hiring, the employee may be required to establish residence within the County. All other qualifications being equal, county residents will receive first consideration.

2-11 VETERAN'S PREFERENCE

Persons honorably discharged from the armed forces of the United States by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointment to civil offices, provided they are found to possess the capacity necessary for the proper discharge of such offices. (Indiana Code 5-9-3-1)

To be eligible to receive preference under this chapter, a person must have: (a) served on active duty in the armed forces of the United States for at least one hundred eighty-one (181) days and (b) received an honorable discharge.

2-12 ORIENTATION AND TRAINING

New County employees will be oriented as to the nature and function of the department in which they are employed. Supervisors will generally be responsible for on-the-job training (OJT) as may be necessary to teach knowledge of methods, techniques, equipment, and duties. However, non-supervisory employees may be assigned as on-the-job trainers. Such training will be conducted during normal working hours whenever practical.

All employees must be advised of safety and health matters as necessary and as required by Federal and State law. The County also encourages additional job-related training where appropriate and necessary.

2-13 PERFORMANCE EVALUATIONS

Department Heads, Elected Officials and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance

evaluations may be conducted on an annual basis to provide Department Heads, Elected Officials, and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage, and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

2-14 INTRODUCTORY PERIOD

Newly hired employees of the County shall be required to complete a sixty (60) day introductory period. By statute, merit (Sheriff's Deputies) deputies are required to have at minimum, a one (1) year probation period.

The Introductory Period allows management the opportunity to closely observe and evaluate employee fitness and suitability for the position to which they have been hired. Only those employees who demonstrate an acceptable standard of conduct and performance during this period shall be retained in their position. The Board of Commissioners and/or the employee's supervisor may make evaluations following sixty (60) days. The evaluation should be discussed with the employee.

If the service of a newly hired introductory employee is unsatisfactory, he/she may be terminated at any time during his/her introductory period or the introductory period may be extended up to an additional thirty (30) days. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the introductory period.

The introductory employee will not be allowed to take vacation leave during the introductory period. They may take any accrued personal time or compensatory time if necessary. The introductory employee will receive holiday pay if a holiday occurs during their introductory period.

2-15 OUTSIDE EMPLOYMENT

County employees should refrain from engaging in any other employment that (1) could be inconsistent with the interest of the County, (2) could by reason of association have a derogatory effect on the County, or (3) could require devoting so much time and effort to the job that work efficiency would be adversely affected. Any outside employment must have prior approval or notice of the employee's Elected Official or Department Head. If such employment is found to be substantially in conflict with the employee's position, the employee will be asked to resign from one place of employment.

County employees who have employment with an individual or organization that directly transacts business for which payment is received from the County must make full and specific disclosure of this employment to the Board of Commissioners, the State Board of Accounts, and the Clerk of the Circuit Court in accordance with IN Code 35-44-1-3(d). The Board, upon finding that such dual employment creates a possible conflict of interest, may request the employee to resign from one place of employment.

Employees asked to resign from one place of employment shall have two weeks from the date of the request to do so. Failure to comply within this time period will result in dismissal.

EMPLOYEE BENEFITS

3-1 EMPLOYEE BENEFITS

Eligible employees in the County are provided a wide range of benefits. Several programs, such as Social Security, worker's compensation, state disability and unemployment insurance cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classifications. Your supervisor or the Auditor's office can identify the programs for which you are eligible. Some benefit programs require contributions from the employee.

Medical, Dental, Vision, and Life insurance coverage for full time employees will become effective on the first of the month following 60 days from date of hire or a change to full time status. Details of other programs are available from the Auditor's Office.

3-2 PUBLIC EMPLOYEES' RETIREMENT PLAN (PERF)

Eligible County employees are covered by PERF, a retirement program established and maintained by the State of Indiana. PERF pays benefits to cover workers or their dependents upon retirement, death and, in certain cases, serious illness or injury. The full-time employees, the County contributes a percentage of employees' gross wages for deposit in a Defined Benefit Plan.

Employee contributions and accumulated interest credits are refundable when an employee terminates employment prior to being eligible for benefits. PERF's Employer Financed Pension requires ten (10) years of service for employees or eight (8) years of service for an elected official to become vested and is paid by the County based on an employee's length of employment, average salary, and age at retirement.

Questions concerning the program should be directed to the County Auditor's office and/or the Public Employees' Retirement Fund of Indiana.

3-3 VACATION.

Paid vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular Full-Time employees are eligible to earn and use vacation time as described in this policy.

Annual vacation benefits are based upon an employee's length of service and are calculated on a calendar basis. All vacation benefits will be determined as of December 31st of the prior year and be available, subject to scheduling as provided below, starting on January 1st of the current year.

Hire In Year	Vacation Time
1 st January After Hire Date	10 Days
2 nd January After Hire Date	15 Days
10 th January After Hire Date	20 Days

Employees shall submit a request 3 days in advance for approval of vacation from an Elected Official or Department Head. Requests will be reviewed based on several factors, including staffing requirements. Vacation days must be taken in the benefit year earned.

Under the above schedules, paid vacation time can be used in increments of less than 8 hours.

An employee may take any portion or all the allowed vacation up to a maximum of two (2) weeks at any one time during the calendar year. If an employee has taken less than the vacation time they have accrued, no payment will be made for the balance of accrued but unused vacation.

Upon separation of employment, an employee will be compensated for unused vacation time for the current year.

Employees who fail to give and work a two (2) week (14 days) notice to the Elected Official or their Department Head prior to resignation or who are discharged for cause, forfeit any right to receive compensation for unused vacation time.

Vacation benefits must be used by December 31 of the applicable year. Vacation benefits will not be rolled over into the next year unless prior approval is obtained from the Board of Commissioners. The Commissioners will consider the circumstances that prevented the employee from using their vacation time during the calendar year.

Such carried over vacation shall be taken by the employee in January of the succeeding year, if possible, unless the Board of Commissioners direct otherwise.

3-4 HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year prior to the beginning of the upcoming year. A schedule of holidays for each current year shall be distributed to each county office by the end of the preceding year.

The County will grant paid holiday time off to all regular full-time employees. Part time employees are not eligible for holiday pay. Holiday pay will be based on the employee's straight time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day.

To be eligible for holiday pay, regular full-time employees must work the regularly scheduled day before and the regularly scheduled day after the holiday, or have permission from their Elected Official or Department Head to use Vacation, PTO or have Compensatory time for either of those days. If an employee does not have available paid leave days, the employee will forfeit the holiday pay.

If a recognized holiday falls during an eligible employee's paid absence, holiday pay will be provided instead of the paid time off benefit that would have otherwise applied.

If a non-exempt employee works on a recognized holiday, he or she will be paid at straight time for all hours worked on the holiday. In addition, the employee will receive their holiday pay based on the scheduled work hours for the day.

3-5 WORKERS' COMPENSATION INSURANCE

The County provides a comprehensive workers' compensation insurance program at no cost to the employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Any employee who sustains a work-related injury or illness shall inform his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither the County nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off duty recreational, social, or athletic activity sponsored by the employer.

An employee who willfully disobeys safety rules or laws or who self-inflicts an injury or is injured as a result of being impaired by alcohol or drugs may have benefits denied and may be disciplined up to and including termination.

Employees may supplement the amount of benefits received from Workers Compensation with compensatory time, paid time off or vacation days. The combination of any such disability payments, compensatory time, annual leave days and vacation days cannot exceed the employee's normal weekly earnings.

3-6 PAID TIME OFF

The County provides PTO (Paid Time Off) to all eligible regular full-time employees. Paid time off can be used for temporary absence due to personal business, illness, or injury. From the hire date to the end of the first year of employment the following applies: Employees earn $\frac{1}{2}$ a day of pay per full month of employment. (Example: if the employee works an 8 hour shift the employee would receive 4 hours PTO, 7.5 hour shift the employee would receive 3.75 hours of PTO per month). The first January after hire date, employees shall receive ten (10) days of PTO each year. The ten (10) days of PTO will be credited on January 1st of each year. Paid time off must be used during the calendar year. Paid time off may not be carried over to the following year for any reason. If an employee has taken less than the ten (10) days, no payment will be made for the balance of unused PTO.

Part time and temporary employees are not eligible for paid time off.

Misuse or abuse of paid time off will result in disciplinary action, up to and including termination.

3-7 FAMILY MEDICAL LEAVE ACT

Martin County will comply with the Family and Medical Leave Act and implement regulations as revised effective February 6, 2013. The County posts the mandatory FMLA Notice of Employee Rights and Responsibilities Under the Family and Medical Act on the County's bulletin boards. At the time of hire, new employees will be provided with this notice as part of their employee orientation.

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If employees have any questions, concerns, or disputes with this policy, they should contact Human Resources.

A. General Provisions

Under this policy, the County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month rolling period to eligible employees.

The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

B. Eligibility

To qualify for leave under this policy, the employee must meet all the following conditions:

1) The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years.

Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, stating the County's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

2) The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

C. Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1) The birth of a child and in order to care for that child.

2) The placement of a child for adoption or foster care and to care for the newly placed child.

3) To care for a spouse, child or parent with a serious health condition (described below).

4) The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses or injuries of a serious and long-term nature, resulting in recurring or lengthy absences. The policy also covers illnesses or injuries that are either work related or non-work related. Generally, a chronic or long-term health condition that would result in a period of three (3) consecutive days of incapacity with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within thirty (30) days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the County's Paid Time Off policy are encouraged to consult with Human Resources.

If an employee takes paid time off for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5) Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

- a. short-notice deployment.
- b. military events and activities,
- c. child care and school activities,
- d. financial and legal arrangements,
- e. counseling,
- f. rest and recuperation,
- g. post-deployment activities and
- h. additional activities that arise out of active duty, provided that the County and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

- a) A “son or daughter of a covered service member” means the covered service member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.
- b) A “parent of a covered service member” means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents “in law.”
- c) Under the FMLA, a “spouse” means a husband or wife as defined under the law in the state where the employee resides.
- d) The “next of kin of a covered service member” is the nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member's next of kin.

Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member's next of kin. The County is permitted to require an employee to provide confirmation of covered family relationship to the covered service member pursuant to § 825.122(j).

“Covered active duty” means:

(a) “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.

(b) “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee’s 12-week maximum of FMLA leave in a 12-month period.

6) Military caregiver leaves (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term “covered service member” means:

(a) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

(b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness means:

(a) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and

(b) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

(c) Outpatient status, with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured forward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the preceding months starting with the initial date of leave and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leaves) during a single 12-month period. For this military caregiver leave, the County will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the County and each wish to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

E. Employee Status and Benefits During Leave

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under current County policy, the employee pays a portion of the health care premium. While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium.

While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Auditor's office no later than the employee's regularly scheduled pay day.

If the employee is unable to pay their portion of benefit costs, the employee will be required to reimburse the County for all payments made on the employee's behalf either through payroll deduction or direct payment.

If the employee fails to return to work, the County will recover from the employee its share of all premiums paid on the employee's behalf during the leave. Arrangements for repayment can be made with the approval of the Board of Commissioners.

If the employee contributes to any other benefit plans, the County will continue making payroll deductions while the employee is on paid leave.

While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the County may elect to maintain such benefits during the leave and pay the employee's share of the premium payments.

If the employee does not continue these payments, the County may discontinue coverage during the leave. If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

F. Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the County's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

G. Use of Paid and Unpaid Leave

Employees going on FMLA, whether continuous or intermittent, will be required to use their unused paid time off days, compensation time and vacation before taking unpaid leave.

Workers' compensation leaves, to the extent that it qualifies, will be designated as FMLA leave and will run concurrently with FMLA.

An employee who is using military FMLA leave for a qualifying exigency will be required to use their unused paid time off days, compensation time and vacation time before taking unpaid leave.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hours schedule.

In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hours schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working a reduced hours schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

I. Certification for the Employee's Serious Health Condition

The County will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The County may directly contact the employee's health care provider for verification or clarification purposes using the designated leave administrator. The County will not use the employee's direct supervisor for this contact.

Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary, to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor.

The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be

provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

J. Certification for the Family Member's Serious Health Condition

The County will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The County may directly contact the employee's family member's health care provider for verification or clarification purposes using the designated leave administrator. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's family member's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion.

If it is necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

K. Certification of Qualifying Exigency for Military Family Leave

The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

L. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave

The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay.

Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

M. Recertification

The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave.

Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to Human Resources. Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the County with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

O. Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

P. Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. Employees who do not return to work following the use of all paid and unpaid leave as described above may, subject to approval by the Board of Commissioner be terminated as an active employee.

3-8 SHORT TERM MILITARY LEAVE

Martin County provides compensation for up to 15 days per year for annual reserve and National Guard military training for regular full-time employees. Regular part-time and temporary employees do not qualify for military leave compensation.

The amount of the military leave compensation paid is the difference between military pay and regular pay based on the employee's regular work schedule. Time spent on military leave will not be counted as vacation time used.

Military reservist employees and those volunteering for or called to active military duty are entitled to reemployment with the County may upon their return from duty in full compliance with all applicable federal and state laws. In addition, besides the military leave benefits discussed above, employees who request a military leave of absence may elect to use any accrued vacation pay in lieu of unpaid leave, and may elect to continue health care benefits to the extent permitted by law, during their leave of absence.

3-9 EXTENDED MILITARY LEAVE

An employee who leaves for voluntary or involuntary service beyond 15 days in the Armed Forces of the United States, the Army, the National Guard, the Air National Guard or any other uniformed service under competent authority or any other category of persons designated by the President in time of war or emergency (Military Service), including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty and fitness examinations is entitled to a military leave of absence upon request and shall be accorded certain benefits and re-employment rights, subject to the conditions hereinafter prescribed, consistent with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the Military Selective Service Act, as amended.

Notification. Unless precluded by military necessity, employees must provide advance written notice of their request for a military leave of absence to the Board of Commissioners for consideration and approval.

Requests for Reemployment. Employees are eligible for reemployment upon honorable release or discharge from Military Service if:

1. the employee has complied with the above notification requirements;
2. the cumulative length of the absences for Military Service has not exceeded five years (subject to certain exceptions noted below);
3. the employee reports to work or applies for reemployment in accordance with the applicable procedures set forth below;
4. the employee is qualified for an available position and the County's circumstances have not changed so as to make such reemployment impossible or unreasonable; and
5. reemployment of that employee would not impose an undue hardship on the County.

The limit on an employee's cumulative Military Service shall not include any service beyond five years during which he or she was:

- required to complete an initial period of obligated service;
- unable to obtain a timely release through no fault of their own;

- required to fulfill an additional and certified training requirement; or
- ordered to active duty.

Guidelines for Seeking Reemployment. An employee applying for reemployment shall provide, upon request, necessary documentation to establish his or her eligibility for reemployment. An employee will not be held responsible for providing documentation that does not exist or is not readily available. However, employees may be terminated after reemployment if documentation becomes available that establishes the employee's non-eligibility for reemployment.

Any employee who fails to timely request reemployment shall be treated as any other employee who fails to return from a leave of absence.

An employee who qualifies for reemployment, and subject to the above conditions, shall be reemployed as follows:

1. For employees absent less than 91 days, they shall be reemployed in the position in which they would have held if their continuous employment had not been interrupted by such Military Service. If the employee is unqualified for this position despite reasonable attempts to train him or her, the employee shall then be reemployed in the position held immediately prior to his or her absence.
2. For employees absent more than 90 days, they shall be reemployed in the position in which they would have held if their continuous employment had not been interrupted by such Military Service or a position of like seniority, status and pay. If the employee is unqualified for this position despite reasonable attempts to train him or her, the employee shall be reemployed in the position he or she held immediately prior to his or her military leave of absence or a position of like seniority, status and pay to his or her original position.
3. For employees who become disabled or aggravate a disability during such Military Service and, as a consequence, are unqualified to be reemployed in the above manner despite reasonable efforts at accommodation, they shall be reemployed in a position which is equivalent in seniority, status and pay for which they are qualified or can become qualified with reasonable efforts. If unavailable, they shall be reemployed in a position which is the nearest approximation to such position consistent with the circumstances of the individual's case.
4. For employees who are not qualified for the above position, they shall be reemployed in a position of lesser status and pay that the employee is qualified to perform with full seniority.
5. If two or more employees are eligible for reemployment to the same position, the employee who left first shall have priority. All other employees shall be reemployed in any other position that provides similar status and pay with full seniority or, if disabled, to a position of similar status and pay consistent with the individual's case.

6. Subject to the ability to become qualified for the position, employees are entitled to any promotions, advancements or changes in status that would have occurred automatically had they not been absent in Military Service. Employees are entitled to promotions based on discretion, and not automatically based solely on seniority, only if that employee would have been awarded the promotion had he or she not been absent.

Seniority and Other Benefits Upon Reemployment. Employees eligible for reemployment are entitled to the seniority and other rights and benefits determined by seniority as if their continuous employment had not been interrupted by Military Service and shall be entitled to other rights and benefits not determined by seniority as any other employee on furlough or leave. To the extent required of other employees on furlough or leave, employees seeking reemployment are required to pay their share of any funded benefit contingent on employee contributions.

Health Benefits. Employees who request a military leave of absence may elect to continue health coverage for:

- 18 months commencing on the employee's leave of absence; or
- the day after the employee fails to return or apply for reemployment, whichever is less.

The employee shall not be required to pay more than 102% of the full premium except that employees on leave for Military Service for less than 30 days shall not be required to pay any more than the normal employee share (if any).

If coverage is terminated during an employee's military leave of absence and the employee is reemployed, no exclusions or waiting period will be imposed when the coverage is reinstated unless such illness or injuries were incurred in or aggravated during the performance of the employee's Military Service.

Pension Benefits. Upon reemployment, employees returning from a military leave of absence shall be treated as having no break in service and each period served in Military Service shall be deemed to constitute service with the County. An employee is entitled to accrued benefits contingent upon employee contributions or elective deferrals only to the extent the employee makes payment to the plan with respect to such contribution or deferral as specified in the County's plan.

Termination of Employment. Employees reemployed after Military Service who had been employed by the County for more than 180 days prior thereto shall not be discharged without cause for a period of one year. Employees reemployed after Military Service who had been employed by the County for more than 30 days but less than 181 days shall not be discharged without cause for a period of 180 days.

Non-Discrimination. The County will not discriminate against any employee based on his or her membership, application for membership, performance of service, application for service or performance of any other obligation in the military.

Termination of Benefits. Notwithstanding the foregoing, an employee's entitlement to reemployment and other benefits outlined herein immediately terminates if the employee receives a dishonorable or bad conduct discharge, if the employee is separated from Military Service under anything other than honorable conditions, or under any other condition provided by law.

Miscellaneous. An employee who is temporarily excused from work in response to an "Order to Report for Armed Forces Physical Examination" at a local examining station will be allowed the normal rate of pay (salary or wages) for the hours absent and is to report for work as soon as possible after completion of the examination.

3-10 MILITARY FAMILY LEAVE (STATE)

Martin County shall provide leave to certain family members of military service members under the provisions of Indiana Code 22-2-13-1 et seq. Certain family members are entitled to job-protected leave if there is an individual on active duty in the Armed Forces of the United States or the Indiana Army or Air National Guard. "Active Duty" is defined as full-time service on active-duty orders for a period that exceeds 89 consecutive calendar days.

Employees who are eligible for military family leave include spouses, parents, biological or adoptive mothers or fathers, brothers, or sisters (whether by blood, half blood, or adoption), biological grandparents, and court-appointed guardians or custodians. The employee must have been employed for at least 12 months and worked at least 1500 hours during the 12-month period immediately preceding the date on which the leave is to begin. Employees may take up to 10 days off work qualifying circumstances during:

- a. the 30 days before active-duty orders are in effect;
- b. a leave provided to the eligible family member on active duty while the active-duty orders are in effect; or
- c. the 30 days after the termination of the orders.

The County shall require verification of the employee's eligibility for leave. Employees shall give a written notice along with a copy of active-duty orders, if available, prior to taking such family military leave. An employee shall provide at least 30 days' notice before the date the requested leave is to begin unless the active-duty orders are issued fewer than 30 days prior to the date the requested leave is to start.

The provisions of this policy shall be governed by the Indiana Military Leave Act and as such legislation shall be amended

Employees will be required to first use paid time off time, compensation time and vacation time before taking unpaid leave.

If the employee is not receiving a check, the employee must pay the employee's portion of all benefits to the Martin County Auditor in advance on or before the first day of each month.

3-11 BEREAVEMENT TIME

In the event of a death of an employee's immediate family member, the non-introductory employee will be granted time off with pay as outlined below to make necessary arrangements and attend funeral services. A non-introductory employee shall be eligible for up to five (5) consecutive working days of leave with pay for the following family members; mother, father, spouse, or child.

A non- introductory employee will be eligible for up to three (3) consecutive working days of leave with pay for the following family members; employee's stepmother, stepfather, mother-in-law, father-in-law, brother, sister, grandchildren, or grandparents.

A non-introductory employee will be granted one (1) day off for the following family members; brother-in law, sister-in-law, spouse's grandparents, step-brother, or step-sister.

Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

A copy of the obituary or other documentation may be requested for paid leave.

During their absence, the non-introductory employee shall be compensated at his or her straight time rate for their regularly scheduled hours. The compensation will not include any amounts for lost overtime, premium pay or holidays.

Funeral leave may be taken as necessary to settle the affairs of the deceased other than at the time of the funeral, provided, that the employee submits written proof of the necessity for attendance at court hearings or in conference with an attorney.

Additional unpaid leave will be granted at the discretion of the Commissioners upon written request from the Elected Official or Department Head.

3-12 JURY DUTY

Any full-time employee shall receive leave without loss of pay to serve on a jury in any State, Federal or Local Court.

Payment received for jury duty will be deducted from the regular County salary or 40-hour hourly rate per week so that the total payment is no greater than the regular County salary.

3-13 WITNESS DUTY

The County encourages employees to appear in court for witness duty when subpoenaed to do so. If the employee has been subpoenaed as a witness by the County, he or she will receive paid time off for the entire period of witness duty.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than the employer. Employees are free to use any available paid time off, compensation time or vacation time to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

3-14 BENEFITS CONTINUATION (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees, including any authorized individual covered by existing health insurance, and their qualified beneficiaries the opportunity to continue health insurance coverage for a period of 18 months under the County's health plan when a 'qualifying event' would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment or death of an employee; a reduction in an employee's hours or a leave of absence; and employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates plus an administration fee.

The County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the employer's health insurance plan.

The notice contains important information about the employee's rights and obligations.

3-15 BUSINESS TRAVEL EXPENSES

The County will pre-pay registration fees and reimburse employees for expenses incurred while traveling on official County business. A copy of the policy and filing procedures is available from the Auditor's office.

3-16 MILEAGE REIMBURSEMENT

Employees shall use County owned vehicles for authorized travel when available, as county owned vehicles are not subject to mileage reimbursement.

Employees who use personal vehicles for authorized travel while conducting County business shall receive mileage reimbursement. The current mileage reimbursement rate can be obtained from the Auditor's Office.

Mileage shall be calculated as the most efficient and safest round-trip route from the employee's work place to their destination using Google Maps for accuracy.

Only one (1) mileage reimbursement will be allowed to the authorized traveler furnishing the vehicle although more than one (1) employee may be transported in the vehicle. The County encourages carpooling.

Requests for mileage reimbursement must be submitted on the Accounts Payable Mileage Claim form. All elements of the form must be completed. Requests for mileage reimbursement must be submitted at a **minimum** every quarter. Due dates are April 15th, July 15th, October 15th, and January 15th of each year.

The Department Head or Elected Official reserves the right to reject reimbursement requests that are deemed unreasonable or inappropriate.

TIMEKEEPING AND PAYROLL

4-1 TIMEKEEPING

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and State laws require the County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time spent on the job performing assigned duties.

All non-exempt employees must complete a time sheet, per individual department guideline of the time worked each day. They also must record the hours of any departure or absence from work for personal reasons.

To maintain consistent time reporting, Martin County rounds work times to the nearest 15-minute mark. The actual in or out time appears on the employee time record and is what determines whether an employee has arrived at work or is returning from a break on time.

Anything within and including 7 minutes is rounded down to the nearest quarter hour. Anything 8 minutes or more from the quarter hour will round up to the next quarter hour.

Times should not be altered in any way to manipulate the rounding rules for any other reason. The time entered is the exact time the employee started or stopped working and is a legal record of the employee's time and pay.

Employees are expected to arrive and depart for work at their department specific scheduled time. The rounding applies only to time keeping. Failure to adhere to scheduled work times may result in disciplinary action up to and including termination.

It is the employee's responsibility to certify by signature the accuracy of all time recorded. The Department Head or Elected Official will review and then sign the payroll voucher before submitting it for payroll processing.

4-2 WORK SCHEDULES

Work schedules for employees may vary throughout the County. Elected Officials and Department Heads will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

The standard work week begins at 12:01 Sunday and ends at 12 midnight the following Saturday.

4-3 HOURS OF WORK

County offices and departments shall observe the hours of work designated and established by the Board of Commissioners. Work hours must be understood by the affected employees.

County offices will be open and staffed during all hours between 8:00 a.m. and 4:00 p.m., daily Monday through Friday in order to serve the public. Other departments are affected by the season, weather, employee shift schedules or are otherwise open beyond normal business hours. Employees will be informed of departmental policy on hours of work upon employment and as changes are necessary.

4-4 OVERTIME

Overtime is defined as any time worked beyond 40 hours per week. All overtime will be worked only at supervisory request or with supervisory approval.

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Whenever possible, advance notification of these mandatory assignments will be provided.

Overtime compensation is paid to all nonexempt employees in accordance with Federal and State Wage and Hour restrictions. As required by law, overtime pay is based on actual hours worked.

Paid time off, vacation leave, or any leave of absence will not be considered hours worked for purposes of calculating overtime.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible discharge.

Vendors having signed, written contracts with county offices are expected to do their own work on their own time, and in no circumstances, are they to cause overtime for County employees and/or County officials. County employees are prohibited from being employees of the vendor during county office hours unless the county employee is on authorized leave of absence or using his or her own available vacation time, paid time off or compensation time.

All time worked at or less than 40 hours on a one-week schedule will be compensated at the employee's regular rate.

All time worked beyond 40 hours on a one-week schedule will be compensated either by pay at one and one-half times the regular rate or by granting one and one-half hours of compensatory time off during the regular working hours for every hour worked.

In cases of inclement weather or other emergencies requiring work by Highway Department employees, the Department Head may require all or any part of the Department's employees to report to work at earlier hours.

The Department Head shall exercise discretion in establishing a reasonable policy for calling employees to work early or to work overtime. In establishing such policy, seniority of service shall be given first consideration when only a limited number of employees are needed to work.

Employees who are authorized to work on a day when operations are officially closed will receive regularly scheduled hours of pay plus straight time pay for hours worked.

When the operation of the equipment to which operators are assigned require safety and economy of operation that place a premium on the operator's skills and experience, then operators may be assigned by the Department Head notwithstanding seniority. The assignments will be dependent upon the equipment needs for the nature of the weather or emergency on any given day.

Highway Department non-exempt employees who work on any day or days which have been designated by the Board of Commissioners as holidays for county employees shall receive their regularly scheduled hours of pay plus their straight time rate for the hours worked on the holiday.

When Highway Department employees are called to work at an hour earlier than the normal workday hour, the Department Head shall have the discretion to either dismiss all employees after eight (8) hours of work (plus one-half hour for lunch) and to assign

employees for overtime, if needed, or to extend employee's working to the normal hour of dismissal if, in the opinion of the Department Head, there exists sufficient work or training to actively engage the employees.

4-5 COMPENSATORY TIME OFF

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of overtime pay for non-exempt employees, the employee will be compensated at the rate of one and one-half (1 ½) hours of comp time off for every hour worked over forty (40) hours per week.

Compensatory Time Off Banks; Non-Exempt employees who elect to receive compensatory time off in lieu of overtime pay may accumulate compensatory time as outlined below. Once an employee reaches their maximum hours, he or she will receive cash payment for overtime. Once an employee falls below their maximum, he or she will once again be allowed to accumulate compensatory time off.

Sheriff's Department, Highway Department and Community Corrections: 200 hours

All other employees: 100 hours

Documentation of compensatory time accrued shall be submitted by Elected Officials and Department Heads by the end of each month.

The Board of Commissioners reserve the right to pay accumulated compensatory time off subject to federal requirements and budgetary constraints

4-6 PAYDAYS

All employees are paid biweekly. Effective January 15, 2021, Martin County will commence paying all employees in the arrears. This measure is being taken to be in compliance with the State Board of Accounts best accounting practices. This is in effect for all employees who are being compensated through the current ending date of a payroll cycle.

In order to minimize the financial burden this could potentially cause an employee; the Board of Commissioners have approved the following. This is effective for the year 2021 only.

1. All fulltime employees will be given leeway to carry five days of vacation over from 2020 into 2021. One time only. The five days are equivalent to each department average hours worked during a regular work week not to exceed 40 hours.
2. Vacation time may be used. From 2020 or 2021.
3. Comp time may be used.
4. Employee may choose to have pay withheld to make up arrearage.

The pay will be disbursed when the employee separates employment with Martin County.

In the event a regularly scheduled payday falls on a designated holiday, employees will be paid on the work day preceding the holiday as long as it is within the same calendar year.

4-7 PAY DEDUCTIONS

Deduction may be made from wages for the employee's share of social security and federal withholding taxes, as well as other federal, state, or local taxes. Other deductions may be made where Martin County is required by court order to pay moneys from wages to a third party under garnishment, wage attachment or bankruptcy proceedings.

Other taxes, such as property taxes, may be deducted from employee compensation. Under Indiana Code 6-1.1-22-14, the County's payroll list must be given to the County Treasurer bi-annually. The County Treasurer then certifies any delinquent property taxes owed by a Martin County employee. The code further instructs the Auditor's Office to make periodic deductions from money due the employee and direct payment to the Treasurer's Office.

4-8 PAY ADVANCES

Neither pay advances nor extensions of credit on unearned wages can be provided to employees.

4-9 ADMINISTRATION PAY CORRECTIONS

The County takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and the employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the department supervisor or payroll clerk so that a correction can be made as quickly as possible.

Once underpayments or overpayments are identified, they will be corrected in the next regular paycheck.

SAFETY AND SECURITY

5-1 SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of the County and employees from all levels of the County. The employer will take all reasonable steps to assure a safe environment and compliance with federal, state and local safety regulations.

Employees are expected to obey safety rules and to exercise caution in all their work activities. Employees shall always wear safety clothing and utilize safety equipment as may be provided by the County for certain job categories. Employees are asked to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the County are expected to correct unsafe conditions as promptly as possible.

All accidents that result in injury must be reported to the appropriate supervisor, regardless of how insignificant the injury may appear.

Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

5-2 EMERGENCY CLOSINGS

The County Commissioners are responsible for courthouse closings. Emergency conditions, such as severe weather, fire, flood, or earthquake, can disrupt County operations and interfere with work schedules, as well as endanger employees' well-being. These extreme circumstances may require the closing of the work facility.

When operations are required to close, authorized time off from scheduled work will be paid. In cases where a closing is not authorized, employees who fail to report for work will not be paid for the time off. However, employees may request available paid time off, available comp time or unused vacation.

Employees who are authorized to work on a day when operations are officially closed will receive regular pay plus straight time pay for hours worked.

5-3 SECURITY INSPECTIONS

The County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other weapons or improper materials. To this end, the County prohibits the control, possession, transfer, sale, or use of such materials on its premises. The County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the County. Accordingly, they, as well as any articles found within them, can be inspected at any time, either with or without prior notice by any agent or representative authorized by the County Commissioners, representative hiring authority, or a department head.

5-4 VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the County, only authorized visitors are allowed in County work areas.

Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Employees are responsible for the conduct and safety of their visitors.

The County recognizes that under certain circumstances it may be necessary for a child to be in the working area. These instances should be kept to a minimum to prevent any disruption.

If an unauthorized individual is observed in a County work area, employees should immediately notify their Elected Official, Department Head, or, if necessary, direct the individual to the office of the Board of Commissioners.

5-5 SMOKING AND VAPING

Pursuant to Indiana Code 7.1 -5-2, smoking is prohibited in places of employment, public places, or within eight (8) feet of a public entrance to a place of employment or public place.

Therefore, by adoption of this handbook, the Board of Commissioners prohibits the use of smoking and vaping in any building owned, operated, or maintained by the Commissioners of Martin County. Smoking and vaping are also specifically prohibited in county-owned or operated motor vehicles.

5-6 REST AND MEAL PERIODS

Each Department is responsible for establishing their own policy on rest and meal breaks. Each full-time employee is allowed time off for a meal period each day. Each office shall be adequately staffed during all regular office hours.

5-7 USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using County equipment and vehicles, employees are expected to exercise care, perform cleaning, and required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees should notify the Department Head or Elected Official if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department

Head or Elected Official can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

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

Employees operating or riding in any County vehicle are required to always wear a seat belt while the vehicle is in motion. In addition, employees are prohibited from utilizing cell phones or similar hand-held electronic devices while operating a vehicle or other motorized equipment.

If an employee must use a cell phone or similar electronic device for business purposes while driving, the County requires that the following precautions be taken:

- Drivers must not text, use hand-held cell phones, or similar electronic devices while a vehicle is in motion.
- When it is necessary to utilize a phone on the road, it must be either Bluetooth or other hands-free type.
- Employees should limit the use of cell phones while driving, except during emergencies. No telephone numbers should be dialed while driving.
- No text messages or e mails should be sent or reviewed while driving.

If it is necessary to hold an extended conversation while driving, employees should either pull over when and where it is safe to do so and continue the call or tell the caller that the driver will call back at a more convenient time.

Employees involved in an accident while operating a County-owned or County-leased vehicle should immediately notify their supervisor of the accident. The Elected Official or Department Head will in turn notify the Auditor's office as soon as possible to determine if a claim needs to be filed.

In addition to reporting the accident immediately, the employee must:

Not move the vehicle unless ordered to do so by a law enforcement officer or their supervisor, if present:

Check for injuries to people on the scene.

Obtain all appropriate information from others involved in the accident and any witnesses.

Limit discussion of the vehicle crash to law enforcement personnel, the

County's insurance carrier or its designee, and appropriate employees of the County on a need-to-know basis.

As soon as possible, the involved employees shall file a written report on the accident. Should the employee be incapable of completing the report, the employee's immediate supervisor shall submit the accident report to the Auditor's office.

County employees are subject to a drug test following any accident involving a county owned vehicle or equipment that occurs on the job or during a regular work day during which the employee is working.

Unless the employee is hospitalized as a result of injuries incurred, the employee will have two (2) hours from the time of the accident to arrive at the independent screening facility selected by the County.

If an employee should refuse to participate in the drug or alcohol test, the employee will be subject to disciplinary action up to and including immediate termination of employment.

Employees assigned or using County owned or County leased vehicles will be subject to the following regulations:

- Vehicles titled to, or insured by or through, or leased by the County, and privately-owned vehicles operated on the County's behalf, will be subject to the regulations of the Board of Commissioners.
- Employees operating vehicles on the County's behalf are also subject to the regulations of the County. "Operated on the County's behalf" means operated by County employees in the course of their County employment.
- Employees using County vehicles for personal use will report their personal mileage to the Auditor's Office at the end of each month.
- Employees using County vehicles for personal transportation outside of the County must have prior approval from the Board of Commissioners. The Commissioners may require the employee to reimburse the County for such use.
- Employees who use privately owned vehicles will be reimbursed on a mileage basis at the authorized rate set by the County Council.

Department Heads and Elected Officials may establish their own vehicle policies subject to the approval of the Board of Commissioners.

Any employee driving a County- owned or County-leased vehicle or any other vehicle for County business will be subject to having his or her license and driving record

checked for accidents, violations, suspensions, revocations, assignment points, and any other job-related information deemed necessary by the County.

Each driver must have a current, valid Indiana driver's license that covers the type of vehicles to be operated. The employee's driver's license number must be on file with the Auditor's office.

All applicants applying for a position in which driving is a duty must have a valid Indiana driver's license that covers the type of vehicle to be operated. A copy of the license must be presented to the Department Head or Elected Official the time of hire.

The use of County owned or leased vehicles for personal reasons outside the County is prohibited without prior approval of the Department Head or Elected Official.

5-8 USE OF PERSONAL VEHICLES

All County employees who use their personal vehicles for County business must have the proper insurance and a valid driver's license. Employees traveling on County business will be reimbursed for mileage at the current rate set by the County Council per mile traveled.

5-9 PERSONAL USE OF COUNTY PROPERTY

Personal use of County facilities, vehicles and equipment is prohibited.

5-10 USE OF TELEPHONE AND FAXES

Except for emergencies, no personal calls should be made on county business phones. Any long-distance personal calls should be reported immediately to the department head and be reimbursed to the county.

WORKPLACE CONDUCT AND RULES

6-1 PROGRESSIVE DISCIPLINE

The County's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

The following four steps are recommended to all Department Heads and Elected Officials:

- Step 1-- verbal warning
- Step 2 -- written warning
- Step 3-- suspension without pay

Step 4-- termination of employment

The County recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

The County Attorney and Human Resources should be notified of an involuntary termination prior to any discussion with the employee. Department Heads and Elected Officials have the option to place the employee on suspension without pay if the matter cannot be brought to the Commissioners attention immediately.

A copy of all written disciplinary actions will be forwarded to the Auditor's office and filed in the employee's personnel file. Department Heads and Elected Officials are encouraged to maintain their own records of disciplinary action.

6-2 EMPLOYEE CONDUCT AND WORK RULES

To assure orderly operations and provide the best possible work environment, the county expects employees to follow rules of conduct that will protect the interests and safety of all employees and the county.

Employment with this organization is an at will mutually consent of the county and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice. It is not possible to list all forms of behavior that are considered unacceptable in the workplace.

The following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of property.
- Falsification of employment applications.
- Falsification of timekeeping records.
- Reporting to work or working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of county-owned property or property owned by other parties.
- Insubordination or other disrespectful conduct.
- Violation of health and safety rules.
- Use of Tobacco in prohibited areas.
- Sexual or other unlawful harassment.
- Possession of dangerous or unauthorized materials, such as explosives or firearms or other weapons, in the workplace.

Excessive absenteeism or any absence without notice.
Unauthorized absence from work station during the workday
Unauthorized use of telephones, mail system or another County owned
Equipment.
Unauthorized disclosure of business 'secrets' or confidential information.
Failure to follow lawful instructions or guidelines.
Any form of discourtesy to the public.
Unsatisfactory performance or conduct.
Excessive tardiness.
Inappropriate use or operation of a vehicle or a piece of heavy equipment that
would cause unnecessary damage or need of repair in excess of \$250.00.
Personal use of county computer system.

Convictions for misdemeanors and/or felonies may be grounds for discipline and/or discharge dependent upon the circumstances of employment; decisions with this regard will be made by the respective hiring authority.

Any employee found guilty of a felony or unlawful act will be subject to immediate dismissal. An employee charged with a felony or found participating in felonious activity either during work hours or while off duty will be suspended without pay until a court of law establishes innocence or guilt.

Any employee found guilty of a misdemeanor (including not being qualified to operate assigned vehicles or equipment) will be subject to discipline, up to and including discharge.

6-3 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive and may lead to disciplinary action, including termination of employment.

6-4 BLOODBORNE PATHOGENS

Martin County Sheriff's Office, Martin County Probation and Martin County Community Corrections employees will be offered Bloodborne Pathogen training and a series of Hepatitis B vaccinations for their protection. The County will provide this service free of charge for these employees wishing to participate in this program.

6-5 POLITICAL ACTIVITY

All County employees shall be allowed to participate in political activities on an equal basis without intimidation, coercion or threat of reprisal. All political activity must be in accordance with applicable state and federal law and shall be conducted on the employee's own time and off county premises.

No election material shall be available for distribution or visible in or upon County property.

No County employee may utilize County telephones or electronic devices for any political activity.

6-6 DRUG AND ALCOHOL USE

It is Martin County's desire to provide a drug free, healthful, and safe workplace. To promote this goal, employees are required to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

It is the policy of this County that no alcohol or illegal drugs are allowed in any County owned facility. Random drug testing may be conducted in accordance with current law.

The Sheriff's Department and the Highway Department employees are required to participate in an alcohol and drug testing program. Employees who do not pass a drug and alcohol test may be subject to immediate termination.

The County is only required by law to give information to an employee where he or she can get assistance for his or her dependency. The County is not required to pay for that assistance.

6-7 DRUG TESTING

The County is committed to providing a safe, efficient, and productive work environment for all employees. In keeping with this commitment, employees and job applicants may be asked to submit to drug and alcohol testing.

The County will take every effort to protect the confidentiality of all drug test results. Drug testing may be conducted in any of the following situations:

CBD. Employees who purchase CBD must ensure they are buying CBD from a reputable seller and to find out where it is sourced from. If it is sourced from marijuana, it may contain enough THC to show on a drug test. If it shows on a drug test it may result in a failed drug test and subject the employee to immediate termination.

If CBD is sourced from properly grown hemp, the product should legally contain 0.3% THC or less and is not likely to show in a urine test. However, it could still show a

positive result for THC and result in a failed drug test. This failed result could subject the employee to immediate termination.

REASONABLE CAUSE – Testing of this kind occurs when workplace behavior indicates that an employee is under the influence of drugs. Such behavior must be witnessed by at least one supervisor.

POST ACCIDENT – Any current employee involved in a serious incident or accident involving property damages while on duty or during the employee's normal work day, whether on or off the employer's premises, may be asked to provide a body substance sample, upon determination that the ingestion of certain substances may have contributed to the accident.

In the event the test indicates a BAC of 0.020 or greater, the employee shall be removed from duty for twenty-four (24) hours or until his/her next scheduled on-duty time, whichever is longer. The time off will be without pay and the employee will receive a written warning regarding the event.

Multiple written warnings of this nature shall result in further disciplinary action, up to and including termination of employment. In addition, the County reserves the right to require an employee who test results for BAC are between 0.020 to 0.039 to be tested on a more frequent basis.

Employees with a test indicating a BAC of 0.04 or greater are considered to have engaged in prohibited conduct and may be subject to immediate termination.

Subject to any limitations imposed by law, a refusal to provide a body substance sample under the conditions described may result in disciplinary action, up to and including discharge.

Any driver who refuses to be tested under the provisions of the DOT regulations will not be permitted to operate a commercial motor vehicle. Any driver who tests positive for drugs, illegal or illicit substances, or legal substances without a valid prescription, may be subject to immediate termination. Where test results are positive, the driver will be advised as to what drug was discovered.

An individual who is involuntarily relieved of duty solely because of drug testing will be paid for time away from scheduled work if the drug test results are negative.

6-8 ANTI HARASSMENT

In providing a productive working environment, the County believes that its employees should be able to enjoy a workplace free from all forms of discrimination, including harassment based on race, color, religion, gender, national origin, age, mental or physical disability or other legally-protected status. It is the County's policy to provide an environment free from such harassment.

It is against the policy of the County for any employee, whether an Elected Official or Department Head, or coworker, to harass another employee. Prohibited harassment occurs when verbal or physical conduct that defames or shows hostility toward an individual because of his or her race, color, religion, gender, national origin, age, mental or physical disability or other legally-protected status, or that of the individual's relatives, friends, or associates, creates or is intended to create an intimidating, hostile, or offensive working environment; interferes with or is intended to interfere with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age, disability, or other legally-protected status.
- Verbal or graphic material that defames or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, disability, or other legally protected status, that is electronically communicated or placed on walls, bulletin boards, or elsewhere on the County's premises, or that is otherwise circulated in the workplace.
- Offensive slogans, pictures or messages on t-shirts, sweatshirts, other items of clothing, or tattoos.

Any employee who believes he or she has been harassed in violation of this policy should report the conduct immediately to their Elected Official, Department Head, or any member of the Board of Commissioners. No victim retaliation or discrimination will result from any good-faith complaint made under this policy.

A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as reasonably possible under the circumstances and applicable legal constraints. Any employee of the County who has been found, after appropriate investigation, to have harassed another employee in violation of this policy will be subject to disciplinary action up to and including termination.

6-9 SEXUAL HARASSMENT

It is the policy of Martin County to provide an environment free from sexual and sex-based harassment. It is against the policy of the County for any employee, whether an Elected Official or Department head, or coworker, to sexually harass another employee.

Sexual harassment or sex-based harassment occurs when unwelcome conduct of a sexual nature becomes a condition of an employee's continued employment, affects other employment decisions regarding the employee, or creates an intimidating, hostile, or offensive working environment. The County also prohibits harassment by third parties, including vendors, clients, or visitors.

Sexual and sex-based harassment may include any of the following:

- Requests for sexual favors
- Unwanted physical contact, including touching, pinching or brushing the body
- Verbal harassment, such as sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, and threats
- Non-verbal conduct, such as display of sexually suggestive objects or pictures, leering, whistling or obscene gestures
- Acts of physical aggression, intimidation, hostility, threats, or unequal treatment based on sex (even if not sexual in nature)
- Inappropriate or adverse treatment because an employee does not fit a gender stereotype

Any employee who believes he or she has been sexually harassed should report the conduct immediately to their Elected Official, Department Head, or any member of the Board of Commissioners. No victim retaliation or discrimination will result from any good-faith complaint made under this policy.

A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as reasonably possible under the circumstances and applicable legal constraints. Any employee of the County who has been found, after appropriate investigation, to have violated this policy will be subject to disciplinary action up to and including discharge.

6-10 ELECTRONIC INFORMATION SYSTEMS

E-mail, computer, and voice mail systems are County property and are intended for business, not personal, use. The systems are not to be used for personal use unless specifically authorized. Employees should not have any expectation of privacy as to any information or file maintained in or on County's property or transmitted or stored through County's electronic information systems or other technical resources.

The County strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees and customers. Therefore, the County prohibits the use of its electronic information systems in ways that are unlawful, disruptive, offensive to others, or harmful to morale. For example, the display or transmission of images, messages, and cartoons that may offend others because of their sex, race, age, national origin, disability, or religion is prohibited. Such misuse includes, but is not limited to, ethnic or racial slurs, racial or sexual comments or jokes, or any other communication that shows disrespect for others based on sex, race, national origin, disability, religion, or age.

Employees should remember that when they are using the County's electronic information systems, they are creating County documents by using County property.

These documents are not private and may be read by others at the County and, under some circumstances, by others outside the County.

Employees should also be aware that even though a message may be deleted from the system, a record of it may remain either on the daily backups of all data or in other ways. It is possible to re-create a "deleted" message. Therefore, ultimate privacy of messages is not assured to anyone.

If any employee is using the County's electronic information systems to communicate with legal counsel, all messages should be marked with the following in capital letters at the top of the message: "Confidential Communication - Attorney/Client Privilege." In addition, such messages should not be sent to a distribution list, should not be forwarded to anyone else, and should not be retained on the system. Under certain circumstances, the County may access information stored in its electronic information systems. While it is impossible to list all of the circumstances under which access may occur, some examples follow:

1. During regular maintenance of the system.
2. When the County has a business need to access the employee's mailbox or computer files; for example, if the employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business is in the employee's files. Although electronic systems may accommodate the use of passwords for security, confidentiality is not guaranteed. All passwords must be made known to your supervisor because your system may need to be accessed in your absence.
3. When the County receives a legal request to disclose electronic information.
4. When the County has reason to believe that employees are using its electronic information systems or other technical resources in violation of the County's policies.

Violations of this policy may result in disciplinary action up to and including termination. Employees learning of any misuse of the County's electronic information systems or a violation of this policy must notify their department head, elected official or Commissioners of such misuse or violation immediately.

6-11 WORKPLACE VIOLENCE

The safety and security of Martin County employees and customers is very important. It is the intent of the County to provide a workplace for all employees which is free of violence. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated.

Workplace violence includes, but is not limited to, intimidation, threats, physical attack, or property damage. These terms are defined as follows:

- "Intimidation" includes, but is not limited to, stalking, or engaging in actions intended to frighten, coerce, or induce duress.

- "Threat" is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the person communicating the threat has presented the ability to carry it out and without regard to whether expression is contingent, conditional, or future.
- "Physical attack" is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, throwing objects, firing a weapon, causing an explosion of hazardous materials, or discharge of hazardous substances.

"Property damage" is intentional damage to property which includes property owned or leased by the County, employees, visitors, or vendors.

Any person who makes threats, exhibits threatening behavior, or engages in violent act on County-owned or leased property may be removed from the premises.

Threats, threatening behavior, or acts of violence executed off County-owned or leased property but directed at County employees or members of the public while conducting official County business, is a violation of this policy.

Off-site threats include threats made via the telephone, fax or electronic or conventional mail, or any other communication medium.

Violations of this policy will lead to disciplinary action that may include termination of employment, and may also result in arrest and prosecution.

In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from County-owned or leased premises, termination of business relationships with the individual(s), arrest, and prosecution of the person(s) involved.

Employees are responsible for notifying their Department Head or Elected Official of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when the behavior is job related or might be carried out on County-owned or leased property or in connection with County employment.

All complaints of violations of this policy shall be promptly referred to the Board of Commissioners for investigation, findings, and recommendation of sanctions, whenever warranted. Employees involved in any investigation are expected to cooperate fully in the investigation

Any employee who receives a protective or restraining order which lists County-owned or leased premises as a protected area is required to provide their Department Head or Elected Official with a copy of such order.

If an emergency exists, contact the police department at 911, and notify your Department Head or Elected Official.

If not an emergency, employees should inform their elected official/department head.

If the elected official or department head is unavailable or if the nature of the complaint is such that the employee does not believe he/she can discuss it with the Department Head or Elected Official, the employee may bring concerns to a County Commissioner

Employees who act in good faith by reporting real or implied violent behavior violations of this policy need not fear retaliation.

6-12 WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of Martin County who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. The Board of Commissioners is charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should submit those concerns in writing to the County Attorney or any member of the Board of Commissioners.

The employee should exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including termination of employment or removal from the Board.

Whistleblower protections are provided in two important areas -- confidentiality and no retaliatory actions. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

Martin County will not retaliate against a whistleblower. This includes protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm.

Any whistleblower who believes he/she is being retaliated against should submit their concerns in writing to the County Attorney immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the County Attorney who will be responsible for investigating and coordinating corrective action.

6-13 HOUSEKEEPING

Neatness and good housekeeping are signs of efficiency. Employees are expected to always keep their work area neat and orderly – it is a required safety precaution. If there is a spill of a liquid, clean it up immediately. Do not leave tools, materials, or other objects on the floor that may cause others to trip or fall. Keep aisles, stairways, exits, electrical panels, fire extinguishers, and doorways clear always. Easily accessible trash receptacles and recycling containers are located throughout the buildings. Please put all litter and recyclable materials in the appropriate receptacles and containers. Always be aware of good health and safety standards, including fire and loss prevention.

Please report anything that needs repairing or replacing to your supervisor immediately.

6-14 OFFICE SAFETY

Office areas present their own safety hazards. Please be sure to:

1. Leave desk, file or cabinet drawers firmly closed when not in use.
2. Open only a single drawer of a file cabinet at a time.
3. Arrange office space to avoid tripping hazards, such as telephone cords or calculator electrical cords.
4. Remember to lift things carefully and to use proper lifting techniques.

6-15 PERSONAL APPEARANCE

The County requires that all employees, including elected officials, dress and grooming presentation be appropriate to the work situation and not jeopardize the health and safety of themselves or their fellow workers. All employees are representatives of Martin County and appearance should be such that it does not reflect poorly on the County.

All employees receiving uniforms or a uniform allowance are expected to wear such uniforms while on duty. If safety equipment is issued, employees are required to utilize this equipment.

If any employee reports to work improperly dressed or groomed or in any other way violates this policy, the supervisor shall instruct the employee to take time to remedy the situation. The employee will not be compensated during any such time away from work. Violations of this policy may be cause for dismissal.

6-16 PUBLIC RELATIONS

When dealing with the public personally, during telephone conversations or in official correspondence, employees will do so in a courteous and professional manner. Complaints from the public will be investigated and may result in disciplinary action. All suggestions will be taken under advisement.

When a member of the public approaches an employee with a question or a complaint, the employee will give the matter immediate attention. If member of the public becomes abusive or argumentative and the employee cannot properly handle the situation, the person should be referred to the employee's supervisor.

Employees should be particularly careful to exercise courtesy and thoughtfulness in using the telephone. Whenever possible you should get the caller's name, address, phone number and message and give that information to the appropriate individual.

The Courthouse shall be considered a place of business; thus, the decorating of Courthouse windows should be confined to holiday greetings. Other forms of window distractions can only be made with the approval of the Board of Commissioners.

6-17 PERSONAL BUSINESS

Personal business is not to be attended to on County time. The County's facilities and equipment should not be used for personal telephone calls or mail except in an emergency. The use of County time or facilities to conduct personal business may result in disciplinary action.

Employees should not use County addresses in receiving personal mail. Employees should not use County stationery for personal communication as these might be considered official communication.

6-18 CELL PHONE USAGE

Martin County provides cellular telephones to some employees as a business tool. They are provided to assist employees in communicating with County officials, vendors, other employees, associates, and others with whom they may conduct business. Cell phone assignments will be reviewed by the appropriate Appointed or Elected Official as part of the budget process.

Cell phone use is intended for business-related calls only and personal calls should be held to a minimum. Employees are expected to make every effort to not exceed the current contracted allowed minutes for their phone. Cell phone invoices may be routinely audited.

Employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road.

Employees are prohibited from using cell phones to conduct business while driving and should safely pull off the road and come to a complete stop before dialing or talking on the phone.

As a representative of Martin County, cell phone users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a cell phone.

6-19 SOCIAL MEDIA

Online social media, such as social networks, professional networks, social bookmarking sites and blogs, have become increasingly popular. This policy pertains to employee use of such media as it relates to the County.

Employees are prohibited from using County computers and electronic systems for participating in personal social media, as such systems are the property of the County. In addition, employees are not permitted to engage in violations of County policy or the law in their offsite social media activities. As such, employees must refrain from:

- disclosing any County confidential business at any time;
- engaging in sexual or other unlawful discrimination or harassment;
- violating the County's intellectual property rights;
- maliciously false, defamatory, libelous, or slanderous statements in discussing the County, management, supervision, coworkers, competitors, or vendors; and
- engaging in other violations of County policy or the law.

Further, employees should make it clear that they do not represent the County nor imply that their opinions or viewpoints are those of the County. When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *"The opinions expressed on this site are my own and do not necessarily represent the views of Martin County."*

Employees are responsible for the content of their social media postings and may be subject to all appropriate legal and disciplinary action resulting from any unlawful statements or County-policy violations in their social media and networking activities.

6-20 OPEN COMMUNICATIONS

The Board of Commissioners extends the opportunity to all employees to discuss personnel related issues with the executive body of the County. To accomplish this, the Board asks that employees request a meeting with the Board of Commissioners by contacting the Auditor's Office.

This policy is not intended to usurp the authority of any Elected Official or Department Head. Employees are encouraged to discuss any issue with their supervisor and use discretion when bringing issues to the Board of Commissioners.

Martin County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the employee's Department Head or Elected Official.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

The employee shall also follow the process outlined below.

1. Employee presents written problem to the Department Head or Elected Official within 5 calendar days after the incident occurs.
2. The Department Head or Elected Official should respond to the problem during its initial discussion or orally within 5 calendar days, after consulting with appropriate offices, when necessary. Such discussions should be documented.
3. If, after the oral discussion, the employee feels the issue is still not resolved, the employee may request that the matter be reviewed informally by the County Commissioners. The issue must be presented, in writing, to the County Commissioners within 5 calendar days of the oral response from the Department Head or Elected Official.
4. The County Commissioners will review the issue and respond, in writing, within 10 calendar days. The County Commissioners may make a non-binding recommendation to resolve the problem.
5. If the problem does not place the County at risk of non-compliance with any Federal or State law, the decision of the Department Head or Elected Official shall be final.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment

SEPARATION FROM EMPLOYMENT

7-1 EMPLOYMENT SEPARATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION – voluntary employment termination initiated by an employee. The employee will be required to complete a letter of resignation.

Although advance notice is not required, Martin County requests at least two (2) weeks written notice of resignation from non-exempt employees and four (4) weeks' notice from

exempt employees. (Refer to Vacation Benefits, Page 22). If an employee does not provide advance notice as requested above, the employee may be considered ineligible for rehire.

DISCHARGE – involuntary employment termination initiated by the County. Elected Officials and Department Heads must take appropriate steps to ensure building and system security are maintained. (Refer to Section 6-10)

RETIREMENT – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the County. (Refer to Vacation Benefits, Page 22).

REDUCTION IN FORCE/LAYOFF - Involuntary employment termination initiated on behalf of the County by the Appointed or Elected Official due to lack of work, lack of funds or projected lack of funds, job elimination, or reorganization.

Whenever a reduction is necessary, the County will determine the classification(s) in which the layoff(s) will occur and the number of employees to be laid off in each department.

Employees will be laid off with consideration of length of continuous service and the operational needs of the County. Employees may displace fewer senior employees in other departments provided they possess the minimum qualifications and licenses required for the position. Length of service is one factor in the layoff/displacement decision.

The operational needs of the County may require the retention of less senior employees over a more senior employee. Attendance and punctuality may also be a factor in determining who shall be retained and who shall be laid off.

Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

7-2 PAYROLL NOTIFICATION

Department Heads and Elected Officials must notify Human Resources that an employee is terminating employment as soon as notice is given by the employee. This includes part time and seasonal employees. This will facilitate the proper payment of time worked in compliance with state law.

7-3 PAY UPON TERMINATION

Employees who terminate their employment with appropriate notice or who are subject to a reduction in force from the County will be paid for all time worked, unused vacation

days based on the schedule in Section 3-3 and compensatory time less appropriate deductions on the next regular pay day according applicable federal and state laws.

7-4 RETURN OF PROPERTY

Employees are responsible for all property, keys, materials, or written information issued to them or in their possession or control. All property must be returned by employees on or before their last day of work. Where permitted by applicable laws, the County may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. On or before their last day of work employees must return all Martin County property in good working condition. The County may also take all action deemed appropriate to recover or protect County property.