

STEVENS COUNTY
PERSONNEL SYSTEM

TABLE OF CONTENTS

DEFINITIONS	1
I. PURPOSE, ADOPTION AND ADMINISTRATION	9
II. PAYROLL CHECK DISTRIBUTION	13
III. EMPLOYEE RELATIONS	14
IV. NON-DISCRIMINATION POLICY	16
V. CLASSIFICATION OF POSITIONS	17
VI. CHANGES IN EMPLOYMENT STATUS	19
VII. RECRUITMENT, SELECTION AND APPOINTMENT	18
VIII. PROBATION	22
IX. MEDICAL AND PSYCHOLOGICAL EVALUATIONS	23
X. HIV POLICY	24
XI. NON-COUNTY USE OF COUNTY RESOURCES	25
XII. GENERAL SOLICITATION	26
XIII. CLEAN AIR POLICY	27
XIV. SEPARATION FROM EMPLOYMENT	28
XV. RELATED PROVISIONS - DATA PRIVACY	30
XVI. WORK RELATED EXPENSES AND POLICIES	32
XVII. SEAT BELT POLICY	33
XVIII. EMPLOYEE ASSISTANCE PROGRAM	34
XIX. INSURANCE	35
XX. WORKERS COMPENSATION	37
XXI. HOLIDAYS	38
XXII. HOURS OF WORK	39
XXIII. HAZARDOUS WEATHER POLICY	41
XXIV. LEAVES OF ABSENCE	42
XXV. COMPENSATION AND BENEFITS	48
XXVI. NATURE OF EMPLOYMENT	49
XXVII. EMPLOYEE RELATIONS	50
XXVIII. EQUAL EMPLOYMENT OPPORTUNITY	51
XXIX. PRE-EMPLOYMENT PHYSICALS	52

XXX.	HIRING OF RELATIVES	53
XXXI.	IMMIGRATION LAW COMPLIANCE	54
XXXII.	FAMILY LEAVE	55
XXXIII.	DRUG AND ALCOHOL USE	57
XXXIV.	CODE OF ETHICS	58
XXXV.	SEXUAL HARASSMENT	62
XXXVI.	TRAVEL AND EXPENSE POLICY	64
XXXVII.	EMPLOYEE SAFETY	70
XXXVIII.	COURTHOUSE SECURITY POLICY	73
XXXIX.	EMPLOYEE RETIREMENT	74
XL.	ELECTED OFFICIAL BENEFIT POLICY	75
XLI.	DISCIPLINE AND GRIEVANCE SITUATIONS	76
XLII.	GRIEVANCE PROCEDURES	81
XLIII.	FRAUD POLICY	85
XLIV.	CREDIT CARD USE	86
XLV.	EMPLOYEE WELLNESS PROGRAM	90
XLVI.	RESERVED	
XLVII.	RESERVED	
XLVIII.	RESERVED	
XLIX.	RESERVED	
L.	RESERVED	

DEFINITIONS

Unless otherwise indicated, the following words and terms used in this manual shall have the meaning indicated below:

1. **Allocation:** The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work performed in the position.
2. **Appointing Authority:** A position in the county with statutory authority or which has been designated by the Board of Commissioners to have authority to appoint employees with full rights and benefits.
3. **Appointment:** A regular assignment to a paid position within the County service.
4. **Child:** A person either under eighteen (18) years of age, an individual under age twenty (20) who is still attending secondary school or a child older than eighteen (18) years of age who is incapable of self-care because of a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster, step-child, legal ward, or child of a person standing in place of a parent.
5. **Class:** One or more positions sufficiently similar with respect to duties and responsibilities that the descriptive title may be used with clarity to designate each position allocated to the class, that the same general qualifications are needed for performance of the duties of the class, that the same test of fitness may be used to recruit employees, and that the same schedule of pay be applied with equity to all positions in the class under the same or substantially the same employment conditions.
6. **Classification:** The act of grouping positions into classes with regard to duties and responsibilities.
7. **Compensatory Time:** Time credited to an employee in lieu of overtime payment and credited at one and one-half hours for every one hour of overtime worked.
8. **Continuing Treatment:** A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - (1) A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

- (a) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - (2) Any period of incapacity due to pregnancy, or for prenatal care.
 - (3) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
 - (a) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
 - (b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
 - (4) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
 - (5) Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), sever arthritis (physical therapy), kidney disease (dialysis).
9. **County Board:** The Stevens County Board of Commissioners.
10. **Days:** Unless otherwise indicated, this means calendar days.
11. **Demotion:** A change of an employee's status from a position in one class to a position in another class with less responsible duties and a lower salary range.

12. **Department Head:** For the purpose of these rules, department heads shall be defined as to include the following:
 1. Auditor/Treasurer (elected)
 2. Ambulance Director
 3. County Coordinator
 4. County Assessor
 5. County Attorney (elected)
 6. County Engineer
 7. County Recorder (elected)
 8. Human Services Director
 9. Sheriff (elected)
 10. Facilities Maintenance Director
13. **Dismissal:** An action taken by the County Board upon the recommendation of a Department Head, if applicable, which permanently removes a non-probationary employee from employment in the department and from the County payroll.
14. **Elected Official:** Those County officials selected by vote of the electorate.
15. **Eligible:** The status of any person whose name is on the reinstatement or eligibility register for a given class.
16. **Eligibility Register:** The list of any persons who are eligible to be considered for a given job or class of jobs.
17. **Employee:** A person holding an appointed paid position within the County service.
18. **Exempt Employee:** Employees exempt from the overtime compensation provisions of applicable Fair Labor Standards Legislation. These employees are generally employed in management, administration, or professional positions. The nature of work performed by an exempt employee is such that less than twenty percent (20%) of the total work time is not considered executive, administrative, or professional work.
19. **Grievance:** A dispute or disagreement raised by an employee, or a group of employees, against the County and/or his/her Department Head because of an interpretation or alleged violation of these Rules and Policies or department rules.
20. **Hire Date:** The date a person begins employment in a regular position. This date is used for determining eligibility in all benefit programs.
21. **Immediate Family:** Spouse: means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides, including common

law marriage in States where it is recognized.

Parent: means a biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a son or daughter as defined in paragraph below. This term does not include parents “in law.”

Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability”

22. **Intern:** An individual in a training program who has no status as an employee.
23. **Job Analysis:** The systematic process of gathering information about jobs. Information may be gathered by questionnaire, interview, observation of the worker or daily “dairies” recorded by job holders. Information gathered is summarized in a job description.
24. **Job Description:** Written document that identifies the purpose(s), duties, essential functions, responsibilities, and accountability of a job; the knowledge, skills and abilities needed to perform the job satisfactorily and other special consideration, if any.
25. **Job Evaluation:** The systematic process of comparing and grading the relative value of the job to other jobs in the organization. Job evaluation is used to determine job salary levels and ranges.
26. **Lay-off:** A separation of an employee necessitated by lack of work, lack of funds, the abolition of a position, organizational change, or any other management reason without delinquency or misconduct on the employee’s part.
24. **Layoff List:** A list of former permanent employees who have been separated by layoff, necessitated by lack of work, lack of funds, or other reason without reflecting negatively on the employee's performance.
25. **Military Leave:** The leave of absence granted by state and federal law to employees entering active duty in the armed forces of the United States.
26. **Non-Exempt Employee:** Employees who are subject to the wage and hour provisions of the FLSA and the State of Minnesota and who are eligible for overtime pay or compensatory time off.
27. **Normal Work Week:** The normal work week for Department Heads, supervisory employees, Highway and Sheriff employees, shall be forty (40) hours; for Human Services employees shall be thirty seven and one-half (37.5) hours; and for all other employees, the normal work week shall be thirty five (35) hours.
28. **Overtime:** All hours actually worked in excess of 40 by a non-exempt employee in a work

week consisting of seven (7) consecutive days (168 hours).

29. **Part-time employees:** Employees who are regularly scheduled to work less than a normal workweek and who may receive prorated benefits.
30. **Personnel Board of Appeals:** A three member board appointed by the County Board in accordance with Minn. Stat. 375.65, Subd. 1.
31. **Personnel Department:** The Personnel Director and those employees engaged in Human Resources administration.
32. **Personnel Director:** A person designated by the County Board to serve as the administrator for the County's personnel management system.
33. **Position:** A group of duties and responsibilities which requires the full-time or part-time employment of one person.
34. **Probationary Period:** A six (6) month test period during which a new/non-supervisory employee, is required to demonstrate fitness by performing the actual duties of the position. Probationary periods may be extended by the appointing authorities in cases of uncertainty. The probationary period for supervisory employees shall be one (1) year.
35. **Professional:** Occupations which require specialized and theoretical knowledge usually acquired through college training or through work experience and other training which provides comparable knowledge. Such employees should be engaged in work predominately intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work.
36. **Promotion:** A change of an employee's status from a position in one class to a position in another class with more responsible duties and a higher salary range.
37. **Reallocation:** A reassignment or change in the classification of a position based on a significant change in the kind, difficulty, or responsibility of the work performed.
38. **Reclassification:** A change in classification of an individual position by raising it to a higher class, reducing it to a lower class, on the basis of significant changes in kind, difficulty or responsibility of work performed in such a position.

39. **Re-employment List:** A list of former regular employees who have been separated from County service in accordance with these Rules and Policies subject to recall pursuant to Section 14.3.
40. **Reinstatement:** Appointment of a former employee (who had regular or probationary status) to the class to which the employee was assigned prior to lay-off or separation to another class as agreed to by the employee and the Department Head.
41. **Resignation:** A voluntary separation from County service by the employee.
42. **Retired Employee:** An individual whose most recent employment was with the County and is receiving PERA or a combination Social Security/PERA.
43. **Rules:** Personnel rules published by the Board of Commissioners, which govern personnel policies and procedures.
44. **Salary Range:** A division of the salary schedule to which classes of positions are assigned. The range of salary from minimum to maximum in which a class of positions will be paid.
45. **Separation in Good Standing:** Voluntary termination through resignation or retirement, communicated in writing at least (14) days prior to the effective date of separation. In the event that the employee resigns or retires in the anticipation of a disciplinary action, the County will determine, in its discretion, whether the resignation or retirement is in good standing.
46. **Serious Health Condition:** An illness, injury, impairment, or physical or mental condition that involves:
 1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or
 2. Continuing treatment by a health care provider;
 3. Any period of incapacity due to pregnancy, or for prenatal care;
 4. Any period of incapacity for treatment for such incapacity due to a chronic serious health condition;
 5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 6. Any period of absence to receive multiple treatments (including any period of

recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

47. **Severance:** An action which separates an employee from County service, either through resignation, retirement, termination or lay-off.
48. **Severance Pay:** Payout of accrued benefits to regular eligible employees leaving County service in good standing.
49. **Spouse:** Husband or wife.
50. **Status (employment):**
 1. **Regular, Full-Time:** An employee who is scheduled to work a normal work week and who was hired for a service duration in excess of the designated probation period.
 2. **Regular, Part-Time:** An employee who works less than the normal work hours of a full-time employee and was hired for a service duration in excess of the probation period.
 3. **Temporary, Full-Time:** An employee who works the normal work hours but is either seasonal or whose employment is limited by the duration of a specific project. Temporary employees serve at the will and pleasure of the Department Head and may be appointed for a period not to exceed sixty-seven (67) working days or one-hundred (100) working days if a returning college student. The Department Head shall recommend a reasonable wage rate for the employee to the Personnel Director. The Personnel Director shall make a recommendation of the wage rate to be paid which may or may not be identical to the rate recommended for regular employees. Final approval of the wage rates shall be made by the County Board. Temporary employees are not eligible for County fringe benefits except those mandated by state or federal law.
 4. **Hourly:** Hourly employees serve at the will and pleasure of the Department Head and may not work more than seven hundred and twenty-eight (728) hours in any calendar year, January through December. The Department Head will recommend a reasonable wage rate for the employee to the Personnel Director. The Personnel Director shall make a recommendation of the wage rate to be paid which may or may not be identical to the rate recommended by the appointing authority. Final approval of the wage rate shall be made by the County Board. Hourly employees

are not eligible for County fringe benefits except those mandated by state or federal law.

5. **Limited Term:** A position designated by the County Board at the time authorized as a “limited-term” position. These positions are established for a fixed period of time or as may be otherwise designated by the County Board. If funding for a limited-term position is decreased or three years passes, additional County Board authorization is required. These employees are eligible for the same benefits conferred upon regular employees of the same full-time equivalency, and are subject to the terms and conditions set forth by the County Board. Limited-term employees however, do not accrue seniority for purposes of lay-off or re-employment.

51. **Supervisory Employee:** Any person having explicit authority to effectively recommend action to hire, transfer, suspend, promote, discharge, assign, reward or discipline, direct or adjust grievances of other employees. The exercise of such authority is not merely routine or clerical in nature, but requires the use of independent judgment.

52. **Suspend:** To temporarily relieve an employee from duties of employment. The suspension may be accompanied by a written notice of intent to dismiss. The suspension may be with or without pay.

53. **Transfer:** The movement of an employee from one position to another position of the same class.

54. **Veteran:** Any individual who meets the definition of “veteran” set forth in Minn. Stat. 197.447 of the Veteran’s Preference Act.

55. **Veteran’s Preference:** Preference granted to veterans as required by Minn. Stat. 43A11 and 197.455 through 197.481.

56. **12-week Period:** A twelve (12) week period for FMLA purposes only beginning with the first day that the employee is absent from work on FMLA leave.

**STEVENS COUNTY
PERSONNEL SYSTEM**

I. PURPOSE, ADOPTION AND ADMINISTRATION

1.1 Purpose

It is the purpose of these rules to provide a uniform, comprehensive and efficient system of personnel administration for Stevens County based upon merit principles including:

1. Recruiting, selecting, advancing employees on the basis of their relative ability, knowledge, and skills.
2. Equitable and adequate compensation.
3. Training employees as needed to assure high quality performance.
4. Retaining employees on the basis of adequate performance, correcting inadequate performance, and separating employees whose poor performance cannot be corrected.
5. Assuring the fair treatment of applicants/employees in all aspects of personnel administration without regard to political affiliation, race, color, age, national origin, sex, religious creed, marital status, and status with regard to public assistance and with proper regard for their privacy and constitutional rights as citizens.
6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office.
7. That the citizens of Stevens County can be assured that their best interests are being served by the employment of the highest possible caliber of personnel.

1.2 Adoption

These rules were prepared and recommended by the Personnel Director and approved by the County Board on July 6th, 1999 in accordance with provisions of Minnesota Statute 375.56.

- 1.3** The County Board may amend any or all of these rules by resolution and must ensure compliance with Merit System standards. All changes shall be provided to Department Heads and bargaining unit representatives and be posted on bulletin boards for a period of

two weeks prior to County Board action.

1.4 Joint Powers

A joint powers entity in which Stevens County is a member, may adopt this policy by resolution of the joint powers board. Any entity established by the Stevens County Board may adopt this policy by resolution or upon declaration of the Stevens County Board.

1.5 Administration

These rules shall be administered by the Personnel Director. The Personnel Director shall develop and provide the necessary forms, procedures, and instructions for the implementation of these personnel regulations.

1.6 Copies of these rules shall be made available to all employees, appointing authorities, and interested Union representatives. Printed copies of these regulations shall be on file in the Personnel Office and shall be available for public review upon request.

1.7 Savings Clause

If any personnel regulation shall be held invalid by judicial or legislative action, the remainder of these rules, other than that which has been determined to be invalid, shall not be affected.

1.8 Department Rules

In accordance with these rules, each Department Head may establish departmental rules of procedure, which do not conflict with these rules, to cover unique circumstances. Such rules shall be filed with the Personnel Department and approved by the County Board prior to implementation.

1.9 Disclaimer

In accordance with M.S. Chapter 466.07, the County Board hereby declares its intent to defend and hold harmless and indemnify any of its officers or employees who are sued in tort action arising out of the performance of their official duties, except where such tort action arises from malfeasance in office, which shall be determined by the County Board upon due process proceedings.

1.10 Application

These rules shall apply to all employees except those as may be excluded by the County Board or specifically excluded by M.S. 375.56-375.71. Those who may be excluded are:

1. Elected officials.
2. Members of appointed boards, commissions, or committees.
3. Appointed Department Heads.
4. Not more than one designated principle assistant or personal secretary to each elected Department Head.
5. Volunteers or those on a limited pay status who are students or interns.
6. Persons hired on a contractual basis upon approval of the County Board or delegated Department Head.
7. Employees designated as temporary or seasonal.
8. Any positions subject to merit systems established pursuant to section M.S. 256.012. (Minnesota Department of Human Services Merit System) Merit system employees shall be subject to this policy for regulation and rules or procedure not covered by M.S. 256.012.
9. Elected Department Heads may appoint a Principle Assistant or Personal Secretary upon approval of the County Board

1.11 The Principle Assistant or Personal Secretary of an elected Department Head shall serve at the will and pleasure of the elected Department Head. Individuals shall not acquire regular status under the County Personnel System by virtue of their designation as a principle assistant or personal secretary of an elected Department Head. Individuals who had acquired regular status before being designated as a principle assistant or personal secretary shall revert to that status if their designation is revoked.

1.12 Elected Department Heads shall designate, in writing, their principle assistant or personal secretary. The salary and benefits shall be reviewed by the County Board and are subject to approval. Other terms and conditions of employment shall be the responsibility of the Elected Department Head. Said designation shall be filed with the Personnel Director. Revocation of said designation shall be in writing and shall be filed in the Personnel Department. For the purpose of the Personnel System, designation as a principle assistant or personal secretary or their designation or revocation is filed with the Personnel Director.

1.13 Labor Agreements

Those employees who are subject to collective bargaining agreements as negotiated in accordance with the Public Employment Relations Act, M.S. 179.61-179.76, as amended, shall be exempt from the provisions of these rules which are inconsistent with such agreements. Should said collective bargaining agreement not address any regulation or rule of procedure prescribed for the County Personnel System, then said employee shall be

subject to that regulation or rule of procedure under the county system.

1.14 Management Rights

The County Board retains the full and unrestricted right to operate and manage all manpower, facilities, and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish work schedules; and to perform all inherent managerial functions not specifically limited by current collective bargaining agreements, these regulations, and County Board resolutions.

1.15 Only terms of employment not specifically established by a collective bargaining agreement are specifically within the discretion of the employer to establish, modify, or eliminate.

1.16 Orientation: All new employees shall be provided an orientation overview administered through the Personnel Office. General County information and a new employee hand- book will be covered under this program. Further orientation specific to each department will be the responsibility of the respective department head.

II PAYROLL CHECK DISTRIBUTION

2.1 Statement of Policy

The County recognizes a need to streamline its payroll check distribution method, and to bring uniformity to this process across all County departments

2.2 Selection of payment method

An employee may choose one of the following payment methods:

- A. Designating direct deposit into the employee's account;
- B. Picking up their paycheck in the department to which the employee's salary is charged. Checks will be delivered by courier to the branch offices with their normal courier delivery.

2.3 Mailing of Checks

The Auditor's Office may choose to mail checks to employees based on circumstances which they deem to be reasonable.

2.4 Re-issuance of payroll checks

Only in rare and unusual circumstances (i.e. theft, loss, fire, etc.) may payroll checks be re-issued prior to the ten (10) day waiting period for re-issuance.

III. EMPLOYEE RELATIONS

3.1 Policy Statement

The policy of Stevens County is to be fair and honest with its personnel and to respect the individual rights of all employees. The County shall continue to strive to achieve mutual respect in working relationships and to insist that the supervisors do all in their power to carry out such a policy. To continue working together successfully, each employee and each supervisor must realize that harmonious relationships are not entirely a matter of rule, but are the outgrowth of daily decisions and cooperative attitudes.

3.2 Stevens County is committed to the philosophy that it is a distinction to serve one's fellow citizens as a governmental official or employee. In fulfilling one's duties as an official or employee, it is mandatory that tact, patience, diplomacy, and understanding go hand in hand with an employee's demonstrated competency in his/her line of work. Employees are expected to provide wholehearted service during work hours and not engage in conduct which is immoral, unethical, or illegal. Employees are to be respectful of authority and abide fully by the regulations which attend their employment.

3.3 Declaration of Policy for Affirmative Action

Stevens County acknowledges that equal opportunity for all persons is a fundamental human value. Consequently, it is the policy of the County to provide equal opportunity in employment and personnel management for all persons; to provide access and admission to full utilization and benefit of training and promotional opportunities without discrimination because of race, color, creed, religion, age, national origin, sex, marital status, public assistance status, disability, political affiliation, handicap (as defined in the regulations of the U.S. Department of Health, Education, and Welfare relating to Section 504 of the Rehabilitation Act of 1973) or other non-merit factors (as defined in the Federal Register of Friday, February 16, 1979, Standards for a Merit System of Personnel Administration), and to otherwise promote full realization of human rights within the county to the extent permitted by law. To implement this policy, Stevens County requires that every person making application for, currently employed by, or applying for future vacancies in the employ of Stevens County will be considered on the basis of individual ability and merit, without discrimination or favor.

3.4 Political Activity

Stevens County employees working in a position partially or fully funded by the federal government have their political activity controlled by the Hatch Act.

3.5 Political activity for all other Stevens County employees is covered under M.S. 43.28.

3.6 Permitted Political Activity

Employees subject to the provisions of Minnesota Statutes or the Federal Hatch Act may:

1. Express opinions on political subjects and candidates (for example, wearing badges or buttons, or displaying stickers or posters on their cars or houses).
2. Take an active part in political management and political campaigns, but not on regular paid county time or premises. Regular paid county time does not include vacation (that is, doing volunteer work for a partisan candidate, campaign committee, political party; attending political meetings or rallies; originating, circulating and/or signing petitions for candidates in a partisan election.)
3. Be a candidate for political party office, even when such office is voted on in a partisan election (that is, committee member or convention delegate).
4. Be a candidate for public office in a nonpartisan election provided that no conflict of interest exists (nonpartisan elections are those where none of the candidates are nominated or elected as representing a political party).
5. Make a financial contribution to a political party or organization; solicit and collect voluntary political contributions so long as they do not coerce, command, or advise another county employee to make such contributions and as long as such solicitations are not during the employee's hours of employment.

3.7 Prohibited Activity

Employees are prohibited from:

1. Directly or indirectly, soliciting or receiving funds during hours of employment.
2. Using his/her authority or influence to compel any employee:
 - a. To apply for membership in or become a member of any organization;
 - b. To pay or promise to pay any assessment, subscription, or contribution;
 - c. To take part in any political activity.
3. Use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.

3.8 Specific questions relative to political activity should be addressed to the Personnel Director.

IV NON-DISCRIMINATION POLICY

4.1 Policy Statement

Stevens County is committed to a policy of non-discrimination in relation to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, sexual orientation, age, veteran status, political beliefs, or because of physical, mental, or emotional disability. This policy will prevail in all matters concerning staff.

If you believe you have been a victim of discrimination, please contact the Stevens County Personnel Department either orally or in writing.

4.12 Definition of Discrimination: Discrimination is any overt or covert behavior that excludes access to, admission to, full utilization of, or benefit from any public service because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or status with regard to public assistance or to fail to ensure physical and program access for disabled persons unless the public service can demonstrate that providing the access would impose an undue hardship on its operation.

4.13 Maintaining a Discrimination Free Environment: In keeping with the County's commitment and the requirements of law, the County and staff will strive to remove any discrimination in its treatment of customers, in employment, in assignment and promotion of personnel, in training programs, services, and opportunities offered to citizens and staff, in location and use of facilities, and in oral and written communications.

4.14 County and Staff Responsibilities: The County will establish and maintain an atmosphere in which staff can develop mutually respectful attitudes towards the public, customers, and co-workers for effective, cooperative living in a diverse society.

The County and staff will, as appropriate, work with other jurisdictions to improve human relations with the County.

4.15 Violations of Policy: Employees found to be in violation of Stevens County's non-discrimination policy may be subject to disciplinary action.

V CLASSIFICATION OF POSITIONS

5.1 Philosophy

In order to provide competitive and equitable pay, to establish proper relationships between positions; and to provide a sound basis for recruitment, selection, and progression, a classification plan is established. This continuing process will insure that positions with Stevens County, substantially alike in duties and responsibilities, will be given the same title, will be graded in relationship to the duties performed and labor market conditions, and will be assigned the same compensation level. The classification system is a management tool designed to assist the organization achieve its objectives and assure employees they are being treated fairly and consistently.

- 5.2** Organizations and jobs change sometimes at a very rapid rate. It is vital that managers and employees understand that as duties change to a substantial degree, attention must be given to the possibility that the job classification has changed. Therefore, a reallocation of the position and adjustment in compensation may become necessary.

5.3 Process

When a new position has been authorized by the County Board during the budgetary process or through special action, the Department Head is responsible for the preparation of a position description. It will contain the duties to be performed, degree of supervision exercised and received, special features of the position, and qualifications recommended.

- 5.4** The drafted position description will be reviewed by the Personnel Director who will determine the proper classification and pay grade.

- 5.5** The Personnel Director will develop a central record of the position and pay grade and will retain a copy of the position description.

5.6 Responsibility

Within the limits described above, the integrity of the classification plan is dependent on the vigilance and understanding of everyone. An employee may call attention to major changes in his/her duties and draft material to indicate how and why he/she feels the job has changed. Department heads will be held accountable for the accuracy of information about positions within their department. The Personnel Director will act as the agent for the County Board in providing advice and assistance to department heads on the classification process and serve as a technical resource in reallocating a position. The Personnel Director is responsible to periodically review the entire classification system. The Personnel Director will assure that position descriptions are current and positions properly allocated.

5.7 Preparation of Classification Plan

It shall be the duty of the Personnel Director to develop and maintain a Classification Plan so that all positions substantially similar in know-how, problem solving, accountability, and working conditions are included in the same class and that the same or similar means of recruitment may be used in filling all positions within a class and that the same salary range may be applied to various positions in a class. The plan shall classify positions in accordance with federal and state laws for all positions within the jurisdiction of the County Personnel System.

5.8 Reclassification

When the duties of positions change substantially, the Department Head may request a review of the duties of the position(s). Alternatively, the Personnel Director may initiate such a review. Based on the results of the review, the Personnel Director may reclassify the position(s) to a higher or lower grade level subject to the approval of the County Board. Reclassification shall not be used for the purpose of avoiding restrictions concerning lay off, demotion, and promotion.

5.9 Classification Appeal Process

Employees who feel they are classified incorrectly may appeal such classification by presenting the facts in writing to the Personnel Committee. The Department Head shall review each appeal prior to its submission. The Committee shall evaluate the appeal and make a decision based on the merits of it. The decision made by the Personnel Committee shall be final and non-grievable.

VI CHANGES IN EMPLOYMENT STATUS: POSITION CLASS

6.1 Lateral Transfer

Present employees who transfer laterally to a position within another department shall do so at their present grade and step and will not begin a probation period.

6.2 Reclassification

A reclassification of a position to a higher or lower class, due to a significant change in duties, difficulty or responsibility of work performed, may be recommended by the respective Department Head to the Personnel Director in writing. The Personnel Director shall then perform a job analysis for the position and shall then make a determination on the need for a reclassification. The Personnel Director's determination shall be reviewed by the County Board or a designated standing committee of the Board. Any employee reclassified to another salary level must be able to demonstrate that they meet the qualifications and specifications of the position.

6.3 Promotion

Present employees who are promoted shall begin a probation period on the date of promotion for a period of six (6) months except supervisory personnel which will serve a probationary period of one (1) year. Salary increases associated with the promotion shall become effective on the date of the promotion. If the performance of the employee falls below a minimum standard during the probation period after a promotion, the employee may be demoted to a position for which he/she is qualified. If a position is not available to which the employee may be demoted, the employee may be reinstated to his/her previous position or separated from County employment. If an employee is demoted during a probation period after a promotion, the salary shall be reduced to the appropriate salary level on the effective date of the demotion.

The employee who is promoted shall be granted a thirty (30) day trial period to determine:

- D. Ability to perform new position;
- E. Desire to remain in position.

During the thirty (30) day trial period, the employee shall have opportunity to revert back to his/her former position.

6.4 Demotion

The salary level of an employee demoted to a position class lower than the position which he/she previously held shall be adjusted to reflect that person's new responsibilities and duties in that position. In no case shall the employee's salary exceed the maximum of the salary range for the position to which he/she has been demoted.

VII RECRUITMENT, SELECTION AND APPOINTMENT

7.1 Work Force Projections and Planning

Each department is responsible for presenting a work force plan to the County Board annually. The plan will identify all permanent positions within the department by title and will identify anticipated additions, deletions, or changes for the next year and will contain a complete organizational chart including the reporting relationship of positions. The Personnel Department will assist individual departments identify the appropriate job class when needed.

7.2 Authorization to:

1. Establish Positions:

The County Board possesses sole authority to establish positions within Stevens County.

2. Fill Vacated Positions.

Positions are vacated through the resignation, transfer, retirement, death, or termination of an employee. Department heads can submit to the Personnel Department a request to fill an established position upon its being vacated.

7.3 Departmental organization and the number of positions will be determined by the County Board in consultation with the Department Head. Authorization for a new position must have been granted before the selection process can be initiated. Prior authorization for temporary employees, contract employees, or paid student interns is required before an individual will be allowed to start work within the county. Should an individual be employed without proper authorization, the Personnel Office shall immediately terminate that individual's employment.

7.4 Justification for filling a vacant position may be required of a Department Head. The Personnel Director must obtain approval to fill a vacant position from the County Board.

7.5 Recruitment

Upon receipt of authorization to fill a vacant or new position, the Personnel Department shall prepare a job announcement. The announcement shall identify the classification, duties and responsibilities, department, qualifications, salary range, and closing date of the announcement.

7.6 The Personnel Department shall post the announcement and advertise in accordance with local, state and federal rules in such a manner which will provide open competition and an adequate number of qualified candidates.

7.7 Selection and Appointment

The selection process may consist of any one or combination of the following methods:

Ability tests, achievement tests, performance tests, ratings of experience and training, oral tests, physical agility tests, work samples, physical and/or psychological examinations, or other acceptable selection techniques and an evaluation of daily work performance during the probationary period. Any method(s) chosen shall evaluate only those criteria necessary to perform adequately in the position. Veterans preference shall apply to all appropriate position openings covered by this policy.

- 7.8** The Personnel Director shall provide for, formulate, and hold competitive examinations as required to determine the qualifications of persons seeking employment in those positions within the jurisdictions of these rules.

7.9 Appointing Process

The appointing authority shall select the candidate for the position from the list of candidates certified for appointment to that position by the Personnel Director. The County Board shall serve as the Appointing Authority for designated essential positions and appointed department heads and make its selection from recommended candidates.

- 7.10** The Personnel Department shall provide the candidate selected for appointment a written notice to include the employment date, probationary period, salary, and benefits. Notice of appointments must be signed and returned to the Personnel Department as an indication of acceptance before employment shall commence. The Personnel Department shall also provide those candidates certified but not selected a written notice of non election.

7.11 Emergency Appointment

Upon prior approval of the County Board, an appointing authority can make an emergency appointment to a position for a period not to exceed 45 work days.

7.12 Temporary Appointment

Upon prior approval of the County Board, an appointing authority can make temporary appointment to a position for a period not to exceed six (6) months.

VIII PROBATION

8.1 Probation

The probationary or working test period shall be regarded as an extension of the examination process and shall be utilized by supervisors and department heads for closely observing the employee's work and for rejecting any employee whose performance does not meet the required work standards.

8.2 Duration

Every person appointed or promoted to a position shall be required to successfully complete a probationary period. The probationary period shall begin immediately upon appointment and shall continue for six (6) calendar months for initial employment or for sixty (60) days following promotion. The probationary period for an individual employed for or promoted to a supervisory position shall be twelve (12) months.

8.3 Evaluation of Performance

The employee's supervisor shall prepare probationary performance evaluation reports after three (3) months from the employee's start date and two (2) weeks prior to the completion of the probationary period. Promoted employees shall be evaluated at the mid-point of the probationary period.

8.4 Termination

The Employer may terminate a probationary employee any time during the probationary period if, in the Department Head's or appointing authority's opinion, the working test indicates that the employee is unable or unwilling to perform the duties of the position satisfactorily or that habits and dependability do not merit continuing in the position. The employee so terminated shall be notified in writing of the termination and shall, except for Veterans, not have the right to appeal. A regular employee terminated during the probationary period from a position to which he/she has been promoted shall be reinstated to a position in the class from which he/she was promoted unless discharged from county service as provided in these rules.

8.5 Extension of Probationary Period

A Department Head may extend the probation period of a probationary employee up to an additional three (3) months upon the prior approval of the County Board. A copy of this correspondence noting the extension shall be sent to the Personnel Director.

8.6 The probationary period may be extended due to employee's sickness or leave of absence of more than two weeks.

IX MEDICAL AND PSYCHOLOGICAL EVALUATIONS

- 9.1** An employee may be required to complete an appropriate medical/psychological examination at the employer's discretion. Such examinations shall be at the County's expense and shall be given by a qualified physician designated by the Employer.
- 9.2** Factors considered in administration of the medical program include an employee's right to privacy regarding health matters; the demands of the position, the protection of each employee; and the need to minimize the cost of sick leave, worker's compensation, and insurance premiums.
- 9.3** The County Board may direct an employee who has suffered a heart attack or has been treated for heart disease or other serious illness, upon return to employment, and annually thereafter, to submit to a complete physical examination by a medical doctor in the appropriate specialty area to determine if the employee is physically able to fulfill the duties of his/her employment, including the operation of motor vehicles if required by employment; said physical examination to be at the expense of the Employer.
- 9.4** Job-related medical and/or psychological evaluations shall be administered only to the final candidates for a vacancy or promotion.

X HIV POLICY

10.1 Introduction

It is expected that Stevens County employees will at some time encounter the Human Immunodeficiency Virus (HIV) in the work place. Though HIV infections and Acquired Immunodeficiency Syndrome (AIDS) are serious and often fatal, it is difficult to transmit to one another. Scientific and epidemiological evidence shows that HIV is transmitted sexually, through exchange of blood or blood products, and by sharing I.V. drug needles. The casual, non-sexual person-to-person contact between employees, which normally occurs in providing services to clients and the general public in a work place setting, does not pose a risk of transmission of the Human Immunodeficiency Virus (HIV).

Stevens County acknowledges the rights of the HIV infected person, the co-workers, as well as the rights of the public. Stevens County believes a safe work environment can be provided without violating the rights of any of its employees and the public it serves.

10.2 Policy

- A. It is the policy of Stevens County to not discriminate against any applicant, employee, or client with regard to their HIV status;
- B. It is the policy of Stevens County to assure that quality services for the public will be provided and that a safe work environment will be maintained for all employees;
- C. It is the policy of Stevens County that HIV related illnesses in the work place shall be treated the same as any other illness or disability as set out in Stevens County policies.

10.3 Personnel Management

10.3.1 **Employee Screening:** No applicant or employee shall be required to submit to screening tests to determine HIV status as a requirement to begin or maintain employment with Stevens County.

10.3.2 **HIV Positive Employee:** As long as there are no compelling medical or public health reasons that indicate an HIV employee is a threat to the personal health and/or safety of him or herself or co-workers, the employee will be allowed to continue employment, providing acceptable performance and attendance standards are met.

Time away from work will be allowed in accordance with established sick leave and leave without pay policies as set out in Stevens County policies.

XI NON-COUNTY USE OF COUNTY RESOURCES

11.1 Policy

The County recognizes its role in providing public services through the use of County owned resources. The County further recognizes the potential need for the use of County personnel, equipment, and facilities by voluntary emergency units during emergency situations. Therefore, the County supports measures that promote effectiveness and efficiency in responding to emergencies or disasters.

11.2 Conditions

11.2.1 Volunteers

Stevens County employees shall not be prohibited from membership or participation in volunteer emergency organizations. However, the County's right to call upon its employees in the time of emergency, or otherwise, shall take precedence and no County employee may leave assigned duties or use any County personnel, equipment, or facilities without prior consent from their respective supervisor. Employees are ineligible for payment for county work and volunteer work if performed during County work hours.

11.2.2 Personal

Stevens County employees shall not be permitted to use County owned personnel, equipment, or facilities for personal use unless expressly authorized.

For purposes of this policy "employee" shall also include any individual involved in a work or volunteer relationship with the County. For example: interns, individuals working for the County through a service bureau and independent contractors. Any violation of this policy may result in disciplinary action.

- 11.3 Time and Resources:** The use of County staff time, equipment or resources for the purpose of participating in another organization needs prior County Board approval. Examples of this type of activity would be a County employee becoming a member of an organization which requires considerable commitment of that employee during work hours, or which requires the employee to publish a monthly update to members using County letterhead. Further example of this type of committee would be an employee who is appointed to a state or legislative task force or subcommittee.

XII GENERAL SOLICITATION

12.1 Policy Statement

Goods and services from outside vendors not sponsored by Stevens County are not to be solicited on County time or on County work sites. This includes all County buildings, offices and vehicles.

Any activity endorsed by Stevens County will be arranged by the appropriate Department Head.

XIII CLEAN AIR POLICY

13.1 Policy Statement

The intent of our smoking policy is to protect the health, comfort, and safety of everyone associated with our County. All County employees, visitors, and contractors shall observe these no smoking and smoking permitted areas while on County property:

13.1.1 No Smoking Areas: All County facilities. This includes trucks, patrol cars, any other County owned vehicles, equipment, garages, previously designated smoking areas, and all other office, hallway, and bathroom areas within County facilities.

13.1.2 Smoking Permitted Areas: County property surrounding County buildings; private vehicles used on County business unless in the presence of a non-smoker(s).

Violation of this policy will result in the employee being subject to disciplinary action.

XIV SEPARATION FROM EMPLOYMENT

14.0 CONDITIONS FOR SEPARATION

14.1 Resignation

Any employee who wishes to resign from County service in good standing shall give the Department Head at least fourteen (14) days notice prior to resignation or retirement. Such notice shall be in writing and state the effective date of resignation from County service. The Department Head may agree to a shorter period of notice in unusual circumstances.

An employee who does not submit such a notice shall be considered as having terminated not in good standing. Other terminations for cause shown may be classified not in good standing by the Department Head.

An employee who is absent from work for a period of two (2) working days or more, without notifying the Department Head or designee of the reasons for the absence and receiving permission to remain away from work, shall be deemed to have voluntarily resigned. The same shall apply when an employee fails to return to work within two (2) days of expiration of authorized leave except in rare cases where notification is not possible.

14.2 Dismissal

Dismissal of an employee permanently from County service shall be for purposes as mentioned above and as outlined in Section 41 for just cause. Dismissal shall be treated as termination not in good standing, and shall be noted in the employee's record. In such cases the employee may not be considered eligible for re-employment. Written notice of the decision of the County Board shall be transmitted to the employee by the Personnel Director within a five (5) day period.

14.3 Lay off

In the event that it becomes necessary to lay off employees for any reason, employees within a given department shall be laid off by classification in reverse order of their classification seniority, provided that the employees who remain are qualified to perform all of the work that remains. In the event of lay off, an employee may bump an employee with less classification seniority in any classification previously held by the first employee provided the departmental seniority will prevail; in the event of a tie in classification and departmental seniority, County seniority will prevail.

In the event of a lay off, the employee will be notified thirty days in advance of such lay off, in writing. If any employee wishes to exercise their seniority rights for another

position, the affected employee must notify the Personnel Director in writing within five (5) days of the lay off notice.

If the employee has no seniority rights to another position, that employee shall be recalled in preference to any eligible person for those positions for which the employee is qualified. Upon recall, the employee must respond within ten (10) working days of a recall notice to exercise the employee's recall rights. If an employee returns to employment and voluntarily resigns, that employee forfeits any future seniority call-back rights.

When an employee bumps into a lower classification to avoid a lay off, the employee's new salary shall be placed in the pay plan at the appropriate step based on time in grade but may not exceed the maximum pay level for the new classification.

14.4 Death

Any regular employee of the County who dies shall be considered to have left County employment in good standing. Termination pay of the deceased employee shall be paid to the estate of the employee.

14.5 Severance

Regular full-time and regular part-time employees shall be eligible for severance compensation upon separation from service as follows:

- a. All employees shall be compensated for accrued, but unused, vacation and comp time, to a maximum of twenty-five (25) days paid at the base rate at the time of termination.
- b. Employees leaving Stevens County employment in good standing and with a minimum of ten (10) years of service with Stevens County, shall receive payment for accumulated sick leave up to a maximum of one hundred (100) days at the rate of one quarter (1/4) of the employee's average base pay for the previous five (5) year period.

XV RELATED PROVISIONS

15.0 DATA PRIVACY

Personnel information for all present and former employees of the County shall be considered private data on individuals except for the following:

- a. Name
- b. Actual gross salary
- c. Salary range
- d. Actual gross pension
- e. Value and nature of employer-paid benefits
- f. Contract fees
- g. Basis for and amount of any added reimbursement including expense reimbursement in addition to salary
- h. Job title
- i. Job description
- j. Education and training background
- k. Previous work experience; date of first and last employment
- l. Existence and status of any complaints related to performance or charges against the employee, whether or not the complaint or charges resulted in disciplinary action
- m. The final disposition of any disciplinary action together with specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body.
- n. The terms of any agreement settling any dispute arising out of an employment relationship; including a buyout agreement.
- o. Work location; a work telephone number; badge number; and honors and awards received.
- p. Payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- q. The city and county of residence.

For the present employees and applicants for positions which involve undercover law enforcement, previously stated personnel information shall be considered private data and not available for public inspection.

Personnel information for all present or former applicants for positions with the County, excluding those for undercover law enforcement position, shall be considered as private data on individual, except as provided below:

- Names of applicants when certified as eligible for appointment to a vacancy or considered by the County as a finalist for a position in public employment.

- Veteran's status
- Relevant test scores
- Rank of eligible list
- Job history
- Education and training
- Work availability

XVI WORK RELATED EXPENSES AND POLICIES

16.1 Authorization by County Board

The County Board shall have the authority to set policies relating to job-related expenses that employees may incur as part of their normal job functions. These include, but are not limited to, travel reimbursement, meals, clothing, tools and liability insurance to protect the employee in the performance of his/her duties.

16.2 Review and Amendments

The County Board shall have the authority to periodically review and amend any resolutions or policies which have been adopted in matters relating to personnel, whether or not expressly covered by these rules and policies.

16.3 Application to Appointed Boards and Commissions

The County Board shall have the authority to establish per diems, reimbursable expense payments and other matters of procedure for appointive boards and commissions allowed by state and federal law, or regulations which have the force and effect of law, in so far as such resolutions and policies are not inconsistent with prevailing statutes or regulations.

XVII SEAT BELT POLICY

17.1 Policy Statement

The Stevens County Board of Commissioners, in order to effect compliance with Minnesota Statute 169.684, the Mandatory Seat Belt Usage Law, has adopted a policy which requires all County employees to use the appropriate passive restraint and/or seat belt when operating a motor vehicle in connection with County business regardless of whether or not he/she is operating a County-owned vehicle or using his/her personal vehicle to perform County functions. The intent of the County Board's action is to prevent injuries to County employees wherever possible.

17.2 Compliance

Each employee is responsible for strict compliance with this policy and, as a driver, is responsible for the compliance of all passengers to this policy.

Employees not complying with this procedure will be subject to disciplinary action.

XVIII EMPLOYEE ASSISTANCE PROGRAM

18.1 Policy

The County recognizes that problems of a personal nature can have an adverse affect on an employee's job performance. The County further recognizes that most personal problems can be dealt with successfully when identified early and referred to appropriate resources. Therefore, the County Board has established an Employee Assistance Program designated to deal with personal problems through contract arrangements with an outside counseling resource.

18.2 Scope

The Employee Assistance Program is designed to deal with the broad range of human problems such as alcohol and/or drug use, emotional, behavioral, family and marital, financial, legal, and other personal problems that are or may adversely affect job performance. The designated carrier provides diagnostic and referral services at no cost to all regular full-time and regular part-time employees of the County and their dependents. Employees may voluntarily seek assistance or they may be referred by their supervisor or union steward when routine supervisory assistance does not yield satisfactory job performance.

18.3 Participation

Participation in the Employee Assistance Program does not jeopardize an employee's job security, promotional opportunities, or reputation nor will it impair any rights of the employee. All records and discussions of personal problems are private and do not become a part of the employee's personnel file unless so released by the employee involved.

18.4 Services

Employees referred for professional counseling are encouraged to obtain further services if such services are indicated to resolve problems. Time away from work will be allowed in accordance with established Sick Leave and Leave of Absence Without Pay policy. Costs for further prescribed treatment or rehabilitations are covered only to the extent as there is coverage available under hospitalization or insurance benefits presently offered to County employees.

18.5 Action

Every employee deserves the opportunity and has the right to follow through on the recommendation offered by the counseling resource; however, continued unsatisfactory job performance may be cause for appropriate disciplinary action as prescribed in the personnel policies and existing labor contracts.

XIX INSURANCE

Stevens County will provide a cafeteria contribution for all eligible employees. Employees are required at a minimum to select the core benefits of a catastrophic major medical health plan and the County provided life, and short-term disability coverage.

19.1 Life

All regular full-time employees and eligible part-time employees who elect prorated benefits shall be entitled to a term life insurance policy in an amount to be set by the County Board with premium coverage to be provided by the County.

19.2 Health

All regular full-time employees and eligible part-time employees who elect prorated benefits shall be provided health and medical coverage in the form of a basic plan and Preferred Provider Option or Managed Care Option in addition to any other plans the County may offer. A set dollar amount may be provided as the County contribution toward single and/or family health and medical premiums; the County will review its contribution on a yearly basis. Any contribution made by the employee for single and/or dependent health coverage shall be made through payroll deductions unless the employee is on an unpaid leave of absence.

19.4 Continuation of Benefits Upon Separation (COBRA)

Pursuant to state and federal law, benefit-eligible employees who have separated from County employment for reasons other than gross misconduct may continue on the County's life insurance, group health, and/or dental coverage plan for up to eighteen months after termination. An employee whose hours have been reduced to the point that the employee is no longer eligible for insurance may also continue enrollment with the County's group health and/or dental plan for eighteen months beyond the date of disqualification.

Other events, such as Medicare eligibility, may qualify an employee for continuing coverage of up to twenty-nine months. In addition, the employee's spouse and dependents that survive an employee, may extend their enrollment with the County's group health and/or dental coverage plan until the earlier of the following:

- A. The date the surviving spouse becomes covered under another group plan.
- B. The date coverage would have terminated under the group policy had the employee lived.

Any continuing coverage premiums must be paid in full by the separated employee, their spouse, or their dependents, or coverage will lapse.

If an employee's termination of employment date is on or before the 15th day of any month, the last month for which the County will pay the applicable flexible compensation shall be the last full month worked. If the date of termination is on or after the 16th day of the month,

the County will pay the actual cost of health insurance but no additional flex pay the remainder of the month.

XX WORKER'S COMPENSATION

- 20.1** It is the responsibility of each employee to immediately report to their supervisor any work-related accident or injury which involves Stevens County personnel or property.
- 20.2** Supervisors must inform the Personnel Office of any work-related injury to an employee within 48 hours of its occurrence. The supervisor must also report any change in the work status of the employee within one (1) day of his/her absence or return to the job to ensure accuracy of records and to ensure that the individual receives allowable benefits.

XXI. HOLIDAYS

21.1 Legal Holidays

The following and such other days as Minnesota Statute and/or the County Board may designate are holidays with pay for all regular, full-time employees not subject to a collective bargaining agreement.

1. New Year's Day, January 1
2. Martin Luther King Jr.'s Day, third Monday in January
3. President's Day, third Monday in February
4. Memorial Day, last Monday in May
5. Independence Day, July 4
6. Labor Day, first Monday in September
7. Veteran's Day, November 11
8. Thanksgiving Day, fourth Thursday in November
9. Friday after Thanksgiving
10. Christmas Day, December 25
11. Good Friday as half day.

21.2 Holidays Falling on Non-Work Days

If one of the holidays listed above falls on a Sunday, the following Monday shall be observed as a holiday. If one of the holidays listed above falls on a Saturday, the preceding Friday shall be observed as a holiday.

21.3 Holiday During Vacation

When a paid holiday falls during an employee's vacation period, that employee shall receive an additional day of paid vacation.

21.4 Part-time Employees

Part-time employees shall be entitled to holiday compensation at the prorated level of the pay period in which the holiday occurred.

XXII HOURS OF WORK

22.1 Regular

Offices of Stevens County shall be open for the transaction of public business Monday through Friday of each week in accordance with the following schedule:

September - May (Labor Day - Memorial Day)

Courthouse Offices: 8:30 a.m. - 4:30 p.m.
Human Services Dept.: 8:00 a.m. - 4:30 p.m.
Highway Department: 8:00 a.m. - 5:00 p.m.

June - August (Memorial Day - Labor Day)

Courthouse Offices: 8:00 a.m. - 4:00 p.m.
Human Services Dept.: 7:30 a.m. - 4:00 p.m.
Highway Department: 8:00 a.m. - 4:30 p.m.

Due to the nature of public business, it may become necessary for a Department Head to depart from the regular work hours set forth above. Before such action is taken, the Department Head shall consider factors such as overtime and provisions of collective bargaining agreements. County Board approval shall be required if the departure extends for more than 3 calendar weeks.

1. Workweek - The regular work week for full-time Department Heads, and supervisors generally shall be forty (40) hours, and shall consist of five (5)- eight (8) hour days. Other non-union employee's work week shall conform to the appropriate bargaining unit for which the position would be eligible were the position not supervisory, confidential or designated Principle Assistant or Personal Secretary.
2. Lunch periods - Department Heads are responsible for scheduling lunch periods that do not interfere with work requirements. The normal lunch period generally shall be one (1) hour and is not part of the compensated workday.
3. Rest periods - All employees shall receive two fifteen (15) minute rest periods in each one-half shift at a time designated by the Department Head. Department Heads are responsible for scheduling rest periods that will not interfere with work requirements.

Department Heads shall obtain authorization from the Board of Commissioners before a reduction of hours for a full-time employee is implemented. Employees reduced to not less than 28 hours per week by action of the Employer shall be allowed to continue their participation in the county group medical/life insurance program.

22.2 Overtime

All work performed during hours outside regular hours for non-exempt employees, but not less than 40 hours per week shall be considered overtime/compensatory time and shall be paid at a rate of time and one-half. Compensation for overtime shall be provided for employees in compensatory time or monetary form as determined by the Department Head. Employees of the Sheriff Department and Ambulance Service, shall be covered by a specific department policy and this section on overtime does not apply.

22.3 Employees in positions designated by the County Board as supervisory shall be awarded overtime at the appropriate rate indicated below. The Department Head will designate the method of compensation upon approval of the overtime.

22.4 Employees in positions designated by the County Board as administrative are not eligible for either compensatory time or cash overtime. Individuals not covered by a union

contract who are eligible for compensatory time will receive it as straight time and be restricted to a 40-hour maximum balance.

22.5 Overtime rates for all other employees shall be:

1. 1½ times the regular rate for hours outside normal hours in excess of 40 hours per week.
2. 1½ times the regular rate for work performed on a Holiday.

22.6 All overtime must have the prior authorization of the Department Head.

XXIII HAZARDOUS WEATHER POLICY

- 23.1** When an employee is permitted to go home from work because of weather conditions, or cannot make it to work because of such conditions, he/she will have an option of using vacation, sick leave or comp time, to a maximum of three (3) days. The employee may be able to make up the time in such a manner it will not qualify as overtime upon approval by the Department Head.
- 23.2** The Stevens County Courthouse shall always be considered open during regular work hours. All effort should be made to arrive to work during inclement weather with the understanding that the safety of employees and the general public is a priority.

XXIV LEAVES OF ABSENCE

24.1 Paid Leaves of Absence

All paid leaves of absence must be approved by the Department Head.

24.1.1 Vacation

Each regular full-time employee shall earn vacation with pay as follows:

Years	Monthly Accumulation Rate
0 months through 5 Years	1 day/month
6 years through 10 Years	1.25 days/month
11 Years through 15 Years	1.50 days/month
16 Years through 20 Years	1.75 days/month
21 Years through 25 Years	2.0 days/month
26 Years through 30 Years	2.25 days/month
31 Years through 35 Years	2.50 days/month
36 Years +	2.75 days/month

- A No vacation shall be granted to an employee during the first three months of employment, but vacation shall be earned from the first day of employment.
- B Employees may accumulate vacation time up to 31 days, but no more than 10 consecutive working days may be taken at one time without the prior approval of the Department Head or County Board. Employees shall not be allowed to take vacation until after it has been earned. Employees not subject to a collective bargaining agreement may exceed the 31 day limitation but may not carry more than 31 days into the succeeding year.
- C Regular part-time employees, shall accrue vacation on a prorated basis if they average twenty (20) hours per week. The prorated accrued rate shall be based on the hours worked during the pay period.
- D Upon termination of employment, a regular employee shall be paid for his/her unused vacation time. Compensation for unused vacation time shall be paid at the employee's pay rate effective on the last workday and shall be in accordance to Section 14.5. Individuals who terminate their employment due to retirement may coordinate vacation use with their retirement date (qualified and receiving PERA or FICA benefits) or receive a lump-sum payment for the unused vacation. Those who are not retirees shall

receive a lump-sum payment for their unused vacation. Other than for retirees, individuals shall not be allowed to use vacation after their resignation has been submitted.

In the event of the death of an employee, the heirs are entitled to compensation for any unused vacation and may receive it in lump sum.

- E With prior approval of the County Coordinator, employees may transfer accrued vacation and/or sick leave to another employee who has exhausted all his/her sick and vacation leave due to their serious illness or that of a member of their immediate family (spouse or child) when their attendance is advised by appropriate medical authority. Upon written request submitted to the Personnel Office, it will deduct the amount of vacation or sick leave designated by the requester and credit it to the record of the receiver. Such transfers will be permissible only once for a serious illness, and no receiver will be allowed more than 120 hours of credited vacation. Requests to transfer vacation or sick leave will be processed on a first-come basis until the 120-hour limitation is reached or upon expiration of medical necessity as determined by appropriate authority. No individual may donate more than 3 days of sick/vacation to any one employee.

24.1.2 Sick Leave

- A. Sick leave is defined as absence necessitated by inability to perform duties of his/her position by reason of illness or injury; by necessity of medical, optical, or dental care; or by exposure to contagious disease under circumstances where the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance to duty.
- B. Sick leave may be used to provide care to a member of the employee's immediate family (including minor, dependent children not living in the employee's household) when one of the following conditions are met:
1. When the employee is the only person available to provide the care.
 2. Sick leave will only be used for illness or injury.
 3. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and the recovery there-from are for all job-related purposes temporary disabilities and may be treated as any other illness in connection with employment.
- C. Department Heads, exempt employees and employees not covered under an employment agreement, shall earn sick leave at the rate of one (1) day for each full month of service;

- D. Sick leave shall accrue from the date of employment but may not be used until the completion of three (3) months of employment with Stevens County.
- E. Time reported by an employee as advance use of vacation, sick leave, or compensatory time shall be recognized as an unpaid absence.
- F. Sick leave shall be requested and approved in advance for appointments with opticians, dentists, physicians, or similar practitioners. When possible, such appointments should be made at a time to minimize the disruption of work activities. Employees shall notify the Department Head of any absence of illness as soon as is practical. If illness should occur during an employee's vacation, sick leave shall be utilized provided a certificate from the attending physician is presented.
- G. An absence due to non-emergency transportation of an employee's family household member to a practitioner for an appointment shall not be considered sick leave unless previously approved by the Department Head.
- H. A physician's or practitioner's certificate may be required by a Department Head. Additionally, before an employee is permitted to return to work following an injury or illness, the Department Head, with approval of the County Board, shall request the employee obtain a written statement from the attending physician concerning the advisability of a return to regular duties.
- I. If an employee simultaneously draws sick leave and Worker's Compensation benefits, the amount of sick leave pay shall be that employee's regular compensation less the amount of Worker's Compensation received by the employee. In such instances, the payment of a reduced amount shall constitute the portion of sick leave utilized.

24.1.3 Jury Duty

Employees serving on jury duty or subpoenaed as a witness, shall be granted leave of absence with pay. Pay received for serving on jury duty, shall be paid to the employer.

24.1.4 Funeral Leave

An employee shall be allowed five (5) working days with pay for a death in his/her immediate family (spouse, child, parent). An employee shall be allowed three (3) working days for any of the following family members: sibling, parent-in-law, grandchild, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. One (1) working day with pay shall be allowed to attend the funeral of, or make funeral arrangements for, a grandparent, aunt or uncle of the employee. Any employee selected to be a pall bearer for a deceased County employee shall be allowed one (1) day funeral leave with pay. Upon prior approval and at the sole discretion of the Employer, one (1) day of funeral leave with pay may also be granted for an employee

selected as a pall bearer for any other person. All funeral leave shall be deducted from accumulated sick leave except in those cases where there is insufficient sick leave to allow for funeral leave designated herein and in such event, the employee shall take leave without pay or vacation, at the employee's option.

24.1.5 Military Leave

An individual who is a member of a military reserve force of the United States shall be granted a paid leave of absence not to exceed fifteen (15) days for such activity provided the individual is in the status of a paid regular employee when the leave commenced.

24.2 Unpaid Leaves of Absence

Unless otherwise specified by statute, any full-time employee may request an unpaid leave of absence. Written requests shall be submitted to the Personnel Office through the Department Head and include the reason for the leave, amount of time requested, and any other pertinent information as required. A request should be submitted no less than thirty (30) working days before the effective date to insure its timely consideration. An employee who requests such an unpaid leave of absence shall be provided written notice regarding its approval or disapproval.

An employee on an unpaid leave of absence is in unpaid status and does not obtain any benefits associated with seniority. The employee can continue participation in the group medical plan provided advance payment is submitted to the Auditor's Office.

24.3.1 Education

After completing one (1) year service, any employee upon request may be granted a leave of absence for education purposes. Such leaves of absence must be related to the employee's professional career with Stevens County and be directly beneficial to the organization. The period of the leave of absence shall not exceed one (1) year, but the Employer may, at its discretion, approve extensions not to exceed one (1) additional year. Education leaves of absence shall not be approved by the employer more than once every three years per employee.

24.3.2 Disability

Leaves of absence up to one year may be granted to any regular employee who, as a result of an extended illness or injury, has exhausted his/her accumulated sick leave. A disability that exceeds eight (8) weeks shall be reviewed by a physician designated by the Employer and will be subject to re-evaluation every twelve (12) weeks thereafter. Upon request of the employee, such leave may be extended up to 3 months. The Employer's policy for unpaid disability leave shall be consistently and uniformly applied among employees in similar circumstances.

24.3.3 Maternity/Adoption

A maternity or adoption leave of absence will be granted to a natural or adoptive mother or father who requests such leave in conjunction with the birth or adoption of a child for a period of up to eight (8) weeks. The leave shall commence on the date requested by the employee and could be extended to a maximum of one year with the approval of the employee, the Department Head and County Board.

24.3.4 Personal Leave

Employees may be allowed a personal leave not to exceed thirty (30) calendar days. Department Heads may grant personal leaves for illness when sick leave is not available. Short personal leaves may be granted upon request of an employee in unique circumstances. Requests must be submitted to the Personnel Department and include the recommendation of the Department Head. Requests will only be approved where all accumulated vacation and compensatory time has been exhausted.

24.3.5 Extended Military Leave

Any employee who enters into full-time active service in the Armed Forces of the United States while in the service of Stevens County shall be granted an unpaid leave of absence not to exceed four (4) years and reinstatement to a comparable position within 10 days of discharge from active duty.

24.3.6 Elective Candidate

A conflict of interest is presumed if an employee appointed to a county position (other than to an elective position) files as a candidate for an elective Stevens County Office. The employee is provided an opportunity to overcome the presumption by requesting the Personnel Director hear the specific circumstances of the case. The Personnel Director shall then determine whether a conflict of interest does exist. If that determination is made or no request for a review by the Personnel Director has been made by the end of the last day for withdrawal, the individual shall be immediately placed on a leave of absence from employment without pay until the first business day following the election at which the outcome of the election contest is determined. Upon request prior to the beginning of the absence, an employee will be allowed to utilize vacation or compensatory time followed by the unpaid leave of absence. The leave of absence shall be subject to the following:

1. Such leave of absence shall be without prejudice to the employee's seniority ranking, classification, and pay rate.
2. After the election, the employee shall be returned to the position occupied before the absence commenced.
3. During such leave of absence, the employee shall not be eligible for promotion.

4. The employee's insurance benefits shall continue during such leave of absence provided the employee submits the monthly insurance premium to Stevens County.

24.3.7 School Conference and Activities Leave

In accordance with M.S. 181.9412, an employee may use up to a total of sixteen (16) hours without pay during any school year to attend school related activities for an employee's child, provided the activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave. An employee may substitute any accrued paid vacation leave or other appropriate paid leave for any part of the leave under this section.

24.3.8 Reinstatement After Leave

An employee returning from an approved unpaid leave of absence shall be entitled to return to a position in his/her former classification or to a position of comparable duties and pay subject to the availability of a position. Employees returning from extended leaves of absence (one month or more) shall notify their Department Head at least two (2) weeks prior to their return from leave or forfeit their reinstatement rights. Employees returning from an unpaid leave of absence shall return at the pay grade and step they enjoyed at the time the leave commenced. Failure of an employee to return from an unpaid leave of absence within two (2) working days will constitute a resignation.

XXV. COMPENSATION AND BENEFITS

25.1 Compensation Management and Control

The Personnel Director is responsible for the preparation, maintenance, and administration of the Compensation Plan for all employees under jurisdiction of Stevens County. The Personnel Director is also responsible for the administration of compensation plan(s) negotiated with any collective bargaining unit.

25.2 The Personnel Director will prepare and submit a Compensation Plan to the County Board. An annual review of the Compensation Plan will be completed and recommendations for change be made if appropriate, based on equity and/or market conditions. The effective date of the Compensation Plan shall be January 1.

25.3 Compensation System

The Compensation Plan shall be directly related to the Classification System and is designed to provide uniformity throughout Stevens County as far as is practical. Employees in a position not subject to collective bargaining allocated the same as positions in a bargaining unit shall receive equal compensation. Salaries and wages for other positions not subject to collective bargaining shall be established and procedures identified to ensure equity and uniformity as far as is practical.

25.4 Rates

Generally new or re-employed employees will be compensated at the starting rate of the appropriate pay grade although credit may be given for previous experience upon the recommendation of the Personnel Director and Department Head. Special adjustments can be made to recognize special circumstances upon the recommendation of the Personnel Director, the Department Head and the approval of the County Board.

25.5 a. Employees are compensated for their completion of job-related duties and are not entitled to additional compensation for services provided another individual or organization unless specifically prescribed by law. Payment by another individual or organization for job-related services provided by a Stevens County employee is recognized as reimbursement for said services and shall be retained by the county.

XXVI NATURE OF EMPLOYMENT

Employment with Stevens County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Stevens 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 law, state law, or collective bargaining agreement.

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 Stevens County and any of its employees. The provisions of the policy 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 Stevens County's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Stevens County Board of Commissioners.

XXVII EMPLOYEE RELATIONS

Stevens County believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Stevens County amply demonstrates its commitment to employees by responding effectively to employee concerns.

XXVIII EQUAL EMPLOYMENT OPPORTUNITY

28.1 BACKGROUND

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Stevens County will be based on merit, qualifications, and abilities.

28.2 UNLAWFUL DISCRIMINATION PROHIBITED

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, or any other characteristic specified under the Minnesota Human Rights Act, Title VII of the Civil Rights Act of 1964, or other applicable State and Federal statutes, all as amended.

28.3 REASONABLE ACCOMMODATION FOR DISABILITIES

Stevens County will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

28.4 SCOPE OF POLICY

This policy governs all aspects of employment, including but not limited to selection, promotion, rates of pay or other compensation, job assignment, discipline, termination or layoff, and access to benefits and training.

28.5 AFFIRMATIVE ACTION PLAN

In addition to a commitment to provide equal employment opportunities to all qualified individuals, Stevens County has established and will periodically update an affirmative action plan to promote opportunities for individuals in certain protected classes throughout the organization and among its subcontractors.

28.6 EQUAL EMPLOYMENT OFFICER

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to immediately bring these issues to the attention of the County Coordinator. Employees can raise concerns and make reports without fear of reprisal. The County Coordinator shall investigate any and all complaints received under this Section and shall report the findings to the Board of County Commissioners.

28.7 COUNTY ACTION

Periodic performance appraisals of all managerial and supervisory personnel shall include an assessment of involvement in achieving affirmative action objectives. Any employee found to be engaging in unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

XXIX PRE-EMPLOYMENT PHYSICALS

29.1 Statutory Requirements

The Minnesota Human Rights Act specifically addresses the issue of pre-employment physicals in Minn. Stat. 363.02, subd. (1)(9). It is not an unfair employment practice for an employer, employment agency or labor organization:

- i. To require or request a person to undergo physical examination, which may include a medical history for the purpose of determining the person's capability to perform available employment, provided (a) that an offer of employment has been made on condition that the person meets the physical or mental requirements of the job, except that a law enforcement agency filling a peace officer position or part-time peace officer position may require or request an applicant to undergo psychological evaluation before a job offer is made provided that the psychological evaluation is for those job-related abilities set forth by the board of peace officers standards and training for psychological evaluations and is otherwise lawful; (b) that the examination tests only for essential job-related abilities; and (c) that the examination, except for examinations authorized under Chapter 176, is required of all persons conditionally offered employment for the same position regardless of disability; or
- ii. With the consent of the employee, after employment has commenced, to obtain additional medical information for the purposes of assessing continuing ability to perform the job or employee health insurance eligibility; for purposes mandated by local, state or federal law; for purposes of assessing the need to reasonably accommodate an employee or obtain the information to determine eligibility for the second injury fund under Chapter 176; or other legitimate business reason not otherwise prohibited by law; to obtain additional medical information for the purposes of establishing an employee health record; or
- iii. To administer pre-employment tests, providing that the tests, (a) measure only essential job-related abilities, (b) are required of all applicants for the same position regardless of disability except for tests authorized under Chapter 176 [the Workers' Compensation Act], and (c) accurately measure the applicant's aptitude, achievement level, or whatever factors they purport to measure rather than reflecting the applicant's impaired sensory, manual or speaking skills, except when those skills are the factors that the tests purport to measure; or
- iv. To limit the receipt of benefits payable under a fringe-benefit plan for disabilities to that period of time which a licensed physician reasonably determines a person is unable to work; or
- v. To provide special safety considerations for pregnant women involved in tasks which are potentially hazardous to the health of the unborn child, as determined by medical criteria.

XXX HIRING OF RELATIVES

The employment of close relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Close relatives of persons currently employed by Stevens County may be hired only if they will not be working directly for or supervising a relative. Stevens County employees cannot be transferred into such a reporting relationship.

For the purposes of this policy, a close relative is any person who, either by blood or adoption, is a parent, step-parent, child, step-child, grandparent, grandchild, full-or half-sibling, or spouse.

Nothing in this policy is intended to violate the Minnesota Human Rights Act or any other state or federal statute or constitutional provision.

XXXI IMMIGRATION LAW COMPLIANCE

31.1 BACKGROUND

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

31.2 NEW EMPLOYEES

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.

31.3 FORMER EMPLOYEES

Former employees who are rehired must also complete the form if they have not completed an I-9 with Stevens County within the past three years, or if their previous I-9 is no longer retained or valid.

31.4 RESPONSIBILITY

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

XXXII FAMILY LEAVE

32.1 BACKGROUND

In accordance with the provisions of the Family and Medical Leave Act of 1993, Stevens County provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to the birth or adoption of a child; a serious medical condition of an employee's child, spouse, or parent; or an employee's own serious medical condition.

32.2 ELIGIBLE EMPLOYEES

Regular employees, both full and part-time, are eligible to receive Family Leave if they have worked for Stevens County for at least 12 months and have worked at least 1,250 hours within the preceding 12 months.

32.3 NOTIFICATION

As soon as eligible employees become aware of the need for the Family Leave, they should request a leave from their supervisor. While the County acknowledges that emergency situations can and do arise, foreseeable requests should be made at least 30 days in advance of the first day of leave.

32.4 VERIFICATION

Employees requesting Family Leave related to the illness of a child, spouse, or parent, may be required to provide a physician's statement verifying the illness, its beginning and expected ending dates, the need for the employee to provide care, and the estimated time required.

32.5 DURATION

Eligible employees may request up to 12 weeks of Family Leave within any 12 month period calculated from the first leave day in which the employee is eligible for FMLA leave. If this initial period of absence proves insufficient, the Board of Commissioners will consider a written request for a single extension of no more than six (6) additional weeks on an individual basis. Such extensions are at the sole discretion of the County Board and are not guaranteed to any employee.

32.6 SUBSTITUTION

Any employee must take any available vacation or compensatory leave time for time taken that is designated approved FMLA.

32.7 CONTINUATION OF HEALTH BENEFITS

Subject to the terms, conditions, and limitations of the applicable plans, Stevens County will continue to provide the cost of health insurance benefits for the full period of the approved Family Leave.

32.8 NO ADDITIONAL ACCRUAL OF BENEFITS

Benefits accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the unpaid family leave and will resume upon return to active employment.

32.9 REINSTATEMENT

When a family leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. Except as legally required, Stevens County cannot guarantee reinstatement to the identical position.

XXXIII DRUG AND ALCOHOL USE

33.1 BACKGROUND

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

33.2 USE PROHIBITED

While on Stevens County premises and while conducting business-related activities off Stevens County premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or engage in the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs. The Steven's County Sheriff may, with prior approval, exempt personnel within the Sheriff's Department from this policy for the purpose of conducting investigations or training.

33.3 COUNTY ACTION

Violations of this policy may lead to disciplinary action, up to and including termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. Any disciplinary action taken pursuant to this policy shall be consistent with applicable collective bargaining agreements, other county policies, and State and Federal law.

33.4 PRESCRIPTION MEDICATIONS

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions and responsibilities of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

33.5 EMPLOYEE ASSISTANCE

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program.

33.6 NOTIFICATION

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Stevens County of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

XXXIV CODE OF ETHICS

34.1 Definitions. For the purpose of this policy, the following definitions shall apply:

- (a) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages either in non-profit or profit-making activities.
- (b) "Confidential information" means any information obtained under government authority which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any individual or a business.
- (c) "Private interest" means any interest, including but not limited to a financial interest, which pertains to a person or business whereby the person or business would gain a benefit, privilege, exception or advantage from the action of the County Employee that is not available to the general public.
- (d) "Immediate family" means spouse, child, parent, grandparent and spouses of such persons.
- (e) "Employee" shall include elected officials and all County employees, including Department Heads.

34.2 Acceptance of gifts or favors. Employees of the County of Stevens in the course of or in relation to their official duties, shall not directly or indirectly receive or agree to receive any payment of expense, compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except the County, for any activity related to the duties of the employee unless otherwise provided by law. The acceptance of any of the following shall not be in violation of this section:

- (a) Gifts of nominal value; nominal gifts are defined as gifts of cash or property \$5.00 or less;
- (b) Plaques or similar mementos recognizing individual services in a field of specialty or to a charitable cause;
- (c) Payment of reimbursement expenses for travel or meals, not to exceed actual expenses incurred, which are not reimbursed by the County of Stevens, and which have been approved in advance by the employee's supervisor as part of the work assignment; or
- (d) Honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the County of

Stevens.

34.3 Use of confidential information. An employee of the County of Stevens shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.

34.4 Use of property. An employee shall not use or allow the use of County time, supplies, or County owned or leased property and equipment for the employee's private interest or any other use not in the interest of the County, except as provided by law.

34.5 Conflicts of interest.

34.5.1. The following actions by an employee of the County of Stevens shall be deemed a conflict of interest and subject to disciplinary action as appropriate:

- (a) Use or attempted use of the employee's official position to secure benefits, privileges, exceptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated, which are different from those available to the public.
- (b) Acceptance of other employment or contractual relationship that will affect the employee's independent judgement in exercise of the employee's official duties; or
- (c) Action as an agent or attorney in any action or matter pending before the County of Stevens, except in the proper discharge of official duties or on the employee's behalf, or as a member of a labor bargaining unit.

34.5.2. Determination of conflicts of interest. When an employee believes the potential for a conflict of interest exists, it is the employee's duty to avoid the situation. A conflict of interest shall be deemed to exist when a review of the situation by the employee or the employee's supervisor determines any one of the following conditions to be present:

- (a) The use of County office or County employment of County time, facilities, equipment, supplies, badge, uniform, prestige or influence for private gain or advantage.
- (b) Receipt or acceptance by the employee of any money or other things of value from anyone other than the County for the performance of an act which the employee would be required or expected to perform in the regular course or hours of County employment or as part of the duties as an employee, except

nominal gifts defined in Section 2(a) herein.

34.5.3. Resolution of conflict of interest. If either the employee or the employee's supervisor determine that a conflict of interest exists, resolution of the conflict shall be handled as follows:

- (a) If the conflict involves an employee of a County department, his/her department head shall resolve the conflict.
- (b) If the conflict involves a department head, the County Coordinator shall resolve the conflict.
- (k) If the conflict involves the County Coordinator, then the Stevens County Board of Commissioners shall resolve the conflict.
- (d) If the conflict involves a County Commissioner, the remainder of the Stevens County Board of County Commissioners shall resolve the conflict.

Any aggrieved person may appeal the decision of the person or board resolving the conflict to the District Court of Stevens County in the same way and manner as an appeal is taken for a decision of the Stevens County Board of Commissioners as provided by the appellate laws of Minnesota relating to appeals for a County Board decision.

34.6 Acceptance of advantage by County employee. No employee of the County in direct contact with suppliers or potential suppliers of the County, or who may directly or indirectly influence a purchased product(s), evaluating contracted services, or otherwise has official involvement in the purchasing or contracting process shall:

- (a) Have any financial interest or have any personal beneficial interest directly or indirectly in contracts or purchase orders for goods or services used by, or purchased for resale or furnished to the county; or
- (b) Accept directly or indirectly from a person, firm or corporation to which a contract or purchase order has been or may be awarded, a rebate, gift, money, or anything of value other than items of nominal value. No such employee may further accept any promise, obligation or contract for future reward.

34.7 Complaints. If a complaint is made about an employee's performance by a fellow employee or a non-employee, the complaint should be initially brought to the attention of his/her department head.

34.8 Violation of the provisions of this policy shall be grounds for disciplinary action against an

employee.

XXXV HARASSMENT

35.1 BACKGROUND.

Stevens County is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. Specifically, sexual harassment is a violation of both Federal and State statutes, and is strictly prohibited.

35.2 SEXUAL HARASSMENT DEFINED.

Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

35.3 HARASSMENT PROHIBITED.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

35.4 EMPLOYEE REPORTING.

Any employee who is a victim or has knowledge of an incident of unlawful harassment should promptly report the matter to his/her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the County Coordinator or the Chair of the Board of Commissioners.

35.5 REPRISAL PROHIBITED.

Employees can raise concerns and make reports without fear of reprisal. An employee who engages in any act of reprisal, intimidation, or harassment against any person who reports, presents evidence, or otherwise assists in the investigation of a reported incident may be

subject to disciplinary action.

35.6 NOTIFICATION.

Any supervisor or manager receiving a report or having knowledge of conduct which may constitute harassment should notify the County Coordinator or the Chair of the Board of Commissioners in writing within one (1) business day from the time the incident is reported to them. Failure by a supervisor to notify an authority designated to investigate an allegation of harassment is in violation of this policy and may be subject to disciplinary action.

35.7 INVESTIGATION.

The investigation of a complaint under this section shall be made by the County Coordinator, the Chair of the County Commission, or any third party designated by the Board of Commissioners. The investigation may include interviews and/or written statements of any and all parties concerned in, or witness to the incident(s). Upon completion, a written report of the incident will be made and maintained on file in the office of the County Coordinator in a manner consistent with Minnesota Statutes 13.01 et seq.

35.8 COUNTY ACTION

Based on the results of the investigation of the incident the County shall take such action it deems appropriate including written warning or reprimand, suspension, or discharge. Any disciplinary action taken pursuant to this policy shall be consistent with applicable collective bargaining agreements, other county policies, and State and Federal law.

XXXVI TRAVEL AND EXPENSE POLICY

36.1 Purpose and Objectives

1. To fund authorized employee and county official travel at County expense when such travel is necessary to conduct County business, and to promptly reimburse employees and officials for expenses incurred.
2. To insure that reimbursements comply with standard accounting procedures and statutes regulating the expenditures of County funds.

36.2 Travel and Expense Regulations

The following rules and regulations are to be observed in connection with the submission of expense vouchers or other reimbursement request required by the Board of Commissioners covering official travel and subsistence by all County employees and Commissioners. The maximum allowable expenses hereinafter designated shall not be constructed to be a flat allowance; only actual expenses incurred shall be submitted on an expense voucher. Employees and Commissioners traveling on official business are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

36.3 General Regulations

1. Employees and Commissioners Entitled to Expenses

Only those employees or Commissioners who in the prosecution of the business of the County are entitled to reimbursement for expenses incurred on official assignments. Only those expenses directly relating to the business of the County or other public purpose may be reimbursed.

2. Home Base Location

The home base location of an employee shall be that place where the employee or Commissioner normally departs for the regular performance of official duties. Mileage shall be computed from that place of departure unless a savings to the County can be demonstrated by calculating mileage from the employee's place of residence.

Home base location shall be Morris unless officially designated elsewhere.

3. Mode of Transportation

- (a) All travel must be by the most economical, usually traveled route. All employees or Commissioners who are required to travel on official business by public conveyance are requested to purchase round trip economy tickets, when such purchase results in financial savings. When cash fare is paid the employee or Commissioner must furnish a receipt with his/her expense voucher in order to secure reimbursement.
- (b) Transportation: Transportation includes all necessary official travel on railroads, airlines, taxicabs, buses, personal or County vehicles and conveyances.
- (c) Taxicabs: The usual taxicab or airport limousine fare from station, terminal, or airport to place of business, and from place of business to station, terminal or airport, will be allowed when the cost is justified by appropriate saving of staff time. In the event that other modes of transportation are not running, the hire of cabs will be allowed provided proper explanation is made.
- (d) **Employees who require use of a motor vehicle to conduct county business are required to use a vehicle from the employee's department motor pool or from the County's central pool. If a vehicle is not available, or if the county business trip will involve personal business as defined in this section, employees will be expected to utilize their personal vehicle. It is the employee's responsibility to maintain personal vehicles utilized for county business in a safe operating condition. Employees are required to carry liability insurance as minimally established by Minnesota law and at least annually provide written evidence of a valid, current insurance policy as well as a valid Minnesota driver's license. Reimbursement for use of a personal vehicle will be paid at the mileage rate established by the County Board.**
- (e) **The County Engineer is responsible for oversight, maintenance, and assignment of vehicles from the central motor pool. Employees may request specific vehicles, but the Highway Department staff will exercise judgment regarding the appropriate vehicle to be assigned to an employee based upon the duration of the trip, the total round-trip mileage expected and the number of personnel to be transported.**
- (f) **For purposes of interpreting this section of the Stevens County Personnel Policy, the following definition applies:**

Personal Business: an activity not relevant to the conduct of tasks, duties, work assignments or requirements of the Employer.

(g) **Personal Business exceptions: employees may utilize a county vehicle for personal business if the following criteria are met:**

- 1. The vehicle is not diverted from the shortest point-to-point business route by more than 5% of the total round trip mileage.**
- 2. The employee shall not consume alcoholic beverages at anytime while operating a county vehicle, and shall conform to all other aspects of the county or departmental drug policy.**
- 3. The employee is responsible to comply with all state and local laws or ordinances pertaining to operation of the vehicle.**
- 4. Employees may carry as passengers persons related to business activities such as clients; other work-related peers; and vendors.**
- 5. With Department Head approval, employees may schedule vehicles for departure from the employee's home rather than the department's home base. (Bolded language: Amended 1/16/07).**

4. Meals

The term "Meals" shall include breakfast, midday lunch and evening dinner, for any day shifts, and claims for meals shall include non-alcoholic beverages and reasonable gratuities/tips. Meals are reimbursable to employees and Commissioners absent from their normal place of employment or residence on official business at the customary mealtime. No claim for breakfast is allowable when departure from home or official headquarters occurs after 7:00 a.m. No claim for midday lunch is allowable, provided official business in the field has been completed and, if by continuous journey, place of headquarters or residence could have been reached between the hours of 11:00 a.m. and 1:00 p.m. No claim for dinner is allowable when by continuous journey, place of headquarters or residence could have been reached before 6:30 p.m. Times of departure and arrival should be listed for all trips where meal expense is claimed. For shift workers whose performance of duty does not permit them to eat at normal times, Department Head discretion is permitted.

(a) Claims for meals for employees shall not exceed the following maximum allowance exclusive of the amount of sales tax:

Breakfast	Lunch	Dinner
-----------	-------	--------

\$5.50 \$8.00 \$12.00

Not to exceed \$25.50 per day.

The maximum meal allowance shall not be construed to mean that they are flat allowances. If a lesser amount is expended, the amount paid shall be claimed. Reasonable exceptions to the above maximum meal allowances will be permitted where meals are taken at scheduled conventions or conference meetings, and it is a set fee separate from registration. Proper explanation should be made on the expense voucher. Regardless of cost, if a meal is provided as a portion of conference registration, no further reimbursement will be made for the same meal.

- (b) When all other requirements are met, the maximum meal allowance may be combined at the employee's option. (For example, if an employee was eligible for all three meals, chose not to eat breakfast, ate lunch costing \$5.50, and dinner costing \$17.00; the reimbursement would be \$22.50.)

5. Lodging

Employees and officials are eligible for the reimbursement of the actual cost of lodging required to conduct the business of the County. Every effort should be made to utilize reasonable priced accommodations and obtain governmental discounts. Itemized receipts are required, and reimbursement will be made only for those expenses clearly identified as business related. Employees and officials cannot be reimbursed for staying at the house of a relative or friend.

6. Miscellaneous Expenses

- (a) Telephone calls when official business.
- (b) Tips for such things as checking in and out of a Hotel, Station Porter, and Pullman Porter.
- (c) Checking Baggage.
- (d) Conference registration fee, such claims must be supported by a receipt.
- (e) Meter Parking.

7. Receipts

- (a) Receipts must be submitted and attached to expense voucher for every item of expense except:
 - 1. Taxicab fares under \$10.00
 - 2. Tips
 - 3. Meter Parking

- (b) A valid receipt must include:
 - 1. Date of service
 - 2. Itemized description of service
 - 3. Amount paid
- (c) No item of expense shall be approved where a receipt is missing, unless it is impractical or impossible to secure a receipt, in which case the employee shall present the reimbursement request to their Department Head for determination. In the event the lack of receipt involves a Department Head the County Coordinator shall make a determination on reimbursement.
- (d) Credit card receipts, whether the card is issued to Stevens County or to the employee, are not sufficient documentation of expense unless they contain all of the information required under subsection VII (b) above.

8. Approval

Reimbursement for all travel expenses incurred by employees and officials shall be subject to the review and approval of the responsible authority.

8.1 Prior Authorization

All travel outside of Stevens County requires prior authorization documented in one of the following forms:

- 8.1.1. Travel may be authorized by action of the Board of Commissioners for any official or employee of the County. In emergency situations the County Coordinator is authorized to approve travel if no Board meeting will take place prior to the trip. Any approval so granted will be reviewed by the Board at their next regular meeting.
- 8.1.2. Travel related to events which occur on an annual basis, or which are known to be forthcoming (e.g. annual conferences, workshops, or meetings) may be specifically authorized by the Board of Commissioners as a portion of the budget process.
- 8.1.3. Travel may be authorized in writing by the department head of any county department for employees within that department. A copy of the authorization shall be submitted to the Board of Commissioners prior to their next regular meeting.
- 8.1.4. Travel related to events which re-occur on a regular, or on-going (e.g. monthly meetings of affiliate organizations, quarterly training sessions) basis may be authorized by the responsible authority for a determinate or indeterminate

period of time.

8.1.5. Certifying to and Approval of Expense Vouchers: Signing an expense account certifies to the truth, public purpose, and correctness of the expense account. Knowledgeable falsification of reimbursement requests is just cause for disciplinary action including dismissal. Approval by the responsible authority of any expense claim verifies that prior authorization of the claim was properly obtained.

8.2 All travel outside of the State of Minnesota except that required for the extradition of prisoners by the Sheriff's Department, must be specifically authorized by action of the Board of Commissioners.

9. Submission of Expense Accounts

No reimbursement request will be accepted in an amount less than \$10.00 except to:

1. Close out the books for the fiscal year.
2. It is the final expense account submitted by the employee or Official due to termination of employment or office.

Otherwise expenses can be requisitioned as often as they are incurred. Department accounting personnel will establish deadlines and procedures for expense voucher submission.

XXXVII EMPLOYEE SAFETY

a. Policy Statement on Safety

The County of Stevens realizes that it has the responsibility to provide a safe workplace for its employees and a safe environment for its citizens. Each employee must pursue the highest standards in their assigned activities. All county employees must recognize that the well being of persons involved and the protection of our physical resources is as important as the activity and the work being done. The County expects its management and employees to respond to all planned safety efforts and to do their assigned jobs in the safest manner possible.

b. Definition

"A Workplace Accident and Injury Reduction Act" (AWAIR) legislation provides for the establishment of a written work place accident and injury reduction program that promotes safe and healthful working conditions.

c. Responsibilities

i. Safety Coordinator

The Safety Coordinator has the responsibility to monitor the safety program implementation at the department level, periodically report the status and adequacy of the safety program to the County Board, also, they must maintain the policy manual and maintain the safety program records.

ii. Department Heads, Managers, and Supervisors

Department Heads, Managers, and Supervisors are responsible for: Implementing methods to identify, analyze and control new or existing hazards, conditions and operations; Communication of said hazards, conditions, and operations to all affected employees so that they are informed of work related hazards and controls; for accident investigation and the implementation of corrective action; for cooperation in the annual review of the injury reduction program and; for the enforcement of safe work practices and rules.

iii. Employees

Each employee of Stevens County will be responsible for their own personal safety and for the safe completion of assigned tasks. They shall be required to participate in all safety training and orientation relative to their job, and to assist in the overall safety effort by contributing their expertise. Any employee in violation of established safety standards shall be subject to disciplinary action.

An employee's failure to comply with any of the following standards shall be considered a safety violation:

- (a) The employee is expected to be consistent with OSHA regulations, the rules set forth in this handbook, department safety rules, and specific job training.
- (b) The employee is expected to work according to good safety practices as posted, instructed, and discussed.
- (c) The employee must refrain from any unsafe act that might endanger themselves or fellow workers.
- (d) The employee must use all safety devices provided for their protection and for the protection of others.
- (e) Employees must read all labels before use of a chemical and all chemicals shall be used for their intended purpose only. Do not mix chemicals. Unnecessary contact with chemicals shall be avoided.
- (f) No smoking shall be permitted in any structure or in areas where there are combustibles, near flammable liquid storage, or while refueling vehicles.
- (g) Employees shall not be permitted to begin or continue their normal duties while in the possession of, or under the influence of alcohol or drugs.
- (h) The employee must report any unsafe condition or act to their supervisor or safety representative immediately.
- (i) The employee must assume their share of the responsibility for thoughtless or deliberate acts that cause injury to themselves or their fellow workers.
- (j) The employee must report all injuries immediately to their supervisor, Department Head, Auditor/Treasurer or Coordinator.
- (k) The employee must maintain a clean and safe work area. All tools and equipment shall be kept clean and in good working order. Any malfunction or need for repair shall be reported to their supervisor.
- (l) Employees working on or near machinery or electrical equipment shall not wear long, flowing neckties, finger rings, key chains, watch chains,

wristwatches or any type of accessory that could present a hazard in relation to the equipment in operation.

- (m) Areas in front of electrical controls or main switches shall be kept clear at all times. Aisles leading to fire extinguisher shall be kept clear of materials that would impede access to the extinguishers. Each employee is responsible for knowing the location and operation of the fire extinguisher in their work area.
- (n) All county vehicles must be operated in a safe, lawful and defensive manner at all times.
- (o) Prior to driving, all county vehicles must be checked for proper lights, reflectors, brakes, steering, horn and wiper blades. Any deficiencies must be reported to your supervisor or county shop foreman immediately.
- (p) Seat belts shall be worn by the driver and all passengers whenever the vehicle is in motion.
- (q) Lights shall be turned on whenever the vehicle is in motion.
- (r) The employee is to participate in all safety training provided. Safety training shall be considered a part of the employees normal work schedule and no loss of pay shall result from attendance at any required safety training.

Note: The above section relates to the County Safety Policy in summary form only. The County's Safety Policy (adopted January 2nd, 2007) addresses all issues relating to Safety and accountability within the County and should be utilized to address any such issue.

XXXVIII COURTHOUSE SECURITY POLICY

- 38.1 Background:** In some jurisdictions threats against elected officials, public employees, and public property are becoming all too common. It is critically important that the public have access to county offices during regular working hours however, it is also prudent to establish basic policies and procedures to limit the potential risk to employees in the building during non-working hours.
- 38.2 Policy:** All exterior doors to the Stevens County Courthouse will be locked after normal working hours. Employees seeking access to the building after it has been closed should use the front door equipped with a camera, identify themselves to the dispatcher on duty, and indicate the office in which they will be working. Others requesting admittance to the building should identify themselves to the dispatcher on duty, and state the reason of their visit. The County Coordinator may issue keys to exterior doors to employees and officials demonstrating a continuing need for access to the building after normal working hours. In these instances, individuals entering the building should notify the dispatcher on duty of their presence in the building. Dispatch shall maintain a log of all after hours use of the building.

Hallway doors to individual offices and work areas should be kept locked after normal working hours. A key to the Stevens County Law Library will be maintained at dispatch to provide access for attorneys and or their staffs needing to use the library when the building is otherwise closed.

From time to time it is necessary to schedule meetings, hearings or other events related to county business after normal working hours. In these instances, both dispatch and the Building Maintenance Supervisor should be notified so that comfortable temperatures are maintained in meeting spaces and adequate provision is made for opening and closing the building.

Anyone aware of unauthorized entry or suspicious behavior in or around the courthouse should immediately report it to the dispatcher on duty who will notify law enforcement.

XXXIX EMPLOYEE RETIREMENT

Retirement is an expressed desire of the employee to cease his/her permanent working relationship with the county. Resignation in good standing for such purpose triggers the PERA-determined process to qualify for retirement benefits and further obligates the county to meet its contractual agreements or policy regarding severance pay, vacation pay or unpaid compensatory time. Employees who separate in good standing for purposes of retirement may apply for properly-noticed job openings with the county, but the county makes no guarantee of re-employment under any conditions. Terms and conditions of employment of such retired persons shall be approved by the County Board prior to assumption of the job. (Amended 9/17/2003).

An employee who retires from Stevens County service is entitled to purchase health insurance as part of the county's group health insurance program, if available, for an indefinite amount of time, or until the death of the employee.

Hospitalization insurance shall be made available for regular full-time retired employees. Persons are eligible to purchase hospitalization from the county's insurance plan if the employee has a bonafide PERA or other governmental retirement. Minimum requirements are at age 55 with 20 years of service, at age 60 with 15 years of service or at age 65 with 10 years of service. The same shall terminate upon the death of the employee, however, the deceased employee's spouse and/or dependents may continue to purchase the insurance as provided by COBRA laws. Eligible retired employees over the age of 65 shall be pooled separately from active employees or retired employees under the age of 65 for health insurance purposes.

The employee must furnish written notice to the Personnel Office stating this request. The employee shall be responsible for payment of the full cost of the monthly premium and payment must be made to the Office of the County Auditor in advance each month.

XL ELECTED OFFICIAL BENEFIT POLICY

In lieu of severance pay, hospitalization insurance contribution shall be paid for elected officials following the termination of the elected officer's tenure in office upon the following provisions:

- 40.1. That the elected official of Stevens County who has terminated service will not be eligible unless the elected official served a minimum of ten (10) years in an elected official capacity for Stevens County.
- 40.2. The eligible elected official will be entitled to contribution of medical and hospitalization insurance paid by Stevens County at the rate of twenty-five percent (25%) of the years in elective office (e.g nine years in elected office equals two and one quarter, (2-1/4) years of paid health insurance).
- 40.3. The maximum contribution towards health insurance is ten (10) years.
- 40.4. The county shall contribute an amount equal to the county's base health insurance plan on a monthly basis towards the purchase of medical and hospitalization insurance.
- 40.5. The eligible elected official is eligible to purchase additional coverage under the county's group insurance plan, if available, for his/her spouse and/or dependents or a plan with a smaller deductible. Upon the death of the elected official, the deceased official's spouse may purchase health insurance through the county insurance provider plan for an indefinite period. Dependents of the deceased elected official may continue to purchase the insurance as provided in the COBRA laws.

XLI DISCIPLINE AND GRIEVANCE SITUATIONS

41.1 DISCIPLINE

40.1.1 Policy

The County recognizes its continuing responsibilities to develop and administer rules and disciplinary measures in a fair and consistent manner. The County further recognizes the obligation of all employees to conform to rules that are applicable to their assignment.

41.2 Just Cause

An adequate reason for “cause” for a disciplinary action shall include but not be limited to each of the following kinds of conduct.

- (a) Incompetence or inefficiency in the performance of duties;
- (b) Failure to produce the quality of work and/or the quantity of work the position or classification requires;
- (c) Wanton carelessness or negligence in the performance of duty;
- (d) Offensive or brutal treatment of fellow employees or other persons;
- (e) Willful violation of any lawful regulation or order, or failure to obey any lawful and reasonable directions given by the employee’s supervisor;
- (f) Acceptance of a fee, gift or other valuable thing in the course of the employee’s work. These limitations are not intended to prohibit employees from accepting social courtesies which promote good public relations. It is particularly important that employees guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion;
- (g) Violating the data privacy rights of any employee, client, or member of the public;
- (h) Conviction of a felony or gross misdemeanor or of a misdemeanor involving moral turpitude which affects the performance of assigned responsibilities;
- (i) Gross negligence or willful conduct causing damage and/or abuse of County property;
 - (i) Using, threatening to use, or attempting to use political influence or

attempting to exert unethical pressure on any County employee or officer in securing promotion, transfer, leave of absence, increased compensation, or other favors;

- (ii) Engaging in deception, fraud, or misrepresentation in the employment application, examination, and/or selection process by omitting information or furnishing false, misleading, or fraudulent information, certificate, or license.
- (iii) Absence from work for two (2) consecutive days without notice to supervisor;
- (iv) Drinking alcoholic beverages during working hours, intoxicated while at work, or consuming or being under the influence of any controlled substance;
- (v) Theft of public property, pilferage or other unauthorized taking of public property from a public building or premises for private use;
- (vi) Sexual, racial, or unethical harassment of any County employee (any written or verbal complaint of sexual, racial or ethnic harassment shall be reported by the employee's supervisor or Department Head to the County Coordinator within twenty-four (24) hours of the occurrence);
- (vii) Engaging in prohibited political activity;
- (viii) Acting in a manner not here and above specified which tends to lower discipline or morale within the County or that adversely affects the rendering of prompt, courteous and efficient service by the County and its employees to the public.

In addition, disciplinary action may be taken for reasons or "cause" specifically defined by the department rules other than those listed herein.

41.3 Disciplinary Actions

41.3.1 Oral Reprimand

This is an action by a supervisor in which he/she tells an employee about an action or behavior of the employee which he/she as a supervisor finds objectionable or wishes corrected.

41.3.2 Written Reprimand

This is an action taken by a supervisor in which he/she writes out the action or behavior which he/she wishes the employee to change, cease or begin. The written

reprimand shall describe, in detail, the behavior to be corrected and shall give directions and orders for the future, and will point out the consequences of repeating the actions which brought about the written reprimand.

41.3.3 Forced Transfer

This is an action taken by a Department Head to eliminate a specific conflict within a department or a division. An employee may be transferred from a position in the department to a position of equal level in a different department or division with the approval of both Department Heads.

41.3.4 Suspension

This is an action taken by a Department Head which removes an employee from employment in his/her department and from the County payroll for a period not to exceed thirty (30) days. This action does not require the employee's consent to place him/her on such leave without pay.

41.3.5 Demotion

This is an action taken by a Department Head which may be either temporary or permanent in nature as determined by the Department Head. This action will require that the employee's salary be reduced to be within the salary range of the position to which the employee is demoted.

41.3.6 Dismissal

This is an action taken by the County Board upon the recommendation of the Department Head or Coordinator which permanently removes an employee from employment in this department and from the County payroll. Dismissed employees need not be kept in employment or be paid for any time after completion of their normal working day on the date they are dismissed.

41.3.7 Additional Notice and Procedural Requirements for Veterans

In addition to the requirements set forth above, veterans who are demoted or discharged from any position that is not temporary are entitled to these additional rights;

- (a) the employee must be notified in writing, of the employee's right to request a veteran's hearing within sixty days of the notice of intent to discharge.
- (b) During the sixty (60) day period, at the option of the employee's department, the employee will either:

- (c) work the employee's regular hours at a job designated by the department,
- (d) will be placed on a suspension with pay.
- (e) Failure to request a hearing within the sixty (60) day period shall constitute a waiver by the employee of the right to a hearing and all other legal remedies for reinstatement.

Veterans covered by the veterans preference act who are removed from their position or employment may contest the removal either through the appeal process provided for in these policies or a statutory procedure. The statutory procedure will be held before an established civil service board or commission, or Personnel Board of Appeals. Veterans will be informed of their right to select a statutory procedure at the time of their removal and the type of reviewing body that will hear the appeal.

41.4 Notification

All disciplinary actions described herein shall include notifying the employee of the disciplinary action being taken as follows:

- (a) A written notice of the action giving specific reasons for the action and the effective dates and conditions of the action must be signed by the Personnel Director, the Department Head or supervisor. The notice will be given to the employee in person or else sent to the employee's last known address by certified mail with return receipt requested before the effective date of the action. A photo copy will also be sent by first class mail. If the written notice is presented in person, the employee should sign all copies to acknowledge receipt. If he/she refuses, the presenter should note it on the form;
- (b) A copy of the written notice shall be forwarded to the Personnel Director for incorporation into the employee's personnel file.

Documentation of written discipline shall be removed from an employee's file provided all the following conditions have been met:

- (a) twelve (12) months have passed since the discipline was administered,
- (b) no other discipline has been given,
- (c) the Department Head agrees that the documentation should be removed,
- (d) the Personnel Director agrees that the documentation should be removed,
- (e) the employee requests in writing to have the documentation of discipline removed.

When the above conditions have all been met, the documentation shall be removed from the employee's personnel file.

XLII GRIEVANCE PROCEDURES

42.1 Definition

A grievance is a dispute or disagreement raised by an employee, or a group of employees, against the County and/or his/her Department Head because of an interpretation or alleged violation of these rules and policies or department rules.

42.2 Limitations

An employee who grieves under the provisions of a collective bargaining agreement or veterans preference waives the right to grieve the same dispute under these Personnel Rules. Similarly, an employee who grieves under these Personnel Rules waives the right to grieve the dispute under a collective bargaining agreement or veterans preference.

42.3 Procedure

The County shall handle all grievances promptly and fairly. The grievance procedure shall be as follows:

42.3.1 Step 1

An employee shall present a grievance to the Department Head within five (5) working days after the event. Failure to present the grievance in a timely manner shall result in waiver of the grievance. The Department Head shall investigate the grievance, discuss the grievance with the employee and give the employee a written response within five (5) working days of receipt of the grievance, wherever practicable. If the Department Head needs a time extension, the Department Head shall notify the employee and shall give the employee a date-certain by which the response will be given. The Department Head's designee may handle the Step 1 grievance.

42.3.2 Step 2

A grievance not resolved in Step 1 may be appealed to Step 2. The employee shall put the grievance in writing. The grievance notice shall contain:

- ! The nature of the grievance;
- ! The underlying facts, including the date of the grievable event;
- ! The provision(s) of these Rules and Regulations allegedly violated; and
- ! The remedy requested by the grievant.

The employee shall give the Personnel Director a copy of the grievance notice within fifteen (15) working days of receiving the response to Step 1 grievance.

The Personnel Director shall schedule a meeting with the grievant and the Department Head within fifteen (15) workdays from the receipt of the Step 2 grievance.

The meeting may be continued by the Personnel Director for good cause shown by either party. The meeting shall consist of a brief presentation by the grievant (or representative) a response by or on behalf of the Department Head, and a rebuttal by the grievant. The Personnel Director may ask questions of either party.

The Personnel Director shall review the matter and make a written determination within fifteen (15) working days. If the Personnel Director needs a time extension, he/she shall notify the parties of such need and shall give the parties a date-certain by which the determination will be provided. The Personnel Director's decision or action may be appealed by either party within five (5) working days of the decision or action notification to the Personnel Board of Appeals.

The Personnel Director's designee may handle the Step 2 grievance.

42.4 Waiver of Grievance

If the grievance is not timely presented, it is waived.

42.5 PERSONNEL BOARD OF APPEALS

42.5.1 Composition

The Personnel Board of Appeals is a three-member board appointed by the County Board in accordance with Minn. Stat. § 375.65, subd. 1.

42.5.2 Authority

The Personnel Board of Appeals is authorized to hear and decide appeals of Step 2 Grievances.

42.5.3 Appeal Procedure

The appealing party shall appeal in writing within five (5) working days of receiving the Step 2 decision. The appealing party shall provide the following appeal packet to:

- ! Notice of Appeal from Step 2 decision. The notice of Appeal shall contain the appealing party's name, signature, job title, and department;
- ! A copy of the Department Head's Step 1 response;
- ! A copy of the Step 2 grievance;
- ! A copy of the Step 2 decision.

The appeal packet shall be mailed or delivered in person to:

Stevens County Coordinator
P.O. Box 530
Morris MN 56267

Appeals delivered by mail must be postmarked within the prescribed time limits. Failure to file timely will result in a waiver of the right to appeal.

42.6 Notification of Hearing

The Personnel Director shall send written notice of the date, time, and location of the appeal hearing. Notice shall be sent to the last known address of the party, unless otherwise notified.

42.6.1 Hearing

The Personnel Board of Appeals shall conduct a public hearing within 30 working days of receipt of the appeal. At the reasonable request of either party, the Personnel Board of Appeals may schedule the hearing beyond the 30-day period.

42.6.2 The Personnel Board Chair shall preside over the hearing, or when absent, the Vice-Chair. Two members of the Personnel Board of Appeals shall be sufficient to hold a hearing and render a decision. The Personnel Board may uphold, reverse, modify, or remand the matter to the Personnel Director for further action consistent with the Personnel Board of Appeal's directives.

42.6.3 Technical rules of evidence shall not apply. All relevant evidence may be introduced into the record. Either party may be represented by legal counsel. If requested by the Personnel Board of Appeals, the parties shall submit post-hearing written arguments. Both parties may testify, present witnesses and other evidence, and may cross-examine the other party's witnesses. All testimony shall be under oath or affirmation. The appellant shall present first and has the burden of proof. The hearing shall be recorded.

42.6.4 Within ten (10) working days of the end of the hearing or receipt of the post hearing written arguments, if any, the decision of the Personnel Board of Appeals shall be mailed to both parties at their last known address and to the Personnel Director. Additionally, a copy of the decision shall be provided for the Stevens County Board.

42.7 Withdrawal or settlement prior to Personnel Board of Appeals' Decision

Any time before the Personnel Board of Appeals renders its decision, the grievant may withdraw the appeal or the parties may settle. Any withdrawal or settlement of the grievance must be in writing and signed by both parties. A copy of the withdrawal or settlement

document must be submitted to the Personnel Board of Appeals Chair and the Personnel Director.

42.8 Time Periods

In computing any period of time prescribed by these rules, the day of the last act, event, or default from the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or a legal holiday.

42.9 Appeal of Personnel Board of Appeals Decision

Decisions of the Personnel Board of Appeals shall be final unless appealed in accordance with Minn. Stat. § 606.01.

A veteran may appeal the decision of the Personnel Board of Appeals to district court in accordance with Minn. Stat. § 197.46.

42.10 Informal Conflict Resolution

Employees are encouraged to undertake an informal conflict resolution process for work related issues not covered under this policy, collective bargaining agreements or other county policies or rules. Issues such as personality conflicts, work environment, parking, etc. are prime candidates for an informal resolution process.

Issues should be brought to the attention of the employee's immediate supervisor. If the issue involves the immediate supervisor, then the order of those to be notified are the Department Head, County Coordinator and Stevens County Board Chair respectively.

The Personnel Board of Appeals may be asked to mediate or arbitrate the issues in extreme circumstances.

XLIII FRAUD POLICY

Minnesota Statutes 609.456 provides that “[w]henver a public employee or public officer of a political subdivision discovers evidence of theft, embezzlement, or unlawful use of public funds or property, the employee or elected official shall, except when to do so would knowingly impede or otherwise interfere with an ongoing criminal investigation, promptly report in writing to the state auditor a detailed description of the alleged incident or incidents.” Stevens County employees aware of such evidence of theft, embezzlement or unlawful activity should also report such activity to the County Coordinator or the Board Chair. Employees unsure if any identified activity meets these criteria should consult the County Coordinator or Board Chair.

XLIV CREDIT CARD USE

44.1. Purpose

The purpose of this policy is to provide detailed user information to those employees who have been approved by the Stevens County Board of Commissioners to do business for Stevens County using a credit card issued in the name of Stevens County.

44.2. Scope

This policy applies to all elected officials, appointed department heads and other personnel who have been issued a card upon approval of the Stevens County Board of Commissioners. The card is to be used exclusively for official Stevens County business and with the guidelines set by Stevens County policy. Under no circumstances is personal use of a Stevens County owned credit card allowed.

44.3. Statutory Authority

44.3.1 Minnesota Statutes 375.171 “A county board may authorize the use of a credit card by any county officer or employee otherwise authorized to make a purchase on behalf of the county. If a county officer or employee makes a purchase by credit card that is not approved by the county board, the officer or employee is personally liable for the amount of the purchase. A purchase by credit card must otherwise comply with all statutes, rules or county policy applicable to county purchases.”

44.3.2 Any deviation from this policy may be grounds for discipline up to and including termination of employment from Stevens County.

44.4. Authorization

44.4.1 Each card will be issued in the name of Stevens County with the Board approved cards users name embossed on the face. Each cardholder will be issued a separate account number, however, all account numbers are collectively the property of Stevens County. Upon issuance of the credit card, the cardholder will personally sign for their card. The cardholder will also complete the Stevens County Credit Card User Agreement.

44.4.2 At the discretion of the department head and approval by the Stevens County Board of Commissioners, a department head may request credit card use authorization to one or more individuals within their department for the sole purpose of conducting county business. At no time shall any employee in a department use the card unless they are an authorized user and/or without the sole permission of the department head. The Stevens County Board of Commissioners or a department head may, at any time and without notice to the employee, cancel credit card use authorization for any of their employees.

- 44.4.3 Each card (account number) will have a charge limit of not more than \$2,000 per billing cycle. Department heads may establish lower limits for their respective department. No employee is allowed to exceed the charge limit unless prior approval is obtained from the Stevens County Board of Commissioners.
- 44.4.4 The credit card may not be used to purchase gasoline unless it is for a county owned vehicle. The credit card may be used within the guidelines of Stevens County policy for travel to guarantee rooms for conferences and or meeting attendance, lodging and meal expenses while attending authorized meetings or training sessions. The card may be used to purchase supplies and/or materials when purchase of the items by credit card is more time and cost efficient than if purchased by a county warrant.
- 44.4.5 Each department will handle their respective billing statement directly. It is the personal responsibility of each employee of Stevens County who has credit card privileges to submit the proper receipts along with the billing from the credit card company to the designated departmental personnel in a timely manner for the purpose of paying the bill and to avoid service charges. If the department head fails to submit the billing or is negligent in turning in the request for payment in a timely manner which will result in a service charge being applied to the amount due, a review of the circumstances by the Stevens County Board of Commissioners may determine that payment of the service charge will be the responsibility of the cardholder. If for some reason, the cardholder is missing documentation of the transaction, the cardholder must contact the vendor for a duplicate receipt. Lost receipts where no duplication receipt is available will be reimbursed to Stevens County by the cardholder.
- 44.4.6 It is the responsibility of the individual cardholder to monitor bills issued by vendors to prevent billing to the credit card company by the vendor before the service is provided for Stevens County.
- 44.4.7 If a card is lost or stolen, it is the responsibility of the issued holder of the card to contact the credit card company immediately to report the card and stop all charge privileges. The employee shall also notify their respective department head of the incident. The department head shall contact the credit card company to request a new card with a new account number.
- 44.4.8 Any employee who terminates employment with Stevens County and has a Stevens County credit card issued to them in their name, must turn over the card to designated department personnel before the final day of employment with Stevens County.
- 44.4.9 As needed, but at least on an annual basis, the Stevens County Coordinator will conduct a physical inventory of the credit cards and provide a report to the Stevens County Board of Commissioners.
- 44.4.10 The Stevens County Board of Commissioners has the right at any time to make changes

to the Stevens County Credit Card Use Policy.

**STEVENS COUNTY
CREDIT CARD USER AGREEMENT**

I agree to the following regarding use of a Stevens County credit card.

1. I understand that I am making financial commitments on behalf of Stevens County and will strive to obtain the best value for the County.
2. I understand that under **no** circumstances will I use the credit card to make personal purchases, either for myself or for others.
3. I understand that it is my responsibility to provide a receipt for all charges made by me on the Stevens County credit card; if I do not have a receipt for charges made to the credit card I will reimburse Stevens County for those charges.
4. I will follow the Stevens County Credit Card Use Policy. I understand that failure to follow such policy may result in either loss of privileges or other disciplinary action, up to and including termination of employment from Stevens County.
5. I agree that should I willfully violate the terms of this Agreement, I will reimburse Stevens County for all incurred charges and any fees related to the collection of those charges.

FUND AND DEPARTMENT: _____ DATE: _____

EMPLOYEE NAME (please print): _____

EMPLOYEE NAME (signature): _____

SECTION XLV EMPLOYEE WELLNESS POLICY

45.1 POLICY

Stevens County recognizes that healthy employees are an essential part of the process of meeting the goal of providing quality service to the public. The Stevens County Employee Wellness Program strives to enhance employees' health and quality of life by developing, providing, and evaluating health promotion programs that increase awareness, knowledge, and adoption of healthy lifestyles.

Public expenditures for these programs serve a public purpose by encouraging a healthy workforce resulting in higher productivity, lower employee absenteeism, and potential reduction in medical insurance premiums for all county employees permitting the county to fulfill its statutory responsibilities in an efficient and cost effective manner.

45.2 RESPONSIBILITY

The program is the joint responsibility of the Stevens Traverse Grant Public Health Department and the County Coordinator's/Human Resources Office with input from an employee advisory committee. The County Board of Commissioner's may provide financial resources within its lawful authority.

45.3 SCOPE

The goals of the program are:

- (a) Increase employees' awareness of personal risk factors (e.g., cholesterol, blood pressure, smoking, alcohol),
- (b) Improve employees' knowledge regarding healthy lifestyles (e.g., stress management, body composition, exercise, and target heart rates),
- (c) Create an environment which supports employees' efforts in healthy life-style behavior changes,
- (d) Analyze past, current, and projected health care expenditures to determine patterns and to identify high-cost areas,
- (e) Monitor and identify problem areas in regard to employer/employee benefit costs, productivity, and image,
- (f) Monitor and identify problem areas of workplace health in area of ergonomics, so that appropriate situations may be forwarded to the County's Safety Coordinator.

- (g) Coordinate with appropriate agencies the provision of early-detection medical assessments (e.g. mammograms, etc.),
- (h) Serve as a referral to the Employee Safety Committee on areas of workplace safety,
- (i) Develop methods to track the impact of the Wellness Program, and
- (j) Report program statistics and results to the County Board on a periodic basis.

Adopted:

October 17, 2006

SECTION 45-50 RESERVED

Adopted this 6th day of July, 1999.

Revised this 7th day of February, 2000.

Amended this 21st day of June, 2005.

Amended this 2nd day of January, 2007.

Amended this 16th day of January, 2007.