

GRAND COUNTY

PERSONNEL MANUAL

(Amended 05/28/2019)

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GRAND COUNTY PERSONNEL MANUAL
Adopted February 27, 1996

The latest revision to the Grand County Personnel Manual was approved and adopted by Grand County Board of County Commissioners and effective on May 28, 2019 and presented in **Board of County Commissioners Resolution Number 2019-5-25 (recorded at Reception Number 2019004456)**.

CHAPTER 1 INTRODUCTION

1.01 Statement of Purpose

The overall purpose of this manual is to establish and maintain a uniform system for managing personnel matters; to comply with applicable employment laws; and to provide for the standards of employment with Grand County in a clear and comprehensive fashion to maximize the efficiency of personnel operations. It is further intended by adoption and periodic amendments of these policies that they serve as a guide for County employees in their routine work activities and relationships.

THE POLICIES OUTLINED IN THIS MANUAL ARE SUBJECT TO CHANGE OR REVISION AT ANY TIME, WITH OR WITHOUT NOTICE, AS MAY BE DEEMED NECESSARY BY THE BOARD OF COUNTY COMMISSIONERS, OR THE ASSESSOR, CLERK AND RECORDER, TREASURER, SURVEYOR, SHERIFF, AND CORONER FOR THEIR RESPECTIVE DEPARTMENTS. THEREFORE, THIS MANUAL IS NOT INTENDED TO BE, NOR DOES IT CONSTITUTE A CONTRACT BETWEEN THE COUNTY AND ANY OF ITS EMPLOYEES. THE PROVISIONS CONTAINED HEREIN ARE MEANT TO ACT AS FLEXIBLE GUIDELINES. THESE POLICIES AND PROCEDURES ARE NOT HARD AND FAST RULES SUITABLE FOR APPLICATION TO EACH AND EVERY EMPLOYEE SITUATION THAT MAY ARISE.

1.02 Applicability

The policies and procedures outlined in this manual apply to all County employees except those employees appointed by Resolution of the board of County Commissioners and Elected Officials unless otherwise indicated. Job-share employees adhere to the same policies as part-time employees except when noted differently. The policies and procedures describe the general standards of personnel operations for the County, the content of which is neither contractually binding upon the County nor restrictive in terms of amendment or interpretation by the County. The ultimate authority for interpretation, application, and enforcement of these policies rests with the Board of County Commissioners or the appropriate elected official. The County Manager may be contacted regarding questions or concerns regarding interpretation of these policies. The Sheriff's Department has a separate Personnel Policy Manual which should be used when dealing with Sheriff Personnel. The work schedules, hours of work, pay, vacation, sick leave, holidays, and personal leave provisions of this Manual do not apply to Emergency Medical Services employees to the extent the Emergency Services Department has established more specific rules.

1.03 Prior Policies and Procedures

The policies and procedures contained in this manual supersede all prior County personnel policies and procedures and apply to all County departments and employees, unless otherwise indicated.

1.04 Employee Acknowledgment

Employees must acknowledge, in writing, that they are aware a copy of the policy is available in the office and have reviewed the policies.

1.05 General Policy (Not a Contract)

This manual is a statement of general management policy and is not a grant of specific rights to any employee. The language, policies, and procedures in this manual are not intended and should not be construed to create an express or implied contract between the County and any one or all of its employees.

The County recognizes that an employee has the right to terminate employment at any time, for any reason. The County possesses and retains the right to terminate employment at its will and in its sole discretion. This County right cannot be waived or lost based upon actions or statements by any County employee.

1.06 Disclaimer

Each and every section of this Personnel Policies and Procedures Manual is to be considered separately, and a change in one section does not invalidate any remaining sections of the manual.

1.07 Conflict with State or Federal Laws

Employees must acknowledge, in writing, that they are aware a copy of the policy is available in the office and have reviewed the policies. This manual is a statement of general management policy and is not a grant of specific rights to any employee. The language, policies, and procedures in this manual are not intended and should not be construed to create an express or implied contract between the County and any one or all of its employees. The County recognizes that an employee has the right to terminate employment at any time, for any reason. The County possesses and retains the right to terminate employment at its will and in its sole discretion. This County right cannot be waived or lost based upon actions or statements by any County employee. Each and every section of this Personnel Policies and Procedures Manual is to be considered separately, and a change in one section does not invalidate any remaining sections of the manual.

1.08 Additional Departmental Policies

County employees function under a wide variety of conditions and circumstances. Each department has needs and requirements peculiar to that department. It is anticipated that each department may supplement this manual with Appointed Official/Elected Official instituted policies (**Supplemental Policies**) to meet the specific needs of that department. Any proposed supplemental personnel policies may be reviewed and must be placed on file with the County Manager or Personnel Manager. Supplemental policies instituted by the department may not contradict policies contained in this manual. If differences occur, this manual supersedes supplemental policies.

SUPPLEMENTAL POLICIES AND OTHER POLICIES OF EVERY NATURE ARE NOT INTENDED TO BE, AND DO NOT CONSTITUTE A CONTRACTUAL ARRANGEMENT OR AGREEMENT BETWEEN THE COUNTY AND ITS EMPLOYEES OF ANY KIND, INCLUDING BUT NOT LIMITED TO, DURATION OF THE EMPLOYMENT RELATIONSHIP OR TERMS AND CONDITIONS OF EMPLOYMENT. EXCEPT AS OTHERWISE PROVIDED BY LAW, ALL EMPLOYMENT IS "AT WILL" AND MAY BE TERMINATED BY THE COUNTY WITHOUT CAUSE AT ITS SOLE DISCRETION. THE COUNTY RESERVES THE UNILATERAL RIGHT TO CHANGE, WITHDRAW OR ADD TO ANY POLICIES AT ANY TIME.

1.09 Amendment Procedures

The County reserves the right to modify, revoke, suspend, terminate, or otherwise change any of these policies and procedures, in whole or in part, at any time, at the County's sole discretion.

Amendments to the personnel manual may be proposed by any employee, Elected Official or Appointed Official. Any proposed amendment must be submitted in written form to the County Manager, County Attorney and/or Human Resources for review with regard to appropriateness, cost, legality, consistency in

relation to current provisions, and other relevant practices and regulations.

Following review and comment, the Board of County Commissioners will:

- Reject the proposed amendment; or
- Adopt the amendment as presented or with amendments.

The decision of the Board of County Commissioners is final.

CHAPTER 2 DEFINITIONS

2.01 Definitions

Major Provision

Only Major Provisions are allowed to be grieved. Major provisions include the following:

- Computation of vacation leave, sick leave, maternity leave, overtime, compensation time, holiday pay and sick leave conversion.

Anniversary Date

The anniversary date utilized by the Grand County Payroll Department to calculate major provisions of the Grand County Personnel Regulations shall be the date the employee began full-time or part-time employment (refer to Section 5.02) with Grand County as designated on the personnel action form.

If an employee terminates employment with Grand County and then returns to employment, the anniversary date will be determined according to Section 4.07 Continuous Service - Reinstatement.

If an employee is hired as a temporary employee as defined in Section 4.06 Temporary Employees, the employee's anniversary date will be the date they become a full-time or part-time employee as designated on the personnel action form.

Appointed Official

As used in these regulations, includes but is not limited to those employees appointed by Resolution of the Board of County Commissioners together with any other county employee who may, from time to time, be appointed by Resolution of the Board of County Commissioners.

Part-Time Employee

As used in these regulations, "part-time employee" means an individual whose services are not required for the customary scheduled full-time hours (40 hrs per week or 37.5 hrs per week) prevailing in the department in which he/she is employed or who, owing to personal circumstances, does not customarily work the customary scheduled full-time hours (40 hrs per week or 37.5 hrs per week) prevailing in the department in which he/she is employed.

Temporary Employee

As used in these regulations, "temporary employee" means an individual who is employed on an irregular schedule and who has agreed to work on an as-needed or on-call basis. Temporary employees are subject to the provisions of Section 4.06.

Travel Time

Travel time is the time from the place of employment to the event and then from the event back to the place of employment. If travel to the event requires an employee to leave from their home rather than place of employment (due to need to leave before start of regular working time to arrive at start of event), then travel begins when employee leaves his/her home. If return from event occurs after end of work day and employee returns to his/her home, then travel ends when employee returns home.

CHAPTER 3 ADMINISTRATION

3.01 Personnel Policy Interpretation

The County Manager/Elected Official is responsible for the day-to-day administration of the provisions of this personnel manual. The County Manager/Elected Official provides interpretation and guidance in the application of personnel manual provisions to the employees.

3.02 County Manager

If any Appointed Official disagrees with the interpretation by the County Manager, they and the County Manager shall, on an informal basis, attempt to reconcile their differences of opinion.

The County Manager may report any continuing or willful disregard of these policies and procedures to the Board of County Commissioners.

3.03 Board of County Commissioners

Under its administrative and legislative powers, personnel policies and procedures of the County are adopted or revised by the Board of County Commissioners. Other Departments with Elected Officials as Appointed Officials requires that the chief Elected Official endorse these Personnel Policies. The Board of County Commissioners may take whatever action it deems appropriate and legal in order to gain compliance with this personnel manual. The decision of the Board of County Commissioners as to the meaning of any of the provisions of these policies and procedures shall be final.

3.04 Elected Officials and Administrative Boards

This manual is not intended to supersede authority of the Board of County Commissioners, other Elected Officials, or administrative boards as is provided by statutes of the State of Colorado or federal law.

3.05 Managers and Appointed Officials

In the administration of the provisions of this manual, it is understood that Managers and Appointed Officials will delegate functions and duties to employees under their supervision.

3.06 Human Resources Office

The Human Resource Office is the repository for all personnel files, which may include the employee's application, any change in job status or pay, records of training and certifications, awards, reprimands, commendations, performance evaluations, benefit information, and withholding authorizations. This information is strictly confidential and can only be released by the County Manager or a member of the Human Resource/Payroll Department to those specified in **Section 6.10**.

CHAPTER 4 JOB PLACEMENT POLICIES AND PROCEDURES

4.01 General Employment Principles

Grand County is dedicated to the policy of equal and non-discriminatory employment as defined in the **Civil Rights Act of 1964** and the **Americans with Disabilities Act of 1990**. Personnel decisions are based on an individual's skills and abilities and not on age, sex, disabilities, religious preference, race, color, national origin, or political preference. Exceptions may occur when specific requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.

4.01a Pregnancy Discrimination

Grand County shall comply with the Pregnant Workers Fairness Act. Grand County shall:

(I) Provide reasonable accommodations to perform the essential functions of the job to an applicant for employment or an employee for health conditions related to pregnancy or the physical recovery from childbirth, if the applicant or employee requests the reasonable accommodations, unless the accommodation would impose an undue hardship on the County;

(II) Not take adverse action against an employee who requests or uses a reasonable accommodation related to pregnancy, physical recovery from childbirth, or a related condition;

(III) Not deny employment opportunities to an applicant or employee based on the need to make a reasonable accommodation related to the applicant's or employee's pregnancy, physical recovery from childbirth, or a related condition;

(IV) Not require an applicant or employee affected by pregnancy, physical recovery from childbirth, or a related condition to accept an accommodation that the applicant or employee has not requested or an accommodation that is unnecessary for the applicant or employee to perform the essential functions of the job; and

(V) Not require an employee to take leave if the County can provide another reasonable accommodation for the employee's pregnancy, physical recovery from childbirth, or related condition.

Grand County may require an employee or applicant to provide a note stating the necessity of a reasonable accommodation from a licensed health care provider before providing a reasonable accommodation. If an applicant or an employee requests an accommodation, Grand County and applicant or employee shall engage in a timely, good-faith, and interactive process to determine effective, reasonable accommodations for the applicant or employee for conditions related to pregnancy, physical recovery from childbirth, or a related condition.

As used above the following definitions apply:

(a) "Adverse action" means an action where a reasonable employee would have found the action materially adverse, such that it might have dissuaded a reasonable worker from making or supporting a charge of discrimination.

(b) "Reasonable accommodations" may include, but are not limited to, the provision of

more frequent or longer break periods; more frequent restroom, food, and water breaks; acquisition or modification of equipment or seating; limitations on lifting; temporary transfer to a less strenuous or hazardous position if available, with return to the current position after pregnancy; job restructuring; light duty, if available; assistance with manual labor; or modified work schedules as long as the County is not required to do any of the following:

- (I) Hire new employees that the County would not otherwise have hired;
- (II) Discharge an employee, transfer another employee with more seniority, or promote another employee who is not qualified to perform the new job;
- (III) Create a new position, including a light duty position for the employee, unless a light duty position would be provided for another equivalent employee; or
- (IV) Provide the employee paid leave beyond that which is provided to similarly situated employees.

(c) "Undue hardship", in connection with a requested accommodation, means an action requiring significant difficulty or expense to the County. In determining undue hardship, the following factors may be considered:

- (I) The nature and cost of the accommodation;
- (II) The overall financial resources of the County;
- (III) The overall size of Grand County with respect to the number of employees and the number, type, and location of the available facilities; and
- (IV) The accommodation's effect on expenses and resources or its effect upon the operations of Grand County.

4.02 Internal Recruitment Procedure

Grand County seeks to retain and develop its employees by providing advancement and transfer opportunities within the County. The County shall attempt to fill vacant positions whenever possible with current County employees who are best qualified for the open position. Notice of any open position, whether the opening is due to vacancy, new position, or reorganization, shall be posted internally for a period of at least five business days, during which applications will be accepted only from current County employees. An in-job promotion of a current employee is not filling a vacant or open position and does not require posting. Internal posting shall be by email to all employee county email addresses, and by posting in Human Resources and each office not located in the Administration Building. Any active Grand County employee may be considered for a transfer between departments regardless of length of employment. If an employee transfers between departments, a minimum two (2) week notice is required.

4.03 External Recruitment and Appointment

All position openings shall, after the internal recruitment period has passed, be posted in the Courthouse and, if necessary be advertised in such newspapers and periodicals as will notify the largest possible number of potential applicants.

It shall be the responsibility of the Appointed Official/Elected Official to ensure that examination and selection activities in their department are non-discriminatory and based solely upon job related factors without regard to race, religion, creed, color, sex, national origin, political affiliation, disability, or age. No questions in any examination, application form, interview, or other personnel proceeding, will be so

framed as to attempt to elicit information concerning protected characteristics from an applicant or employee.

4.04 Elected Official Employment After Term(s)

Any elected official who seeks employment with the County after the end of his/her term as an elected official must be separated from County employment for a minimum of thirty (30) days. The elected official will be terminated and all applicable termination procedures will be followed. If the individual is rehired by the County after being gone a minimum of thirty (30) days, they will begin their employment as a newly hired employee. See also the provisions of C.R.S. 24-18-105(3).

Any rehire that occurs in less than 13 weeks from date of separation from employment with the County requires prior approval of the Board of County Commissioners if such rehire results in the eligibility for continued medical coverage.

Any employee change from full time to part time status where the employee would remain eligible for continued medical coverage shall not be allowed unless:

1. There is a minimum of 13 weeks separation between separation and new hire; or
2. Approval by the Board of County Commissioners is provided.

4.05 Standards and Evaluation

It is recommended that employees holding a full time or part time position have their performance formally evaluated at least once annually. Evaluations are recommended to be done every three months during an employee's first year of employment. The evaluation of any employee's performance is designed to assist the employee in becoming a more effective worker. This evaluation is designed to inform the employees of the manner in which they are or are not meeting standards or performance established by the supervisor. Evaluations are not required, but it is recommended that if evaluations are done in a department they should be done for all the employees in the department. The employee performance report shall be made a permanent part of the employee's records.

4.06 Temporary Employees

A temporary employee is an employee who is hired on a temporary basis. Temporary employees are not entitled to any Grand County employee benefits. They shall be covered by workmen's compensation, social security and such other mandatory benefits.

4.07 Appointment to Acting Capacity

When, in the opinion of the appointing authority, a vacancy occurs which required immediate filling and it is not feasible to make an immediate regular appointment, the appointing authority may appoint, for a period of up to six (6) months, an employee from another position to fill the vacant position in an acting capacity. The individual's pay is adjusted as if it were a regular appointment but not less than the pay attached to the employee's regular position.

Upon expiration of the acting appointment, the individual will return to the previous position and pay. However, the employee's previous pay may be adjusted if the employee would normally have received an adjustment in the regular position during the period of temporary appointment. The employee's anniversary date will not be affected.

4.08 Continuous Service - Reinstatement

If employees are reappointed to the same or different position within thirty (30) calendar days following resignation or dismissal or as a part of a settlement agreement, they will be considered reinstated and will retain all benefits accumulated during prior employment. If the interruption exceeds thirty (30) calendar days, reinstatement will not apply and all accumulated vested benefits will be forfeited. Reinstatement following a layoff however, does not result in the loss of any benefits accumulated during prior employment provided the period of layoff does not exceed one (1) year. These provisions apply only if the employee has not been compensated for accumulated benefits.

Any rehire that occurs in less than 13 weeks from date of separation from employment with the County requires prior approval of the Board of County Commissioners if such rehire results in the eligibility for continued medical coverage.

Any employee change from full time to part time status where the employee would remain eligible for continued medical coverage shall not be allowed unless:

1. There is a minimum of 13 weeks separation between separation and new hire; or
2. Approval by the Board of County Commissioners is provided.

4.09 Transfer of Benefi

Except for Appointed Officials, employees transferred or promoted will retain benefits accumulated by them prior to their change in status. All accumulated annual leave, sick leave, and other related benefits transfer with the employee and are assumed by the department/division to which the employee is transferring. An employee's merit anniversary date is not affected by transfers or promotions, unless otherwise indicated.

4.10 Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of Grand County to comply with all federal and state laws concerning the employment of persons with disabilities.

The ADA is a federal law that protects the rights of people with disabilities by eliminating barriers to their participation in many aspects of working and living in America. In particular, Title I of the ADA prohibits covered employers from discriminating against people with disabilities in the full range of employment related activities from recruitment to advancement to pay and benefits.

Covered employers: Title I of the ADA applies to private employers with 15 or more employees and to employment agencies, labor organizations and joint labor-management committees with any number of employees, and to all state and local government employers with any number of employees.

Covered individuals: The ADA protects individuals with a disability who are qualified for the job, meaning they have the skills and qualifications to carry out the essential functions of the job, with or without accommodations. An individual with a disability is defined as a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Medical and disability-related leave rules: The ADA does not specifically require employers to provide

medical or disability-related leave. However, it does require employers to make reasonable accommodations for qualified employees with disabilities if necessary to perform essential job functions or to benefit from the same opportunities and rights afforded employees without disabilities. Accommodations can include modifications to work schedules, such as leave. There is no set leave period mandated because accommodations depend on individual circumstances and should generally be granted unless doing so would result in “undue hardship” to the employer.

It is Grand County’s policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Grand County will reasonably accommodate job applicants and qualified individuals with a disability so that they can demonstrate their abilities for an open position, or so they can perform the essential functions of a job.

Employee and Supervisory Obligations

An employee is required to make a request for an accommodation in order that the employer understands that the law is being invoked. Alternatively, a supervisor or manager may request an ADA analysis in a situation in which a medical or physical condition is not fully understood but is observed to have impaired an employee’s ability to perform the essential duties of the job.

While any request for an ADA evaluation or an ADA accommodation may be verbal, it is the policy of this County to require all verbal requests to be reduced to writing using the county provided form. A verbal request must be followed by a request for the form, which will be available from the Human Resources office.

An Interactive Process Must be Followed and Documented

The ADA requires an interactive process to be followed to determine if an Accommodation Request or Evaluation will result in a finding that an otherwise qualified employee/candidate is able to perform the essential functions of the position with or without reasonable accommodation.

This means that the manager and/or supervisor, the employee and the County Manager should meet, or engage in a series of carefully documented fact finding conversations to determine what, if any, accommodation(s) can be provided. This may take place in a series of conversations or in a group meeting, but it must include reference to a neutral disability expert at some point and the medical, physical, and essential duties must be identified as well as the particular restrictions of the work site and work conditions, and a variety of potential accommodations must be identified, evaluated and assessed by the County Manager before a decision is made. All this should appear on the county form.

ADA Requests Must be Routed Through Central County HR

All ADA requests must be made in writing on Grand County form(s), which can be obtained from the Human Resource Department. All forms should be submitted to the Human Resource Department so that they can be reviewed and routed as needed. Supervisors will have input but in a manner which limits their access to confidential medical information. Employees will have input as to what they consider is a “reasonable accommodation” and why.

4.11 Background Checks

Your position with Grand County may require you to submit to a background check.

CHAPTER 5 AUTHORIZED LEAVES AND ABSENCES

This chapter applies to all Grand County employees in its entirety, except for Grand County Emergency Medical Services personnel. For Grand County Emergency Medical Services personnel, Section 5.02, Vacation Leave, Section 5.03, Sick Leave, Section 5.05, Holidays and Section 5.13, Personal Leave, are superseded by the Grand County Emergency Medical Services Operating Procedures manual, as amended, provisions addressing the same subject matter.

5.01 General Policy

It is a policy of Grand County to provide employees with reasonable and necessary leave from work in order to conduct personal matters, recuperate from illnesses, enjoy recreational time and to participate in a birth or adoption, or in the care of relatives who are ill.

Leave is any authorized absence during regularly scheduled work hours that in a one week period (example: Employee normally works 40 hours a week, takes 2 hours sick time on Wednesday but is called in to work 2 hours on Saturday. In this case the employee actually worked 40 full hours so would not utilize the 2 hours sick time) that has been approved by proper authority. The following types of leave are officially established and shall be in effect unless otherwise provided by resolution: (Revised 06/23/2009)

- 1) Vacation Leave
- 2) Sick Leave
- 3) Administrative
- 4) Military
- 5) Court or Jury Duty
- 6) Leave Without Pay
- 7) Accident Leave (on the job accidents)
- 8) Maternity Leave (INCLUDED IN FAMILY MEDICAL LEAVE ACT)
- 9) Family Medical Leave Act
- 10) Flex Time

5.02 Vacation Leave

The heads of all departments are hereby authorized and directed to grant vacation leave with pay to employees in full-time and part-time positions who have been in the County employment continuously for at least ninety (90) days. The amount of vacation leave allowed eligible employees shall be computed as follows. Anniversary date in this section is defined as the date when the employee was put into a position with benefits.

Years of County Service
One (1) to Five (5) years

Days per Year Vacation
10 days - Accrued monthly so that on each anniversary date two (2) weeks have accrued.

Five (5) to Ten (10) years	15 days - The third week vacation leave will be awarded to the employee on their (5th) anniversary date. The accrual rate for this additional leave will begin on their 6 th year anniversary date.
Ten (10) to Twenty Five (25) years	20 days - The fourth week vacation leave will be awarded to the employee on their (10th) anniversary date. The accrual rate for this additional leave will begin on their 11 th year anniversary date.
Twenty Five (25) years and beyond	25 days – The fifth week vacation will be awarded to the employee on their (25th) anniversary date. The accrual rate for this additional leave will begin on their 26 th anniversary date.

- a. An amount proportionate to the above shall be granted to eligible employees having regular status in part-time positions.
- b. An employee may accumulate up to **30 working days** accrued vacation leave. Any accrued vacation leave over **30 working days** will be lost.
- c. Vacation leave shall be administered as follows:
 - a. Vacation leave shall be taken at a time convenient to and approved by the Department Head/Elected Official.
 - b. All employees continuously employed are encouraged to take full advantage of their accrued vacation leave. Department Heads/Elected Officials may grant shorter periods of vacation leave as needed or desired by employees. The Department Head/Elected Official shall grant leave on the basis of the work requirements of the department after conferring with employees and recognizing their wishes where possible.
 - c. Department Heads/Elected Officials shall grant vacation leave in accordance with the following provisions:
 - a. Vacation leave shall be granted only to employees who have been in the County’s employment continuously for at least ninety (90) days.
 - b. Vacation leave shall be granted each calendar year unless the Department Head/Elected Official defers an employee’s vacation because of unusual work requirement. An employee’s vacation shall not be deferred to the extent that he will lose any vacation leave credits.
 - c. Vacation leave shall not be granted in advance of accrual.
 - d. Vacation leave may be taken in cash in lieu of time off with pay, with the approval of the Department Head/Elected Official and the County Manager. Compensation in such cases will be straight time for the days of vacation leave, in addition to regular pay. The normal policy is that employees are encouraged to take their vacation leave. As a general policy, any sell vacation request needs to be provided to Human Resources enough ahead of time to process with the next applicable pay date; no immediate payments will be processed. Anything else in this chapter notwithstanding, any employee may be compelled to take a vacation by the employee’s supervisor, the County Manager or the County Commissioners.
 - d. Vacation leave shall be debited as follows:
 - a. The amount of vacation leave debited shall be the exact number of days an employee is scheduled to work when leave is utilized.

- b. Holidays or other regular days off shall not be counted debiting vacation leave except when a holiday falls on a Saturday or Sunday and is a regularly scheduled work day.
- e. When employees transfer from one department to another within the County, their vacation leave credits shall be transferred to the new department as of the effective date of their entrance on duty in the new position.
- f. Upon separation, employees shall be paid for the unused portion of their accumulated vacation leave provided they have been employed continuously for at least ninety (90) days. Employees who have been separated shall not accrue vacation leave credits after their last day of work. The separation form shall show the effective date of the last day worked. It shall also show the number of days accrued vacation leave and the last day on which the employee remains on the payroll. If the separation is caused by death, payment shall be made to the employee's beneficiary or to his/her estate. No payment in excess of thirty (30) working days shall be made.
- g. Vacation hours will not accrue on overtime paid or compensatory time taken during the month.

5.03 Sick Leave

The heads of all departments are hereby authorized and directed to grant sick leave with pay to employees. The amount of sick leave allowed eligible employees working full-time shall be computed as follows:

1. One day per month of consecutive employment.
2. An amount proportionate to the above shall be granted to eligible employees having regular status in part-time positions.

Specific Rules are as Follows:

1. Sick leave may be used when an employee is incapacitated by physical or mental sickness or injury, childbirth, for medical, dental, or optical examination or treatment, including examinations for military service disability payments; for necessary care and attendance during sickness, or for death of a member of the employee's immediate family (immediate family defined as: child of any age, step child of any age, spouse, parent, step parent, sibling, brother in law, sister in law, father in law, mother in law, grandparent, grandchildren, step grandchildren, legal guardian or ward) or household; when employees are exposed to contagious disease and their attendance may jeopardize the health of others.
2. The Appointed Official/Elected Official shall grant sick leave with pay in accordance with the following provisions:
 - a. Sick leave shall not be granted in advance of accrual.
 - b. Sick leave will not be paid during the first ninety (90) days of employment; however sick leave credits will be accrued during this period.
 - c. Leave without pay may be granted for sickness extending beyond the earned credits.
 - d. Vacation leave credits may be used for sick leave when sick leave credits have been exhausted.
 - e. The amount of sick leave granted for necessary care of a sick member of an employee's immediate family shall comply with the Family and Medical Leave Act.
 - f. Sick leave (not to exceed ten (10) working days) can be utilized when there is a death in an employee's immediate family (immediate family defined as: child of any age, step child of any age, spouse, parent, step parent, sibling, brother in law, sister in law, father in law, mother in law, grandparent, grandchildren, step grandchildren, legal guardian or ward).
3. SICK LEAVE SHALL BE DEBITED AS FOLLOWS:
 - a. The amount of sick leave to be debited shall be computed on the basis of the exact number of

days or hours an employee is scheduled to work when leave is utilized.

- b. Holidays or other regular days off shall not be counted in debiting sick leave except when a holiday falls on a Saturday or a Sunday and is a regularly scheduled work day.
4. SICK LEAVE SHALL BE REPORTED AND INVESTIGATED AS FOLLOWS:
- a. If employees are absent for reasons that entitle them to sick leave, the employee or a member of his/her household shall notify his/her supervisor prior to his/her usual reporting time, otherwise the employee is considered absent without leave. If employees fail to notify their supervisor, no sick leave shall be approved, except in unusual circumstances to be determined by the County Manager/Elected Official. Employees will insure that their supervisors are informed on a daily basis of their condition and expected day of return.
 - b. The County Manager, Appointed Official/Elected Official may investigate the alleged illness of an employee absent on sick leave. False or fraudulent use of sick leave shall be cause for disciplinary action and may result in dismissal. Special attention should be paid to sick days taken prior to or after holidays and weekends. If sick leave is not appropriate then the Appointed Official/Elected Official shall insure that vacation time or leave without pay is taken.
 - c. An employee who is absent on sick leave for more than three (3) days because of his/her own illness or that of a member of his/her immediate family (immediate family defined as: child of any age, step child of any age, spouse, parent, step parent, sibling, brother in law, sister in law, father in law, mother in law, grandparent, grandchildren, step grandchildren, legal guardian or ward) or household may be required to furnish a statement signed by the attending physician or other proof of illness satisfactory to the appointing authority. The County Manager may require this statement or proof for any absence chargeable to sick leave of any duration. The County reserves the right to have an employee examined by a physician appointed by the County at any time at County expense.
5. When employees transfer from one department to another within County employment, their Sick leave credits shall be transferred to the new department.
6. Employees shall not be compensated for unused sick leave upon termination of employment.
7. Sick Leave Donations

In Order to receive sick leave donations, employees must meet the following criteria.

- a. Qualifies for and have applied for FMLA.
- b. Made a conscientious effort to accumulate sick leave balances sufficient to meet the demands of expected absences to qualify for any donation (i.e. general illnesses, routine medical needs, etc). Appointed Officials/Elected Officials will attach an Incode time report for the preceding year to the Application for Sick Leave form.
- c. Request for additional sick leave time must reflect an extreme circumstance, extended recovery or life threatening situation.
- d. Employee must have exhausted all of their available individually accrued compensatory time, sick leave and vacation leave.
- e. Employee must have worked 1250 hours over the previous twelve (12) month period.

The approval process for employees that meet all of the above criteria and have completed an Application for Sick Leave are as follows.

- a. Approval of Appointed Official/Elected Official - If approved send to Human Resource. If not approved inform employee and no further action taken.
- b. Human Resources - Will verify current employee has met the criteria, review leave balance and forward to County Manager.
- c. County Manager - Will approve or reject and return to Human Resources.
- d. If the application is rejected the employee has ten (10) business days to write an appeal to the County Manager who will take it in front of the Board of County Commissioners.

Donations:

- a. All donations will be considered confidential unless the employee making the donation allows disclosure of the donation. When an employee has given notice to leave the employment of Grand County, no sick time can be donated. Donations shall be made as follows:

Accumulated Sick Leave	<u>Maximum Contributions per donating employee</u>
Less than 80 hours	No donation possible
80 - 160 hours	8 hours
160 + hours	8 hours plus any hours in excess of 160 hours

- b. The maximum hours allowed will be 4 weeks based upon the employees work schedule. Additional hours may be granted, upon re-application and further review by the Appointed Official/Elected Official and the County Manager.
- c. If sick leave donation is for bereavement or death in a family, the Appointed Official/Elected Official and the County Manager will decide the appropriate amount of time allowed for bereavement. After the determination is made and time used, the employee will be required to report back to work or face possible termination.

Requests for contributions should be made to the Appointed Official/Elected Official at least ten (10) working days prior to need. Employees wishing to make a gift would be allowed ten (10) working days to respond to request.

5.04 Emergency Leave

Emergency leave shall be determined on a case by case basis by the County Manager/Elected Official.

5.05 Holidays

Holidays are observed and shall continue to be observed unless otherwise provided by statute or by the Board of County Commissioners. Pay provisions for holidays are as follows:

1. Employees will be allowed holiday pay as designated by the department head. Department heads are not allowed to grant holiday hours that exceed the number of hours an employee normally works on a day. Department heads are expected to be consistent with holiday pay practices and provide alternate holiday work schedule(s) when appropriate. In the event an employee is required to work on a holiday, the employee will be paid for all hours worked on the holiday in addition to the allotted holiday hours. Holidays re allowed per the schedule adopted by the Board of County Commissioners in the amount of 10 days or 10 ½ days. Holiday hours may not exceed 120 (if there are 10 annual holidays) or 126 (if there are 10 ½ annual holidays).
2. Holiday pay will be issued for the date of the observed holiday determined by the Board of County Commissioners on an annual basis.
3. When a holiday falls within a period of paid leave, the holiday shall not be counted as a work day in computing the amount of leave debited.
4. When a holiday falls within a period of leave of absence without pay, the employee shall not be paid for the holiday.

5. A temporary employee shall not be paid for a holiday.

5.06 Jury Duty

1. An employee who is required to serve as a juror in Federal, State, or other Court; or as a litigant on behalf of the County, shall be granted Court leave with full pay to serve in that capacity. Law enforcement officers employed by the County will follow their individual department policy.
2. Procedure: Employees who are called for witness or jury duty shall present to their supervisor the original summons or subpoena from the Court and, at the conclusion of such duty, a signed statement from the Clerk of the Court, or other evidence, showing the actual time in attendance at Court.
3. Fees: If for the period of such Jury Duty, the total pay received for the Jury Duty is greater than the pay would be earned by the employee as regular pay, such leave shall be without pay. If the Jury Duty pay received by the employee is less than the pay he/she would earn as regular pay for the period of leave, the employee shall surrender their jury duty check to the County and receive their regular pay as an employee.

5.07 Court Appearances - Not Work Related

Any employee who receives a proper subpoena to appear in Court shall honor the subpoena and shall notify his/her supervisor. If the Court appearance is related to a County matter the employee shall be paid his or her regular amount of compensation. If the Court appearance is not County related the County Manager/Elected Official shall determine whether the absence shall be counted as a vacation day or if the employee has not accrued sufficient vacation or sick leave, whether the employee's compensation should be denied for that period.

5.08A Military Leave - Reserve Duty

Within a calendar year, any full-time employee shall be granted one fifteen (15) calendar day period of leave and in addition thereto, necessary travel time not to exceed four (4) calendar days for the purpose of attending an annual military training encampment of the United States Government or political subdivision thereof. If for the period of such leave, the total pay received for the military training is greater than the pay would be earned by the employee as regular pay, such leave shall be without pay. If the military pay received by the employee is less than the pay he would earn as regular pay for the period of leave, the County shall pay the employee the difference between his/her military pay and his/her regular pay, assuring full pay status while on military leave.

5.08B Time Off Without Pay for Active Military Duty

A. Description

Leave will be granted for voluntary or involuntary service in the uniformed services, provided the cumulative length of the absence from work and all previous absences from work by reason of service in the uniformed services from the County does not exceed five (5) years, unless an additional period of service is required by the Federal or State government. The five year cumulative total does not include inactive duty training (drills), annual training, involuntary recall or retention on voluntary or involuntary active duty in support of war, national emergency or certain operational missions or training or retraining requirements.

Employees who are granted military leave for voluntary or involuntary service in the uniformed services, will receive fifteen (15) days for military duty unless they have already exhausted the maximum fifteen (15) days for military duty granted annually as described in Section 5.08A. Payment for these days be per Section 5.08A.

B. Notice

Unless precluded by military necessity or circumstances under which the giving of notice is otherwise impracticable or unreasonable, the Employee (or an appropriate officer of the uniformed service in which the Employee is to serve) must give as much advance written or oral notice as possible of the need for military leave.

C. Re-employment

Grand County is committed to reinstating returning employees to active status in the same or comparable position, pay grade, and salary at the end of the leave if they meet the following criteria:

1. The employee had been employed in a regular staff position and would not have been subject to position discontinuation if employment had not been interrupted by military service;
2. The employee gave notice to the County prior to leaving, unless precluded by military necessity or to do so would have been impracticable or impossible;
3. The cumulative period of active service did not exceed five (5) years, excluding certain services required by, among other things, a declared war or national emergency;
4. The employee was not discharged from the military under other than honorable terms;
5. The employee reported back to the civilian job in a timely manner. Application for reinstatement must be submitted not later than 90 days after completion of military duty. The deadline for reinstatement may be extended up to two years for employees who are disabled or convalescing due to an injury incurred or aggravated as a result of military duty;
6. Circumstances have not so changed as to make such reemployment impossible or unreasonable and does not impose an undue hardship on the County. The County may request that the employee present a certificate of discharge or release from active duty under honorable conditions.

D. Replacement Hire for Employee on Leave

The County may hire a replacement while an employee is on military leave. The replacement is a term appointment and the offer letter must clearly state the term of the appointment. The replacement worker may be eligible for benefits depending on the type and length of the assignment. The offer letter must clearly state the terms and conditions of employment and that the position will end upon the return of the employee on leave. Upon return of the employee from military leave, the replacement worker's employment with the County will cease.

5.08C Benefits

A. Time Accrual

1. During the leave without pay, there is no accrual of sick days or paid time off days. Military time will be counted toward any benefit where length of service is considered determining time off

benefits.

2. Time while on leave is counted as service credit in determining eligibility for those benefits that are dependent upon length of service.

B. Health and Other Benefits:

1. If your service ends because you take a qualified military leave of absence, pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) you may elect to continue your health benefits subject to payment of applicable premium.
2. If your service ends because you take a qualified military leave of absence, your group term life insurance will end and you may have to apply for an individual life insurance policy.
3. Employees participating in pre-tax accounts may continue to submit claims against balances accumulated in their accounts through the duration of the plan year and/or relevant filing period.

C. Retirement Benefits

1. Retirement plan contributions will cease during time of military leave. However, this time will count toward eligibility requirements.

Many issues may arise concerning your rights during military leave. This policy does not, and cannot, address all such issues. If issues arise that are not addressed in this policy, the County will abide by USERRA and any controlling state laws.

5.09a Leave of Absence Without Pay

Leave without pay may be granted to an employee for any good cause when it is in the interest of the County to do so. The Appointed Official/Elected Official may grant an employee leave without pay for a specified time not to exceed three (3) months, with the approval of the County Manager/Elected Official. Any appointment made to a position vacated by an employee on leave without pay shall be conditional upon the return of the employee on leave. Leave without pay shall be subject to the following provisions:

1. At the expiration of leave without pay, the employee shall return to the position held prior to leave.
2. Vacation and sick leave credits shall not be earned during leave without pay.
3. A leave without pay shall not constitute a break in service, but time off will not be credited toward retirement, and will adjust the anniversary date for merit increase and vacation purposes accordingly.
4. Failure to report promptly at the expiration of leave without pay shall be considered a resignation.
5. A formal written request approved by the employee's supervisor shall be submitted to the County Manager in instances of a request for leave without pay.
6. While on leave without pay, the employee will be required to pay for all insurance costs (employee and employer portions). If an employee takes a small amount of leave of absence(s)

without pay (anything less than one week of his/her normal schedule in a calendar year), he/she will not be required to pay insurance costs.

5.09b Administrative Leave With Pay

Grand County encourages participation in community service organizations as practicably possible. Examples are, but not limited to: Search and Rescue, volunteer fire, advocates, Red Cross, hospice. At the sole discretion of the Appointed Official /Elected Official, administrative leave with pay can be granted to an employee who may be called upon to respond to a worthy volunteer situation. If, in the opinion of the Appointed Official/Elected Official, the response would interfere with the operation of the department, the Appointed Official/Elected Official shall deny said leave. No more than two (2) administrative leave days shall be granted, and days will not accumulate from year to year. Training does not qualify for administrative leave.

5.10 Job Related Injury or Illness

Upon being involved in a job-related injury or illness, the employee must immediately inform his/her Appointed or Elected Official. The employee will be required to request the Workers' Compensation Forms Packet from their Appointed or Elected Official, these packets can also be obtained from the Workers' Comp Representative/Manager's Office. Within three days of the incident the employee shall submit all of the appropriate Workers' Compensation Forms to their supervisor. The Supervisor will submit this information to the Workers' Comp Representative/Manager's Office immediately upon receiving them from the employee.

If the incident requires that the employee seek medical treatment, the employee shall go to a designated provider from the list in the Workers' Compensation Forms. In the event that the incident requires urgent care, the employee must be escorted by County personnel or the Emergency Medical Services to a designated provider. The employee has an obligation to provide copies of all physician reports and medical statements with regard to the injury or disease to the Workers' Comp Representative/Manager's Office in a timely manner.

Injured employees who are unable to work as a result of a job-related injury, as determined by State Law, will be eligible for continuing pay as it pertains to the requirements of the Colorado Division of Workers' Compensation. Medical leave that is a result of an employee's work-related incident is provided by the County to allow a period of recovery that is deemed reasonable by the Workers' Compensation Physician. The County will provide full pay and benefits for a period of three (3) days. At the end of the three (3) day period, full wages in lieu of workers compensation will end. At that time, the worker's compensation carrier will begin paying benefits to the employee in accordance with State Worker's Compensation Regulations. During the period that the workers compensation benefits are implemented an employee is allowed to supplement these benefits with the use of accumulated sick and vacation leave. Employees cannot receive compensation or benefits in excess of regular pay. County Manager, Appointed or Elected Official shall require an affidavit from a physician which states the nature of the injury and the inability of the employee to return to work prior to granting such medical leave. The County Manager, Appointed or Elected Official will also require a physical report stating that the employee shall return to full duty prior to allowing the employee to return to their normal job duties and schedule.

When an employee's work-related injury or illness requires a medical leave that exceeds ten (10) days then that employee shall file for FMLA for this medical condition. (Revised 08/2010)

5.11 Family and Medical Leave Act of 1993

Grand County recognizes that The Family and Medical Leave Act of 1993 applies to most Grand County employees.

1. **General** - Employees who have been employed for at least one (1) year, and for at least 1,250 hours during the preceding twelve (12) month period are eligible for family and medical leave. For employees not eligible for family and medical leave, the County will review work considerations and the individual circumstances involved.
2. Family or medical leave will consist of appropriate accrued paid leave and unpaid leave, compensation time and sick leave. If leave is requested for any of the reasons listed under (3) below, the employee must use all of his or her accrued paid vacation and sick leave. Donations of sick leave can be used, but in no case can the amount of accrued or donated time exceed the time detailed in (3) below.
3. **Reasons for Leave** - All employees who meet the applicable time of service requirements may be granted family or medical leave consisting of appropriate accrued paid leave and unpaid leave, for a period of twelve (12) weeks (during any twelve (12) month period) for the following reasons:
 1. the birth of the employee's child and in order to care for the child;
 2. the placement of a child with the employee for adoption or foster care;
 3. to care for a spouse, child or parent who has a serious health condition; or
 4. a serious health condition that renders the employee incapable of performing the functions of his or her job.

The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement.

Procedure for Requesting Leave - In all cases, an employee requesting leave must complete the **"Application for Family and Medical Leave"** form and return it to the Appointed Official/Elected Official and Human Resources where applicable. The completed application must state the reason for the leave, the duration of the leave, and the expected or approximate starting and ending dates of the leave.

Employees are required to apply for FMLA if they are going to be gone from work for more than 14 consecutive calendar days or two weeks of their normal schedule due to an FMLA event. It is optional for the employee to apply if they will miss less than this due to an FMLA event. Events qualify for FMLA if they involve a serious health condition that involves inpatient care (overnight stay) and/or continuing treatment by a health care provider, or if the condition results in the inability to work or if needed to provide necessary care of an eligible dependent.

An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her Appointed Official/Elected Official where applicable as soon as the necessity for the leave arises. The 30 days may be waived due to extenuating circumstances.

Medical Certification - An application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by a "**Medical Certification Statement**" completed by a health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. This form will be submitted to Human Resources only.

If the employee is needed to care for a spouse, child or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the function of his or her job, or what part time intermittent time limits for leave might be needed.

Benefits Coverage During Leave - During the period of family or medical leave, an employee will be retained on the County health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave.

An employee is not entitled to the accrual of any seniority or employment benefits that would have occurred if not for the taking of leave. Holiday pay will be received while an employee is out on FMLA leave only if the employee is using his or her own sick and/or vacation time to cover the absence. If the employee is using sick donations, then no holiday pay will be received. Once an employee's accrued sick and vacation leave are depleted, the employee will not accrue additional sick or vacation leave until he/she returns to work. At that point the accrual rate will be prorated based on hours worked. An employee who takes family or medical leave will not lose any employment benefits that accrued before the date leave began

Restoration to Employment Following Leave - An employee eligible for family and medical leave - with the exception of those employees designated as "highly compensated employees" - will be restored to his or her previous position or to a position with equivalent pay, benefits, and other terms and conditions of employment. Grand County reserves the right to designate qualified leave as Family Medical Leave Act eligible. The County cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an "equivalent position" will be made by the County Manager.

If an employee is not able to return to work after FMLA has been exhausted, the department head, with concurrence of County Manager, may choose to do one of the following at their discretion:

1. Terminate employment
2. Allow the employee to perform modified duty if available.
3. Allow a leave of absence up to 30 calendar days maximum. If the employee has his/her own sick, vacation and/or comp time, it can be used to cover the leave. If the employee does not have sick, vacation and/or comp time to cover the leave, the leave may be granted in accordance with Section 5.09a, Leave of Absence Without Pay.

5.12 Flex Time

Appointed Officials may allow flexible working hours upon mutual agreement for employees. (Revised

3/12/99)

5.13 Personal Leave

After completion of one full year of continuous full time service employees will be allowed to utilize within the calendar year personal leave upon approval of the Elected Official/Appointed Official. Personal leave is taken from the employee's sick time; personal leave allowed only if the employee has enough sick time to cover. The personal leave day (hours per personal leave day) will be based on the employees work schedule. Part time employees will be allowed personal leave days based on percentage accrual of sick leave. Employees who work a 37 ½ hour week will be allowed 15 hours annually, employees who work a 40 hour week will be allowed 16 hours annually and employees (EMS) who work a 63.75 hour week will be allowed 48 hours annually. Personal leave can be taken in any increment that fills the normal working week for that employee as long as approved by the Elected/Appointed Official. No additional hours of personal time will be allowed to extend the normal working week for an employee. Overtime pay will not start until 40 hours worked has been reached.

5.14 Domestic Violence in the Workplace

Employers need to be aware of potential domestic violence situations in the workplace. Frequently, the work environment is the only place where an abuser can find his or her victim. Subsequently, the potential for domestic violence to happen at work increases. C.R.S. 13-14-102 as enacted or hereinafter amended, allows the County to seek a restraining order for the protection of employees.

In a domestic violence situation, an employee has the right, under C.R.S. 24.34-402-7 as enacted or hereinafter amended to request a leave, up to three (3) days, paid or unpaid, if an employee has worked for the County for at least twelve (12) months prior. It is the Appointed Official or Elected Official's discretion whether the leave will be paid or unpaid for employees who have been in the County employ for at least twelve (12) months prior. An employee must use their accrued vacation, personal, and sick leave when requesting the three (3) days leave when approved by their Appointed Official or Elected Official, unless the County Manager, Appointed Official, or elected official waives this requirement.

Leave will be allowed for the following reasons, after meeting above criteria:

- obtain a restraining order
- receive medical care or medical health counseling, or both, for the employee and employee's children
- make home secure from abuser
- find safe housing
- seek legal assistance related to the abuse, stalking or sexual assault
- prepare and attend legal proceedings in connection with the abuse, stalking or sexual assault

Except in cases of immediate danger to health or safety, the employee seeking leave must give the Appointed Official/Elected Official appropriate advance notice of the need for leave and provide any documentation the County Manager, Appointed Official, or elected official requires. The County will keep this information confidential.

An employee who exercises their rights under this law has no greater rights to continued employment or other benefits than other employees do when taking leave.

CHAPTER 6 CONDITIONS OF EMPLOYMENT

6.01 General Policy

Every County employee should be aware that they are public employees and it is their duty to serve citizens in a courteous and efficient manner. The County expects, as a primary condition of employment, each employee to devote during working hours his or her energies to the duties of the job assigned, to work in a spirit of cooperation with other County employees and the public, and to abide by these personnel regulations.

6.02 Hours of Work

This section does not apply to the Sheriff's Department and the Emergency Medical Services Department. For all other Grand County employees, the Fair Labor Standards Act work week commences at 12:00 a.m. each Sunday morning. The Board of County Commissioners, Appointed Officials or Elected Officials may establish actual hours of work for an entire department, for specified divisions, or for individual employees in order to meet program needs or workloads. The primary considerations must be convenience and service to the public and compliance with the Fair Labor Standards Act, 29 U.S.C. 201 through 219 ("FLSA").

6.03 Safety

Employees observing a potentially hazardous working condition shall, if they cannot correct it themselves, report the condition to their Appointed Official/Elected Official, who shall, if needed, take corrective action. If corrective action is not possible, the Appointed Official/Elected Official shall report the condition to the County Manager.

6.04 Tools and Equipment

The County normally provides employees with the necessary tools and equipment required for them to do their job, except as may be required by specific departmental policies. Employees will be held accountable for assigned tools and equipment. Employees should report any malfunctioning equipment to their Appointed Official/Elected Official.

6.05 Uniforms

The County provides a uniform and replacement of worn items for employees required to wear a uniform. Items lost or damaged through negligence will be replaced by the employee.

6.06 Outside Employment

No County Employee shall engage in any outside employment or other activity incompatible with the proper discharge of the employees office or position. No employee shall engage in any such outside employment or other activity which would result in a possible conflict of interest or which involve a

violation of local, state or federal law.

6.07 Political Activity

The Board of County Commissioners encourages County employees in matters of responsible citizenship. County employees may engage in political activity if this activity is limited to off-duty hours, does not involve use of any County property, (e.g., telephones, equipment, supplies, etc.) and does not impair their ability to carry out their duties as County employees. Employees must not engage in campaign or political activity while identifiable by their uniform or badge as a County employee. Employees whose employment is in connection with federally funded activities are generally prohibited from any political activities and should direct an inquiry to the County Manager before involving themselves in political activities.

6.08 Conflict of Interest

Purpose - All County employees shall abide by the **Code of Ethics, found at Article 18 of Title 24, Colorado Revised Statutes**, which is incorporated herein by reference as if set forth in full. As a matter of policy, the County shall strive to promote public confidence in government by assuring the people of the impartiality and integrity of County employees. As such, all employees will ensure that their actions present neither a conflict of interest nor the appearance of a conflict with the public trust.

Business Interests - It shall be a conflict of interest for a County employee or a member of the employee's immediate family to have a personal interest in any business transaction within the employee's area of influence in County government. In the event of such a conflict, the employee shall immediately disclose the interest to the appropriate Appointed Official/Elected Official, or Board and immediately disqualify himself/herself from making any decisions involving such business transaction or relationship.

Compensation and Gifts – Grand County employees are subject to Article XXIX of the Colorado Constitution which is incorporated herein by reference.

6.09 Personnel Files

All personnel files of County employees are maintained by and are under the control of the Human Resources Office. All County employees files are kept strictly confidential. Copies of all personnel actions, including written reprimands, are forwarded to the Human Resource Office for placement in the employee's file. These files are of a confidential nature and will not be made available to anyone without a Court order, except for the following individuals:

1. Employees may upon request review their own file during business hours under Human Resource Office supervision. The Human Resource Department will respond within one **(1)** working day of the request. Employees may not view confidential job references.
2. An Elected Official and Appointed Official may review files of the employees they supervise.
3. Employees of the Human Resource Department and those employees involved in fiscal matters may review any pertinent information, such as payroll, pensions, workers compensation, or risk management information on a need-to-know basis. Information shall not be disseminated

without the Human Resource Department approval.

4. The County Attorney, County Manager or designee may review any pertinent information when essential for purposes of investigation, prosecution or defense.
5. A County Commissioner or the County Manager may review any employees file for any County related reason.

6.10 Employment Applications

Any employee whose employment application is found to contain false or misleading information, by commission or omission, will be subjected to disciplinary action up to and including termination.

6.11 Fund-Raising Activities

County employees may not be involved in fund-raising activities on County time except with the approval of the Board of County Commissioners.

6.12 Solicitation

Buying and selling of commercial goods or personal services by County employees for non County related matters on County time is prohibited. Non-disruptive sales of snacks in the Courthouse may be allowed by the County Manager upon proof to the County Manager of payment of sales taxes thereon or a charitable purpose or intent thereof. All such sellers shall register with the office of the County Manager.

6.13 Inclement Weather or Public Emergency

All employees are expected to report for duty regardless of inclement weather or public emergency, unless the Board of County Commissioners or the County Manager declare the County offices closed. Failure of employees to report for duty will result in their being charged vacation or leave without pay for any time missed.

6.14 Change of Address or Name

Employees are required to promptly notify their supervisor of any change of address, name, or home telephone number and to fill out a **"Personal Status Changes"** form (covering birth, death, marriage, divorce, adoption, legal separation or other qualified events under COBRA), which can be obtained from, and must be submitted to, the Human Resource Department.

In order for a name change to be completed the employee must show proof (copy of the new social security card) that this has been legally changed with the Social Security Administration. Once Human Resources has received this information then the Payroll records will be changed and the IS Department will make the necessary changes to their programs.

6.15 Change of Dependents

Any change of dependents, if it is desired to change the withholding status, or change of marital status must be reported to the Payroll Department through submission of a corrected W-4 form. Employees desiring changes regarding insurance and retirement beneficiaries should contact the Human Resource Department.

6.16 Travel, Meals and Lodging

No out of state travel for which reimbursement is sought shall be allowed a County employee or Appointed Official without prior approval by the Board of County Commissioners. Should an Elected Official exceed their budget, the Board of County Commissioners will need to approve the out of state travel. Mileage reimbursement shall be set annually by the Board of County Commissioners. A daily allowance for meals and incidental expenses shall be set annually by the Board of County Commissioners; employees shall be reimbursed an amount not to exceed the daily allowance. Employees, Appointed Officials and Elected Officials shall always use the most economical class of transportation and avail themselves of reasonably priced lodging.

Hourly employees will be paid for travel time at their current rate of pay. Travel time is defined in the definition section of these regulations. Travel time does not include time for meals.(Revised 08/2010)

6.17 Use of County Property

Except as permitted by state law for correspondence or communication, no County employee will use any County property, equipment, vehicle, or other materials or services for private gain, use or convenience. Such misuse of County property is cause for disciplinary action up to and including termination.

6.18 Injury and Property Damage Accidents - Work Related

Employees involved in a work-related accident (vehicular or non-vehicular) resulting in any personal injury or property damage must immediately report the accident to their Appointed Official/Elected Official (and the proper law enforcement agency if a vehicular accident), unless the employee is incapacitated. Any accident must be reported by the employee and employee's witnesses on forms provided by the County. If the employee requires medical attention the employee must be escorted to the medical facility, not allowed to go on their own. The employee's Appointed Official/Elected Official must review and comment on the report and forward a copy to the Manager's Office. In the event the employee is incapacitated, the initial report must be filed by the employee's Appointed Official/Elected Official.

6.19 Telephones

County telephones are for County business. Personal calls are to be held to a minimum. No employee shall make a personal telephone call for which there is a toll charge.

Personal Cell Phones:

Unless being used for County business personal cell phones shall be set to vibrate only during regular

working hours and employees must be judicious in the use of the phones, in order to not distract other workers.(added 06/23/09)

6.20 Advance Issuance of Paychecks

The County will not normally issue paychecks in advance of the normal pay day. Employees may not request more than two advances in any one calendar year except in cases of extreme hardship. No advance will be allowed if the amount requested has not yet been earned.

6.21 Nepotism - Employment or Transfer of Related Persons

Grand County is a small community where many people are related. It is the policy of Grand County to employ or hire, full-time or part-time, member (s) of a family or close relative (husband, wife, son, daughter, brother, sister, mother or father). However, a family member or relative cannot audit, verify, receive or be entrusted with monies received or handled by the other family member or relative. In situations where one relative has access to the employer's confidential information, including payroll and personnel records, those records cannot be altered or changed without adhering to proper procedures.

6.22 Grooming and Attire

Employees in all departments shall report to work each day in reasonably clean clothes and free from body odor that can be detected under normal working conditions. "Reasonably clean" means laundered twice a week or more (not necessarily free of permanent stains) and "free from body odor" means free from unpleasant odor that can be detected at a range of three (3) feet.

Employees who are required to attend meetings or public gatherings as part of their duties shall report to such meetings and public gatherings in reasonably clean clothes and free from unpleasant body odor that might be detected by the person sitting next to them. If this is not possible due to working a shift prior to the meeting, that fact will be reported to the supervisor or the person leading the meeting.

Any employee who habitually violates this policy may be sent home without pay to shower and/or change. If an employee who has a medical, physical or mental condition which is the underlying cause of a body odor, that employee may bring in a doctor's statement which may then be taken into consideration under all the circumstances listed above.

6.23 Sexual Harassment

All County employees have the right to enjoy a work atmosphere free from illegal discrimination, including sexual harassment. No employee, male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.

Such prohibited conduct includes, but is not limited to, repeated unwanted offensive sexual flirtations, advances, or propositions; continued or repeated sexual verbal abuse; the display of sexually suggestive pictures or objects or any offensive or abusive physical conduct. No employee should so much as imply that any individual's refusal to submit to sexual advances will have any effect on the individual's

employment, assignment, compensation, advancement, career development, or any other condition of employment. If an employee feels that harassment has occurred, that employee shall notify the County Manager and the County Manager will notify the Appointed Official/Elected Official and an internal investigation will take place. A report will be given to the Board of County Commissioners and the Appointed Official/Elected Official by the County Manager within ten (10) working days. The employee will be notified in writing as to the outcome of the investigation. If the employee's allegations are substantiated, appropriate corrective action will be taken to alleviate any further harassment and/or intimidation.

6.24 Discrimination

Grand County does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in its programs, services, activities or employment practices. Questions or concerns should be directed to the County Manager.

6.25 Drug Policy

The Grand County Board of Commissioners adopted an "**Alcohol and Drug Abuse Policy**" by RESOLUTION 1991-12-9. That policy has been modified and is incorporated as part of these Personnel Regulations as **Exhibit "A"**.

6.26 Motor Pool

In order to operate county-owned vehicles or equipment or a private vehicle on county business, you must have in your possession a valid Colorado Operator's License. The license must be of the proper class for the vehicle or equipment you are operating.

Each year, the County may check the Colorado Motor Vehicle Master Files for verification of valid operator licenses for all county employees who would operate county-owned vehicles and equipment and who are reimbursed by the County for use of their private vehicles.

If your job description requires you to operate a County vehicle or equipment or use your private vehicle for County business, you must immediately report the suspension or revocation of your drivers license to your supervisor. Failure to report the loss of your driving privilege is grounds for discipline up to and including discharge if it is a requirement of your job.

All operators, drivers and passengers of the County of Grand's motorized equipment, County of Grand's motor vehicles, and personal vehicles used for the County of Grand's business (mileage and expense reimbursement) shall use safety belts as equipped for the particular vehicle. Safety belt systems means a system utilizing a lap belt, a shoulder belt, or any other belt, or combination of belts installed in a motor vehicle to restrain drivers and passengers.

"Motor vehicle" means a self-propelled vehicle, intended primarily for use and operation on the public highways, including passenger cars, station wagons, vans, ambulances, motor homes and pickups.

The Federal Motor Vehicle Safety Standards do exempt passenger buses, school buses, tractors, loaders, maintainers, and other construction and farm machinery from the use of seat belts.

Anyone who drives a county-owned vehicle or equipment or private vehicle on county business is charged with the safe and lawful operation of that vehicle. Compliance with state and local traffic ordinances is required. In the event an operator receives a summons or complaint while operating a county vehicle (not a private vehicle) during the course and scope of employment, they must report that issuance immediately to their supervisor. The employee will be responsible for any fines or penalties associated with a moving violation. In the event of an accident in a county vehicle, you must notify your supervisor as soon as possible. "Any county employee who is involved in an accident while driving a county vehicle should report the accident to the local law enforcement agency having jurisdiction as soon as possible."

The State of Colorado has very strong laws regarding the operation of a motor vehicle and equipment while under the influence of alcohol or drugs. Protect yourself, your passengers, other users of the road and your job.

Employees are not allowed to pick up hitchhikers while driving county vehicles. The Sheriff's Office shall be exempt from this policy requirement.

County vehicles are to be used only by a county employee and may not be driven by any other person. County vehicles may not be used for personal business unless it has been approved by the appropriate Appointed Official/Elected Official.

Smoking in county vehicles and equipment is prohibited.

6.27 Smoking in Public Buildings (Grand County Facilities)

Smoking in public buildings is prohibited by C.R.S. 25-14-103. All Grand County facilities are considered public buildings regardless of location.

C.R.S. 25-14-204, Colorado Clean Indoor Air Act, effective July 1, 2006, prohibits smoking within fifteen (15') feet of the main entrance of all buildings that invite the public to enter. While Grand County strongly urges employees not to smoke due to health concerns, employees who chose to smoke must comply with State regulations regarding public buildings. Therefore, smoking is prohibited within 15' of all entrances to the courthouse and other Grand County buildings regardless of location.

Smoking is also prohibited in all Grand County vehicles and equipment (please refer to Section 6.26 Motor Pool).

6.28 Candles

No open flame candles are allowed to be used in any county owned, rented or leased facility by an employee or person using, renting, leasing or otherwise engaged in any activity in a county owned, rented or leased facility.

6.29 Teleworking Program Policy

Grand County considers teleworking (remote work) to be a viable alternative work arrangement in cases where individual, job and supervisor characteristics are best suited to such a situation. This is a voluntary work alternative that may be appropriate for some employees and some jobs. It is not an entitlement and it is not a company-wide benefit.

A. Teleworking: Teleworking is an arrangement in which employees do County work at home or other locations.

B. Suitability:

1. Not all positions are suitable for teleworking. The Department Head and County Manager will determine which positions are appropriate for telework. Department heads are expected to apply consistent standards in selecting positions and persons for telework.

2. An employee's participation as a teleworker is entirely voluntary unless it is a business need. The County can refuse an employee's request to telework and can terminate a teleworking arrangement at any time.

3. A teleworker may request to end the teleworker agreement at any time, and must be approved by the Department Head/County Manager. The County will not be responsible for costs, damages, or losses resulting from the cessation of participation in the teleworking program.

C. Employee Obligation:

1. Teleworking employees remain obligated to comply with all County policies and procedures, departmental policies, procedures, rules, regulations and supervisory direction.

2. Prior to teleworking, the employee must sign the Teleworker's Acknowledgment Agreement acknowledging that they have received, read and agree to be bound by this Policy and Procedure.

D. Operational Guidelines:

1. Closure of Work Site: if the employee's regular office is closed, the teleworker will continue to work unless the Department Head/County Manager has determined that this may not be possible due to the nature of work. If the employee is unable to work at the telework site for any reason, the employee must notify his/her supervisor immediately. The employee may be assigned to an alternate location.

2. Dependent Care: The employee is not allowed to provide dependent care during work hours.

3. Meetings: "In person" client interactions shall not be conducted at the employee's teleworking location. Any exception to this policy must be pre-approved by the employee's supervisor.

4. Communication: Employees must be available by phone or email as appropriate, during agreed upon work hours.

5. Work Schedule: Employees may be required to establish and adhere to a set work schedule. Work schedule(s) must be approved by the Department Head.

E. Work Materials:

1. Tools/Equipment: Any tools/equipment provided to the employee to perform their job duties must be documented by the supervisor.

2. Security of Work Materials: Grand County employees who telework must consult with the

Information Systems Department prior to telecommuting, to determine the appropriate remote access solution for their needs. The requirements and solutions vary by department, and may include the following:

- *checked out laptop computer with remote access functionality
- *issued laptop computer (instead of desktop) with remote access functionality
- *permission to access Grand County resources via a Web browser from a non-Grand County computer

Regardless of the method used for remote access, Grand County employees will be required to follow all applicable Grand County policies just as if they were in the office. These policies include, but are not limited to: Information Systems policies, HIPAA and Protection of Personal Identifiable Information.

F. Insurance and Liability:

1. Workers' Compensation/Liability for Injuries: The County is responsible for any work related injuries, but this liability is limited to injuries resulting directly from the employee's work for the County and only if the injury occurs in the employee's designated work area during work hours. Any claims will be handled according to the normal procedure for workers compensation claims.

2. If the employee's teleworking workspace is his or her own home, then the employee remains liable for injuries to third persons and/or members of the employee's family on the employee's premises. It is recommended that the employee maintain homeowners or renters insurance. Grand County is not liable for the loss or damage to real or personal property. The employee is responsible to determine any income tax implications of maintaining a home office area. The County will not provide tax guidance nor will it assume any additional tax liabilities.

6.30 *Visitors in the Workplace*

The intent of this policy is to minimize potential disruptions in the workplace. It is expected that employees will minimize personal visits from family or friends during work hours. Employees shall not bring their children, friends, or acquaintances to the workplace on a recurring basis or for an extended period of time. If emergencies or unique circumstances arise, employees must receive authorization from the County Manager for any variance to this policy.

6.31 *Ethics Policy for County Officials and Employees*

Good government requires decision-makers and policy makers to be independent, impartial, and accountable to the people they serve. "A public office is a public trust." These simple words, spoken by U.S. President Grover Cleveland, express a basic and profound truth that guides our conduct as public servants. The public trust requires public servants (elected officials and employees) to act loyal to the Constitution, the laws, ordinances and ethical principles. Grand County's goal is to provide high quality County services that are responsive to the needs of our citizens. Thus, it has adopted this Ethics Policy to promote and maintain the highest standards of personal and professional conduct in pursuit of good government.

To ensure every citizen has confidence in the integrity of the Grand County Government, public servants of the County shall respect and adhere to these fundamental principles of ethical service:

1. Public servants are subject to Article XXIX of the Colorado Constitution, "Ethics in Government," and to Parts 1 and 2 of Article 18, Title 24, C.R.S., "Standards of Conduct" and "Proscribed Acts Related to Contracts and Claims." Grand County employees shall adhere to the requirements of these laws.
2. A public servant shall be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that they may merit the respect and confidence of all elected officials, appointed officials, the citizens and other public employees.
3. A public servant shall take personal responsibility for the quality of service or representation provided to each citizen so as to deliver the best possible service or representation in a friendly, receptive and courteous manner.
4. A public servant shall act impartially and not give preferential treatment to any organization or individual. Particularly, a public servant shall adhere to all laws and regulations that provide equal opportunity for all persons regardless of disability, race, creed, color, sex, sexual orientation, religion, age, national origin, and ancestry
5. A public servant, serving in a supervisory role, shall handle all personnel matters on the basis of merit so that fairness and impartiality govern decisions, pertaining to appointments, promotions, pay adjustments, and discipline. Public servants shall also comply with Grand County Personnel Manual Section 6.21, "Nepotism – Employment or Transfer of Related Persons," and the County's separate Anti-Nepotism policy. **Familial and personal relationships will not influence hiring actions or promotion decisions.**
6. A public servant shall satisfy, in good faith, the same obligations as any other citizen, including all just financial obligations, especially those – such as Federal, State or local taxes – imposed by law.
7. A public servant shall not conduct official business if he or she has a direct and substantial financial interest therein (except as allowed by statute), nor engage in financial transactions using non-public information, nor allow the improper use of such information by others, to further any private interest.
8. A public servant shall perform official duties on a 'best efforts' basis.
9. No public servant shall make an unauthorized commitment or promise of any kind purporting to bind Grand County.
10. No public servant shall participate in personal political activities on County premises, or on County time, or using County resources.
11. A public servant shall protect and conserve public property, shall not use it for other than authorized activities, and shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

12. With regard to compensation and gifts, public servants shall also comply with Grand County Personnel Manual Section 6.08, "Conflict of Interest."
13. No public servant shall engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official county duties and responsibilities. For public servants, outside employment performed must comply with relevant department standards of conduct, including any requirement for approval of outside employment.

CHAPTER 7 DISCIPLINE AND GRIEVANCES

7.01 General Explanation

In that the County adheres to the policy of employment at will, it reserves the right to by-pass lesser disciplinary action and immediately dismiss an employee if in the County's opinion the violation, either by itself or considering the employee's prior violation(s), warrants dismissal.

7.02 Improper Conduct

A Appointed Official/Elected Official may take disciplinary action, including dismissal of an employee, based upon the occurrence of, but not limited to, the following violations. This list is for illustrative purposes only and is not all inclusive.

1. Violation of a County or department rule or regulation;
2. Insubordination;
3. Fighting or creating a disturbance;
4. Sleeping/loafing on duty;
5. Drinking intoxicants or use of any non-prescribed illegal drug while on duty;
6. Unapproved absence;
7. Misrepresentation on an application form or other official records or to the public;
8. Theft or appropriation of County property without proper authorization;
9. Inability to perform assigned duties in an efficient and effective manner;
10. Repeated tardiness or absenteeism;
11. Malicious, false statements, or abusive language against other individuals;
12. Immoral or indecent conduct while on the job, unless such behavior would substantially affect performance of job duties.
13. Unlawful harassment or intimidation of co-workers or the public;
14. Operating a personal business while on County time;
15. Soliciting or accepting favors, gifts, services, or bribes in violation of County policy;
16. Damaging or wasting equipment or materials;
17. Failure to observe County safety by-laws and regulations;
18. Falsifying records or reasons for requesting or using administrative leave, injury leave, emergency leave, or sick leave;
19. Falsification of work records or time cards;
20. Any other act detrimental to the good of the service by the County.
21. Violation of State and/or Federal law while acting in the course and scope of your employment with Grand County.

7.03 Disciplinary Actions

Disciplinary action may consist of any one or a combination of the following actions:

1. Verbal warning - Discussion with an employee by his/her supervisor outlining job-related performance problems or violation of a policy and steps or conduct required to correct performance. Failure by the employee to remedy the deficiency will result in formal disciplinary action.

2. Written reprimand - When a verbal warning is not effective, or when stronger initial action is warranted, a written reprimand should be given to the employee. The reprimand must include a statement of the offenses; the necessary corrective actions to be undertaken by the employee; the time period in which the employee must correct the problem; and the consequence, if the situation does not improve.
3. Suspension - A Appointed Official/Elected Official may suspend an employee as a disciplinary action, and/or while an investigation of an employee's performance is being conducted. The employee must be informed in writing of the violations committed, and the suspension may be considered leave with or without pay, depending upon the situation and approval of the County Manager. An employee shall not accrue sick and vacation leave or employer retirement contribution during the time suspended without pay; however, employee insured benefits will continue during this time.
4. Demotion - An employee may be demoted when he/she is not performing satisfactorily in the current position. The employee shall be placed in the appropriate lower position and will receive an appropriate salary decrease to reflect the demotion.
5. Dismissal - An employee may be dismissed at any time upon the decision of the appropriate Appointed Official/Elected Official. It is not necessary to have exhausted lesser disciplinary action before a dismissal can occur. If desired by the employee the dismissal shall be followed by an exit interview conducted with the County Manager/Elected Official or the Board of County Commissioners.

The County reserves the right to by-pass lesser disciplinary action and immediately dismiss an employee if in the County's judgment it is necessary to prevent recurrence of inadequate performance. However, if it is appropriate as determined by the Appointed Official/Elected Official, disciplinary steps may be taken in progressive stages to give the employee the opportunity to correct the situation. All steps in disciplining an individual should be documented, preferably on an employee performance evaluation form. Oral warnings, which are generally the first step, should be noted and kept in the individual's personnel file. The employee should be asked to sign an acknowledgment of the discipline and infraction. Similarly, all other disciplinary actions should be documented.

7.04 Employee Mediation

An employee may file a grievance when he/she feels that a major provision of the County personnel rules has been improperly interpreted or applied, with respect to the employee. This policy does not apply to Appointed Officials or Elected Officials, and does not apply to the dismissal of an employee. The following are the procedures that are to be followed in an attempt to resolve such matters:

1. Prior to filing a grievance, the employee shall discuss the situation with his/her Appointed Official/Elected Official. The Appointed Official/Elected Official shall attempt to resolve the grievance and shall inform the employee in writing of the decision normally within ten **(10)** working days after the discussion. This is the first step in the grievance procedure.
2. Within ten **(10)** working days from the date of the Appointed Officials/Elected Officials written

decision, if the grievance is not satisfactorily resolved to the satisfaction of the employee then the employee may contact the County Manager in writing. The County Manager shall decide the appropriate actions to be taken in order to resolve the matter and determine if it qualifies as a **“major provision”**. This is the final step in the grievance procedure.

3. Failure of the Appellant to observe time limits outlined above, renders the Appellants appeal null. Appellants are responsible for obtaining and compensating their own legal representation.

CHAPTER 8 SEPARATION FROM COUNTY SERVICE

8.01 General Explanation

This chapter addresses the departure of an employee from County service except as stated in **Chapter 7** concerning dismissals for disciplinary reasons.

8.02 Resignations

Regular employees are expected to give two **(2)** weeks written notice of their intent to resign in order that the County can maintain orderly staffing patterns, uninterrupted service, and timely recruitment and appointment of replacement employees. Appointed Officials and supervisors are expected to give thirty **(30)** days notice.

An employee must inform the employer in writing if they are terminating employment because of a serious health condition of the employee or if a member of the employee's immediate family is suffering from an illness or disability that requires the employee to care for the immediate family member for a period that exceeds the greater of the employer's medical leave of absence policy or the provisions of the federal "Family Medical Leave Act of 1993". "Immediate family member" means the worker's spouse, parent, or minor child under eighteen years of age.

Only with the approval of the Appointed Official/Elected Official may employees use any accumulated vacation time for the two **(2)** weeks prior to the effective date of their resignation. Employees will not be paid holiday pay for any holiday occurring on the effective date of their resignation. **(See also Section 8.07)**

8.03 Layoff

If it is necessary to lay off employees due to lack of funds, re-organization, reduction in quantity of programs, or for any other reason, Appointed Officials/Elected Officials will first conduct or have conducted an analysis of personnel needs. From the analysis, each director will recommend quantity and types of proposed reductions. The County Manager/Elected Official will review and comment on the proposals, recommending any changes felt necessary to the Board of County Commissioners, who will make the final decision.

In determining the individual employees to be laid off, the following will apply:

1. Performance of the employee;
2. Special abilities the employee may possess.
3. Needs of the department.

In the event that the selection cannot be made on the above basis, the determining factor will be time employed with the County in a given position and the demand for that position within the proposed division re-organization.

Regular employees being laid off will, at the discretion of the County, receive notice of layoff at least thirty **(30)** days prior to the effective date of the layoff, unless the layoff is temporary in nature and not expected to exceed ten **(10)** working days. Accrued vacation will be paid out.

If reinstated in County service following a layoff within one (1) year, regular employees will retain any unused sick leave hours. If an employee was previously eligible for retirement and/or insurance benefits, waiting periods will not apply. Unless reinstatement is within thirty (30) days of the layoff, the employee's anniversary date will be adjusted one (1) month for each month laid off.

8.04 Death of An Employee

Upon the death of an employee, the employee's final check, including any accumulated annual leave, will be made payable to the deceased and will be forwarded to the deceased's family.

8.05 Exit Policy

Upon exiting employment from the County, either by resignation or termination the following will be provided by the Appointed Official/Elected Official to the existing employee:

- a. Exiting Information Sheet

The following will be prepared and submitted by the Appointed Official/Elected Official to the Human Resource Office:

- b. Grand County "Personnel Action" form (prepared by the Appointed Official/Elected Official).
- c. Signed and dated letter of resignation or termination (if applicable).
- d. Forwarding address if available.
- e. Returned property check list.
- f. Information technology termination request to be provided to Information Systems Department.

8.06 Return of County Property

Directors must insure that the terminating employee returns all County property, such as identification cards, keys, badges, tools, and similar property. If the property is not returned, the total value of the property will be reduced from the employee's final paycheck until the property is returned, but the paycheck will not be reduced below minimum wage and will include any overtime accumulated by the employee.

8.07 Annual and Sick Leave Accumulation Upon Separation

An employee who separates from the County service does not accumulate leave after the employee's last day of work, even though the employee may receive pay for accumulated annual leave.

8.08 Group Health and Dental Insurance Upon Separation/Retirement

Employees will receive continued coverage of their group health and dental insurance through the last day of the calendar month in which they resign or terminate. Resignation or termination date is defined as the last day the employee is physically at work. Upon separation employees with less than fifteen years of service with Grand County will be offered continuation of their coverage under COBRA.

Post employment eligible employees, elected officials and their dependents that have at least fifteen years of full time continuous service with Grand County and their age plus years of service equal 70 will be offered two options to select from upon retirement. This is a Post Employment Insurance Plan benefit for retirees; therefore if the employee leaves Grand County employment and takes other full-time employment at any time prior to Medicare eligibility, they are not eligible for this benefit.

This benefit will terminate upon Medicare eligibility

Option A – \$500.00 paid per month to be used for both the employee and his/her dependent medical insurance coverage provided by an insurance carrier other than Grand County.

Option B – The retiree that qualifies as a post employment eligible employee and his/her dependent that has been on the Grand County Medical/Dental insurance plan for at least 5 years, or elected official may continue on the current plan until the retiree qualifies for Medicare. The cost of the coverage will be at half the cost of the current COBRA coverage. Once the retiree qualifies for Medicare they will be offered COBRA at the full coverage rate for 18 months. The COBRA coverage would be secondary coverage to Medicare.

The Board of County Commissioners will review this program on an annual basis and reserves the right to change, modify or eliminate the plan. If the County does change, modify or eliminate the plan, it will notify all eligible employees and participants in the Post Retirement Health Insurance Plan within ninety (90) days of that date. If the County eliminates the Plan, all retirees that are on the plan when eliminated will NOT lose their benefits as long as they remain eligible and only future retirees will be affected.

CHAPTER 9 COMPENSATION POLICY AND PROCEDURES

9.01 General Salary and Wage Policy

Grand County strives to compensate employees based upon market value of the job performed and the experience and knowledge of the employee. Also, periodic Cost-of-Living adjustments shall be made. The County operates within the 'Pay for Performance' policy of compensating employees based upon job performance. Appointed Officials are free to acknowledge above average performance with a Merit Pay increase. No step and grade grid system is used to determine merit and longevity. Every five (5) years a salary survey and job description analysis is to be conducted starting in 1999. (Revised 3/12/99)

9.02 Merit Rewards - General Policy

Appointed Officials are encouraged to provide Merit Salary Increases to above average employees on the anniversary (hiring) date of each employee.

9.03 Performance Appraisal

Department heads and/or supervisors are encouraged to prepare an Employee Performance Evaluation on each employee annually. Evaluations are encouraged to be done every three months during an employee's first year of employment. The evaluation shall be discussed with the employee. (See Section 4.05, Standards and Evaluat

9.04 Bonus/Incentive Awards

Employees may receive 'Bonus' (payment awards) in lieu of merit increases or in addition to merit increases. Bonus awards shall be within budget constraints and shall not exceed \$750.00

Employees who have completed twenty-five (25) continuous years of full time service with Grand County will be allowed an Incentive Award of \$100.00 for each year of service for a total of \$2500.00 (gross amount) on his/her 25th anniversary date.

9.05 Authorized Deductions From Pay

Routine deductions from pay shall be provided to employees with the employers consent. Examples of routine deductions are family health care premiums, retirement funds, deferred compensation and credit union payments.

9.06 Overtime Policy

The overtime policy applies to all nonexempt employees except for law enforcement officers, who should refer to the Sheriff's Department policy and for EMS employees who should refer to the Grand County Emergency Medical Services Operating Procedure Manual.

1. Any time worked in excess of forty (40) hours in a workweek by a nonexempt employee will be

compensated at one and one-half (1 ½) times the employee's regular hourly rate of pay (holidays, sick time and vacation time are not counted as time worked). It is the general policy of the County to hold overtime to a minimum. Appointed Officials/Elected Officials will authorize overtime only when it is essential and in the best interests of the public and the County. Each Appointed Official/Elected Official may allow a policy for their employees to use compensation time (1 ½) in place of paid overtime. Compensation time can be accumulated to 240 hours maximum (480 hours maximum for public safety employees) and must be taken before the end of the calendar year, or paid out with the last paycheck of the calendar year.) Appointed Officials/Elected Officials may shorten the time frames in order to meet departmental demands.

Comp Time Policy

Straight Comp Time

1. Comp Time will not accrue until an employee has worked their regular scheduled hours per week.
2. Over 37.5 hours per week, but less than 40 hours per week, paid at regular rate.
3. Incode's Time Entry or Payroll system will be used to track hours earned (to supplement hours up to and not to exceed 40 hours) using the code Straight CE.
4. Incode's Time Entry or Payroll system will be used to track hours taken using the code Straight CT.
5. Not eligible for retirement contributions, when taken as a payout.
6. Eligible for retirement contributions when taken to supplement a regular scheduled work week.
7. Not eligible for sick and vacation accruals when taken as a payout.
8. Eligible for sick and vacation accruals when taken to supplement a regular scheduled work week.
9. Does not count towards overtime when taken.
10. Accumulate up to 240 hours maximum (480 maximum for public safety employees). Each Appointed Official/Elected Official may set a lesser maximum or accumulation.
11. Will be paid out 100% upon employment termination.
12. Any comp time that is remaining at the end of each calendar year will be paid out with the final paycheck of the calendar year.

Overtime Comp Time

1. Over 40 hours per week, paid or accrued at time and one half (1 ½).
2. One (1) hour of comp time is banked at 1.5 hours.
3. Incode's Time Entry or Payroll system will be used to track overtime hours earned over the 40 straight time hours using the code OT Comp Earned.
4. Incode's Time Entry or Payroll system will be used to track hours taken (to supplement hours up to and not to exceed 40 hours) using the code OT Comp. Taken.
5. Not eligible for retirement contributions, when taken as a payout.
6. Eligible for retirement contributions when taken to supplement a regular scheduled work week.
7. Not eligible for sick and vacation accruals when taken as a payout.
8. Eligible for sick and vacation accruals when taken to supplement a regular scheduled work week.
9. Does not count towards overtime when taken.
10. Accumulate up to 240 hours maximum (480 maximum for public safety employees). Each Appointed Official/Elected Official may set a lesser maximum accrual or accumulation.
11. Will be paid out 100% upon employment termination.
12. Any overtime comp time that is remaining at the end of each calendar year will be paid out with the final paycheck of the calendar year.

Sell Comp Time - Use this Incode Time Entry code to sell any hours greater than 40 hours.

9.07a Severance Pay - Hourly Employees

Upon departure from employment with Grand County, all hourly employees who have been employed for a minimum of five years, shall be allowed the following:

- 2 days per year of service for resignations
- 1 day per year of service for terminations

For employees who have been employed less than five years, it will be at the Appointed Official's discretion whether to issue severance pay or not. If the Appointed Official chooses to grant severance pay, it cannot exceed 2 days per year of service for resignations or 1 day per year of service for terminations.

When determining the hours per day to pay with severance pay, the hours per day will be calculated based upon an employee working a normal five day schedule. Examples are shown below:

40 hours per week; 2080 hours per year
40 divided by 5 days = 8 hours/day

37.5 hours per week; 1950 hours per year
37.5 divided by 5 days = 7.5 hours/day

20 hours per week; 1040 hours per year
20 divided by 5 days = 4 hours/day

48 hours per week; 2496 hours per year
48 divided by 5 days = 9.6 hours/day

9.07b Severance Pay - Elected and Appointed Officials

Upon departure from employment with Grand County, all elected and appointed officials shall be allowed the following:

Elected Officials
4 days per year of service

Appointed Officials
4 days per year of service

The severance package will be paid to all elected or appointed officials upon separation from the County unless the elected or appointed officials have been convicted of a felony associated with their employment and has resulted in their termination.

When determining the hours per day to pay with severance pay, the hours per day will be calculated

based upon an employee working a normal five day schedule. Examples are shown below:

40 hours per week; 2080 hours per year
40 divided by 5 days = 8 hours/day

37.5 hours per week; 1950 hours per year
37.5 divided by 5 days = 7.5 hours/day

20 hours per week; 1040 hours per year
20 divided by 5 days = 4 hours/day

48 hours per week; 2496 hours per year
48 divided by 5 days = 9.6 hours/day

All employees (whether hourly, elected, or appointed) are eligible for post retirement insurance benefits as provided under Section 8.08 of the Grand County Personnel Regulations in addition to severance benefits.

9.07c Sick Leave Conversion upon Termination

Employees must build up and maintain at least three months worth of sick time according to their normal work schedule before being allowed to convert sick time. (Three months equates to 520 hours for an employee who works 2080 hours per year/40 hours per week; 487.50 hours for an employee who works 1950 hours per year/37.50 hours per week; 832 hours for an employee who works 3352 hours per year.) Upon termination or resignation an employee that meets this criteria may convert sick time at the rate of two hours of sick = one hour of severance pay. (Revised 08/2010)

9.08 Separation Pay Reimbursement

Separation pay of all accumulated leave and salary shall be by payment on the next regular payday or as soon as possible thereafter following the date of separation from the County.

9.09 Education and Training

Grand County believes in providing employees with opportunities to enhance their level of development and education through its Education Assistance Guidelines. The Education Assistance Guideline applies to all regular full-time employees.

Guideline:

All education assistance supported by the County must be job-related and directly beneficial to the County's business and affairs. To receive County support, education and/or training must be approved first by the Appointed Official/Elected Official and then authorized by the County Manager. Funds for this program are limited to the amount budgeted each year by the Board of County Commissioners. Requests will be considered with priority given to the earliest date received by the County Manager. Requests must be approved in advance of registration so funds can be committed to the employee.

Any pre-employment training that is required must be budgeted for in the Departmental budget and will

not be eligible for funding under this section. Certain departments provide training, which from time to time is funded by grants, or may be required to allow the employee to remain current in their field. Certain departments train employees to fill their ranks in order to maintain reasonable staffing. These departments must have this training approved under their annual departmental budgets. This training will not be eligible under this section.

Criteria:

1. An employee must have completed two (2) years of continuous employment as a full time employee with Grand County. If an employee has been working in a capacity less than full time, it will be at the discretion of the Appointed Official and county manager.
2. The employee must have an approved Tuition Reimbursement Request form prior to enrollment. This form can be obtained from Human Resources and must be approved by the Appointed Official/Elected Official before being presented to the County Manager for final approval. Approval must be given prior to enrollment.
3. Employee requesting assistance will be required to execute Agreement and Statement of Understanding for Tuition Assistance.
4. Termination of employment will cause the employee to forfeit the rights to assistance.
5. Books, supplies and miscellaneous fees are not covered.
6. The employee must complete the course successfully or if letter grades are given, with a "B" grade or better.
7. If allowed by budget appropriation, eligible employees can receive up to \$7,000 per lifetime for college level courses and/or an appropriate training institution.
8. If employees receive or are eligible to receive financial assistance from any other source (e.g. grant, scholarship, GI Bill, etc) he/she must indicate this fact on the Tuition Reimbursement Request Form.

Requirements for Reimbursement:

1. An itemized registration receipt.
2. A transcript, grade report, or note from the course instructor indicating satisfactory course completion submitted at the completion of course/program when requesting reimbursement.
3. If letter grades are given for the course satisfactory completion or a grade of "B" or better must be achieved to receive any reimbursement.
4. If employee leaves County employment or changes to a less than full time status before one (1) year of employment is completed after date of course completion, employee will be required to reimburse County for 100% of tuition allowed. If employee leaves the County employment or changes to a less than full time status after one (1) year but before two (2) years from date of course completion, employee will be required to repay County for 50% of the tuition provided. If the employee remains in the County employment for at least three (3) years as a full time employee from date of course completion, employee would not be required to repay any allowed tuition.

Financial Assistance Limitations:

% of Reimbursement	Lifetime Cap
80%	\$7000.00

9.10 Additional Payments

Additional payments include selling vacation time, uniform/clothing allowances, and bonus payments. These payments will be paid in the same manner and schedule as the employees' regular payroll disbursement such as direct deposit or check. (Added 06/23/2009)

CHAPTER 10 OTHER BENEFITS

10.01 General Policy

This chapter describes other benefits available to Grand County employees. These benefits are in existence as of the date of the printing of this manual. The Human Resources Department should be consulted with regard to which of the benefits are applicable at any particular time.

10.02 Retirement Plan

Grand County is a participant in the retirement plan adopted by the Colorado County Officials and Employees Retirement Association (CCOERA). All eligible employees are required to join the 401(a) Retirement Plan immediately upon employment. The employee can elect to make a contribution of anywhere from 3% minimum to 6% maximum of their gross income. The amount contributed by the employee will be matched by the County. This is an irrevocable election until a new plan agreement is adopted. (Effective 01/01/2011)

Any employee who has completed twenty (20) years continuous service with benefits with Grand County is eligible for additional retirement contributions by the County. The employee can elect to make a contribution of anywhere from 3% minimum to 9% maximum of their gross income. The amount contributed by the employee will be matched by the County. This is an irrevocable election until a new plan agreement is adopted. The eligible employee would qualify for this benefit beginning the first day of his/her 21st year of with benefits employ.

The 457 Plan has certain restrictions with regard to maximum allowable contributions. However, participants may be eligible for special catch-up contributions. Please check with the Human Resources Department for further information.

Overtime and Additional Compensation Not Included: The following shall not be considered to be within the definition of compensation: Any irregular or additional compensation, including (but not limited to) one or more of the following: any type of additional compensation for employees working outside their regularly scheduled work week or tour of duty (such as overtime pay, premiums for shift differential), bonuses, and any payment received under any other retirement, disability, health, supplemental unemployment benefit or similar plan. This exclusion shall not apply to compensation to a Participant made pursuant to a "flexible compensation plan" as defined by Section 125 of the Internal Revenue Code.

10.03 Deferred Compensation

County employees participating in the Retirement Plan may also participate in a 457 Deferred Compensation Plan program through the Retirement Association (CCOERA). Further information can be obtained from the Human Resources Department.

10.04 Group Health Insurance

Employees are eligible for coverage on the first day of the calendar month following the month in which the employee completes 30 days of service. Employees changing from a part-time status to a full-time status will become eligible on the first of the month following date of full-time employment.

Please contact the Human Resource Office within 30 days of a life event: marriage, birth of a child, adoption, divorce or a change in family status. Changes requested after 30 days following the event would not be made until the next open enrollment. More information may be obtained from Grand County's Group Health Plan Insurance Book or by contacting the Human Resources Office.

Employees qualify for County health benefits according to the number of hours the employee is regularly scheduled to work:

1. Employees regularly scheduled to work less than 20 hours per week receive no County health benefit.
2. For employees regularly scheduled to work 20 to 29 hours per week, the employees may enroll in single coverage basic health insurance benefits at the applicable rate.
3. For employees regularly scheduled to work 30 hours or more hours per week, the employee may enroll in single or family health insurance benefits at the applicable rates.

10.05 Group Dental Insurance

Employees are eligible for coverage on the first day of the month following the date you complete 30 days of service. Employees changing from a part-time status to full-time status will become eligible on the first of the month following date of full-time employment.

Please contact the Human Resource Office within 30 days of a life event: marriage, birth of a child, adoption, divorce or a change in family status. Changes requested after 30 days following the event would not be made until the next open enrollment.. More information may be obtained from Grand County's Group Health Plan Insurance Book or by contacting the Human Resources Office.

10.06 Social Security

Grand County employees are covered by the Federal Social Security (**F.I.C.A.**) program. Social Security payroll deductions begin on the employee's first day of employment. The percentage deducted is determined by federal law.

10.07 Unemployment Compensation Insurance

County employees qualify for the State Unemployment Compensation Insurance program administered by the State of Colorado.

10.08 Life Insurance

The County provides life insurance to all eligible employees at no cost to the employee. Employees are eligible on the first of the month following completion of 30 days continuous active employment. Active employment means working 20 hours or more per week.

Long Term Disability

The County provides long term disability insurance to all eligible employees at no cost to the employee. Employees are eligible on the first of the month following completion of 30 days continuous active employment. Active employment means working 30 hours or more per week.

10.09 Credit Union

Employees may participate in the Colorado State Employees Credit Union. For more information, contact the Human Resource Office.

10.10 Flexible Compensation

Employees are eligible to have flexible spending accounts for Dependent Care and Eligible Medical-Related Expenses and Group Premium. These accounts allow you to pay your Dependent Health Care Premium, Dependent Care Provider and additional medical expenses with pre-tax dollars. All eligible employees will need to complete an enrollment form listing their annual elections for the upcoming year.

10.11 Holiday Savings Plan

Beginning in 2011 Grand County will allow an employee to enroll in a Holiday Savings Plan. Employees must make an annual election that will be withheld from payrolls January thru October with the amount paid out to the employee with the first payroll in November. The policy is as follows:

- The agreement can be revoked at anytime by either the County or the employee; If the employee chooses to stop the deduction and receive the amount that has been withheld they will not be allowed to restart the deduction until open enrollment for the next year.
- If employment terminates the employee will be paid any amount that has been withheld.
- This election will not carry over at year end. A new election must be made during open enrollment each year.
- No interest will be paid on this election and money withheld is on an after tax basis.

10.11 Fitness Center

Grand County has created a Fitness Center. This facility may be used by all Grand County employees, spouses and dependent children over twelve (12) years of age. This is a benefit to employees and to the County (employees in good health cost the County less in sick days and health insurance). To be able to utilize the Fitness Center employees must sign a Release and Waiver of Liability Facilities and Equipment form and complete a Physical Activity Readiness Questionnaire. The following rules apply to the use of the facility.

- Spouses and dependents must be accompanied by the employee.
- Use of the equipment shall be on the employee's personal time.

- Employees agree they are using the facility at their own risk, are voluntarily using the facility and assume all risk of injury from such use.
- When using the facility after hours or on weekends individuals must make sure all lights and fans are turned off, all windows are closed and the outside doors are locked as they leave.
- Financial responsibility may be placed on the employee for damage incurred to equipment and property as a result of their carelessness, misuse or abuse and the same shall be promptly reported to the Manager/Human Resource Office.
- Participants should consult their physician prior to engaging in any exercise program.

CHAPTER 11 TECHNOLOGY USE - POLICY AND PROCEDURES

11.01 Internet Usage

1. Employee Access

You may obtain access to the Internet if any of the following basic tests are met:

You have a business need for access.

You are located at a site that is not linked to the other internal Grand County networks and, thereby, Internet access provides business access to select systems.

The Internet shall be used for business purposes while on company time. You are required to use Internet access in a professional manner and have a working knowledge of Internet operating instructions. If you have questions about Internet access, usage, or concerns about noted problematic situations, you should contact your Appointed Official/Elected Official.

Having your own password does not mean that you have any right to privacy in your email, Internet access, or software. You may not use unauthorized or secret passwords and all passwords must be shared with your Appointed Official/Elected Official, as requested.

If you misuse your Internet access privileges and/or fail to follow these guidelines, your Internet access privileges may be revoked and you may be subject to disciplinary action, up to and including termination.

2. Appointed Official/Elected Official Responsibility

- a. The Appointed Official/Elected Official is responsible for ensuring that the staff members are using the Internet according to Grand County's policy, specified below:
- b. If the Appointed Official/Elected Official suspects a violation of the Internet Usage, or misuse or abuse of Grand County property, immediate action will take place.
- c. The Appointed Official/Elected Official is responsible for addressing the staff members regarding actual or perceived problematic productivity due to Internet access/usage privileges.
- d. The Appointed Official will be accountable for Internet access/usage management efforts, and these efforts will be assessed as part of the annual performance appraisals. Elected Officials, if utilizing County computer systems, will be accountable to the Board of County Commissioners.

3. Equipment and Software

All Grand County communications and information, services systems, hardware, and software are the property of Grand County. By opening your electronic mail (email), sending or receiving information, logging on to the Internet, or using any of Grand County's software, you are agreeing to, and understand that, this technology has been provided by Grand County at its own expense, and it is Grand County's property. Accordingly, management may review, audit and monitor use of Grand County property as well as the data and/or communications sent, received, and/or stored. Grand County management reserves the rights to block access to certain Internet web sites and/or other addresses, which are not specifically related to Grand County business.

4. Downloading Software from the Internet

Downloaded software from the Internet may be used in Grand County's systems only with the approval of management, adequate review for compatibility, pass of virus testing, and sufficient support documentation to assess the origin and integrity of the software. Before any downloading of Internet software or files, you must review and comply with any licensing agreements, copyright notices, and/or fee payments. You are responsible for ensuring any related fees are paid. A complete virus check will be performed on all downloaded software by the Information Systems Department before it may be utilized in Grand County's computing systems. You may not make unauthorized copies or inappropriately use the software if it is protected by copyright. Any software, which is to be downloaded from the Internet, may only be obtained for business purposes.

5. Consequences for Failure to Follow Policy Guidelines

Inappropriate use or misuse of the Internet, email, or any other business systems privileges by a Grand County employee may ultimately expose the organization to civil and criminal penalties and/or liability. Depending on the level of misuse or severity of the abuse, the employee may lose their system access privileges, and may be subject to disciplinary action, up to and including termination. Examples of inappropriate or abusive activities include, but are not limited to:

- a. Knowingly sending or accepting messages that contain computer viruses.
- b. Using data from any system, internal or external, when you do not have authority to access.
- c. Using another person's password.
- d. Allowing another person to use your personal password other than the systems administration.
- e. Entering another individual's e-mail box or reading another person's mail without authorization from the individual or Appointed Official or elected official.
- f. Breaking into, or attempting to break into, systems that you do not have authorization to access (also commonly referred to as hacking).
- g. Sending fictitious messages that could be mistaken for Grand County official statements, marketing, or materials.
- h. Sending fictitious messages representing to be someone else.
- i. Sending or posting confidential information to unauthorized individuals.
- j. Causing copyright violations.
- k. Using abusive or objectionable language in private or public messages.
- l. Sending or posting libelous statements.
- m. Sending chain letters or participating in betting pools, schemes, etc.
- n. Sending threats or other inappropriate or illegal materials including materials promoting hate, violence, or discrimination.
- o. Sending materials that are harassing or offensive to others based on race, sex, disability, age, religion, or national origin.
- p. Sending material containing sexually explicit messages, pictures, cartoons or jokes.
- q. Refusing to cooperate with Grand County management conduction an authorized, reasonable internal security investigation.

If you have questions as to whether or not an action or activity via the Internet would violate this policy, you should request guidance from your Appointed Official or Elected Official.

11.02 Ethics and Employee Conduct Relating to Computer Usage

Special note to Health Care employees, including administrative and financial staffs:

In the Health care field, the normal course of business requires access to sensitive patient information. Since some of this access needs to be unlimited, Grand County recognizes the need for maintaining a staff of both high integrity and quality. You should consider patient information as confidential. No information regarding patients should be knowingly divulged to any source other than those employed by Grand County with a business reason to know the information. No information regarding a patient should be knowingly divulged to any source other than those approved by the patient.

1. E-mail Systems

- a. Users of Grand County's e-mail systems should be aware that others could potentially access e-mail messages. Furthermore, e-mail messages may be requested and used for purposes of litigation. By using this technology, you are agreeing to waive any privacy you may have in these communications.
- b. Inasmuch as e-mail messages can be forwarded by the recipient to other users of the e-mail systems, can be printed, can be accidentally sent to the "wrong" recipient, or can be accessed by others if Personal Computers' or other access devices are left unattended while logged in, messages should be considered part of public information and potentially available to anyone to read. Privacy is not guaranteed. E-mail systems users must utilize good judgment in writing messages, in forwarding e-mail messages and attachments, or reading mail that was inadvertently sent to their mailbox.
- c. It is important to note that e-mail systems are provided for business purposes. Grand County considers all data developed on its systems, including e-mail data to be property of Grand County and further considers any improper use of the e-mail system to be a misuse of Grand County resources. The Appointed Official/Elected Official has the authority to monitor select e-mail transmissions. Potential violations will be reported to the Grand County Board of Commissioners. This written policy serves to inform you that e-mail messages may be monitored.

11.03 Computer Security

1. Passwords

You will be issued passwords for various computer applications. Currently, passwords for access to the network must be at least six alpha/numeric characters long. The same password cannot be reused more than twice. Employees are encouraged to use both upper and lower case letters.

You are charged with the mandate to protect your passwords from all authorized users, including other employees, customers, family members, and vendors. You should immediately report knowledge or suspicion of compromise of the system to the Director of Information Systems and your Appointed Official or Elected Official.

1. Software and File Management

- a. You may not install any software on a Grand County computer; all software must be installed by the Department of Information Systems or an authorized person assigned by

your Appointed Official or Elected Official, and only after the software has been appropriately screened for any viruses.

- b. You may not share any type of software from a Grand County computer that invalidates software licensing, nor make unauthorized copies or inappropriately use the software if it is protected by copyright.
- c. No computer user may upload data or programs to a server. Any and all uploading of data or programs will be the responsibility of authorized persons only.
- d. No computer user may break into, or attempt to break into, systems that the user does not have access authorization.
- e. No individual files should be saved to the local hard drive of workstations except for short-term (same day) use. All files reside on the local server where security is stronger.
- f. All Grand County computer workstations used to process or store patient data, payroll accounting information or allow access to a centralized server will utilize the windows screen saver option requiring password protection, with the minimum "wait" period set to 10 minutes.

COUNTY OF GRAND

ALCOHOL AND DRUG ABUSE POLICY

EXHIBIT "A"

INDEX

- I. Purpose
- II. Statement of Policy
- III. Dissemination of Policy
- IV. Definitions
- V. Inspections and Searches
- VI. Use of Prescription and/or Over-The-Counter Drugs

COUNTY OF GRAND
ALCOHOL AND DRUG ABUSE POLICY

EXHIBIT "A"
FEBRUARY 27, 1996

PURPOSE

- 1.1.1. The prime asset of Grand County (hereinafter referred to as the "County") is its employees. Providing a safe work place should be a standard in the County. Throughout the nation substance abuse has been linked to numerous on-the-job accidents. Employees not only endanger themselves when they are impaired, but also their fellow workers. The purpose of this policy is to outline County standards and procedures for dealing with employee alcohol and drug abuse.
- 1.1.2. Alcohol and drug abuse may adversely affect the quality of our service, pose safety and health risks to the user and others, have a negative impact on work efficiency and result in danger to or loss of equipment and property.
- 1.1.3. In order to provide high quality service to our clients and a safe, healthful and efficient work environment, the County requires its employees to report for work fit to perform their jobs.
- 1.1.4. Because of the many problems that may result from employee substance abuse, the County has decided to pursue an alcohol and drug policy that allows zero tolerance. To this end the County has established the following policies and procedures dealing with employee alcohol and drug abuse.

STATEMENT OF POLICY

- 2.1 To ensure a safe and productive work environment at all County facilities and to safeguard County property, the unlawful manufacture, distribution, dispensation, possession, use, sale or transfer of alcohol, drugs or controlled substances on any County premises, work sites or during County work time, is strictly prohibited, except for prescription drugs (**see Section VI**).
- 2.2 No employee may report for work, go to or remain on duty while under the influence or impaired by alcohol or any drug or controlled substance, except for prescription drugs (**see Section VI**). If an employee reports for work, goes to or remains on duty while under such influence, disciplinary sanctions will be imposed. Any employee of the County may be required to submit to a test of his/her saliva, urine, breath or blood for the purpose of determining the alcohol or drug content within their system upon request of his/her supervisor, having reasonable suspicion that the employee is under the influence of alcohol or drugs.
- 2.3 County vehicles, as well as private vehicles, parked on premises or work sites are locations

included within this prohibition. At no time shall a County vehicle be operated while an employee is under the influence of drugs or alcohol.

2.4

- a. As a condition of employment, employees must agree to abide by this policy. Such condition of employment does not create a contract of employment, but rather is a prerequisite to hiring or continued employment of any employee.
- b. As a condition of employment, employees must agree to report to the Grand County Human Resources Department any alcohol or criminal drug statute conviction for a violation occurring in the work place or while on duty. Such report must be made within five days of the date of conviction. *“Conviction” means a finding of guilt, a plea of nolo contendere or imposition of a sentence of a deferred sentence by any state or federal court.*
- c. If the employee’s job involves a contract with a federal agency for procurement of goods or services for such agency, or federal grant funds such conviction will be reported to the federal agency within ten days of Grand County receiving the report required by **Section 2.4 (b)**.

2.5

- a. This policy applies to all personnel, including supervision and management. Compliance with this policy is required as a condition of continued employment.
- b. Any employee found in violation of this policy will be subject to disciplinary sanctions as set forth in the **Grand County Personnel Manual, Chapter 7**. The sanctions may include dismissal. Other actions including notification of appropriate law enforcement agencies may be taken in response to a violation of the policy.
- c. Grand County maintains an employee assistance program (**EAP**). An employee found to have violated this policy may be required to participate in the EAP as a condition of continued employment, if dismissal is not imposed. Participation in the **EAP** may be required in addition to or in lieu of any other actions that may be taken for violation of this policy.

2.6 Grand County shall establish a **“drug free”** awareness program. This program shall inform the employees about the dangers of drugs in the work place: Grand County’s policies set forth herein; the availability of **EAP**; and the penalties, including disciplinary sanctions that may be imposed upon employees for drug abuse violations.

DISSEMINATION OF POLICY:

3.1

- a. This policy shall be disseminated to all employees by posting in each department.

b. Each employee working in a job that involves a contract for procurement of goods and services by the federal agency in an amount of **\$25,000.00** or more, or involving any federal grant funds, shall be given, and shall sign a receipt for, a copy of the statement of policy set forth at **Section II** above.

3.2 **Existing employees** will receive a copy of the **“Statement of Policy”**.

3.3 **New Hires** shall be given a copy of this policy by the **Human Resources Department** to read at or before the time of hiring, and sign an acknowledgment of the policy.

DEFINITIONS

4.1 **Alcohol or Alcoholic Beverages:** “Alcohol” means beer, wine and all forms of distilled liquor containing ethyl alcohol. References to use or possession of alcohol include - use or possession of any beverage, mixture or preparation containing ethyl alcohol.

4.2 **Drug:** “Drug” means any substance (other than alcohol) that has known mind or function altering effects on a person, including psychoactive substances and including but not limited to, substances prohibited or controlled by Colorado and federal controlled substances laws.

4.3 **Prescribed Drug: “Prescribed Drug or Prescription”** means any substance prescribed for the individual consuming it by a licensed medical practitioner.

4.4 **Under the Influence: “Under the Influence”** means being unable to perform work in a safe and productive manner, or being in a physical or mental condition which creates a risk to the safety and well being of the individual, other employees, the public, or County property. The ‘**symptoms**’ of influence and/or impairment are not confined to those consistent with misbehavior, or to obvious impairment or physical or mental ability such as slurred speech or difficulty in maintaining balance. **AN EMPLOYEE WILL BE PRESUMED TO BE IMPAIRED AND IN VIOLATION OF THIS POLICY WHENEVER THE PRESENCE OF DRUGS IN EXCESS OF A TRACE OR A BLOOD ALCOHOL CONTENT LEVEL OF .02 GRAMS OR GREATER OF ALCOHOL PER HUNDRED MILLILITER OR BLOOD OF .02 GRAMS OR GREATER OF ALCOHOL PER 210 LITERS OF BREATH IS DETECTED IN A SUBSTANCE ABUSE TEST ADMINISTERED UNDER THE TERMS OF THIS POLICY.**

INSPECTIONS AND SEARCHES:

5.1 County Vehicles, lockers, desks, filing cabinets, files, etc., remain the property of the County and if management has reason to suspect that employees may be in violation of the terms of this policy such property may be subject to County initiated searches at any time and without notice.

5.2 Any employee of the County who operates any motor vehicle in connection with his employment with the County may be required to submit to a test of his/her saliva, urine, breath or blood for the purpose of determining the alcohol or drug content within their system upon

request of his/her supervisor, having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

5.3 All employees of the **Road and Bridge Department** may be required to submit to a test of his/her breath, saliva or urine for the purpose of determining the alcohol or drug content within his/her system in addition to and including regulations by the U.S. Department of Transportation Federal Highway Administration. To comply with Commercial Driver License (CDL) rules, the Road and Bridge Department shall require random testing and post accident testing. They may also require pre-employment testing.

Any employee covered by this policy who refuses or fails a drug or alcohol test will immediately be removed from operating a commercial vehicle. The refusal by any employee covered by this policy to submit to a drug or alcohol test shall be cause for immediate dismissal. Failure of a drug or alcohol test by an employee will be cause for management/supervision intervention that may result in referral to mandatory treatment or disciplinary action up to and including termination.

The Road and Bridge Department has contracted with National M.R.O. to do required drug and alcohol testing. The M.R.O. randomly selects and makes the final determination or results. Confidentiality of test results is required by law.

5.4 Any employee of the **Sheriff's Department** may be required to submit to a test of his/her urine, saliva, breath or blood for the purpose of determining the alcohol or drug content within his/her system upon the request of the **sheriff, undersheriff, or shift supervisor**, having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

5.5 Any employee of the **Emergency Medical Services Department** may be required to submit to a test of his/her urine, saliva, breath or blood for the purpose of determining the alcohol or drug content within his/her system upon the request of the **E.M.S.** director or his designee having reasonable suspicion to believe that the employee is under the influence of alcohol or drugs.

USE OF PRESCRIPTION AND/OR OVER-THE-COUNTER DRUGS:

6.1 Any employee who is using a prescribed or over-the-counter drug and who has been informed, has reason to believe or feels that the use of any such drug may affect his/her ability to perform his/her job duties safely and/or efficiently is required to report such drug use to his/her supervisor or to the County Manager or Human Resources Assistant.

6.2 In those circumstances where the use of a prescribed or over-the-counter drug is inconsistent with the safe and efficient performance of duties, an employee may be required to take sick leave, a leave of absence, or other actions determined to be appropriate by the County management.

COUNTY OF GRAND
ANTI-NEPOTISM POLICY

EXHIBIT "B"
MARCH 21, 2017

Nepotism: Favoritism toward relatives. Whether nepotism is real or perceived, it can have a negative impact upon working relationships and morale. Although employment of relatives is not necessarily off-limits, rules prohibiting nepotism in Grand County need to be established.

There is no universal "nepotism law" at the Federal level that prohibits it in all the states.

Several state legislatures, counties and city councils have passed nepotism laws (or anti-nepotism laws, as they're commonly called) in regard to public-sector employment.

Consequences of nepotism might constitute illegal employment discrimination under Federal discrimination laws or state equivalents. For example, the State of Colorado may consider anti-nepotism policy to be discriminatory on the basis of marital status, if they prevent qualified married couples from working in the same organization. The Colorado Antidiscrimination Act is below:

The Colorado Antidiscrimination Act prohibits all public and private employers from discriminating in their hiring practices on the basis of race, creed, color, sex (including sexual harassment), sexual orientation (including transgender status), religion, national origin, ancestry, age, or disability (*CO Rev. Stat. Sec. 24-34-401, et seq.*).

The Act also prohibits employers with 25 or more employees from refusing to hire a person who is married to, or plans to marry, an employee of the employer. There are exceptions if one spouse would supervise the other spouse, audit or receive money handled by the other spouse, or have access to the employer's confidential information, including payroll and personnel records.

The following guidelines will be considered in adopting an anti-nepotism policy in Grand County:

1. **Purpose.** Grand County must establish an anti-nepotism policy to preserve the integrity of employment-related decisions, prevent conflicts of interest, and insure that the county maintains the public trust in all employment practices. Additionally, the policy must establish guidelines for employees, managers, and elected officials to avoid nepotism.
2. **Specificity.** The Grand County policy must outline the county's general rule regarding the employment of relatives. The policy must specifically indicate that employees are not to initiate or participate in decisions that involve a direct benefit to their relatives.
3. **Family Members.** Grand County defines family members not only as spouses/domestic partners, parents, siblings, and children, but also household members, grandchildren, aunts, uncles, nieces, nephews and first and second cousins.
4. **Standard Application Channels.** If an employee has a family member interested in working for Grand County, direct him or her to apply using the standard Grand County procedures. Special consideration

will not be given to employees' relatives. Grand County will not rely exclusively upon employee referrals because it may create a barrier to equal employment opportunity for others that are not represented or referred by someone in the current Grand County workforce.

5. Changes in Family Situation. Grand County employees must report family changes, which may result in coverages under this anti-nepotism policy, to both their specific department and to the Human Resources department. This report must be in written form.

6. Grand County Options. Either currently or as a result of changes in family situations, the Grand County Manager will evaluate possible solutions to prevent the appearance of nepotism. For example, transfer of supervision, evaluation and discipline responsibilities may be transferred from one supervisor/department to another. All such decision, transfers, etc. will be made on a nondiscriminatory basis.

7. Discrimination. Grand County is mindful that there must be a business necessity in all incidents regarding nepotism. This can include preventing the actual occurrence or the perception of a conflict of interest.

8. Hiring Decisions. The Grand County manager is responsible for the review of all hiring decisions that involve employee family members to ensure compliance with Grand County policy as well as all applicable Federal and state nondiscriminatory laws.

Grand County Policy (Nepotism in the Workplace)

Grand County is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of family members. This policy applies to all current employees and candidates for Grand County employment.

Grand County permits the hiring of individuals of the same family. However, the hiring within the same department is normally prohibited for individuals of the same family.

Grand County defines family members as not only as spouses/domestic partners, parents, siblings, and children, but also household members, grandchildren, aunts, uncles, nieces, nephews and first and second cousins.

It is the goal of Grand County to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts, or management disruptions exists. Grand County will allow existing family relationships to be maintained and may employ individuals with family relationships to current employees under the following circumstances:

- Individuals may not work under the supervision of the same manager;
- They may not create a supervisor/subordinate relationship with family member;
- They may not evaluate a family member;
- The relationship will not create an adverse impact on work productivity or performance;
- The relationship may not create a conflict-of-interest;
- They may not audit or review in any manner the individual's work;
- They will not approve any procurement action involving expenditure of county funds;
- They will not be involved in any actions/decisions regarding compensation

No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates a conflict of interest or is prohibited by any legal or regulatory mandate.

Grand County reserves the right to exercise appropriate managerial judgement to take such actions as may be necessary to achieve the intent of this policy. Grand County reserves the right to vary from the guidelines outlined in this policy to address unusual circumstances on a case-by case basis.

Exceptions to this policy should be reviewed and approved by the County Manager and Board of County Commissioners.

Application of Grand County Policy

Definition of Relationships.

To avoid a conflict of interest or appearance of a conflict of interest, the definition of “relationships,” which is covered by this policy, should be interpreted very broadly.

In considering whether a relationship falls within this policy, all employees are urged to disclose the facts if there is any doubt rather than fail to disclose in cases where a relationship exists or existed in the past.

All employees are responsible to raise potential issues to the attention of their supervisor, department head or the County Manager.

Consensual Relationship.

Conflict of interest also exists when there is a consensual romantic or sexual relationship in the context of employment supervision or evaluation. Therefore, no supervisor may influence, directly or indirectly, salary, promotion, performance evaluation, work assignments or other working conditions for an employee with whom such a relationship exists.

Supervisor’s Responsibility.

A supervisor bears the responsibility for sustaining a positive workplace environment which is conducive to the professional growth of all employees.

A supervisor must be regarded as trustworthy and fair for such an environment to exist. It is important to understand that, even when arrangements have been made to minimize conflicts of interest regarding particular employment-related decisions, it is necessarily more difficult for a supervisor to be fair when a close relationship exists with an employee.

Disruption to the workplace can be particularly acute when a sexual or romantic relationship involving a supervisor is known to exist but cannot be discussed openly.

Supervisors should also understand that even in a consenting relationship there are substantial risks of charges of sexual harassment or favoritism when supervision is involved.