
GRAND COUNTY, UTAH

GRAND COUNTY EMPLOYEE HANDBOOK

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IMPORTANT NOTICE-ALL EMPLOYEES

Grand County welcomes you as an employee. It is our hope that your work with Grand County will be satisfying and beneficial to you and to the people of Grand County. If, at any time, you have concerns or questions about your employment, we hope that you will bring them to the attention of the Human Resource Director, the Elected Official to whom you report or, if you work for a Council Department, your Council Administrator or Department Head. It is our desire that your work is satisfying and productive. Grand County Human Resource Director is available to all Grand County employees to answer questions and provide assistance.

This Handbook is provided to you as a reference guide regarding Grand County Employment Policies. Please read it carefully and refer any questions regarding this policy to Grand County Human Resource Director. These policies, as well as the benefits provided by Grand County to its employees, may be amended from time to time by action of Grand County Council. Grand County Council reserves the right to amend, alter, or revoke any policy, practice, benefit, or employment condition, at any time, or for any reason, with or without notice.

No contract exists between Grand County and its employees or any third parties with respect to salary ranges, movement within salary ranges, employee benefits, work location, or any other aspects of employment. These may change as a result of salary surveys, job analysis, job performance, changes in workload, availability of funds or changes in Grand County policies. ALL employees of Grand County are considered "at will" according to the State of Utah and may be terminated at any time with or without notice or cause.

This handbook supersedes all previous editions or copies of Grand County Employee Policies and Procedures Manual, Employee Policy Manual, or manuals by any other name or designation dealing with employee matters in Grand County.

Except for Grand County Council, no individuals, including department heads, the Council Administrator, or Elected Officials, will have the authority to vary the terms of this handbook or to make any agreement regarding employment with Grand County. Any elected office departmental procedures, handbooks, materials, directives, or policies are void to the extent that they are in conflict with Grand County Employee Handbook.

SECTION I - INTRODUCTORY PROVISIONS-ALL EMPLOYEES

Grand County is a political subdivision operating under the laws of the State of Utah and administering public funds. These policies are designed to guide Elected Officials, the Council Administrator, and Department Heads in managing Grand County's employees, consistent with Grand County's obligation to serve the public and be accountable for the public's money. These policies are also designed to guide employees in understanding the expectations and obligations that accompany working for Grand County.

A. Applicability of Policies and Procedures

These policies apply to all employees in Grand County, unless otherwise specified in a specific policy.

B. Scope of Grand County Employee Policies and Procedures

Grand County Employee Handbook provides guidelines that apply to all aspects of employment, including but not limited to:

- Recruiting, selecting, and advancing employees;
- Employee compensation taking into account Grand County budgets and the labor market where Grand County competes for labor;
- Training employees, as needed; and
- Evaluating employee performance and conduct, retaining, and terminating employees.

C. Authority for Policies

Grand County Council establishes Grand County policies which are outlined in this document. Grand County may alter, amend, or supplement these policies at any time. Grand County Council must approve any amendments or changes to these policies within this handbook. Only Grand County Council, on recommendation of the Human Resource Director, can enter into contracts, agreements, or promises of any kind relative to employment with Grand County.

D. Organizational Levels by Hierarchy

1. Elected/Appointed Officials

Consists of seven (7) Grand County Council Members and Grand County Assessor, Grand County Attorney, Grand County Clerk/Auditor, Justice Court Judge, Grand County Recorder, Grand County Sheriff, and Grand County Treasurer.

2. Council Administrator

Reports to Grand County Council.

3. Department Heads

Reports to the Council Administrator and consists of Airport, Building Inspector, Community Development, Emergency Medical Services, Grand Center, Maintenance, Old Spanish Trail Arena, Public Library, Road, Sand Flats Recreation Area Travel Council, and Weeds Control.

E. Savings Clause

If any provision of these policies within this handbook, or the application thereof, is found to be in conflict with any State or Federal Law, the remainder of these policies that are not in conflict with any State or Federal Law shall remain in force.

SECTION II - EQUAL EMPLOYMENT OPPORTUNITY-ALL EMPLOYEES

A. Non-Discrimination

Grand County is an equal opportunity employer. Grand County complies with Federal, State and local non-discrimination laws with respect to employment and prohibits discrimination on the basis of political affiliation, race, color, national origin, gender, religion, age, disability, pregnancy, sexual orientation, gender identity or familial status. Grand County complies with all applicable laws, including but not limited to Title VII of the Civil Rights Act of 1964 as amended, the Americans with Disabilities Act (ADA), the ADA Amendments Act (ADAAA), Genetic Information Nondiscrimination Act (GINA), the Age Discrimination in Employment Act (ADEA), the Equal Pay Act (EPA), and other applicable laws relating to non-discrimination in employment. Employment decisions at Grand County are based upon the applicant or employee qualifications, suitability for the job, job references (including current performance of existing Grand County employees), and ability to perform the essential functions of the job with or without reasonable accommodation.

B. Nepotism

Grand County complies with Utah Code Ann. 52-3-1 to 52 - 3-4 (1953, as amended) regarding the employment of relatives. Grand County strives to avoid favoritism or patronage to relatives in matters related to job recruitment, selection, job advancement, or issuing contracts for services. No Elected Official, Council Administrator, or Department Head shall directly supervise a relative, unless an exception is obtained in writing as required in this subsection.

For purposes of this subsection, a “relative” means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law. “Relative” shall also include the corresponding step-mother or father, step-son or daughter, step-sibling, step-aunt, or uncle.

Exceptions to this policy require the prior written consent of the Human Resource Director and Grand County Council for all Grand County employees. An exception may be granted if one or more of the following criteria are met:

- The relative will be employed for twelve (12) weeks or less; or
- The relative is the only applicant available, qualified or eligible for the position; or
- The relative is eligible or qualified to be employed by a department or agency of the state or a political subdivision of the state as a result of his compliance with civil service laws or regulation, or merit system laws or regulations; or
- The relative will be compensated from funds designated for vocational training; or
- The relative is a volunteer as defined by the employment entity; or
- The Elected Official or Council Administrator determines the public officer is the only person available or best qualified to perform supervisory functions for the relative.
- If because of marriage, promotion, reorganization, or other reasons, it appears that a conflict with Utah law or this policy exists, the Human Resource Director, and Grand County Council shall review the matter.

If it is determined that a conflict exists, one of the family members must request a transfer to another Grand County position (if one exists) or such other remedy as determined by the Human Resource Director and Grand County Council.

C. Sexual Harassment Prohibited

Grand County does not tolerate sexual harassment in the workplace. Sexual harassment is a form of employee misconduct that interferes with workplace productivity and wrongfully deprives employees of the opportunity to work in an environment free from a harassing or sexually charged atmosphere. Offenders are subject to disciplinary action, up to and including termination.

All employees are responsible for ensuring that the workplace is free from all forms of sexual harassment.

1. Sexual harassment encompasses a wide range of behaviors, including sexual attention, sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature.
2. Examples of sexual harassment may include, but are not limited to the following:
 - a. Implying or threatening adverse employment actions if sexual favors are not granted.
 - b. Promising preferential treatment in return for sexual favors.
 - c. Subtle pressure for sexual activity.
 - d. Inappropriate touching of any individual i.e. petting, pinching, hugging, or repeated brushing against another employee's body.
 - e. Offensive remarks, including unwelcome comments about appearance, obscene jokes, or other inappropriate use of sexually explicit or offensive language
 - f. The display of sexually suggestive objects or pictures.
 - g. Disparaging remarks about a person's gender or preference.
 - h. Spreading stories about a person's sexual conduct or preference.
 - i. Questions about a person's sexual activity or preference.
 - j. Physical aggression such as pinching or patting.
 - k. Verbal sexual abuse disguised as humor.
 - l. Obscene gestures.
 - m. Horseplay or bantering of a sexual or off-color nature.
 - n. Other actions of a sexual nature that affect the terms and conditions of a person's employment.
 - o. Conduct or comments consistently targeted at only one gender, even if the content is not sexual.
3. Grand County considers prompt reporting of harassment to be a condition of your employment. If you believe that you have experienced or witnessed sexual harassment, you must immediately report your concern to your Elected Official, Council Administrator, or Department Head. If you feel uncomfortable reporting to your Elected Official, Council Administrator, or Department Head, contact the Human Resource Director.

If you report to your Elected Official, Council Administrator, or Department Head and no action is taken within a reasonable time, it is your duty to report to the Human Resource Director.

4. Grand County will not retaliate against any person who reports sexual harassment or participates in any investigation of sexual harassment.

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5. Grand County will investigate allegations of sexual harassment promptly and thoroughly and if a violation of this policy is found, will take appropriate action to remedy the harassment. Individuals who engage in sexual harassment are subject to disciplinary action, up to and including termination.

To assist employees in recognizing workplace harassment, Harassment Trainings will be offered each year, with a requirement that every employee and Elected Official must attend the training once every two years.

SECTION III - ADMINISTRATION-ALL EMPLOYEES

A. Responsibility for Administration of Policies

Grand County Council adopts and approves Grand County's employee policies. Elected Officials, the Council Administrator and Department Heads are directly responsible for day-to-day management and the implementation of Grand County's approved employee policies in their respective departments and offices.

The Human Resource Director assists Grand County Council, Elected Officials, the Council Administrator, and Department Heads in coordinating the management of Grand County's employees. The Human Resource Director's duties are defined by the current Council-adopted job description and include:

- Administrating and developing job classification and compensation plans;
- Establishing standards and supervising the implementation of an employee performance evaluation plan;
- Advertising vacancies, recruiting, and managing the hiring process;
- Maintaining all employee-related records;
- Coordinating all employment terminations;
- Developing and presenting employee policies to Grand County Council for adoption and approval;
- Interpreting and clarifying adopted employee policies in the absence of prior precedent;
- Implementing any other employment related actions required by Grand County, State, or Federal rules, regulations, policies, and procedures; and
- Advising Elected Officials, Council Administrator and Department Heads as requested.

B. Employee Records

The Human Resource Director maintains the official employee records of each Grand County employee.

A Grand County employee's employment file may contain:

1. Employment applications and eligibility certificates.
2. Transcripts of academic preparation.
3. Commendations.
4. Disciplinary actions.
5. Performance evaluations.
6. Compensation information.
7. Work history information such as promotions, transfers, reassignments, or layoffs.

Medical Records: Including the results of drug tests, and any document containing other personal information, social security number or birth date, shall be maintained by the Human Resource Director in a manner consistent with State and Federal laws.

Record Access: Grand County considers employees' official employment records to be confidential and available only to the employee's supervising Elected Official, Council Administrator, or Department Head with a legitimate need to access the information. All reviews of employee's record must occur in the presence of the Human Resource Director.

Employee Access: Employees may review the contents of their own employment file during business hours at the Human Resource Director's office in the presence of the Human Resource Director or his/her designee. All files are property of Grand County. Photocopies will be made by the Human Resource Director, with a written request from the employee and given to the employee only. A fee may be charged according to Grand County Fee Schedule, Ordinance 510.

Record Retention: All records related to Grand County employees must be retained for three (3) years after retirement or death, whichever is earliest. Records of medical examinations required by law, retirement documentation and records of any environmental exposure to hazardous materials are required by Occupational Safety and Health Administration (OSHA) to be retained for 5 (five) years, if applicable.

C. Employment Verification Requests

Occasionally current or former employees ask Grand County to provide verification of employment to potential employers or lenders. All requests for verification shall be referred to the Human Resource Director who shall provide only the following information:

1. The employee's name
2. Positions held by the employee
3. Dates of employment
4. Salary

Although the compensation paid to Grand County employees is public information, it is not Grand County's practice routinely to supply such information in response to reference requests.

An employee requesting compensation information be released to a lender or other entity must provide Grand County with a written and signed request.

D. Letters of Recommendation

No Elected Official, the Council Administrator, or Department Head shall provide a letter of recommendation in regard to employment on official Grand County letterhead, or any letter which purports to be an official letter of recommendation or conduct referencing the employment of any past or present Grand County employee unless the letter has been reviewed and approved by the Human Resource Director. Signed copies of any approved letter of recommendation or employment shall be provided to the Human Resource Director and placed in the employee's file.

Those who violate this policy shall be personally responsible for any liability created by such a letter.

SECTION IV - POSITION MANAGEMENT-ALL EMPLOYEES

A. Position Allocation

Grand County Council must approve the creation or significant alteration of any existing Grand County position. Elected Officials, Council Administrator, and Department Heads must take the following steps when establishing a new position.

1. Submit a new or revised job description for the position to the Human Resource Director for review.
2. Verify that the position is assigned to an appropriate pay grade and step by the Human Resource Director.

Upon completion of the above, the Human Resource Director shall:

1. Obtain confirmation that sufficient funds are budgeted to fund the position through the current budget year; and
2. Upon verification of funds, make a recommendation to approve or deny the creation of the new position to Grand County Council; and
3. If the creation of the position is approved by Grand County Council, comply with the applicable recruitment and advertising requirements of Section V “Hiring for New and Vacant Positions.”

A “significant alteration” of any existing Grand County position entails a pay grade change and/or major change to the existing job description.

B. Job Descriptions

All Grand County positions must have a written job description originally reviewed by the Human Resource Director and approved by Grand County Council that sets forth each position’s duties and responsibilities. To create a new job description, Elected Officials, or the Council Administrator and Department Head must provide a detailed list of each position’s duties and responsibilities to the Human Resource Director for review and placement in standard form. Elected Officials, the Council Administrator and Department Heads may use interviews, written questionnaires, and other means to determine each position’s duties as accurately as possible.

Once a job description is reviewed and accepted by the Human Resource Director for a particular position, the description is used to classify the position and its pay rate. The job description will then be presented to Council for final approval. Only at this time will recruitment begin, and the job description be used; (a) to determine whether applicants for the position meet minimum requirements; (b) to describe the position in advertising and recruiting for vacancies; and (c) to orient newly hired or promoted employees to the duties of the position.

All Grand County employees will be assigned duties as set forth in the approved job description for their position and must be able to meet the requirements for performing the essential duties of the position to which they are assigned with or without reasonable accommodation. Assignments may be made to an employee that are not specifically identified in the job description, but which are in keeping with the general responsibility and guidelines of the position. Additional compensation will not be given for such added duties.

C. Position Compensation

Grand County Council determines compensation levels for all Elected Officials following a public hearing as per State law. Grand County Council also approves compensation levels for positions according to a step and grade chart maintained by the Human Resource Director. The Human Resource Director comparatively evaluates a set of common factors and assigns each Grand County position a step and grade classification that encompasses a specific salary range.

The compensation for employees is set according to each position's classification on the step and grade chart. No compensation will be approved for any individual hired to fill a position unless the compensation conforms to the approved classification and compensation plan. All employees will be hired at the entry compensation level and will progress through the salary range based upon performance.

Note, an applicant with eight (8) years or more of service with other employers directly relevant to Grand County's job position may receive a one (1) step increase or equity adjustment, for each eight (8) years. (Resolution #2916)

D. Reclassification

If a position's duties and responsibilities change significantly, the Human Resource Director will re-evaluate the position to determine if it should be reclassified on the step and grade chart. Reclassifying a position to a different step and pay grade will not generally result in a decrease to an incumbent employee's pay. Normally, the position's pay will be adjusted to a step within the new pay range equal to, or above, the employee's current salary. Only when a position's grade is adjusted during the reclassification will Grand County Council need to approve the change. Step adjustments must be determined by the Human Resource Director and approved by the Elected Official, or the Council Administrator and Department Heads, with a verification of available funds within the budget.

Reclassification of an existing position may also occur due to office reorganization that results in the elimination of current positions or the establishment of new positions. When an existing position is eliminated, Grand County may, at its discretion, implement any of the following options depending upon the availability of alternative positions:

1. Employees occupying eliminated positions may be reassigned or transferred to open, existing, comparable positions at the same step and pay grade.
2. Employees occupying eliminated positions may be reassigned to an available position that the employee previously held before occupying the eliminated position. In such a case, if the employee's compensation in the eliminated position is greater than the maximum pay allowed on the step and grade chart for the previously held position, the employee may be paid the maximum pay grade specified on the step and grade chart for the previously held position.
3. If no comparable or previously held position is open, an employee occupying an eliminated position may apply for other open positions for which the employee is qualified at the step and pay grade appropriate to the position.
4. If no such position is available, the employee's employment will be terminated.

E. Promotion

Amended: 12/12/2008 Resolution#:2859

It is the policy of Grand County to foster the advancement of its employees. It is Grand County's goal to ensure maximum opportunity for promotion from within, consistent with the commitment to Grand County needs and excellence, and equal opportunity. Upon receiving a promotion, the employee shall receive a new job description, and, if applicable, receive an increase in compensation as a result of a higher step or grade classification.

For the purpose of this policy statement, a promotion is defined as advancement to a different position within the department/office which has increased responsibilities and classification to a higher wage grade. All Grand County employees who have successfully completed the introductory period specified by conditions of employment in this policy, who are qualified for the position and who express their interest in an open position in writing are eligible to be considered for promotion. Exceptions to promotion prior to the completion of the introductory period shall be approved by the Council Administrator for Council Departments or the applicable Elected Official based on a legitimate department need. The Human Resource Director must be consulted to ensure that the exception is in compliance with policy and any applicable rules or regulations.

1. Process

When job or promotion opportunities are announced, internal candidates may be solicited in any of the following ways:

- a. **Employee application:** Employees may submit requests to be considered for new positions to Human Resources. In such requests current employees must document their motivation, experience, ability, and skills required to fill the open position.
- b. **Managerial recommendation:** Elected Officials or the Council Administrator and Department Heads may suggest employees for open positions, with the employee's approval.
- c. **Surveys of Human Resources:** Employee inventories may be utilized to identify employees with skills, potential, and the desire for promotion.

2. Criteria for Selection

The Elected Official, or Council Administrator and Department Head to whom the employee will report has ultimate responsibility for reviewing employee promotion candidates. No promotions will be completed without the consent of the Human Resource Director and the approval of the Council Administrator or the applicable Elected Official. The Human Resource Director will ensure that employee selection is based on clear objectives and nondiscriminatory standards which may include, but are not limited to, the following:

- a. Past performance including performance appraisals, corrective action, and attendance records.
- b. The employee's ability to perform essential job functions with or without reasonable accommodation.
- c. Qualifications including former experience or education.
- d. Elected Official, Council Administrator, or Department Head recommendations.
- e. Promotion interviews may be used as deemed appropriate by Elected Officials, the Council Administrator, or Department Head and must be accepted by Human Resource Director.

To promote internal mobility, external advertisement may be waived with the approval of the Human Resource Director.

SECTION V - HIRING FOR NEW AND VACANT POSITIONS-ALL EMPLOYEES

A. Vacancies

Amended: 02/17/2009 Resolution#:2877

When a new or existing position becomes open, the Elected Official, Council Administrator, or Department Head over the position will notify the Human Resource Director of the need to fill the vacancy. After confirming that the job description, minimum qualifications and required knowledge and skills are appropriate and that the Clerk/Auditor has verified that funds are available to support the position, the Human Resource Director will begin the recruitment process.

1. Internal Recruitment

Any Grand County employee may apply for an open position by filing an application with the Human Resource Director. The internal recruitment period shall be at least five (5) business days. After the internal recruitment period closes, the applicable Elected Official, Council Administrator, or Department Head, and the Human Resource Director may interview qualified applicants. Nothing in these policies shall prohibit the Elected Official, Council Administrator, or Department Head from including other individuals in the interview panel. The Elected Official, the Council Administrator, or the Department Head, with the advice of the Human Resource Director, may also elect to refer the position to external recruitment. In such a case, qualified internal applicants will be considered with all other external recruitment applicants. The internal recruitment period may run simultaneously with the external recruitment period.

- a. Any employee accepting a position in another department/office through the internal recruitment process will be subject to a twelve (12) month introductory period in the new position.
- b. Accrued sick leave will transfer with the employee to the new department/office.
- c. Years of service to Grand County will not be interrupted by accepting a new position in another department/office within Grand County.
- d. Compensatory and vacation time accrued by any employee will be paid out on the last check before the transition to another department/office.

2. External Recruitment

Grand County may advertise or post the vacancy in accordance to these Policies. The external recruitment period shall be a minimum of ten (10) business days. Except for public safety positions, all interested applicants must file their applications as directed by the Human Resource Director. Public safety applications may be filed directly with the Sheriff's Office. All qualified applications will be forwarded to the applicable Elected Official, Council Administrator, or Department Head to decide which applicants to interview.

B. Interviews

After the Human Resource Director has collected all submitted applications, the Human Resource Director will review and forward the applications representing those stating they have the qualifications requested in the job description to the Elected Official, Council Administrator, or Department Head. An interview schedule will then be coordinated, with the cooperation of the Human Resource Director. The applicable Elected Official, Council Administrator or Department Head (or a designated representative) will conduct the interviews and may include other relevant participants as well.

C. Evaluating the Applicants

After completing the interviews, applicants will be evaluated by those who conducted the interview, basing their decision upon the applicants' qualifications and interview responses.

D. Roster of Applicants

The applicable Elected Official, Council Administrator, or Department Head will choose from among the top one, two, or three applicants on the roster to fill the position. Prior to extending an offer to a candidate, the Human Resource Director may check references; then upon extending an offer and receiving an acceptance from the candidate, the Human Resource Director, or in the case of a Public Safety position, the Sheriff's Office, may conduct an applicable background check. If the selected applicant declines the position or is otherwise withdrawn from consideration, the Elected Official, Council Administrator, or Department Head may select from the remaining top applicants until the position is filled. The Human Resource Director will retain the roster for twenty-four (24) months after the position is filled in the event a similar vacancy occurs within the department. If such a vacancy does occur, the Elected Official, Council Administrator, or Department Head may elect to fill the position from the existing roster or to reactivate the recruiting process. Rosters expire after twenty-four (24) months.

E. Notification of Candidates

Once a vacancy has been filled by an applicant who has accepted the position and completed the pre-hire requirements with acceptable results, the Human Resource Director will notify applicants who:

- Did not participate in the interview process by letter only
- Did participate in the interview process via phone and by letter

F. Recruiting of Public Safety Employees

Public safety applicants may file their applications directly with the Sheriff's Office at such time as the application process is advertised.

The Sheriff may use continuous recruitment for public safety positions when there is a reasonably anticipated need to fill multiple positions over an extended period of time. Under continuous recruitment, the Sheriff's Office may accept applications for public safety positions at any time.

In addition to standard requirements for Grand County employment, public safety employees must pass a skill test and be able to meet state licensing requirements for public safety officers. Public Safety rosters expire after twenty-four (24) months unless extended by the Sheriff's Office.

G. Hiring - Personnel Action Form Required

Upon selection of an applicant, the Human Resource Director will discuss the salary and start dates of the candidate with the Elected Official, Council Administrator or Department Head and will then create and forward the Personnel Action Form (PAF) to the Elected Official, Council Administrator, or Department Head for signatures. The employee shall not report for work and shall not be officially employed by Grand County until the Human Resource Director has received the signed Personnel Action Form and received all other federally required new hire documentation.

SECTION VI - EMPLOYMENT STATUS-ALL EMPLOYEES

A. Employment Positions

It is the intent of Grand County to clarify the definitions of employment classifications so that employees understand their employment status and benefits eligibility. These classifications do not guarantee employment for any specified period of time. Both the employee and Grand County have the right to terminate the employment relationship at will, at any time, with or without notice or cause.

Each position is designated as either non-exempt or exempt under federal and state wage and hour laws. Non-exempt positions are entitled to overtime pay under the specific provisions of federal and state laws. Exempt positions are excluded from specific provisions of federal and state wage and hour laws. A position's non-exempt or exempt classification will be changed only by the Human Resource Director and the approval of Grand County Council.

Each job description shall state whether the position is a full time, part time, regular, seasonal, or elected, and if applicable, grant funded.

1. Regular Full Time Positions

Employees holding regular full time positions, i.e., those who are not in a seasonal status; who work a regular full time schedule of forty (40) hours per week; or for Public Safety work 80 hours every two weeks are eligible for Grand County's benefits package.

2. Regular Part Time Positions

Employees who are not in a seasonal status, and regularly work less than forty (40) hours per week. Part time employees receive all legally mandated benefits (such as Social Security, Worker's Compensation Insurance and unemployment) but are not eligible for Grand County's benefits package.

B. Other Funded Positions

The Human Resource Director, in coordination with the Clerk/Auditor and the cooperation of the Elected Official, Council Administrator or Department Head, shall determine which positions are funded by grant monies, including alternate funding sources.

1. Grant Funded

A full time grant employee who occupies a position which is more than fifty percent (50%) funded by grant monies that are anticipated to continue for more than two (2) years will be eligible for Grand County benefits package, unless dictated differently within the grant.

2. Enterprise Funded

A full time employee who occupies a position which is funded solely by an enterprise fund (as stated in Grand County Financial Statements) whose position is regularly scheduled to work 32 to 39 hours per week will be eligible for Grand County benefits package.

C. Positions Excluded from FLSA Coverage

Grand County Council, with the recommendation of the Human Resource Director, will determine what hiring, recruitment, compensation and benefit policies apply to positions excluded from coverage under the Fair Labor Standards Act (FLSA) including what compensation and benefit policies apply to all Elected Officials.

Employees excluded from coverage under the FLSA may be terminated from their employment with Grand County at any time with or without notice or cause. Similarly, they may terminate their employment with Grand County at any time with or without notice or cause.

Individuals excluded from coverage under the FLSA:

- Hold a public elected office, for example Grand County Council members; or
- Are selected by the holder of such an office to be a member of his or her personal staff, including duly appointed chief deputies who would discharge the duties of the elected Grand County official in his/her absence; or
- Are appointed by an officeholder to serve on a policymaking level; or
- Are an immediate adviser to an officeholder with respect to the legal powers of his/her office, including persons hired by Grand County Council or one of its committees to conduct a special inquiry, investigation or examination.

Although the benefits and compensation paid to the listed FLSA excluded employees may correspond to those paid to full time regular employees, Grand County is not required to do so and the benefits provided may be changed or rescinded by Grand County Council at any time for any reason without notice.

D. Emergency and Seasonal Positions

Emergency and seasonal employees are those who are hired as interim replacements to temporarily supplement the work force, or to assist in the completion of a specific project. Employment beyond any initially stated period does not in any way imply a change in employment status. Emergency and seasonal employees retain that status unless and until notified of a change. All emergency and seasonal employees are at-will employees meaning that both the employee and Grand County may terminate the employment relationship at any time with or without notice or cause. While emergency and seasonal employees receive all legally mandated benefits (such as workers compensation insurance, unemployment and Social Security), they are ineligible for Grand County's benefits programs, unless the employee becomes eligible under the Healthcare Reform Act of 2008, which then are only eligible for health insurance (not pension).

Emergency and seasonal positions may be filled on a provisional basis; however are not to work full time (40 hours) or more, for more than 120 days/960 hours per taxable year. All emergency and seasonal positions must be accountable within the department's budget. If it is not, then the position must be approved by Grand County Council prior to recruitment.

In regard to recruitment, emergency positions need not go through the recruitment process; however seasonal positions must follow all recruitment steps.

E. Introductory Period

Amended: 12/12/2008 Resolution#:2859

In Utah Code 67-19-3, the term probationary status is used to mean “period of time determined by the department that an employee serves in a career service position as part of the hiring process before career service status is granted to the employee.” Grand County will refer to this period of time as an introductory status throughout this handbook.

Final appointment to all full or part time regular positions, including full or part time regular grant positions, is contingent upon a satisfactory evaluation of the employee over the twelve (12) month introductory period, by their Elected Official, Council Administrator or Department Head.

In addition, employees who change positions to another department within Grand County must complete another twelve (12) month introductory period in the new position.

During the introductory period, the appropriate Elected Official, the Council Administrator or Department Head, shall monitor the employee and review any areas of concern that arise. Neither the introductory status nor the satisfactory completion of the introductory period is intended to create or imply a guarantee of employment for any specified period of time. Both the employee and Grand County may terminate the employment relationship at any time with or without notice or cause.

F. Volunteers

Amended: 03/17/2009 Resolution#:2884

Volunteers are considered government employees for certain purposes as set forth in Utah Code Ann. 67-20-3.

Volunteers shall complete a registration packet which contains the required information for Workers Compensation reporting and meets the requirements of the specific volunteer program and the Human Resource Department. Completed originals of this packet shall be received and maintained by the Human Resource Department.

A volunteer may not donate any service to a Grand County department unless the volunteer’s services are approved by the Council Administrator or the applicable Elected Official or an authorized representative, and the Human Resource Director, as set forth in Utah Code Ann. 67-20-4

Certain volunteer positions may require background checks into criminal and driving history and/or proof of licensure or certification if a volunteer will be using any type of machinery, driving a vehicle (excluding commuting to and from home), or working in a potentially hazardous situation. This will be directed by the Human Resource Director.

Grand County employees who supervise volunteers should provide clear direction, in writing if necessary, as to the requirements and duration of any services donated.

All volunteers and their dates and times of donated service for Grand County shall be recorded on forms included in the Volunteer Packet. These records shall be filed and maintained with the Human Resource Director.

All volunteers shall be subject to Grand County's drug free workplace policy and will sign the Acknowledgement Regarding Grand County's Drug Free Workplace Policy. Those volunteers who will be using any type of machinery, driving a Grand County vehicle, or working in a potentially hazardous situation will be submitted for a pre-volunteer drug test. This will be directed by the Human Resource Director.

Volunteers may be removed from Grand County volunteer service at any time and for any reason with or without notice.

1. Volunteer service experience may be considered when determining the minimum qualifications for an employment position with Grand County.
2. A Grand County employee shall not be a volunteer within his or her own department.
3. A Grand County employee may volunteer for another Grand County department provided the following provisions apply:
 - a. The services are entirely voluntary, with no coercion by a Grand County representative, no promise of advancement made, and no penalty for not volunteering,
 - b. The activities are predominantly for the employee's own benefit,
 - c. The employee volunteer does not replace an employee or impair the employment opportunities of others by performing work which would otherwise be performed by regular employees,
 - d. The employee volunteer serves without contemplation of pay,
 - e. The activity does not take place during the employee's regular working hours or scheduled overtime hours,
 - f. The volunteer time is insubstantial in relation to the employee's regular work hours,
 - g. The employee receives no compensation for the volunteer assignment, and;
 - h. The assignment does not involve the same type of service that the employee is employed to perform.

SECTION VII - COMPENSATION-ALL EMPLOYEES

Amended: 08/05/2008 Resolution#:2840

A. Compensation Philosophy

Grand County Council sets, with the recommendation of the Human Resource Director, and approves all compensation paid to Grand County employees. Grand County employees are compensated pursuant to a compensation step and grade plan based upon similarity of duties performed and responsibilities assumed. Through the step and grade plan, Grand County strives to compensate positions in the same class based upon the qualifications required and the responsibility and difficulty of the work. Grand County seeks to maintain a high quality public work force by considering the comparative pay and benefits needed to compete in the labor market and to stay in proper alignment with other similar governmental units. Grand County Council makes all compensation decisions consistent with the public trust inherent in administering Grand County budget. The compensation plan is developed by the Human Resource Director and approved by Grand County Council.

Grand County Council may alter pay rates or compensation methods at any time at its discretion.

B. Initial Grade and Step Assignment

Employees' compensation is determined by the grade associated with the job position and step assignment within the grade. Typically, new employees are placed at the beginning step of the appropriate grade; however, exceptions may occur:

- If an employee cannot be recruited for the position at the beginning step, or
- If the employee exceeds the minimum qualifications and is expected to perform at a level equal to that of other individuals paid at a higher step.
- Has previous related experience. Employees hired with eight (8) years or more of service with other employers directly relevant to the job position generally will receive a one (1) step increase for each unit of eight (8) years (Resolution #2916).
- Or if an existing employee, to consider every four (4) years of service will generally receive a one (1) step increase (Resolution #2916).

C. Changes in Compensation

An employee's compensation can change in the following ways:

1. Cost of Living Adjustment (COLA) Increase

Grand County Council may at its discretion grant a general compensation increase to Grand County employees to reflect market trends and changes in cost of living. Such increases take effect on the date determined by Grand County Council.

2. Performance Increases

Performance increases may be awarded to employees based on evaluation criteria established and included within these policies (Section VII, Item J). Performance increases are subject to the position's pay grade scale. Once an employee has reached the top step of a position's grade, the employee is no longer eligible for further performance increases.

3. Reclassification/Promotion/Demotion

Employees' compensation may change in connection with a promotion, demotion, or reclassification of the position.

Grand County Council must approve all Cost of Living Increases and Reclassification/ Promotion/Demotion Grade adjustments before they take effect. The Clerk/Auditor must verify funds are available. Performance evaluation (Milestone or Exemplary) increases are approved by the Elected Official or Council Administrator with the agreement of the Human Resource Director, or if applicable, the Performance Review Committee.

D. Compensatory Time Off

It is the policy of Grand County to discourage Elected Officials, the Council Administrator and Department Heads from having employees work overtime except in circumstances where overtime is necessary to complete an important task or assignment. All overtime must be approved by Elected Officials or the Council Administrator and Department Heads in advance. Grand County complies with the Fair Labor Standards Act (FLSA) regarding minimum wage and overtime compensation. Unless otherwise specified, Grand County compensates those employees covered by the FLSA who are non-exempt from its provisions by awarding compensatory time off in lieu of monetary overtime compensation at a rate of one and one-half hours of compensatory time for each hour of overtime worked. Overtime, according to the Utah Department of Labor, consists of any hours worked in excess of forty (40) hours per week.

An employee with accrued compensatory time may take time off to use the compensatory time within a reasonable period after making a request so long as the time off is not unduly disruptive to the operations of the employee's department/office. Grand County encourages employees to use compensatory time within a reasonable timeframe after accruing it, preferably within the same pay period. Accrued compensatory time must always be used before using accrued vacation time. In order to keep accrued compensatory time to a minimum, the employee may be directed to use accrued compensatory time at the discretion of Grand County (i.e. without a request by the employee).

The maximum amount of compensatory time an employee may accrue is twenty-four (24) hours. Employees who have accrued twenty-four (24) hours of compensatory time will be paid for any additional overtime worked at the rate of one and one-half times their regular hourly rate for each hour of overtime worked.

Upon termination of employment for any reason, employees who have unused accrued compensatory time will be paid for their unused compensatory time at their regular hourly rate for each hour.

E. Overtime Pay For Public Safety

In lieu of compensatory time off, Grand County may elect to pay Public Safety (Sworn Officers) employees overtime pay at one and one-half times their regular hourly rate for each hour of overtime worked in excess of eighty (80) hours in a two (2) week work period.

F. FLSA Exempt Employees

Some Grand County employees are not covered by the FLSA (Fair Labor Standards Act). These employees include Elected Officials, policy-making appointees, and legal advisers, who are exempt from the FLSA's minimum wage and overtime requirements.

Other FLSA exempt employees include certain executive, administrative, and professional employees, including supervisors and department heads who meet the salary and duties tests established by the FLSA that determine exempt status. Grand County Council determines, after being reviewed and concurred on by the Human Resource Director, which positions to characterize as exempt from the FLSA.

FLSA exempt positions are compensated on a salary basis and do not accrue compensatory time for overtime hours worked. Employees in exempt positions shall be assigned reasonable work schedules to meet department needs and are expected to assist with coverage of their departments. The work of employees in exempt positions is not measured solely by hours worked. Employees in exempt positions are expected to work the hours necessary to complete assignments on a schedule that satisfies the requirements of the job position. In some cases this may require exempt employees to work more than eight (8) hours in a day, forty (40) hours in a work week and/or on weekends.

G. Payroll Procedures

All Grand County employees with the exception of Elected Officials are required to complete a Grand County time card. Time cards are due by 8:30 a.m. on the Monday following the end of the pay period, except for Monday holidays, when timesheets are then due by 5:00 pm the previous Friday, if applicable. Paydays are bi-weekly, every other Friday. The provision of paychecks by Grand County on an earlier date is at the discretion of the Clerk/Auditor and will not constitute a waiver of the official payday.

Non-exempt, full or part time employees, shall record ACTUAL hours worked with exact start times, exact end times and exact lunch periods on a Grand County time card. Non-exempt employees who accrue vacation and sick leave are required to use any accrued leave (compensatory, vacation or sick) for hours not worked during the forty (40) hour work week.

At no time should an employee be requested by a supervisor to remove or not list hours on their time card that have been worked. If it is found this has occurred, the supervisor will face disciplinary action and the employee will be paid for any hours worked but removed or not listed on their time card.

Exempt employees shall not be required to record start and end times but shall record the number of hours worked on each day. Exempt employees who accrue vacation and sick leave are required to use any accrued leave for full or partial day absences in a pay period in which less than 80 (eighty) hours are worked in accordance with the FLSA. Exempt employees are expected to notify their supervisors of work schedules.

Employees and supervisors shall sign all time cards attesting to the accuracy of all information on timecards before a paycheck is issued.

H. Termination Pay

Employees who voluntarily leave (resign or retire) Grand County service will be paid the wages due them on the next regularly scheduled pay period.

Involuntary terminations will be paid within the requirements of the State of Utah. Grand County will also pay terminating employees for accrued vacation time and compensatory time that may be due. However, if an employee owes for gym membership dues, Grand County damage, fraud, or insurance, the amount may be deducted from this final check as allowable by law.

All terminating employees will receive their final compensation in paper check form.

Retiring (receiving retirement benefits from URS) full time employees will be paid ¼ or 25% of accrued sick leave at their current rate of pay at retirement. All other employees terminating employment with Grand County shall not be paid for accrued unused sick leave.

I. On-Call (Duty) / Call-Out (Duty)

Amended: 02/06/2008 Resolution#:2812

Grand County recognizes that it may be necessary for various departments to require employees to be available on an on-call basis. It is Grand County's general policy that on-call assignments should be for public safety and emergency purposes and kept to a minimum.

1. Definitions

On-Call (Duty): Non-exempt employees who are required by their supervisor to respond to a cell phone, pager, radio or landline phone to be reached while not at work, within a specified period of time are considered to be on-call. On-call duty is necessary to deal with after-hour situations and emergencies as the department requires. Typically, on-call duty is scheduled with the employee in advance; and when scheduled to be on-call the employee will be ready, willing and able to work.

Call-Out (Duty): Non-exempt employees who have been assigned to on-call duty; who have worked a regular usual shift and are called back to the work site for duty by their supervisor; or are called in earlier than their regular usual shift, have been called-out to duty. For the purposes of this policy, call-out duty shall have the same meaning as called-out duty.

2. On-Call Duty

Non-exempt employees of departments may be designated to be on-call for "after hours" emergencies. These employees will be on-call as scheduled by their supervisor. During the time employees will be on-call they will be required to be available by cell phone, pager, radio or landline phone and must remain within a thirty (30) minute response time to their department. ~~Office employees~~ Office employees scheduled to be on-call must be available and respond immediately when called-out to duty. On-call employees will receive compensation of one (1) extra hour of straight time rate for each day they are on-call. Hours in on-call status are not included for determining hours worked for overtime eligibility (with the exception of hours for which the employee is called-out).

Emergency Medical Response (EMS) employees are required to be on-call in twelve (12) hour shifts. EMS employees must be available by cell phone, pager, radio, or landline phone and must remain within a five (5) minute response time to the EMS Department during the twelve (12) hour on-call shift. EMS employees will receive one (1) hour of straight time rate for every twelve (12) hour shift they are on-call, as well as any hours worked while called out.

3. Call-Out Duty

Non-exempt employees, with the exception of EMS employees, called to work outside their regular shift while on-call shall receive their on-call pay plus two (2) hours minimum call-out pay at the rate of one and one-half (1.5) times their straight-time rate. An employee, with the exception of EMS employees, who is not on-call and is called-out to provide additional assistance to on-call employees for an after-hour emergency, shall be paid on the basis of two (2) hours minimum call-out pay at the rate of one and one-half (1.5) times their straight time rate.

If an EMS employee is called-out, in addition to on-call pay, the employee will receive one (1) hour minimum call-out pay at their straight time rate.

Extensions of an e regular shift contiguous to the e o normal shift do not fall under this o policy and will be compensated under normal Grand County policy. Compensation shall not be paid twice for the same hours, nor shall the same hours be used twice in the computation of overtime.

J. Performance Reviews

Amended: 1/1/2012 Resolution: 2968

The performance review provides a means for discussing, planning and reviewing the performance of each employee.

These performance reviews:

- Help employees clearly define and understand their responsibilities, provide criteria by which their performance will be evaluated, and suggest ways in which they can improve performance.
- Identify employees with potential for advancement within Grand County.
- Help managers distribute and achieve departmental goals.
- Provide a basis for awarding compensation based on merit.

Performance reviews influence salaries, promotions and transfers, so it is critical that supervisors be honest and objective in conducting performance reviews and in assigning overall performance ratings.

1. Guidelines/Procedures for Reviews and All Merit Increases

The Elected Officials, Council Administrator or Department Heads will be responsible for completing a performance review for each employee (full time, part time regular, seasonal and grant funded) within their department every year. The reviews must be completed within thirty (30) days prior to or subsequent to the date of the employee's original date of hire; or if the employee took a leave of absence for more than twelve (12) consecutive weeks at any time during their first three (3) years of employment, the employee's re-hire date. To determine this re-hire date, the employee's original hire date will be extended by the length of time the employee was on the leave of absence. If a performance review is not completed by the Elected Official, Council Administrator or Department Head and provided to the Human Resources Department within this time frame, the employee will not be eligible for a merit increase that year. However, if the completed evaluation is provided after the allotted time frame for completion, the employee may be eligible the following year for the appropriate merit increase if all documents and requirements are met at that particular time.

Upon the completion of the review the Elected Official, Council Administrator or Department Head will submit the e m completed review and supporting documents to the Human Resource Director for final review. If the requirements for the Milestone have been met, the Human Resource Director will create a Personnel Action Form and forward this to the Elected Official, Council Administrator or Department Head for signatures. If the requirements for the Exemplary have been met, the Human Resource Director will notify the Elected Official, Council Administrator or Department Head of when to attend a review committee meeting where the committee will determine if an increase is to be awarded. If awarded, the Human Resource Director will create a Personnel Action Form and forward this to the Elected Official, Council Administrator or Department Head for signatures.

An employee may only receive a one step increase each year they are eligible.

All required Performance Review documents are located on Grand County website.

2. Milestone Merit Increase Eligibility

- a. All employees (full time, part time regular, seasonal and grant-funded) will be eligible for a Milestone increase.
- b. An employee will be eligible after two (2) full years of consecutive employment as stated in the “Guidelines/Procedures for Reviews and All Merit Increases” above; then every other year on the anniversary of their original hire date or their adjusted rehire date, whichever is applicable. An employee’s introductory period will be included in this timeline.
- c. A completed, signed and dated performance review must be submitted annually to the Human Resource Department for each twelve (12) month period.
- d. The current and previous year reviews must have an average rating of “fully achieved” or higher for all performance standards.
- e. An employee with an evaluation containing anything less than an average rating of “fully achieved”, or has disciplinary documentation or a corrective action plan in their employee file that is not resolved with follow up documentation by the Elected Official, Council Administrator or Department Head and the Human Resource Director during any year is not eligible for a merit increase.

3. Exemplary Merit Increase Eligibility

- a. All employees, except for seasonal (full time, part time regular, and grant funded) will be eligible for an Exemplary increase upon completion of the listed requirements.
- b. An employee will be eligible after three (3) full years of consecutive employment as stated in the “Guidelines/Procedures for Reviews and All Merit Increases” above; then every other year on the anniversary of their original hire date or their adjusted rehire date, whichever is applicable. An employee’s introductory period will be included in this timeline.
- c. The employee must complete an Individual Development Plan Acknowledgement Form, stating the employee is interested in participating in the Exemplary Merit Option. This may be obtained via Human Resources or from Grand County Website. With this acknowledgment, an employee will then complete the Individual Development Plan (IDP) form, detailing the specific goals the employee desires to meet that are above and beyond the employee’s current job description for the next twelve (12) months, and then submit both forms to their Elected Official, Council Administrator or Department Head within thirty (30) days of receiving their prior twelve (12) month review. If this is not received by the deadline, the employee may forfeit the opportunity to participate in the Exemplary program for that particular twelve (12) month timeframe.
- d. The completed performance review, acknowledgment form, Individual Development Plan (IDP) (with quarterly follow ups and proof of completion of goals), and a Committee Request Form must be submitted annually to the Human Resource Department for each year. All documentation must be received prior to being submitted to the Performance Review Committee.
- e. The current and previous year reviews must also have a rating of “consistently exceeds” in at least 50% of all categories and nothing less than fully achieved in any category.

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- f. An employee with an evaluation not having a rating of “consistently exceeds” in at least 50% of all categories, has a rating under less than fully achieved, or has disciplinary documentation or a corrective action plan in their employee file that is not resolved with follow up documentation by the Elected Officials, Council Administrator, or Department Heads and the Human Resource Director during any year is not eligible for a merit increase.

4. Performance Review Committee and Performance Criteria:

The Performance Review committee members shall include the Human Resource Director, Council Administrator, four (4) Department Heads (which includes two (2) Elected Officials), and one (1) employee liaison.

The committee will meet once a month to review, discuss, and evaluate the prior merit eligible employees' documentation submitted for the recommended performance increases.

In order for an employee to be considered for an Exemplary merit increase the Elected Official, Council Administrator or Department Head must include documentation that verifies the following:

- a. Performance consistently exceeds the standard requirements relevant and directly related to the job position.
- b. Measurable performance in terms of time requirements and output.
- c. Obtained education and certification that is above and beyond the standard requirements for the position.
- d. Special circumstances or events not usual or predictable that require performance above and beyond essential job duties.

Elected Officials, Council Administrator or Department Heads shall not participate as a voting member when the committee evaluates documentation for a performance increase regarding an employee in their department or office, or who they directly supervise. In regard to Grand County Council Administrator, he/she shall not participate in voting when the employee who is eligible for the increase is a direct report.

If Elected Officials, Council Administrator or Department Heads do not complete annual reviews for each employee in their department, each incomplete review will be documented in the Elected Officials, Council Administrator or Department Head's file. The employee may also make an appeal to the Human Resource Department within ten (10) days of the expiration of the thirty (30) day following the employee's anniversary date. The Human Resource Director will then notify the Elected Official, Council Administrator or Department Head that they have lost the opportunity to conduct a review on this particular employee for that year. The Human Resource Director will then appoint three (3) other Elected Officials and/or Department Heads to complete the review for the employee. Once completed, the review will follow the same steps previously listed in this policy, except all reviews will be presented to the Performance Review Committee for a final decision.

With the exception of the Human Resource Director and the Council Administrator, the committee members shall rotate annually so that all Elected Officials and Department Heads have the opportunity to participate as committee members. The Human Resource Director shall solicit committee members annually on a rotating schedule.

A quorum of voting committee members must be present to vote on recommendations; and a majority of the committee members present must vote in favor of the increase for the request to be approved. The Human Resource Director will notify the Elected Official, Council Administrator or Department Head of the Committee's determination on whether the increase will be granted or denied and then provide the Elected Official, Council Administrator or Department Head with documentation of the Committee's decision.

The Elected Official, Council Administrator or Department Head may appeal the Performance Review Committee decision to deny a performance increase within ten (10) days of the decision to the Human Resource Director.

The Human Resource Director will appoint three (3) other Elected Officials and/or Department Heads for the Appeals Committee, who will then meet with the Elected Official, Council Administrator or Department Head to hear the appeal, review documentation, and make a decision to support or recommend a change to the Performance Review Committee's decision.

The Human Resource Director will prepare a Personnel Action Form (PAF) documenting any compensation changes approved by the committee and submit it to the Elected Official, Council Administrator or Department Head and employee for signatures.

The Human Resource Director, in collaboration with the Elected Officials, Council Administrator or Department Heads shall conduct an evaluation at least annually of the effectiveness of the review process program and recommend any changes or updates to the policy to Grand County Council for approval.

SECTION VIII - BENEFITS-ALL EMPLOYEES

Grand County provides a variety of benefits to eligible Grand County employees. Among the benefits currently offered by Grand County are a retirement program, a long-term disability insurance program, health care insurance plans, and a deferred income investment program. The availability of some benefits and eligibility of certain employees for benefits depends upon numerous factors, including the nature of an employee's position with Grand County. Summaries of many of the benefit programs offered by Grand County are provided here and specific details may be found in the Summary Plan Descriptions for the plans or from the Human Resource Director. In the event that the summaries in this handbook conflict with the Summary Plan Description, the Summary Plan Description will control. Grand County Council may add, alter or eliminate benefits at its discretion.

A. Retirement

In order to help its full time regular employees plan and prepare for retirement, Grand County participates in the public safety and public employment retirement programs of the Utah State Retirement System, as follows:

1. Public Safety Employees

On behalf of each public safety employee, Grand County contributes a specific amount set by the State legislature to each public safety employee's retirement account. Rules governing public safety retirement benefits differ from those for other full and part time regular employees. Please contact the Human Resource Director for details on public safety retirement requirements.

2. Full Time Regular Employees

On behalf of each full time regular employee, Grand County contributes an amount of the employee's base salary toward the employee's retirement. Details on the amounts contributed are available from the Human Resource Director.

3. Full Time Elected/Appointed Officials

On behalf of each full time Elected/Appointed Official, (Grand County Assessor, Grand County Attorney, Grand County Clerk/Auditor, Justice Court Judge, Grand County Recorder, Grand County Treasurer, and Grand County Sheriff) who begins initial employment on or after July 1, 2011 are eligible under the Tier 2 Retirement System. Those who have URS service prior to July 1, 2011 are eligible under the Tier 1 Retirement System if they meet the minimum earnings requirement.

Part time regular Elected/Appointed officials (Grand County Council Members) who have had URS service prior to July 1, 2011 and meet the minimum earnings requirement are eligible for coverage under the Tier 1 Retirement System. Those employed on or after July 1, 2011, are not eligible for either Tier 1 or 2. Details on the amounts contributed are available from the Human Resource Director.

B. Healthcare Insurance

Amended: 10/07/2008 Resolution#:2846

Grand County offers health care insurance plans to full time regular Grand County employees. Details on coverage and associated costs are available from the Human Resource Director or may be reviewed via Grand County Website in the Employees Benefits Booklet.

Effective January 1, 2014, lawfully married employees will have two options in regard to the Healthcare Insurance; and depending on the option chosen, may receive a contribution to their Flexible Spending Account or Health Savings Account.

These options are:

1. One employee will be eligible to take the family premium that shall cover both employees, and if applicable, any eligible dependent children.

If this option is chosen, the employee named as spouse shall receive each year, from Grand County, a contribution to their Flexible Spending Account or Health Savings Account, of the maximum limit allowed under the Cafeteria 125 Plan to the Flexible Spending Account per the Affordable Care Act, as long as both employees continue to be employed by Grand County.

2. Or one employee will be eligible to take family coverage that shall cover only the employee and if applicable, any eligible dependent children. The spouse will then be eligible to take individual coverage for themselves.

If this option is chosen, both employees will waive the opportunity to receive any additional contribution amounts from Grand County towards their Flexible Spending Account or Health Savings Account.

In the situation that the High Deductible Health Plan is chosen by both parties, whether as family and/or individual, any Health Savings Account contributions designated within the Employee Benefits Guide will not be affected by this policy, example: if employee takes family coverage for everyone, they will receive the family HDHP contribution amount; if employee takes family and spouse takes individual, the family will be the only one to receive the family HDHP contribution amount and the spouse will waive this option.

C. Long Term Disability Insurance

Grand County will contribute up to six-tenths (6/10) of one percent (1%) of the cost of the premium for Grand County approved Long Term Disability insurance for full time regular employees only. Details on the long term disability insurance are available from the Human Resource Director or may be reviewed via Grand County Website in the Employees Benefits Booklet.

D. Holidays

Amended: 02/06/2008 Resolution#:2812

Grand County provides the following paid holidays to full time regular employees:

New Year's Day	January 1
Human Rights Day	The third Monday of January
Presidents Day	The third Monday of February
Memorial Day	The last Monday of May
Independence Day	July 4
Pioneer Day	July 24
Labor Day	The first Monday of September
Veteran's Day	November 11
Thanksgiving Holidays	The fourth Thursday and Friday of November

Christmas Holidays	December 24 and 25
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Part time regular employees generally have these days off, but are not paid for the holiday when not required to work. Grand County Council, at their option, may alter or make substitutions to the holiday schedule. Generally, when a scheduled holiday falls on a Sunday, the following Monday will be observed as the holiday. In the event that the holiday falls on a Saturday, the prior Friday will be considered the holiday.

Holiday Pay

Full time regular employees will receive eight hours of regular straight time pay for a day not worked that is designated as a Grand County holiday.

Full time regular employees (other than Public Safety, Dispatch, Road, Maintenance and EMS employees) who are required to work on a holiday will receive another day off in lieu of the scheduled holiday. Days off in lieu of holidays worked may be taken at a time approved by the employee's supervisor. Such time off is to be taken as soon as is practical.

Public Safety, Dispatch, Road, Maintenance and EMS employees will receive 1.5 hours worked times their regular rate of pay and eight (8) hours holiday pay when required to work on a holiday.

If a full time regular employee's day off falls on a holiday, the employee shall be entitled to receive a different day off with regular pay. Days off in lieu of holidays falling on an employee's days off may be taken at a time approved by the employee's supervisor. Such time off is to be taken as soon as practical. Full time Public Safety, Dispatch, Road, Maintenance and EMS employees who because of department scheduling are not able to take a day off in lieu of a holiday falling on a scheduled day off, shall be paid eight (8) hours of pay at the regular rate.

Should a holiday occur while an employee is on vacation, the employee will not be charged with vacation on the day of the holiday.

Employees may use vacation time or compensatory time off for the workday prior to or after the holiday only with prior approval from their supervisor by completing the Time off Request Form. The supervisor shall grant the use of vacation time or compensatory time to employees prior to or after a holiday only to the extent that the department can remain operational. This criterion does not apply to departments that only have one (1) employee, as the department will have to be closed during this time.

If a non-exempt full time regular employee is working a schedule that consists of more than eight (8) hour days, the difference between the eight (8) hours holiday pay and the regular shift shall be made up during the work week or will be taken from compensatory or vacation time to equal the forty (40) hour work week. For example: An employee works four (4) days at ten (10) hours per day, Monday through Thursday. If the holiday is on Monday, the employee would receive Monday off and be paid eight (8) hours of holiday pay and use two (2) hours from accrued compensatory or vacation time to reach the regularly worked ten (10) hour day/forty (40) hour week.

Certain departments such as the Library, Sand Flats Recreational Area, OSTA, and the Grand Center may have special holiday hours so that the facility may be open for the public to enjoy on the holiday. Grand County Administrator or Department Head shall determine if there are enough employees who voluntarily elect to sign-up to work that day. Employees that volunteer to sign-up and work on a holiday shall be compensated at their regular straight time rate and shall receive another day off in lieu of the holiday worked. Days off in lieu of holidays worked must be taken during the same pay period or as soon as practical and approved by the employee's supervisor. If there is insufficient staff that sign-up to work on the holiday, the facility will be closed.

Holiday pay is not considered hours worked for the computation of overtime.

Employees shall not receive more than ninety-six (96) hours total holiday pay for the year.

E. Vacation

Grand County believes that a reasonable period of time away from the job is conducive to the good health and well-being of the employee and can have a refreshing effect that is to the advantage of Grand County, as well as to the employee.

Grand County awards paid vacation to all full time regular employees according to the following schedule:

Eligible employees earn vacation as follows:

Grand County Service	Hours Accrued per Pay Period (Except for the third pay period in a month which occurs twice per year)	Annual Vacation Days Awarded
0- 60 months	4.000	12 days
61-108 months	5.000	15 days
109 + months	6.667	20 days

Guidelines to the use of accrued vacation time:

1. All non-exempt and exempt full time regular employees must report vacation hours in increments of not less than one quarter (.25) of an hour.
2. To request vacation time, an employee must complete a Time off Request Form and obtain approval from their Elected Official, Council Administrator or Department Head at least 30 days prior to the start of their time off, or at the discretion of the supervisor. This form will be retained by the approving supervisor until the corresponding timesheet is completed. Then a copy of the approved request form will be attached and submitted to payroll.
3. Holidays observed by Grand County that occur while an employee is on vacation are not deducted from an employee's accrued vacation time.
5. Unused accrued vacation may be carried forward to succeeding years. However, no more than 20 days (160 hours) may be carried forward each year, encouraging employees to take at least 2 weeks of vacation each year once it has been accrued. Employees who have more than 160 hours of unused accrued vacation on January 1, 2014 will be given up to four (4) years or until December 31, 2017 to use these excess hours or they will expire. It is recommended that these extra hours be disbursed during the four (4) years to eliminate any hardship to the department's remaining employees.

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6. Vacation time will not accrue while an employee is on any unpaid leave of absence from Grand County.
 7. Employees shall not take vacation time before accruing it.
 8. Vacation must be taken as time off. Grand County will not pay cash in lieu of accrued vacation time, unless an employee is terminating employment with Grand County.
 9. Employees who terminate employment may be paid for unused accrued vacation time calculated at the base wage in effect on the employee's last day at work. However, Grand County retains the right to refuse payment for unused accrued vacation time to employees who are terminated for insubordination, violent or destructive acts against Grand County employees or property, or unlawful theft or retention of Grand County property.

The Human Resource Director keeps the official record of accrued vacation hours.

F. Sick Leave

Grand County provides compensated sick leave to full time regular employees. Sick leave is a privilege and employees should use it responsibly and appropriately. Intentional misuse of sick leave may be grounds for disciplinary action, up to and including termination.

Eligible employees may earn sick leave at the rate of four (4) hours per pay period (*except for the 3rd pay period in a month which occurs twice a year*) or one day of leave for every month worked. Employees may take sick leave for health care appointments for themselves or immediate family members, personal illness, or to care for a sick spouse, child, or parent.

Guidelines to the use of accrued sick leave:

1. When the need for sick leave is foreseeable, employees taking sick leave should provide as much advance notice as possible to their Elected Official, Council Administrator or Department Head by completing a Time off Request Form and submitting this to their supervisor for approval and to minimize disruption to the workplace during their absence.
2. If the employee will be out and cannot provide advanced notice, the employee must notify their Elected Official, the Council Administrator, Department Head or designated supervisor at least one-half hour before their scheduled shift is to start.
3. Employees absent from work due to their own illness or injury will be carried on the payroll in a leave with pay status for a time equal to the compensated sick leave accrued. Upon their return to work, a Time off Request Form must be completed and approved by the employee's Elected Official, the Council Administrator or Department Head.
4. The Time off Request Form will be retained by the employee's Elected Official, the Council Administrator or Department Head until the corresponding timesheet is completed. Then a copy of the approved request form will be attached and submitted to payroll.
5. After exhausting accrued sick leave, additional time off for illness or injury will be taken from the employee's accrued vacation time.
6. All FLSA non-exempt full time regular employees must report sick hours in increments of not less than one quarter (.25) of an hour. FLSA exempt full time regular employees shall report time taken in blocks of four (4) hour increments.

7. Holidays observed by Grand County that occur while a full time regular employee is on sick leave will not be deducted from an employee's accrued sick leave.
8. There is no limitation as to the amount of sick leave that may be accrued and carried forward to succeeding years.
9. Employees do not earn sick leave while on an unpaid leave of absence from Grand County.
10. After three (3) consecutive days of sick leave, an employee may be required to provide a doctor's Certificate of Illness or Fitness for Duty with respect to any sick leave taken. The Human Resource Director shall be notified to determine if FMLA paperwork should be provided to the employee.
11. Employees are encouraged to build up sick leave so that days are available for serious illness. Elected Officials, the Council Administrator or Department Heads should counsel employees who regularly use up sick leave regarding the difficulties such a practice may create. At no time, should an employee be using sick time to make up for hours not worked for any other reason but those stated in this policy.
12. Except for retiring employees as set forth herein, Grand County does not pay terminating employees for accrued sick leave. Employees retiring pursuant to the provisions of the Utah State Retirement and Insurance Benefit Act, the Utah F ~~Act~~, or the Utah Public Safety ~~Retirement~~ Act, may receive ¼ or 25% of the total cash value of the unused sick leave in cash, subject to applicable taxes and withholdings.

G. Sick Leave Donation Program

Subject to the conditions of this policy, employees may choose to donate accrued sick leave to other employees who 1) despite responsible and judicious management of their sick and vacation leave, have used up all of their sick and vacation leave as a result of a major illness or serious medical condition and 2) who are otherwise eligible to accrue sick time. This donation policy is entirely voluntary and no employee shall be required to donate sick leave.

The leave donation policy is designed to assist those employees who have responsibly managed their sick and vacation leave, but who nevertheless find they are facing a serious illness or medical condition with no compensatory time or accrued leave left. Employees who have abused or misused Grand County's sick leave program are not eligible to receive donated sick leave.

To receive sick leave donations, the recipient employee must:

1. Apply to and receive approval from their Elected Official, Council Administrator or Department Head with concurrence from the Human Resource Director; and
2. Suffer from a major illness or serious medical condition that is not otherwise covered by Workers Compensation insurance and would qualify the employee for leave under the Family and Medical Leave Act.
3. Provide a certificate to the Human Resource Director from a licensed medical professional describing 1) the major illness or serious medical condition as well as its anticipated duration; 2) estimation on when the employee may reasonably expect to return to work; 3) and qualify the employee for leave under the Family and Medical Leave Act.
4. Deplete all of the recipient employee's own accrued comp time, sick and vacation leave, consecutively.
5. The recipient cannot accrue donated sick leave and all donated sick leave shall be awarded on an as-needed basis;

To donate sick leave to an eligible recipient, the donor employee must:

1. Complete a leave donation form indicating the intended recipient and the amount of sick leave donated;
2. Donate only accrued sick leave;
3. Retain at least five (5) accrued sick leave days after the donation; and
4. Be an employee of Grand County who is currently eligible to accrue sick leave.

The following general conditions apply to the sick leave donation policy:

1. The recipients of donated leave will:
 - a. Receive donated leave pay coinciding with normal pay periods;
 - b. Receive donated leave pay at their regular hourly rate; and
 - c. Accrue the same benefits as employees using their own sick leave.
2. In the event there are multiple donors to a single recipient, sick leave will be distributed evenly among donors.
3. The Human Resource Director in consultation with the Elected Official, Council Administrator or Department Head will determine eligibility for participating in the leave donation program.

The Human Resource Director keeps the official record of accrued sick leave and sick leave donations.

H. Workers Compensation

Grand County employees, Elected Officials and volunteer workers who are injured in the course of their employment with Grand County are covered by Workers Compensation Insurance that provides coverage for certain medical costs and wage compensation. Claims arising out of injuries occurring on the job are processed through Workers Compensation Insurance and not through Grand County healthcare insurance. Coverage is provided for actual medical costs within the provisions of the Worker's Compensation Act, and according to rulings of the State Industrial Council.

1. Reporting Requirements

Employees injured on the job or who contract an occupational disease must report to their Elected Official, Council Administrator or Department Head immediately, no matter how slight the injury.

- a. The Elected Official, Council Administrator or Department Head or his/her designate must accompany the injured worker to a medical clinic specified by Grand County for initial treatment.
- b. Supervisors must assure that the Employee's Report of Accident and the Supervisor's Report of Accident forms are submitted to the Chief Deputy Clerk/Auditor, also titled Risk Manager, within eight (8) hours of the accident and the initial clinic visit.

The Chief Deputy Clerk/Auditor/Risk Manager will file the necessary information with Grand County's Workers Compensation carrier.

2. Return to Work

Grand County strives to return injured employees to full employment as quickly as possible. The Human Resource Director will coordinate with an injured employee's Elected Official, Council Administrator or Department Head and health care provider to determine whether the employee may undertake partial or limited work during recovery from the accident or illness, which must be provided in writing from the healthcare provider. A limited work assignment is not intended to last indefinitely. Rather, a limited work assignment is temporary and designed to facilitate a return to full employment. Limited work assignments last only for a reasonable time at Grand County's discretion. Employees who are not making improvement toward returning to full employment are not eligible for limited work assignments. The availability of limited work assignments depends upon the availability of limited work within the employee's department as determined by Grand County.

3. Accruals and Benefits

- a. While receiving Workers Compensation wages for a workplace injury or illness, employees will not be eligible to use any accrued leave time to further compensate their required time off.
- b. Employees will not accrue additional sick or vacation time while out on Worker's Compensation; however will retain any sick or vacation hours accrued prior to the incident.
- c. See the FMLA policy for additional benefits which will run concurrently if sickness meets the requirements of a serious medical condition for the employee.

I. Bereavement Leave

Grand County grants bereavement leave to full time regular employees who suffer the death of a member of the immediate family, or a close relative. It is the intent of Grand County to be considerate of a Grand County employee's special needs and to be supportive in the death of a loved one.

As a result of this consideration, Grand County may provide the individual with paid time off from work to attend the funeral and to fulfill other responsibilities before and after the funeral.

If an employee suffers the death of a close relative and requests time off from work during the period of bereavement, the Elected Official, Council Administrator or Department Head may approve the request based on the necessity and appropriateness of having the time off. The employee should be attending the funeral and/or have certain responsibilities to fulfill before and/or after the funeral.

The amount of time off is determined by the following:

1. If the deceased was a member of the employee's immediate or step family (spouse, child or child of a spouse, parent or parent of a spouse, sibling or sibling of a spouse, grandparent, or grandchild or grandparent/child of a spouse), the employee may have paid time off up to five (5) calendar days at any time between the death and the first week after the funeral.
2. For other close relatives, including step (aunt, uncle, niece, or nephew of either the employee or spouse) the employee may have paid time off for the day of the funeral. If the close relative is out of state, the employee may have paid time off up to three (3) calendar days at any time between the death and the funeral, with approval from their supervisor.

To request bereavement leave, an employee must complete a Time off Request Form and obtain approval from their Elected Official, Council Administrator or Department Head as soon as possible prior to the start of their time off. This form will be retained by the approving Elected Official, Council Administrator or Department Head until the corresponding timesheet is completed. Then a copy of the approved request form will be attached and submitted to payroll.

The amount of bereavement leave pay will be based on the employee's normal rate of pay and the number of hours in the normal workday. Employees may request additional days off and use accrued compensatory time, vacation leave, or leave without pay which may be approved or denied at Grand County's discretion.

In the event of the death of a member of the immediate family while an employee is on vacation, the vacation will be extended by the amount of time normally authorized as outlined above.

J. Jury Duty

Every employee is entitled to time away from work when subpoenaed or ordered to appear as a juror or witness by the Federal Government, State of Utah, or political subdivision thereof. If the employee turns over the juror or witness fee to the Clerk/Auditor along with a copy of the subpoena, Grand County will pay the employee's regular Grand County compensation. Travel time to or from juror or witness duty is also considered an approved absence, but Grand County will not pay for mileage regardless of whether the subpoena requires travel during work hours. Consequently, the employee need not turn mileage reimbursements in to Grand County in order to be eligible for Grand County compensation.

Grand County will not compensate employees for time off appearing in response to a subpoena for private litigation. Employees may elect to use compensatory time, vacation or may take time off without pay to appear in response to private subpoenas.

To request jury duty leave, an employee must complete a Time off Request Form and submit it and a copy of the order to their Elected Official, Council Administrator or Department Head as soon as possible prior to the start of their time off. These forms will be retained by the approving Elected Official, Council Administrator or Department Head until the corresponding timesheet is completed. Then a copy of the approved request form will be attached and submitted to payroll.

K. Educational Assistance

Grand County employees, who are full time regular employees, are encouraged to seek further education to perform their jobs more effectively and to enhance their professional development. Grand County may subsidize the educational expenses of Grand County employees under specified circumstances. This policy is subject to availability of funds, and applies only to full time regular employees.

1. Program Eligibility

- a. The education program must provide a benefit to Grand County by directly relating to the work the employee currently performs, will be required to perform, or towards a degree that directly correlates with career advancement within Grand County.
- b. Unless otherwise acknowledged by the Human Resource Director, assistance will only be granted to employees attending accredited universities, colleges, or technical schools.

2. Reimbursement

- a. Educational assistance shall not exceed \$5,250.00 in any one calendar year and will be reimbursed from the Department's budget. Tuition costs shall not be carried into the next budget year for reimbursement and must be reapplied for with each year's budget. Classes that will be considered for reimbursement must relate to the employee's current position with Grand County or apply towards a degree that directly correlates with career advancement within Grand County.

3. Procedures

- a. Employees are encouraged to attend classes during non-working hours. In the alternative, the Elected Official, Council Administrator, or Department Head may flex an employee's work schedule to allow the employee to attend classes. Only in exceptional circumstances will an employee be granted administrative leave for classes.
- b. To receive educational assistance, an employee must receive approval via a signed educational assistance application from the Elected Official, Council Administrator or Department Head prior to commencement of the class. This signed form must be received by the Human Resource Director no later than six weeks prior to the beginning of the class.
- c. To be reimbursed, the employee must complete the approved class with a final grade of "B" or better. If the course is only offered on a pass/fail basis, the employee must receive a passing grade.
- d. The employee must submit proof of a satisfactory grade and proof of tuition payment to the Human Resource Director prior to reimbursement. A request for payment will then be forwarded to the Clerk/Auditor's Office for processing.

4. Required Classes

- a. If Grand County requires an employee to attend an education program, class or obtain a certification as a requirement of the job, Grand County shall pay the full cost of the program or class.

L. Grand County Provided Vehicles

Employees may be assigned Grand County vehicles in the course of their normal duties or to fulfill standby or other assignments. These vehicles shall only be used for the purpose of Grand County business and shall not be used for personal business unless stated differently in this policy. With the exception of law enforcement, Grand County vehicles shall not be used to transport persons who are not Grand County employees unless such transportation is in the course of the duties of the employee.

Grand County employees who drive a private vehicle in the normal course of their duties shall receive payment for mileage driven on authorized Grand County business but shall not be paid to cover commuting mileage between an employee's residence and their customary work site during regularly scheduled work hours.

Grand County Vehicle Assignment: Grand County vehicles may be assigned to employees requiring vehicles of specialized function, for example, emergency vehicles, building inspectors, maintenance employee, etc. Approval shall be obtained from the employee's Elected Official, Council Administrator or Department Head for assignments of vehicles and the designation of which employees are assigned Grand County vehicles.

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1. All employees or volunteers who drive Grand County vehicles must have a current Utah driver's license, and have taken the offered Defensive Driver course within their first year of employment and then every two (2) years after.
 2. To assure proper vehicle maintenance, each employee or volunteer assigned a vehicle will be accountable for its service and repair.
 3. Employees and volunteers must follow all driving laws, regulations and ordinances and practice safe driving techniques at all times while operating a Grand County vehicle or while operating a private vehicle for Grand County business. Any fines, penalties or tickets issued to an employee shall be the responsibility of the employee. Unsafe, careless, negligent, or destructive driving, and/or excessive or avoidable traffic and parking violations may result in the loss of Grand County driving privileges as well as disciplinary action, up to and including termination of employment.
 4. Except for incidental, emergency, or for authorized commuting, personal use of any Grand County vehicle is prohibited. This does not apply to any Grand County department; i.e. law enforcement or Emergency Management (EMS or QRV), which has a separate policy related to the personal use of vehicles owned or managed by that department. The policy must be in writing and approved by employee's Elected Official, Council Administrator or Department Head.
 5. Unless authorized by Grand County Council, and with the exception of a designated law enforcement vehicle or as noted differently in this policy, no Grand County vehicle may be taken home or used for normal commuting between an employee's residence and their customary work site during regularly scheduled work hours.
 6. Employees and volunteers may use a Grand County vehicle outside Grand County only to the extent they have received prior authorization from their Elected Official, Council Administrator or Department Head.
 7. Authorization to use a Grand County vehicle outside the State must be approved by the employee or volunteer's Elected Official, Council Administrator, or Department Head; exceptions may be made for departments who need to travel to other bordering states to reach outlying regions in rural Utah. The request must be documented with the following information and kept in the employee's personnel file in Human Resources:
 - a. The name of the person authorized to use a Grand County vehicle;
 - b. The time frame during which the authorization is effective;
 - c. The purpose of the use;
 - d. Any other terms relevant to the authorization; and,
 - e. Signatures of the authorizing Elected Official, Council Administrator or Department Head assigned to that department.
 8. Incidental personal use of a Grand County vehicle is permitted when such use is a de minimus distance from the route of official use of the vehicle and when such use does not adversely affect the vehicle or the public perception of Grand County.
 9. No person may provide authorization to himself/herself to take home a Grand County vehicle
 10. Authorization to take home a Grand County vehicle may be considered under certain circumstances. The request must be in writing, approved by the employee or volunteer's Elected Official, Council Administrator or Department Head, and placed in the employee's personnel file in Human Resources.

Said circumstances may include:

- a. The user has demonstrated, and continues to demonstrate, a need to respond to an average of five (5) emergency situations or call-outs to work per month. This must be documented on an "On-Call Form." This form must be submitted to their employee's Elected Official, Council Administrator or Department Head for approval.
- b. The user's nature of work requires immediate response to situations that require a vehicle with specific capabilities or specific safety or emergency equipment that cannot reasonably be carried in the user's personal vehicle.
- c. The user may be called or sent to locations other than where his/her Grand County vehicle is normally parked.

Authorized users under this Section who use Grand County vehicle to commute to and from work will show an additional amount of \$720.00 on their annual W-2 statements showing as taxable income (which is figured at an average of \$1.50 each way 48 weeks out of the year and takes into consideration two weeks of vacation and two weeks of holiday time away from work.)

Exceptions:

- a. Grand County vehicles may be used for personal use in emergency situations related to serious medical problems or property damage where the user of Grand County vehicle must respond quickly. Any emergency personal use of a Grand County vehicle must be reported to the user's supervisor within eight (8) hours, or as soon as practical, following the emergency use.
- b. Situations may arise when it is impractical or uneconomical for a user to acquire or return a vehicle the same day of the authorized use due to the time or distance required to do so. Permission may be given in such circumstances for the user to take the vehicle home prior to or immediately following the authorized use.

To account for this disparity between business and personal use of these vehicles, all employees with an assigned vehicle must maintain a log stating:

- a. Total miles driven by date,
- b. Reason for the trip and,
- c. Number of miles driven
 - i. Distinguish between miles driven from home to work and work to home.
 - ii. If you make several business stops in one trip, log the round-trip mileage on one line and include each destination visited.

This log must then be submitted to the Clerk/Auditor at the end of each calendar year to be assigned to the employee as wages. If a log is not provided by the employee, the value of all use of the vehicle will be considered wages to the employee and added to their W-2.

Those excluded from this policy are:

- a. Clearly marked police, fire, or public safety office vehicles
- b. Unmarked vehicles used by law enforcement officers if the use is officially authorized.
- c. Qualified specialized utility repair trucks (truck is designed to carry tools, equipment, etc; permanent interior construction, including shelves and racks; Grand County must require employee to commute for emergency call-outs to restore or maintain utility services (gas, water, sewer.)
- d. An ambulance or Quick Response Vehicle used for its specific purpose,
- e. Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds,

L. Disclaimer

Grand County reserves the right to modify, amend, suspend, cancel or terminate any of its benefit plans, programs, policies or providers at any time.

SECTION IX - LEAVES OF ABSENCES

A. Family and Medical Leave

Grand County will comply with the Family and Medical Leave Act (FMLA) implementing regulations as revised effective February 27, 2013. The Human Resource Director posts the mandatory FMLA Notice on Employee Rights and Responsibilities under the Family and Medical Leave Act in the break room of Grand County Courthouse or break room/office of outlying departments. The Human Resource Director also provides all new employees with required FMLA notices upon hire.

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

If you have any questions, concerns, or disputes with this policy, you should contact the Human Resource Director.

1. General Provisions

Under this policy, Grand County will grant up to twelve (12) weeks (or up to twenty-six (26) weeks of military caregiver leave to care for a covered servicemember or covered veteran with a serious injury or illness) during a twelve (12) month period to eligible employees. The FMLA leave will be unpaid unless the employee substitutes other accrued paid leave as specified in this policy.

2. Eligibility

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- a. The employee must have worked for Grand County for at least twelve (12) months;
- b. The employee must have worked at least 1,250 hours during the twelve (12) month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA; and
- c. The employee must work in a worksite where fifty (50) or more employees are employed by Grand County within seventy-five (75) miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

3. Leave Covered

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

- a. The birth of a child and in order to care for or bond with that child.
- b. The placement of a child for adoption or foster care and to care for and bond with the newly placed child.
- c. To care for a spouse, child or parent with a serious health condition (described below).
- d. The serious health condition (described below) of the employee that makes the employee unable to perform the employee's job.

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

This includes health conditions that would result in a period of three (3) consecutive days of incapacity with the first (1) visit to the health care provider combined with at least two (2) visits to a health care provider; or one (1) visit and regimen of continuing treatment; or incapacity due to pregnancy; or incapacity due to a chronic condition requiring periodic health care visits for treatment, such visits must take place at least twice a year.

Employees with questions about what illnesses and injuries are covered under this FMLA policy or under Grand County's sick leave policy are encouraged to consult with the Human Resource Director.

If an employee takes paid sick leave for a condition that progresses into a serious health condition the Human Resource Director may designate all or some portion of related sick leave taken as FMLA leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

- e. Qualifying exigency leave for eligible employees while the employee's spouse, child or parent is on covered active duty or called to covered active duty as a member of the Regular Armed Forces, Reserves or National Guard.

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

- i. short-notice deployment
- ii. attend military events and related activities
- iii. arrange for alternative childcare and school activities
- iv. address certain financial and legal arrangements
- v. attend certain counseling sessions
- vi. attend post-deployment activities
- vii. rest and recuperation
- viii. parental care
- ix. additional activities that arise out of active duty provided that Grand County and employee agree, including agreement on timing and duration of the leave.

- f. Military caregiver leave to care for a covered servicemember or veteran with a serious injury or illness.

An employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember or covered veteran may take up to twenty-six (26) weeks in a single twelve (12) month period to care for that servicemember or veteran.

The term "covered servicemember" means:

- i. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- ii. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term “serious injury or illness means:

- i. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- ii. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered servicemember, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating or a condition for which the veteran received a VA Service Related Disability Rating of fifty (50) percent or greater and such rating is based on the condition precipitating the need for caregiver leave, or a condition that substantially impairs the veterans ability to secure or follow a substantially gainful occupation by reason of a military service-related disability or an injury for which the veteran has been enrolled in the VA Program of Comprehensive Assistance for Family Caregivers.
- iii. Outpatient status, with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

4. Amount of Leave

An eligible employee can take up to twelve (12) weeks for the FMLA circumstances (a) through (e) above under this policy during any twelve (12) month period. The Human Resource Director will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Human Resource Director will compute the amount of leave the employee has taken under this policy in the last twelve (12) months and subtract it from the twelve (12) weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

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

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

5. Employee Status and Benefits during Family Medical Leave

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

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Grand County will require the employee to reimburse Grand County the amount it paid for the employee's health insurance premium during the leave period.

Under current Grand County policy, the employee may pay a portion of the health care premium. If an employee substitutes available paid leave for FMLA leave, payroll will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid FMLA leave, the employee must pay the employee's share of their health care premiums, either in person or by mail. The payment must be received in the Clerk / Accounts Office by the fifteenth (15th) day of each month. If the payment is more than thirty (30) days late, the employee's health care coverage may be dropped for the duration of the leave. The Human Resource Director will provide fifteen (15) days' notification prior to the employee's loss of coverage.

If the employee contributes to a voluntary life insurance or disability plan, Grand County will continue making payroll deductions if the employee substitutes paid leave while on FMLA leave. While the employee is on unpaid FMLA leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or Grand County may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, Grand County may discontinue the coverage during the leave. If Grand County maintains the coverage, Grand County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

6. Employee Status after Leave

An employee who takes leave under this policy for his or her own serious health condition will be asked to provide a Fitness for Duty clearance from the health care provider before returning to work. This requirement will be included in Grand County's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is equivalent in terms of pay, benefits and working conditions.

7. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all compensatory time, accrued sick leave and then vacation, consecutively, while on FMLA leave. This accrued paid time will run concurrently with FMLA leave.

If an illness or injury qualifies for both workers' compensation leave and FMLA leave, the workers' compensation leave will be designated as FMLA leave and will run concurrently with FMLA.

An employee who is using FMLA leave for a qualifying exigency must use all compensatory time, followed by accrued vacation leave (sick time will not be used for this) while on FMLA leave. This accrued paid time will run concurrently with FMLA leave.

An employee using FMLA military caregiver leave must also use all compensatory time, accrued sick leave and accrued vacation, consecutively, (as long as the reason for the absence is covered by Grand County's sick leave policy) while on FMLA leave. This accrued paid time will run concurrently with FMLA leave.

8. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently (take a day periodically when needed over the twelve (12) months) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hourly schedule. In all cases, the leave may not exceed a total of twelve (12) workweeks (or twenty-six (26) workweeks to care for an injured or ill servicemember or veteran over a twelve (12) month period).

The Human Resource Director may temporarily accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the Elected Official, Council Administrator or Department Head, the Human Resource Director and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hourly schedule. Leave for birth, adoption or foster care of a child must be taken within one (1) year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with their Elected Official, Council Administrator or Department Head, and the Human Resource Director before taking intermittent leave or working a reduced hourly schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

9. Certification for the Employee's Serious Health Condition

The Human Resource Director will require certification for the employee's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave. Medical certification will be provided by the Human Resource Director, using the DOL Certification of Health Care Provider for Employee's Serious Health Condition (<http://www.dol.gov/esa/whd/forms/WH-380-E.pdf>).

The Human Resource Director may directly contact the health care provider only for authentication or clarification purposes. Elected Officials, the Council Administrator or Department Heads will not be used for this contact. Before the Human Resource Director makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the Human Resource Director will obtain the employee's permission for clarification of individually identifiable health information.

The Human Resource Director has the right to ask for a second (2nd) opinion if it has reason to doubt the certification. Grand County will pay for the employee to get a certification from a second (2nd) doctor, which the Human Resource Director will select. The Human Resource Director may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second (2nd) or third (3rd) opinion. If necessary to resolve a conflict between the original certification and the second opinion, the Human Resource Director will require the opinion of a third (3rd) doctor. The Human Resource Director and the employee will mutually select the third (3rd) doctor, and Grand County will pay for the opinion. This third (3rd) opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second (2nd) and/or third (3rd) opinion.

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

The Human Resource Director will require certification for the family member's serious health condition. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial leave. Medical certification will be provided by the Human Resources Director using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition (<http://www.dol.gov/esa/whd/forms/WH-380-F.pdf>).

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

The Human Resource Director has the right to ask for a second (2nd) opinion if it has reason to doubt the certification. Grand County will pay for the employee's family member to get a certification from a second (2nd) doctor, which the Human Resource Director will select. The Human Resource Director may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second (2nd) or third (3rd) opinion. If necessary to resolve a conflict between the original certification and the second (2nd) opinion, the Human Resource Director will require the opinion of a third (3rd) doctor. The Human Resource Director and the employee will mutually select the third (3rd) doctor, and Grand County will pay for the opinion. This third (3rd) opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second (2nd) and/or third (3rd) opinion.

11. Certification of Qualifying Exigency for Military Family Leave

The Human Resource Director will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave. This certification will be provided by the Human Resource Director using the DOL Certification of Qualifying Exigency for Military Family Leave (<http://www.dol.gov/esa/whd/forms/WH-384.pdf>).

12. Certification for Serious Injury or Illness of Covered Servicemember or Veteran for Military Caregiver Leave

The Human Resource Director will require certification for the serious injury or illness of the covered servicemember or veteran. The employee must respond to such a request within fifteen (15) days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided by the Human Resource Director using the DOL Certification for Serious Injury or Illness of Covered Servicemember (<http://www.dol.gov/esa/whd/forms/WH-385.pdf>) or DOL Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (<http://www.dol.gov/whd/forms/WH-385V.pdf>).

13. Recertification

The Human Resource Director may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every thirty (30) days and only when circumstances have changed significantly, or if Grand County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the Human Resource Director may request recertification for the serious health condition of the employee or the employee's family member every six (6) months in connection with an FMLA absence. The Human Resource Director may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

14. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Human Resource Director. Within five (5) business days after the employee has provided this notice, the Human Resource Director will complete and provide the employee with the DOL Notice of Eligibility and Rights (<http://www.dol.gov/esa/whd/fmla/finalrule/WH-381.pdf>).

When the need for the leave is foreseeable, the employee must provide their Elected Official, Council Administrator or Department Head and Human Resources with at least thirty (30) days' notice. When an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with Grand County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

15. Designation of FMLA Leave

Within five (5) business days after the employee has submitted the appropriate certification form, the Human Resource Director will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice (<http://www.dol.gov/esa/whd/forms/WH-382.pdf>).

16. Intent to Return to Work after Family Medical Leave

The Human Resource Director may require an employee to report periodically on the employee's status and intent to return to work.

B. Military Leave (USERRA) - Uniformed Services Employment and Reemployment Rights Act

An employee shall be granted military leave for service in the U.S uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Generally, an employee may take military leave without pay for the period of active service plus travel time. Upon termination of the military service, the employee will be restored to employment depending upon the employee's period of military service and conditions of reinstatement in accordance with USERRA and all applicable state laws. Employees returning from military leave will be placed in the position that they would have attained had they remained continuously employed or a comparable position the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

In addition to USERRA leave requirements, Grand County will grant paid leave to members of the armed forces reserve or National Guard for up to eighty (80) hours per year to respond to duty orders to attend an extended training camp. Absence due to military orders in excess of eighty (80) hours per year are considered approved absences, but are not paid by Grand County. However, employees may elect to apply accrued vacation time or compensatory time to any excess days. To be eligible for paid military leave, the employee must provide a copy of the order to duty to the Human Resource Director in advance. As a courtesy and to minimize disruption, Grand County requests that employees provide as much advance notice of military leave to their supervisors as possible.

Employees may elect to continue health insurance benefits while performing military service for up to twenty-four (24) months in accordance with USERRA. If elected, the employee will be responsible for the full premium each month. If not elected, the employee will have the right to be reinstated when he/she is reemployed, without any waiting period or exclusions, except for service-connected illnesses or injuries.

Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the leave and will be resumed upon the employee's return to active employment.

C. Administrative Leave with Pay

The Human Resource Director, for the benefit of Grand County and upon recommendation from the Elected Official, Council Administrator or Department Head, may grant a full time employee administrative leave without deducting the time from the employee's accrued leave time. Accumulated comp time, however, must be used before administrative leave can be granted.

1. An employee may be permitted to be absent on administrative leave for a period not to exceed ten (10) successive workdays, unless warranted due to extenuating circumstances.
2. The Human Resource Director shall document the administrative leave in the employee's file. The employee's salary and benefits will not be reduced during the administrative leave period.
3. Administrative leave shall not be used during the absence of an employee for conferences, seminars, training, and other work-related educational purposes. Administrative leave for work-related educational purposes shall be used only when the class is conducted during the employee's work hours and has been approved by the Elected Official, Council Administrator or Department Head and agreed upon by the Human Resource Director.
4. The Human Resource Director may impose administrative leave pending the investigation of employee misconduct upon the following conditions:
 - a. The period of leave shall not be longer than is reasonably necessary to complete the investigation of the alleged misconduct and a decision can be made as to what disciplinary action, if any, will be taken;
 - b. The Human Resource Director has determined that the conduct of the employee endangers the peace and safety of others, poses a threat to the public interest, or poses a risk of legal liability to Grand County or its employees.
 - c. The imposition of administrative leave in and of itself shall not be noted in the employee's employee file as a disciplinary measure unless an investigation of the employee's conduct determines that a violation of Grand County policies or state and federal law has occurred.

D. Leave without Pay

The Elected Official, Council Administrator or Department Head and Human Resource Director may grant an employee leave without pay upon submission of a written application for leave and approval. An employee may be granted continuous leave of absence without pay for any reason deemed by the Human Resource Director to be of benefit to the employee and Grand County for a period not to exceed twelve (12) months.

1. The following factors shall be considered in determining whether or not to recommend that an employee be granted leave without pay:
 - a. A negative impact resulting in the inability of other employees to absorb the increased workload;
 - b. Whether the position is one that is critical to the operation of the department/office, and for which temporary replacement is impractical;
 - c. Willingness to fill the position on a temporary basis and time and cost of training a replacement;
 - d. Whether the employee's performance has been rated less than satisfactory; and
 - e. The length and frequency of prior leaves without pay.
2. Leave without pay that is granted for the purpose of enriching or developing employee skills is the most valid reason for approving the request.
3. Leave without pay shall not ordinarily be granted within the first (1st) year of service. Longevity, however, will not automatically qualify an employee for leave without pay.
4. An employee shall not be granted leave without pay unless it is expected that the employee will return to work following such leave.
5. No employee shall be granted leave without pay in conjunction with paid leave in order to allow continuation of benefits paid by Grand County or to extend paid leave over a longer period of time.
6. As warranted by unusual circumstances, and subject to the Human Resource Director's acknowledgement, employees may be allowed to take up to ten (10) days of leave without pay, even where a sick leave balance continues to exist.
7. An employee may take up to ten (10) consecutive working days of leave without pay per year without affecting eligibility dates for salary adjustments or for changes in the leave accrual rate. Any time taken beyond this limit shall result in an adjustment to such eligibility dates reflecting the amount of time away from the job.
8. Insurance benefits will be discontinued under leave without pay status unless the employee pays the full premium personally. However, if an employee is in a leave without pay status because of a work related injury or illness Grand County will pay the full cost of insurance premiums on behalf of the employee, if worker's compensation is the only source of income to the employee.

E. Tardiness and Absences without Leave

No employee may be tardy or absent from duty without permission of the Elected Official, Council Administrator or Department Head. All employees should notify their Elected Official, Council Administrator, or Department Head prior to being tardy or absence. In emergency situations where prior notification is not possible, the employee should notify their Elected Official, Council Administrator, and Department Head as soon as possible.

If a pattern (two or more) of unexplained or unexcused tardiness or absences develops, employees may be subject to a disciplinary action, up to and including termination.

SECTION X - WORK POLICIES-ALL EMPLOYEES

A. Travel for Grand County Business

Grand County authorizes travel in the performance of Grand County business when the travel has been approved by the employee's Elected Official, Council Administrator or Department Head and pays for travel, lodging and meals. These amounts paid are determined from time to time by Grand County Council. Any expense for a spouse or traveling companion that is not another employee traveling for the same business will be the employee's responsibility.

Grand County maintains a fleet of Grand County owned vehicles for employee use on Grand County business within city limits; and contracts with specific rental car agencies for travel out of town for more than 125 miles. The fleet listing and rental car contact information is held in the Clerk/Auditor's office, where an Elected Official or employee will be able to check out or rent a vehicle and obtain temporary use of a Grand County Fuel card. If a Grand County or rental vehicle is not available, an employee may use their personal vehicle with the approval of their Elected Official, Council Administrator or Department Head, however this is discouraged. An employee's Elected Official, Council Administrator or Department Head must review and approve all travel allowance requests.

1. Mileage

Grand County will fully reimburse an Elected Official or employee for mileage when an Elected Official or employee's personal vehicle is used for official Grand County Business, outside normal travel to and from work, due to the lack of availability of a Grand County or rental vehicle. If Grand County or rental vehicles are available but the employee's Elected Official, Council Administrator or Department Head has given their permission to use a private vehicle, the Elected Official or employee will be reimbursed at half the established rate of reimbursement. The rate will be equivalent to the current U.S. General Services Administration, Privately Owned Vehicle (POV) Mileage Reimbursement Rates. To receive reimbursement, the Elected Official or employee must provide start and end odometer readings from the personal vehicle or a printout from MapQuest, Google Maps or other mapping software showing miles to and from destination.

2. Meal per Diem

Grand County will pay per diem for Elected Officials or employees who travel fifty (50) miles or more from their origin of work on approved Grand County business. The rate will be equivalent to the current U.S. General Services Administration, Meals and Incidental Expenses (M&IE) Breakdown by city and state location; and will cover the meal plus any taxes and tip. Per diem allowances are based on the departure and arrival time from and to the employee's primary work site as:

- a. Breakfast is allowed if departure from their point of origin or is fifty (50) miles away from their worksite prior to 6:00am
- b. Lunch is allowed if departure from their point of origin is prior to 11:00am; return to their point of origin after 2:00pm; or is fifty (50) miles away from their worksite during the stated hours.
- c. Dinner is allowed if arrival at their destination or is fifty (50) miles away from their worksite after 7:00pm.

If a meal is included in the registration cost or breakfast is provided by the hotel, no per diem will be given for that particular meal, unless documentation is provided to the Clerk's Office explaining why these services were not used.

3. Advancements

Employees may receive advances of up to 100% of the expected expenses for travel provided they submit an advance request form to Grand County Clerk's office within a five (5) business day notice. These advances and the actual expenses will be finalized after the employee submits a final travel reimbursement form.

When travel is funded by a grant or other program, the employee shall be given the amount provided and funded by the grant or program.

All requests for travel reimbursement shall be submitted to Grand County Clerk/Auditor's Office within ten (10) days after the completion of the travel.

4. Travel Related Expense that may Be Prepaid

In advance of the travel, Grand County will issue prepayments for airfare, rail transportation, rental vehicles, and conference registration fees with approval from the employee's Elected Official, Council Administrator or Department Head. Applicable policies and methods of the prepayments are as follows.

- a. **Airfare:** Employees are expected to obtain the lowest available airfare that reasonably meets business travel needs. Employees are encouraged to book flights at least thirty (30) days in advance to avoid premium airfare pricing and should purchase coach or economy seating for domestic or international flights. A business class ticket may be purchased per the discretion of the employee's Elected Official, Council Administrator or Department Head for domestic or international flights if the flight exceeds five (5) consecutive hours, excluding layovers.
- b. **Rail transport:** As long as the cost does not exceed the cost of the least expensive airfare.
- c. **Rental vehicles:** Grand County will pay for approved use of a rental vehicle upon reaching destination, if the vehicle is necessary. If shuttles, buses or taxis are available, an employee should access these as the first mode of travel.
- d. **Lodging:** When reserving lodging, the employee should find a location reasonably priced, yet close to their destination. The payment will be set up as direct billing for Grand County or paid by check prior to the employee's departure to insure taxes are handled by the Clerk/Auditor's Office accordingly. If an employee uses a personal credit card, the employee will be responsible for the in-state tax charged as Utah Law will not permit this to be reimbursed.
- e. **Convention/conference/training seminar registration fees:** Will be paid with a Grand County check, once an invoice and check request form are approved and submitted. If a Grand County credit card is used, the receipt must be submitted to the Clerk/Auditor's Office showing the appropriate general ledger account to pay from. Business related banquets or meals that are considered part of the conference can be paid with the registration fees, however, such meals must be deducted from the employee's per diem allowance.

5. Reimbursements

Requests for reimbursements of travel related expenses are submitted on a Travel Reimbursement Form. This form must be accompanied by supporting documentation.

Reimbursements that may be paid by Grand County are:

- a. **Business expenses:** Faxes, photocopies, and internet charges. Original itemized receipts are required.
- b. **Parking:** Original receipts are required for parking fare. The lodging bill can be used as a receipt when charges are included as part of the overnight stay.
- c. **Tolls:** Original receipts are required for tolls.

- d. **Miscellaneous transportation:** Original receipts for each occurrence are required for taxi, bus, subway, metro, ferry, and other modes of transportation. Grand County will not reimburse for any other type of gratuity except for what is covered under the per diem.

6. Spouse or Other Dependent Expenses

Incremental costs for travel, lodging, meal or other travel expenses for spouses or other family members will not be reimbursed unless the individual has a bona fide Grand County purpose for engaging in the travel or attending the event.

B. Standards of Conduct

Grand County expects its employees to conduct themselves diligently and reasonably in their assignments on behalf of the public. Employees are expected to:

- Work diligently on their assigned duties during their assigned work schedules.
- Make prudent use of Grand County funds, equipment, buildings, supplies, and time.
- Work courteously with co-workers and the public.
- Observe work place rules of conduct and safety.
- Meet the standards of their individual job descriptions.
- Report and correct circumstances that prevent employees from performing their jobs effectively or completing their assigned tasks.

These general guidelines are not intended to be a comprehensive list of employee expectations and do not alter the employment at-will relationship between the employees and Grand County. Either Grand County or an employee may end the employment relationship at any time, with or without cause or notice.

C. Employee Coaching/Counseling/Discipline

Employees who violate Grand County policy or fail to perform their work satisfactorily are subject to coaching/counseling/discipline. Depending upon the circumstances, Grand County may, in its sole discretion, transfer, suspend, demote, or terminate employees who violate Grand County policy or fail to perform satisfactorily. Grounds for coaching/counseling/discipline may include, but are not limited to:

1. Inefficiency.
2. Incompetence.
3. Failure to maintain skills.
4. Neglect of duty.
5. Misconduct.
6. Inability to work in harmony with co-workers.
7. Rudeness to the public.
8. Dishonesty, fraud, theft or sabotage.
9. Falsification of employment applications, timecards, personnel or other Grand County documents or records.

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10. Insubordination.
 11. Misappropriation, misuse of or damage to public funds or property.
 12. Tardiness/Unapproved Absences.
 13. Any act inimical to public service.
 14. Applicable felony convictions and other violations of state and federal law that are job related and discipline and/or termination is consistent with business necessity.
 15. Working under the influence of alcohol or illegal drugs.
 16. Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace, while on duty or while operating Grand County-owned vehicles or equipment.
 17. Fighting, threatening violence or other disorderly conduct in the workplace.
 18. Sexual or other unlawful or unwelcome harassment.
 19. Discrimination or threatening, intimidating, coercive, abusive or vulgar language or interfering with the performance of other employees.
 20. Unauthorized use of telephones, mail system or other Grand County-owned equipment.
 21. Breach of Grand County's Confidentiality Statement.

This list is not exhaustive and is set forth as a guideline. This list should not be construed as preventing or limiting Grand County from taking disciplinary action, up to and including termination, in circumstances where Grand County deems such action to be appropriate, regardless of whether Grand County has specifically identified a written rule or policy. Similarly, employees may be coached/counseled/disciplined for violations of Grand County policy found in other sections of this handbook, violations of State or Federal law, or violations of relevant policies, rules or laws promulgated elsewhere. These guidelines do not alter the employment at-will relationship between employees and Grand County. Either Grand County or an employee may end the employment relationship at any time, with or without cause or notice.

Grand County typically uses a Progressive Coaching/Counseling/Disciplinary procedure when the action is necessary. The following steps will be applied as appropriate to each action as it arises.

1. Informal Discussion

Elected Official, Council Administrator, Department Head and employee communicate directly about the work problem. During the discussion the Elected Official, Council Administrator, Department Head will be able to see if the employee understands the performance standards and work rules and if the opportunity is available to reinforce those standards and rules, as well as advising the employee of the consequences if violation of the rules and standards continues. Documentation should follow this and be retained by the Elected Official, Council Administrator, Department Head. Only if the occurrence moves forward with additional warnings, should Human Resources be required to receive the documentation of the informal discussion.

2. Verbal Warning

Whenever grounds for action exist and the Elected Official, Council Administrator, Department Head determines that more severe action is not necessary the supervisor should verbally communicate to the employee the observed deficiency. Written documentation of the discussion must be signed by all participating parties for future reference and will be submitted to Human Resources to be placed in the employee's file. Sufficient time for improvement should be given before additional action is taken unless extenuating circumstances dictate otherwise.

3. Written Warning

If the informal discussion and verbal warning expectations have not been achieved, the Elected Official, Council Administrator, Department Head must complete a written warning, stating what the issue is, which policy it affects, a timeframe to rectify the situation, repercussions if not rectified in specified time, and when the Elected Official, Council Administrator, Department Head will meet again to discuss progress. Written documentation of the discussion must be signed by all participating parties for future reference and will be submitted to Human Resources to be placed in the employee's file. Except for extreme situations, written warnings may be removed from the employee's file after three (3) years.

4. Suspension

Suspensions should be avoided if possible and only used if an employee needs a "cooling off" period, which will normally be unpaid leave or Human Resources must conduct an investigation of a situation, which will normally be Administrative Leave with Pay. If this should become necessary, the employee and Elected Official, Council Administrator, or Department Head and Human Resources will meet and sign documentation stating the details of the suspension. A suspension should not exceed 5 (five) business days, except in extreme circumstances.

5. Dismissal

This typically will only be used as a last resort and shall be agreed upon by the Human Resource Director prior to the notification to the employee, to verify appropriate steps have been taken and acceptable documentation is available. The Human Resource Director does not have to be present, however may be if requested by the Elected Official, Council Administrator or Department head.

Depending on the severity of the incident, any or all steps between 1 through 4 may be bypassed and immediate termination may result. Human Resources shall review the circumstances prior to any action being taken. **This Coaching/Counseling/Disciplinary procedure does not change the employment at-will relationship between the employees and Grand County. Either Grand County or an employee may end the employment relationship at any time, with or without cause or notice.**

Eligible employees may appeal disciplinary action through Grand County's Dispute Resolution process.

D. Dispute Resolution

Grand County encourages its employees to work to resolve disputes amicably and informally whenever possible. However, when a dispute arises that cannot be resolved informally employees may seek redress through the dispute resolution process. When a dispute arises regarding unlawful discrimination, all employees may seek redress through the dispute resolution process. The following definitions apply to the dispute resolution process:

1. Suspension

An absence imposed as discipline, with or without pay, which may or may not result in further disciplinary action.

2. Transfer

An involuntary job assignment change from one department to another department.

3. Dismissal

Involuntary termination from Grand County employment

4. Unlawful Discrimination

A claim of discriminatory treatment based on a protected category such as race, color, national origin, sex, age, disability, or religion.

Grand County prohibits retaliation against employees who report unlawful workplace conduct or who utilize the dispute resolution process. Employees with questions regarding how the dispute resolution process works may ask the Human Resource Director regarding procedure; however, the Human Resource Director cannot comment or provide advice on the substantive issues in dispute. Employees may select a representative of their choice to represent them at any stage of the dispute resolution process.

Grand County urges employees to attempt to resolve disputes informally with their Elected Officials, Council Administrator or Department Heads directly. Before launching a formal review with an Elected Official, the Council Administrator or Department Head, employees should attempt to resolve disputes by dealing directly with the individuals involved. Grand County recognizes that there are circumstances where employees may feel uncomfortable addressing issues directly with a supervisor. In such cases, employees may proceed directly to the next step of the dispute resolution process.

E. Dispute Resolution Procedure

Grand County's dispute resolution process involves three (3) steps. Employees who are unhappy with the outcome of any step may proceed to the next step in the process. Step one (1) of the dispute resolution process must be commenced within thirty (30) calendar days of the event giving rise to the dispute or within thirty (30) calendar days of the time the employee reasonably should have known of the event giving rise to the dispute. Failing to file the grievance within the timeframe provided shall result in the grievance being disqualified.

1. Elected Official, Council Administrator, or Department Head Review

If a dispute remains unresolved after an informal attempt to work out a solution, an employee may file a written appeal with the Elected Official, Council Administrator, or Department Head stating the basis of the dispute and outlining the employee's position. The Elected Official, Council Administrator, or Department Head has ten (10) business days to respond to the employee's dispute.

2. **Human Resource Director Review**

If the employee so chooses, the employee can appeal the decision of the Elected Official, Council Administrator, or Department Head to the Human Resource Director. The Human Resource Director has ten (10) business days to make a determination on the appeal in writing.

3. **Grand County Council Review**

If the employee is unsatisfied with the outcome of the Human Resource Director's review, or if the Human Resource Director fails to respond within ten (10) business days, the employee has ten (10) business days from the receipt of the Human Resource Director's response, or the date the Director should have responded, to file a written appeal with Grand County Council. Grand County Council may request additional written information from the parties involved and, at its discretion, may hold an informal hearing attended by the parties. If the Council elects to hold a hearing, the Council will issue a written decision to the parties within fifteen (15) business days from the hearing date. If the Council elects not to hold a hearing, the Council will issue a written decision within fifteen (15) business days of receipt of the last additional information requested by the Council from the parties.

F. **Terminating Grand County Employment**

Employment with Grand County is at-will, meaning that either Grand County or the employees may terminate the employment relationship at any time, with or without notice or cause. An employee's employment with Grand County may terminate in different ways:

1. **Resignation**

Employees may resign at any time. As a courtesy though, Grand County requests that employees give two (2) weeks written notice so that Grand County has time to prepare final paperwork and arrange to assure a minimal disruption to Grand County work.

2. **De-facto Resignation**

Employees who are absent from work for three (3) consecutive work days and are capable of providing notice to their Elected Official, Council administrator or Department Head, but fail to do so, are considered to have voluntarily resigned.

3. **Termination**

Just as employees may terminate their employment at any time, Grand County may terminate the employment relationship at any time with or without notice or cause.

4. **Reduction in Force**

The purpose of this policy is to establish a uniform process for reducing Grand County's workforce due to a lack of funds, workload changes, organizational changes, or other conditions. This policy applies to all Grand County employees.

Order of Reductions: Reductions in force may be undertaken within individual departments based on the following procedures. In all reduction in force procedures, this is the typical order of separation but Grand County retains the right to select employees for a reduction in force at its discretion:

- a. Temporary and seasonal employees
- b. Introductory employees
- c. Length of Service of regular employees

Once employees in groups “a” and “b” above have been terminated from employment, reductions in force shall be based on the length of service within specific departmental job classifications. Specifically, those employees with the least seniority within a class will be subject to layoff procedures before those with greater seniority.

5. Notification

The Human Resource Director may give an employee separated due to a reduction in force a minimum of fourteen (14) business days written notification of separation and an opportunity for administrative review.

G. Exit Interview

All voluntary terminating employees shall meet with the Human Resource Director on their final day of employment for an exit interview. The exit interview helps Grand County determine the employee’s satisfaction with Grand County’s policies and benefits, and what changes could be implemented to retain future or current employees. The employee is also notified about final payment of wages, sick and vacation time, or other amounts due the employee and when payment will be received, as well as COBRA, and the signing of required retirement documents. If an employee fails to schedule an exit interview with the Human Resource Director, notification shall be placed in the employee's file for re-hire eligibility.

H. Outside Employment

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete, conflict or compromise Grand County’s interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any Grand County services on non-working time that is normally performed by Grand County. This prohibition also extends to the unauthorized use of any Grand County tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Grand County determines that an employee’s outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick or vacation leave to work on the outside job. Fraudulent use of this leave will result in disciplinary action, up to and including termination.

I. Garnishments

Grand County encourages its employees to manage their financial affairs responsibly and wisely. Under Utah law, Grand County will not discharge any employee whose earnings have been subject to garnishment “in connection with any one judgment.” Utah Code Ann. 70C-7-104 (1953, as amended).

J. Work Hours

All Grand County employees are expected to work their assigned schedule.

1. Work Hours

In most Grand County offices, work hours are from 8:00 am to 5:00 pm unless modified by action of Grand County Council, Elected Official, Council Administrator, or the Department Head.

2. Rest Breaks

All full time non-exempt employees are permitted two (2) paid breaks of not more than fifteen (15) minute durations, usually one (1) to be taken at least an hour prior to lunch and one (1) to be taken at least an hour after lunch. The purpose of granting breaks is to relieve mental strain and fatigue; therefore the following practices are not permitted:

- a. Combining two daily breaks into one thirty (30) minute rest period
- b. "Banking" breaks from day to day
- c. Saving breaks to extend lunch hours or shorten work days
- d. Requesting compensatory time off or pay for work performed during breaks.
- e. Failure to return on time from breaks will subject the employee to disciplinary action and docking of pay for missed time.

Part time regular employees who work at least four (4) hours in one day are permitted one (1) break of not more than a fifteen (15) minute duration.

3. Smoking Breaks

Employees shall take smoke breaks only during their rest and lunch breaks. This is allowed only in the designated smoking areas outside and 25 feet away from any building's exits. If additional breaks are taken for this reason, the employee will be subject to disciplinary action and docking of pay for missed time.

4. Lunch Breaks

Each full time employee is allowed up to a one (1) hour unpaid lunch break. The employee's actual lunch break may be determined by the Elected Official, Council Administrator or Department Head.

Employees are normally expected to be present during all other work hours unless special arrangements are made with the Elected Official, Council Administrator or the Department Head. Requesting compensatory time off or pay for work performed during unpaid meal periods will not be authorized.

5. Break time for Nursing Mothers

An employee who is nursing will be allowed reasonable break time as needed to express breast milk for her nursing child for one (1) year following the child's birth. The frequency and length of such breaks will depend on the needs of the mother, and will likely vary. To the extent that break time is needed in excess of the lunch and other breaks described above, such break time will be unpaid.

Break rooms which are free from intrusion from co-workers and the public have been assigned for this purpose in the main Grand County building. If such breaks are needed in other locations, employees should consult with their Elected Official, Council Administrator or Department Head and the Human Resource Director to determine an appropriate location.

K. Work Interruptions

On occasions when there is an interruption of work for causes outside the control of Grand County, employees will be compensated for the entire day of the occurrence, regardless of the time released from work.

On the day following the occurrence or interruption, employees are expected to report to work at their regularly scheduled start time, unless otherwise notified by their Elected Official, Council Administrator or Department Head. Such notification should be initiated no later than one (1) hour prior to the regular start time. Reasonable diligence to make contact is the responsibility of the Elected Official, Council Administrator or Department Head, and the employee. If no such notification is made, the employee is expected to report to their regular work station at the appointed start time.

L. Political Activity

Grand County follows the Federal Hatch Act regarding regulation of partisan political activities. Unless otherwise prevented by law, Grand County employees may voluntarily participate in political activity subject to the following provisions:

1. No person will be denied the opportunity to become an applicant for a Grand County position by virtue of political opinion or affiliation.
2. No Grand County employee may be dismissed from service as a result of political opinion or affiliation.
3. Grand County employees may voluntarily contribute funds to political groups and become candidates for public office.
4. No Grand County official or employee, whether elected or appointed, may directly or indirectly coerce, command, or advise any employee to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No Grand County officer or employee, whether elected or appointed, may attempt to make any officer's or employee's employment status dependent upon the employee's support or lack of support for any political party, committee, organization, agency, or person engaged in political activity.
5. No Grand County official or employee may engage in any political activity during the hours of employment nor may any person solicit political contributions from Grand County employees during hours of employment for political purposes, but nothing in this section shall preclude voluntary contributions by a Grand County employee to the party or candidate of the employee's choice.
6. Nothing in this rule shall be construed to permit partisan political activity of any Grand County employee who is prevented or restricted from engaging in such political activity by the provisions of the federal Hatch Act.

M. Dress Code

Workplace attire and grooming must be neat, clean and appropriate for the work being performed and the setting in which the work is performed. Natural and artificial scents may also become a distraction from a well-functioning workplace, and are subject to this policy. Department/offices may determine appropriate workplace attire and grooming for their area and should communicate this to their staff during orientation and evaluation periods. Any questions about the department/office's guidelines for attire should be discussed with the department's Elected Official, Council Administrator or Department Head.

1. Employees are expected to at all times present a professional image to clients, visitors, customers and the public. Acceptable personal appearance, like maintenance of work areas, is an ongoing requirement of employment with Grand County.
2. Certain staff may be required to meet special dress, grooming, and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by Grand County. At its discretion, a department may, such as during unusually hot or cold weather or during special occasions, allow staff to dress in more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing, athletic wear, tight, revealing or otherwise inappropriate clothing.
3. Any employee who does not meet the attire or grooming standards set by his or her department, their Elected Official, Council Administrator or Department Head should discuss the problem with the employee in private to point out the specific areas to be corrected and if necessary, sent home to remedy the issue. If the policy is continually disregarded then disciplinary action may be necessary. Hourly or non-exempt employees will not be compensated for any work time missed because of failure to comply with designated workplace standards.
4. All staff must carry or wear their Grand County identification badge in a conspicuous location at all times while at work, unless the badge could become a hazard. In such a situation the employee must keep it available on their person at all times.

Reasonable Accommodation of Religious Beliefs: Grand County recognizes the importance of individually-held religious beliefs to persons within its workforce. Grand County will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Employees requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources Director.

N. Drug Free Workplace

Amended: 12/04/2007 Resolution#:2805

Summary: Grand County believes that a healthy and productive work force, safe working conditions free from the effects of drugs and alcohol, and maintenance of the quality of services are important not only to Grand County but also to the employees, volunteers and the general public. The abuse of drugs creates a variety of workplace problems, including increased injuries on the job, absenteeism, financial burden on health and benefit programs, workplace theft, decreased employee morale, as well as decreased productivity, and quality of services. Grand County employees, including Elected Officials, must hold themselves and be held to high professional standards during the course of their employment. Unlawful substance abuse does not meet such standards of employment. The purpose of this Policy is to allow employees who abuse alcohol and drugs an opportunity to identify their problems and be referred to treatment without loss of employment. However, those who fail to do so and are subsequently convicted of a criminal offense involving drugs or unlawful driving while under the influence of alcohol or drugs or violate any section of this policy shall be placed on probationary employment, pending successful completion of a treatment program. A second (2nd) policy violation may result in immediate termination of employment. Consequences of policy violations by Elected Officials are subject to statutory provisions of the Utah Code.

1. Responsibility of Employees, Prospective Employees, & Volunteers

No employee or volunteer shall unlawfully manufacture, dispense, possess, use, or distribute any controlled substance, prescription medication, or alcohol.

No employee or volunteer shall consume alcohol during work hours while at work, during breaks, during lunch and immediately before reporting to work or being subject to work (specifically while on-call). No employee or volunteer shall be impaired by alcohol (.02 or higher blood or breath alcohol concentration), illegal drugs, or medication during work hours. No employee or volunteer shall represent Grand County in an official capacity while impaired by alcohol, illegal drugs, or medication.

Any employee or volunteer convicted under a federal, state, or local statute regulating controlled substances or alcohol shall notify his or her Elected Official, Council Administrator, Department Head and the Human Resource Director within five (5) calendar days after such conviction.

If an employee, volunteer or Elected Official is using medication that may impair performance of duties, the employee or volunteer shall report that fact to his or her Elected Official, Council Administrator, Department Head and the Human Resource Director.

No employee or volunteer using medication that may impair performance shall operate a motor vehicle, including heavy equipment on behalf of Grand County.

Prospective employees and prospective volunteers (if applicable) shall submit before employment begins a sample for testing or retesting that is free from tampering as instructed by the Human Resource Director in the New Hire Employee Packet or the Volunteer Registration Packet.

Employees or volunteers (if applicable) shall submit a sample for testing or retesting as instructed by the Risk Management Officer or the Human Resource Director; or within four (4) hours for the purposes of rehabilitation testing, post accident and reasonable suspicion testing.

Employees assigned to or performing CDL or safety sensitive duties are subject to random drug/alcohol testing and when selected and notified will be escorted immediately to the testing facility by the Elected Official, Council Administrator, and Department Head or designated party.

2. Testing

The collection and testing of samples shall be conducted in accordance with Utah law which includes random testing of employees who hold a Commercial Drivers License (CDL) and not necessarily limited to circumstances where there are indications of individual, job-related impairment of an employee or volunteer.

a. **Grand County may conduct drug testing under the following circumstances:**

- i. Pre-employment hiring or volunteer selection procedures;
- ii. Post accident investigations;
- iii. Reasonable suspicion situations;
- iv. Rehabilitation programs;
- v. Random testing in safety sensitive positions; or to comply with the federal Drug Free Workplace Act of 1988 or other federally required drug policies.

b. **All employees are subject to the following testing:**

- i. *Pre-Employment Testing.* Prior to actual hiring, a prospective employee must pass a pre-employment drug and alcohol test.
- ii. *Reasonable Suspicion Testing:* An employee must submit to a drug and/or alcohol test when there is reasonable suspicion to believe that the employee has violated this Policy. The determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee and must be initiated by a Elected Official, Council Administrator, Department Head or other person that has completed the required training for initiating reasonable suspicion testing. The Elected Official, Council Administrator, Department Head or other person shall review the documented observations with at least one (1) other trained Elected Official, Council Administrator, Department Head and the Human Resource Director before making a recommendation for testing.
- iii. *Post-Accident Testing:* As soon as possible (not to exceed four (4) hours) following an accident resulting in a fatality or bodily injury, damage to Grand County or any other personal property, or an employee requiring medical attention away from the work site.
- iv. *Random Testing:* Based on employee assignment to a safety sensitive position or duties requiring a CDL.

c. **All volunteers are subject to the following testing:**

- i. *Pre-Volunteer Testing:* If a volunteer will be using any type of machinery, driving a vehicle (excluding commuting to and from home), or working in a potentially hazardous situation, they will be required to take and pass a pre-employment drug test for the purposes of qualifying to provide volunteer services. If the volunteer is under the age of eighteen (18), parental authorization will be required. If the volunteer will only be doing basic volunteer requirements, other than those listed above, the testing will not be required.

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- ii. *Reasonable Suspicion Testing*: A volunteer must submit to a drug and/or alcohol test when there is reasonable suspicion to believe that the volunteer has violated this Policy. The determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee and must be initiated by a Elected Official, Council Administrator, Department Head or other person that has completed the required training for initiating reasonable suspicion testing. The Elected Official, Council Administrator, Department Head or other person shall review the documented observations with at least one (1) other trained Elected Official, Council Administrator, Department Head and the Human Resource Director before making a recommendation for testing.
 - iii. *Post-Accident Testing*: As soon as possible (not to exceed four (4) hours) following an accident resulting in a fatality or bodily injury, damage to Grand County or any other personal property or an employee requiring medical attention away from the work site.
- d. **Elected Officials are subject to the following testing:**
- i. *Reasonable Suspicion Testing*: An Elected Official must submit to a drug and/or alcohol test when there is reasonable suspicion to believe that the official has violated this Policy. The determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the Elected Official and must be initiated by another Elected Official, the Council Administrator, a Department Head or other person that has completed the required training for initiating reasonable suspicion testing. The Elected Official, Council Administrator, Department Head or other person shall review the documented observations with at least one (1) other trained Elected Official, Council Administrator, Department Head and the Human Resource Director before making a recommendation for testing.
 - ii. *Post-Accident Testing*: As soon as possible (not to exceed four (4) hours) following an accident resulting in a fatality or bodily injury, damage to Grand County or any other personal property or an Elected Official requiring medical attention away from the work site.

3. **Disciplinary and Corrective Action**

In the event of a verified or confirmed positive drug test result or if an employee, volunteer, prospective employee, or prospective volunteer refuses to provide a sample in accordance with this policy, or tampers with a sample, or otherwise violates this policy, Grand County may use that test result, refusal, or violation as the basis for imposing any disciplinary and corrective actions authorized by this section, including:

- a. require the employee or volunteer to enroll in a certified or accredited rehabilitation, treatment, or counseling and educational program, approved by Grand County as a condition of continued employment or volunteer service at the individuals expense;
- b. suspend the employee with or without pay for a period of time;
- c. suspend the volunteer;
- d. terminate the employment or voluntary services;
- e. refuse to hire a prospective employee or use the services of a volunteer;
- f. impose disciplinary measures in conformance with other Grand County employment policies, and
- g. if an Elected Official, will be subject to the procedures of statutory provisions of the Utah Code.

Upon taking disciplinary or corrective action, the Elected Official, Council Administrator, Department Head and Human Resource Director shall prepare a written report stating the reasons for the action in reference to Grand County's employment policies.

In addition to any disciplinary action, an employee or volunteer impaired by illegal drugs or alcohol during work hours shall be relieved from duty and employees shall use accumulated leave for the absence.

An employee or volunteer impaired by prescription medication during work hours may be relieved from duty and employees shall use accumulated leave for the absence and/or an Elected Official, Council Administrator, Department Head may change an employee or volunteer assignment while the employee or volunteer is using prescription medication, so long as the employee or volunteer performance of the new assignment will not be impaired by the medication or adversely affect the health and safety of other employees or citizens of Grand County.

If an employee or volunteer is required by the Human Resource Director to enroll in a rehabilitation or treatment program as a condition of continued employment or volunteer status the employee or volunteer shall:

- a. participate in the rehabilitation or treatment program at the employee or volunteer's expense;
- b. if an employee, use accumulated leave consistent with the sick leave policy for any absence;
- c. provide documentation of successful completion of the treatment program

The Elected Official, Council Administrator, Department Heads, in agreement with the Human Resource Director may change an employee or volunteer's assignment while the employee or volunteer is enrolled in a rehabilitation or treatment program at Grand County's discretion or if recommended by the employee or volunteer's health care provider.

After the employee or volunteer's successful completion of the rehabilitation or treatment program, the Elected Official, Council Administrator, or Department Head, in consultation with the Human Resource Director, shall reinstate the employee or volunteer to the employee or volunteer's former or equivalent position within the same department/office or another department/office. If an employee or volunteer's health care provider states the employee or volunteer may not perform the assigned duties of a position, the Elected Official, Council Administrator, or Department Head, in consultation with the Human Resource Director, may reassign an employee or volunteer returning from treatment to another position which may or may not be equivalent to the employee or volunteer's former position. An Elected Official, Council Administrator, or Department Head, in consultation with the Human Resource Director, may dismiss an employee or volunteer who refuses to enroll in a treatment program, fails to successfully complete the program, fails to provide documentation of completion or is no longer qualified to perform the assigned duties of their position.

If an Elected Official, Council Administrator, or Department Head has reason to believe that an employee or volunteer may be continuing to abuse an illegal drug, medication, or alcohol, the Elected Official, Council Administrator, or Department Head, in consultation with the Human Resource Director, will refer the employee or volunteer for rehabilitation testing to be paid for by Grand County. If the results of the rehabilitation tests are positive, the employee or volunteer will be terminated from their position.

Limitations

An employee, volunteer, prospective employee, or prospective volunteer whose drug or alcohol test results are verified or confirmed as positive shall not, by virtue of those results alone, be defined as disabled for purposes of the Utah Antidiscrimination Act; the Americans with Disabilities Act of 1990, or the American with Disabilities Amendment Act.

A physician-patient relationship is not created between an employee, volunteer, prospective employee, or prospective volunteer, and Grand County, solely by the establishment of a drug testing program in the workplace.

O. Harassment Based on Other Protected Categories Prohibited

Grand County believes that a workplace free from hostile, intimidating, or offensive behavior is the most productive workforce. Employees should use courtesy and common sense when interacting with co-workers. Employees who harass others based upon their political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status are subject to disciplinary action, up to and including termination. All employees should work together in a professional manner with courteous, mutual respect.

Harassment based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status encompasses a wide range of behaviors, including racially based derogatory comments, taunting, or treatment. Examples of unlawful harassment may include, but are not limited to, the following:

1. Slurs or put-downs based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status;
2. Materials such as cartoons or e-mails making fun based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status;
3. Disparaging remarks, derogatory name-calling, jokes and offensive comments and stereotyping based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability or familial status;
4. Intimidation, threats, physical contact or aggression based on a person's political affiliation, race, color, national origin, gender, religious beliefs, age, disability or familial status; and
5. Other actions or conduct that creates a hostile working environment or otherwise interferes with an employee's ability to perform their assigned duties.

Grand County considers prompt reporting of harassment to be a condition of your employment. If you believe that you have experienced or witnessed harassment based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status you must immediately report your concern to your Elected Official, Council Administrator or Department Head. If you feel uncomfortable reporting to your Elected Official, Council Administrator or Department Head, contact the Human Resource Director.

If you report to your Elected Official, Council Administrator or Department Head and no action is taken within a reasonable time, it is your duty to report to the Human Resource Director. Grand County will not retaliate against any person who reports harassment based on political affiliation, race, color, national origin, gender, religious beliefs, age, disability, or familial status or participates in any investigation of unlawful harassment.

Grand County will investigate allegations of unlawful harassment promptly and thoroughly and if a violation of this policy is found, will take appropriate action to remedy the harassment. Individuals who engage in racial, sexual or any other unlawful harassment are subject to discipline, up to and including termination.

P. Workplace Violence-All Employees

Grand County opposes and strictly forbids any form of violence or threats of violence in the workplace. An individual, who engages in violence, or threats of violence, is subject to disciplinary action, up to and including termination. If you are subject to violence, or threats of violence in the workplace, immediately report the incident to your Elected Official, Council Administrator or Department Head. If you are uncomfortable reporting to your Elected Official, Council Administrator or Department Head, contact the Human Resource Director.

Grand County will investigate all threats of violence promptly and thoroughly and if found, will take appropriate action to remedy the situation. Any employee or volunteer found to engage in violent conduct or threaten violence will be subject to disciplinary action, up to and including termination of employment. Grand County will not retaliate against any person who reports threats or acts of violence or who participates in any investigation of workplace violence.

Q. Firearms in the Workplace

Grand County shall comply with all State and Federal laws in regard to firearms in the workplace.

According to Utah Code 23-20-11 et seq., 24-2-17, 76-10-301, 76-10-501 et seq., it is unlawful for a person with or without a firearm permit to carry a firearm in the following locations:

1. Any secure area in which firearms are prohibited and notice of the prohibition is posted.
2. A secure area of an airport.
3. Any courthouse, churches if posted, mental health facility or correctional facility that may provide by rule that no firearm may be transported, sold, given, or possessed upon the facility. At least one (1) notice shall be prominently displayed at each entrance to a secure area in which a dangerous weapon, firearm, or explosive is restricted.

Carrying in Vehicles: A person may not carry a loaded weapon in a vehicle unless they have a valid permit to carry or:

1. They are at least eighteen (18) years old and
2. Has lawful possession of the vehicle or consent of the person who has lawful possession of the vehicle and
3. The weapon is not a rifle, shotgun or muzzle-loading rifle.

Exemptions to Utah Concealed Carry Laws: The following are exempt from Utah weapon laws:

1. U. S. Marshals engaged in their official duties;
2. Federal officials required to carry firearms while engaged in their official duties;
3. Law enforcement officials;
4. Common carriers while engaged in the regular transportation of firearms as merchandise.

R. Clean Air Policy-All Employees

Grand County complies with the Utah Indoor Clean Air Act (Utah Code Annotated Title 26 Chapter 38). To ensure the safety and health of all Grand County employees, Grand County has implemented a tobacco use policy. State and Federal regulatory agencies have recognized that tobacco smoke is harmful to the health of smokers and non-smokers, especially those with allergies, respiratory or cardiovascular diseases. All employees have a right to be protected from the toxic effects and discomfort caused by exposure to second hand smoke.

1. The use of tobacco products is not permitted within Grand County offices or buildings. Use of tobacco is permitted only in areas at least twenty-five (25) feet from any building entrance. This includes:
 - a. the possession of any lighted or heated tobacco product in any form;
 - b. inhaling, exhaling, burning, or heating a substance containing tobacco or nicotine intended for inhalation through a cigar, cigarette, pipe, or hookah; or
 - c. e-cigarettes, e-cigar, or e-pipe.
2. Smoking in Grand County vehicles is prohibited.
3. Employees who are aware of other employees violating this policy should contact their Elected Official, Council Administrator or Department Head and the Human Resource Director, who will investigate the situation.

Employees who violate this policy are subject to disciplinary action, up to and including termination.

S. Electronic Devices, Internet, and E-mail Usage

Grand County recognizes that excessive personal use of Grand County owned computers, tablets or other electronic devices during work hours can affect productivity. Grand County reserves the right to monitor the usage of Grand County owned computers, servers, tablets or other electronic device usage, including files stored on Grand County computers, tablets or other electronic devices. Grand County also reserves the right to monitor, limit, track and record any and all traffic from any device, including internet traffic, on any network segment owned and operated by Grand County.

The objective of this policy is to minimize the risks to business functions and government owned assets, and to assure adherence to regulatory and legal requirements and enterprise policies when Grand County resources are used to access public networks.

For purposes of this policy, “files” means all documents, programs, e-mail, network and Internet locations that are created, accessed, stored, or temporarily located on a Grand County owned computer, server, tablet or other electronic devices, such as but not limited to:

- Work-related documents, spreadsheets and databases
- Electronic mail
- File transfer
- Remote login
- Remote control software
- Discussion groups

- World Wide Web, Web Servers, Wide Area Information Servers
- Internet
- Online search services such as Yahoo and Google
- Chat and instant messaging services
- Social media and other online communication sites

Personal Use: Employees may use assigned computers, tablets, or other electronic devices for limited personal purposes, at the discretion of their Elected Official, Council Administrator or Department Head. Furthermore, Grand County IT Services may at any time limit or block traffic to or from any site that is impacting the performance of a network, including, but not limited to social-media, personal e-mail or media-streaming sites. This approval is similar to the occasional personal use of telephones during breaks. Excessive use of these items for personal reasons is not allowed.

Inappropriate Usage: Employees are not allowed to use a Grand County owned computer, server, tablet or other electronic devices for self-employment, or outside employment purposes. Entering or maintaining information on a Grand County computer, tablet, or other electronic device that is in violation of Grand County Policies and Procedures, or that violates state or federal law, is prohibited.

Privacy: All files created, accessed, or stored on a Grand County computer, tablet or other electronic devices are considered Grand County property. Elected Officials, Council Administrator or Department Heads are allowed to review files on these items within their departments/offices without the consent of the employee. Employees are advised that there is no right to privacy when using a Grand County owned Computer, server, tablet, or other electronic device.

Confidential: All files created, accessed, or stored on any Grand County owned electronic device are considered property of Grand County. Every Grand County department/office may possess confidential data within its files. Copying, disclosing or otherwise transmitting any data (including e-mail addresses or passwords) onto any personal device and/or onto any unauthorized 3rd party is prohibited. In some cases this may be considered a criminal offense. The creation, permissions, reference, manipulation, or deletion of any file is to be done by the respective department/office ONLY. Sharing of files and data with other Grand County departments/offices is at the sole discretion and authorization of each Elected Official, Council Administrator or Department Head. Unauthorized access including viewing, copying, modifying or deleting files from another department is prohibited.

Licenses: Employees shall use computer software only in accordance with the license agreement. The use of invalid or pirated software is prohibited. Copying software licensed to, or developed by Grand County for personal computer use or non work related purposes are prohibited. All software must be appropriately licensed through Grand County. Licenses are tracked and maintained by Grand County IT Services. Any software not licensed to Grand County or any software that is not approved by Grand County IT Services is not to be installed or used on any Grand County computer, server, tablet or other electronic device and may be removed without notice. The unauthorized use, installation, copying or distribution of copyrighted, trademarked, or patented material is expressly prohibited.

Equipment: Only authorized employees may purchase, move, alter, or repair computer equipment and wiring.

E-mail: A Grand County e-mail address will be assigned as necessary to employees. The use of this e-mail address is to be used solely for work related purposes. E-mail chain letters, spamming, and personal use of this e-mail address is prohibited. The use of personal e-mail addresses for Grand County related purposes is prohibited.

Internet Access: Internet usage is limited to Grand County business only. Employees are prohibited from accessing inappropriate web sites on Grand County owned computers, servers, tablets, or other electronic devices. Examples of inappropriate websites include, but are not limited to: proxies, sites that promote violence, illegal activity, or contain pornography. Data and sites accessed, composed, transmitted or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating or disruptive to any employee or other person. Unacceptable content includes but is not limited to, sexual comments or images, racial slurs, gender-specific comments or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religion, political affiliation, national origin, disability, or any other characteristic protected by law.

Social Media: Grand County does not wish to control what an employee says on his or her personal social media sites but must remind employees that anti-harassment, ethics and Grand County policies extend to all forms of communication. The following guidelines apply to social media accounts and sites:

- Creating and using personal social media during work hours or on Grand County computers, servers, tablets or other electronic devices is prohibited;
- Social media for Grand County business purposes is permitted only with the advance approval of the Elected Official, Council Administrator, or Department Head;
- Employees are solely responsible for any legal implications or any actions for their personal social media sites;
- Employees will not use Grand County name to endorse or promote any product, opinion, cause or political candidate without prior written approval.

Disciplinary Action: Employees using Grand County computers, tablets or other electronic devices in an unauthorized or inappropriate manner or otherwise violating this policy may receive disciplinary action, up to and including termination.

T. Seat Belt Use-All Employees

Utah Law requires the use of seat belts of all occupants in Grand County vehicles.

U. Cell Phone Use-All Employees

The Elected Official, Council Administrator, Department Heads, and other employees, if required by their Elected Official, Council Administrator or Department Head, shall have a cellular telephone which is owned by the employee, not Grand County.

Elected Officials, Council Administrator, Department Heads, and employees required by their Elected Official or Department Head to possess a cellular telephone may receive a monthly allowance for cellular telephone use. The amount of the allowance shall be reviewed upon request of the employee or applicable Elected Official, Council Administrator or Department Head to determine if the allowance amount is appropriate. The amount of the allowance may be considered taxable income under the IRS guidelines.

Cellular Telephone Allowance (to be reviewed annually):

1. \$40.00 per month for employees required to have a cellular telephone.
2. \$60.00 per month for Elected Officials, Council Administrator, or Department Heads and supervisors required to have only cellular service.
3. \$90.00 per month Elected Officials, Council Administrator, or Department Heads and supervisors required to have both cellular and data service.

V. Gift Policy

Employees shall not solicit or accept for personal benefit directly or indirectly any gift, loan, or any item valued at \$25.00 or more from any person or company that is seeking to conduct or currently conducting business with Grand County. Meals and accommodations of a reasonable and normal value provided to employees on Grand County business may be accepted.

W. Driver Qualification

Safety is critical to our operations, therefore all employees or volunteers operating Grand County owned vehicles or who operate any personal vehicle while conducting business for or on behalf of Grand County must be qualified as an “Acceptable” driver per this Driver Qualification policy prior to operating said vehicles on any public roadway.

Driver or potential drivers’ Motor Vehicle Record (MVR) will be screened pre-hire and monitored thereafter. Depending on the driver’s MVR, the driver will be qualified as “Acceptable,” “Borderline,” or “Unacceptable.” Drivers whose qualification is “Borderline” will require approval from the Accident Review/Safety Committee and review of Grand County Fleet Policy before operating a vehicle on public roadways while conducting, or traveling for Grand County business. Drivers with a “Borderline” qualification who are authorized by the committee to drive may do so on a determination of the committee. Drivers with an “Unacceptable” qualification will not be allowed to operate Grand County owned vehicles or any vehicle while conducting, or traveling for Grand County Business.

All drivers must possess a valid Utah driver’s license with endorsements appropriate for the vehicles to be operated, as per the State of Utah. The driver qualification evaluation will be based on the driver’s MVR and other work related motor vehicle incidents, whether or not the incident is reported to the DLD (Driver License Division) and recorded on the driver’s MVR. All violations or incidents recorded on the MVR, whether they occurred on the job or not, are included in the driver qualification evaluation.

Any single major violation may result in an “Unacceptable” qualification as determined by the Accident Review/Safety Committee. Major violations include, but are not limited to, the following or an equivalent:

1. Driving under the influence of alcohol/drugs
2. Failure to stop/report an accident
3. Reckless driving/speeding contest
4. Driving while impaired.
5. Making a false accident report
6. Vehicular homicide, manslaughter or assault

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7. Driving while license is suspended/revoked
 8. Careless driving
 9. Attempting to elude a police officer
 10. Other violations as determined by the Accident Review/Safety Committee.

SECTION XII - GRAND COUNTY COUNCIL APPROVAL

Grand County Council adopted and approved this Grand County Employee Handbook on _____, 20_____

Chair, Grand County Council

ACKNOWLEDGEMENT FORM

I have received and read Grand County Employee Handbook dated January 1, 2014 and have had an opportunity to ask any questions I may have had about it.

I understand that the language used in the Employee Handbook is not intended to create, nor is it to be understood to constitute a contract or guarantee of employment. Likewise, I understand that any oral statement or assurance is not intended to create, nor is to be construed to constitute, a contract or guarantee of employment.

I understand that my employment is voluntary and "at-will," meaning employment may be terminated at any time with or without cause or notice, at the option of Grand County or me.

I also understand that no Elected Official, Council Administrator, Department Head, supervisor, or other Grand County representative other than Grand County Council has authority to enter into any promises or commitments contrary to the foregoing statements, including making any agreement for employment for any specified period of time. Further, I understand that any employment agreement entered into by Grand County shall not be enforceable unless it is in writing and signed by an authorized representative of Grand County Council and me.

I understand that nothing in the handbook, existing documents, or documents created in the future, or any oral statements, may supersede this notice concerning at-will employment.

SIGNED NAME

DATE

PRINTED NAME

