

Todd County

MINNESOTA



Todd County Personnel Policy

Table of Contents

Article I.	Introduction.....	1
Section 1.01	General Information.....	1
Section 1.02	Todd County Policy of Mutual Respect.....	1
Section 1.03	Purpose of This Policy Manual.....	2
Section 1.04	Adoption	2
Section 1.05	Administration of the Manual.....	2
Section 1.06	Savings Clause	3
Section 1.07	Departmental Rules.....	3
Section 1.08	Collective Bargaining Agreements	3
Section 1.09	Other Agreements	3
Section 1.10	Management Rights	3
Article II.	Definition of Terms	4
Article III.	Employment.....	6
Section 3.01	Equal Employment Opportunity Policy Statement (Rev. 8/7/19).....	6
Section 3.02	Recruitment, Selection and Hiring (Rev. 8/7/19)	6
Section 3.03	Posting (Rev. 8/7/19).....	7
Section 3.04	Interviews (Rev. 8/7/19).....	7
Section 3.05	Initial Offer (Rev. 8/7/19)	8
Section 3.06	Pre-Employment Medical Exams (Rev. 8/7/19)	8
Section 3.07	Reference Checks (Rev. 8/7/19)	8
Section 3.08	Criminal Background Check (Rev. 8/7/19)	8
Section 3.09	Drug and Alcohol Test (Rev. 8/7/19).....	8
Section 3.10	Hiring (Rev. 8/7/19).....	8
Section 3.11	Hiring of Relatives (Rev. 8/7/19).....	9
Section 3.12	Eligibility List (Rev. 8/7/19).....	9
Section 3.13	Letters of Rejection (Rev. 8/7/19).....	9
Section 3.14	Promotions (Rev. 8/7/19).....	9
Section 3.15	Training/Probationary Period for New Hires (Rev. 8/7/19)	9
Section 3.16	Probationary Period for Transfers, Demotions, or Promotions (Rev. 8/7/19)	10
Section 3.17	Employee Conduct.....	10
Section 3.18	Hours of Work	10
Article IV.	Performance Management	11
Section 4.01	Disciplinary Action.....	12
Section 4.02	Authority to Carry Out Discipline	13
Section 4.03	Grievance Procedure	14
Section 4.04	Termination of Employment.....	15
Section 4.05	General Procedures	16
Section 4.06	Exit Interviews	16
Article V.	Wages and Salaries	17
Section 5.01	Salaries: Elected and Appointed Department Heads	17
Section 5.02	Overtime Pay (Rev 11/19/19)	17
Section 5.03	Payroll Deductions.....	18
Section 5.04	Section 5.05 Pay Procedure	18

Article VI. Comparable Worth Policy and Compensation Plan	19
Section 6.01 Scope of Policies and Procedures	19
Section 6.02 Salary Changes as a Result of Comparable Worth Grade Level	20
Article VII. Employee Benefits and Services.....	21
Section 7.01 Insurance – Group Health and Life.....	21
Section 7.02 Vacations.....	23
Section 7.03 Vacation Donation	24
Section 7.04 Holidays	25
Section 7.05 Sick Leave.....	26
Section 7.06 Family and Medical Leave.....	27
Section 7.07 Personal Leave of Absence.....	29
Section 7.08 Funeral Leave.....	30
Section 7.09 Military Leave.....	30
Section 7.10 Non-FMLA Military Leave	30
Section 7.11 Jury Duty/Court Time	30
Section 7.12 School Conference and Activities Leave	31
Section 7.13 Bone Marrow Donation Time	31
Section 7.14 Blood Donation Time	31
Section 7.15 Voting Leave/Election Judge Time	32
Section 7.16 Political Party Leave	32
Section 7.17 Legislative/Elected Office	32
Section 7.18 Organ Donation Leave	33
Section 7.19 Minnesota Parenting Leave.....	33
Section 7.20 Request for Leave	33
Section 7.21 Minnesota State Retirement System (MSRS)	
Health Care Savings Plan (HCSP).....	33
Section 7.22 Sick Hour Conversion.....	34
Section 7.23 Todd County HCSP for Elected Officials.....	34
Section 7.24 Employee Recognition Service Awards	34
Section 7.25 Safety Committee.....	35
Section 7.26 AWAIR/Safety Policy	36
Section 7.27 Emergency Closings (Rev 12/17/19)	36
Article VIII. Organization standards and rules.....	37
Section 8.01 Code of Ethics.....	37
Section 8.02 Harassment, Offensive Behavior Policy, and Including Sexual Harassment ...	40
Section 8.03 Responsibilities	42
Section 8.04 Internal Complaint System and Discipline Procedure	42
Section 8.05 Prevention of Harassment	43
Section 8.06 Training.....	43
Section 8.07 Workplace Violence.....	44
Section 8.08 Employee Attire & Personal Property	46
Section 8.09 Tobacco Free Policy	46
Section 8.10 Drug Free Workplace Policy	46

Article I. Introduction

Section 1.01 General Information

These personnel policies are intended to be a convenient and helpful source of information about policies, benefits, and employee services of Todd County. These policies apply to all employees of Todd County unless otherwise superseded by a collective bargaining agreement, state or federal law, or the Minnesota Merit System Rules.

- (a) Personnel policies which reference behavior expectations, codes of conduct or workplace requirements also apply to all elected officials well as all individuals appointed by the Board of Commissioners.
- (b) These personnel policies do not constitute a contract between the employee and Todd County. These personnel policies are not a guarantee of permanent employment or intended to alter the employment relationship in any manner. Employees have the right, with appropriate notice, to terminate their employment at any time, for any reason, and Todd County retains a similar right, subject to any statutory or constitutional restrictions placed upon it as a public employer.
- (c) The information in these personnel policies serves only as a general reference to the county's policies and procedures.
- (d) These policies are periodically reviewed and revised to provide employees with the most accurate information possible. The County reserves the right at its discretion to deviate from these policies, adopt additional policies, to amend or repeal these policies as it sees fit, without notice to employees.
- (e) These personnel policies also outline county expectations of employees. Employees subject to these policies shall comply with and carry out the provisions of these policies.
- (f) Any employee who fails to comply with any of the provisions of these policies shall be subject to disciplinary action. It is the responsibility of supervisory personnel at all levels to ensure that employees comply with these policies.
- (g) The policies described in this personnel policy shall replace all prior written and unwritten policies of the County on the subject matter covered herein.

Section 1.02 Todd County Policy of Mutual Respect

A primary mission of Todd County is to promote a spirit of teamwork and cooperation among all employees, elected officials and appointed individuals. Furthermore, the County wants to provide a work environment of mutual respect. To achieve these goals, the County expects that all employees treat co-workers, supervisors, and subordinates with respect, honesty, consideration, and cooperation. The County expects that employees will refrain from making statements that others might find upsetting or offensive and statements that create a hostile work environment. Such statements include, but are not limited to, jokes and other statements directed at another's age, sex, race, religion, national origin, physical appearance or other protected class status. This policy is intended as a guide for maintaining effective interpersonal communication and professional relationships. In order to maintain healthy workplace relationships the County

expects that employees, County Commissioners and elected officials will refrain from tape recording conversations with each other without full disclosure and consent by all individuals first. Management firmly supports this policy and will make every effort to ensure its implementation.

Section 1.03 Purpose of This Policy Manual

It is the purpose of this policies and procedures manual to provide a uniform, comprehensive and effective system of personnel administration in Todd County and to establish procedures which will serve as a guide to administrative action concerning personnel activities and transactions.

It is the further purpose of this personnel policies and procedures manual to insure:

- (a) That all appointments and promotions to positions in County service shall be made on the basis of job-related qualifications.
- (b) That position classification and compensation plans shall be adopted which will conform to the principle of like compensation for like work.
- (c) That the citizens of Todd County can be assured that their best interests are being served by the employment of the most qualified personnel available.
- (d) Fair treatment of applicants and employees in all aspects of personnel administration without regard to race, color, creed, religion, sex, national origin, marital status, status with regard to public assistance, disability, sexual orientation, veterans status, political affiliation, age, or other protected-class status, and with proper regard for the privacy and constitutional rights of applicants and employees.

Section 1.04 Adoption

- (a) This policies and procedures manual was approved by the County Board of Commissioners at a regular board meeting.
- (b) Any changes in the content of the personnel policy and procedures manual must be approved by the County Board of Commissioners and will be dated on the policy.
- (c) Upon approval by the County Board, this personnel policies and procedures manual shall govern the personnel system of Todd County, except where superseded by state or federal law, a collective bargaining agreement, or the Minnesota Merit System Rules.

Section 1.05 Administration of the Manual

- (a) Copies of this policies and procedures manual shall be made available to all employees, appointing authorities, and interested union representatives. Copies of this manual shall be on file in the County Coordinator's office and human resources department and shall be available for public review upon request.
- (b) The Todd County Board of Commissioners and the County Coordinator shall administer this policies and procedures manual.
- (c) The County Coordinator shall provide the necessary forms and reports for all personnel changes in the County under this personnel policies and procedures manual.
- (d) This manual may be amended whenever the County deems an amendment fit. Changes to the manual may be initiated by:

- (i) The County Board
 - (ii) The County Coordinator
 - (iii) A Department Head
- (e) All proposed changes shall be referred in writing to the County Coordinator who shall make a recommendation to the County Board within a reasonable amount of time, up to 30 calendar days. Upon receipt of the County Coordinator's recommendation, the County Board may approve or reject the changes. The initiator of the change will be informed in writing of the status of the proposed change and anticipated time frame for a County Board response.

Section 1.06 Savings Clause

- (a) If any provision, section or article of this personnel policies and procedures manual is held invalid, the remainder of the manual policies shall not be affected thereby.

Section 1.07 Departmental Rules

- (a) In accordance with this policies and procedures manual, each Department Head or division authority may establish a set of rules.
- (b) Such rules shall be established for the purpose of handling personnel matters particular to the department concerned and shall be governed by this policies and procedures manual.
- (c) Before departmental rules can be implemented, they shall be filed with and approved by the County Coordinator.
- (d) The Department Head is responsible to oversee that the department policies remain in compliance with County policies and procedures, including but not limited to this policies and procedures manual.

Section 1.08 Collective Bargaining Agreements

- (a) Employees who are subject to collective bargaining agreements as negotiated in accordance with the Public Employment Labor Relations Act, Minn. Stat. § 179A.01, et. seq., shall be exempt from those provisions of this manual which are inconsistent with the provisions of such collective bargaining agreements. In the event of a conflict between a collective bargaining agreement and these policies, the collective bargaining agreement shall prevail.

Section 1.09 Other Agreements

Employees who are subject to an individual agreement with the County Board shall be exempt from those provisions of this manual which are inconsistent with the provisions of such an agreement.

Section 1.10 Management Rights

The County Board retains the full and unrestricted right to operate and manage all personnel, facilities, and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish work schedules; and to perform any inherent managerial function granted to it pursuant to the Public Employment Labor Relations Act, Minnesota § Chapter 179A.

Article II. Definition of Terms

The following words and phrases in the personnel policies and procedures manual shall have the meaning as indicated:

Anniversary date - the date a person begins full-time, regular/part-time, regular employment with the County. This date is used for the determination of eligibility for benefits and some benefit levels.

Background check - verification of information provided on application, resume, or during an interview; and a review of criminal records after the applicant has signed a release of information form.

Classification - the act of grouping positions into grade with regard to duties, requirements, and responsibilities.

Compensatory time off - paid time off given to reimburse a non-exempt employee in lieu of overtime pay.

County Board - the elected or appointed Todd County Board of Commissioners.

Department Head – a director of a County department as designated by the County Board or elected to a County office by the public. Department Heads are considered exempt from the requirements of the Fair Labor Standards Act (FLSA).

Employee - a person holding an appointed paid position within the County

Employer - County of Todd.

Exempt employee - Employees exempt from the overtime compensation provisions of the Fair Labor Standards Act. These employees are generally employed in management, administration, or professional positions.

Exit interview - a structured interview conducted at the time of separation from employment.

Grade – assignment given to one or more positions sufficiently similar in the duties performed; degree of supervision exercised or required minimum requirements of training, experience, or skill; and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

Job evaluation - a process in which management determines the relative value of a job as compared to other similar jobs in the organization.

Layoff - dismissal of an employee or employees due to such situations as lack of work, lack of funds, loss of revenue from non-county tax levy sources, the abolition of a position, or an organizational change. The layoff can be temporary or permanent.

Minimum qualifications - the minimum requirements and experience necessary to perform and/or obtain a given job.

Non-exempt employee- employees who are subject to minimum wage and hour provisions of the Fair Labor Standards Act, and who are eligible for overtime pay or compensatory time off

Organizational chart - a diagram showing the relationships between various positions within the organization.

Orientation - introduction given to new employees regarding the organization's environment, policies, and procedures.

Overtime – all hours worked by non-exempt employees at the authorization of the employer in excess of hours in the relevant work period, as defined by the FLSA.

Performance evaluation - a system to review and evaluate an individual's work performance.

Position description - a written document identifying the purposes, duties, responsibilities, and accountabilities of a job as well as the essential and non-essential duties as required by the Americans with Disabilities Act (ADA).

Probationary period - a period of time during which an employee is required to demonstrate a satisfactory capability of performing the duties of the position.

Resignation – an action taken by an employee to voluntarily discontinue County employment.

Retirement – An action taken by an employee to discontinue County employment when they qualify for benefits under County and State sponsored retirement programs.

Salary - fixed compensation paid bi-weekly.

Seniority - status determined by the continuous length of time an employee has worked for the County.

Standard work week – for the purpose of calculating overtime for non-exempt employees, the standard work week begins on 12:01am Sunday through Saturday at 12:00 p.m.

Status (employment):

- (a) **Regular full-time** – an employee in a position that is to be regularly budgeted, who works a 40 hour work week and has successfully completed a probationary period.
- (b) **Regular part-time** – an employee in a long term, regularly budgeted position who works less than the 40 hour work week and has successfully completed a probationary period. To be eligible for pro-rated benefits a regular part-time employee must be regularly scheduled to work at least 14 hours or more hours per week.
- (c) **Long-term substitute** – an employee, working full or part-time, in a position that is limited by the duration of a specific project or to cover for an approved leave of absence of a regular, full-time/part-time employee. Long-term substitute employees are not eligible for County benefits except as mandated by statute or County policy.
- (d) **Temporary or seasonal employees** – employees whose positions are temporary in nature or seasonal in character and who work an average work week of less than 14 hours a week or 67 days or less in a calendar year and as further defined by the Minnesota Public Employment Labor Relations Act, Minn. Stat. § 179A.01, et. seq. This definition also includes employees who are full-time students under the age of 22 whose positions are temporary in nature or seasonal in character and who work 100 days or less in any calendar year. Students must indicate if they are enrolled at an educational institution for the next academic year or term or intend to continue as a student during their temporary employment. Temporary and seasonal individuals are not eligible for county benefits except as required by statute, state administrative rule or county policy.

Supervisor - an employee delegated responsibility for the day to day administration of a work unit.

Suspension - a forced leave of absence with or without pay for disciplinary purposes or pending investigation of specific charges made against an employee.

Termination- a voluntary resignation, involuntary discharge, or discontinuation of employment with the County.

Transfer - a lateral movement from one job to another of the same grade. A transfer can include moving from one department to another department.

Article III. Employment

Section 3.01 Equal Employment Opportunity Policy Statement

- (a) It is Todd County's policy to provide equal opportunity to all employees and applicants for employment in accordance with all applicable equal employment opportunity laws and regulations of federal, state and local governing bodies or agencies thereof, including the Minnesota Human Rights Act, Minnesota Statutes Chapter 363A.
- (b) Todd County will not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance or local human rights activity, or any other characteristic protected by state or federal law. Todd County is committed to providing equal opportunity in all employment practices, including but are not limited to, the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, promotion, training, termination and rates of pay or other forms of compensation.
- (c) Todd County will use its best effort to afford minority and female business enterprises with the maximum practicable opportunity to participate in the performance of subcontracts for construction projects that this County engages in.
- (d) If any employee or applicant for employment believes he/she has been discriminated against, he/she should contact the Human Resources department, Todd County courthouse, 215 1st Ave South Suite 300, Long Prairie, MINNESOTA 56347 or (320) 732-6447 or (320) 732-6155.

Section 3.02 Recruitment, Selection and Hiring

Policy – It is the policy of Todd County to recruit and select qualified persons for positions in the County.

- (a) The Board of Commissioners is notified of all vacancies prior to recruitment.
- (b) The Department Head reviews the financial implications of replacing a position and presents the financial implications to the Personnel Committee through email or meeting prior to requesting a posting.
- (c) Authorization to initiate recruitment for a vacant position is provided if the position has been budgeted for and approved by the County Board.
- (d) All newly created positions must be approved by the Board of Commissioners prior to recruitment.
- (e) Where applicable, Minnesota Merit System hiring practices will be used.

Section 3.03 Posting

- (a) Prior to posting a vacant position the hiring supervisor and Human Resources Manager will review the current job description to ensure its accuracy and the stated job qualifications do not present artificial barriers to employment. The hiring supervisor and Human Resources Manager will submit any revisions to the job description to the Personnel Committee. Revisions to the job description will be evaluated by the Personnel Committee to determine if the job description needs to go through a job analysis.
- (b) All vacant positions are posted internally on the County website for a minimum of five (5) calendar days.
- (c) At the hiring department head's discretion, a vacant position may also be advertised to the public through other appropriate media.
- (d) Each applicant must complete a Todd County application by the posted deadline in order to be considered for the position.
- (e) Unsolicited applications will not be kept on file.
- (f) Applicant Screening: All hires will be made according to merit and fitness related to the position being filled. Todd County will establish minimum qualifications for each position with input from the appropriate supervisor.
- (g) Veteran's Preference: In accordance with M.S. 197.455, the Veteran's Preference Act provides that there shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of five points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. Additionally, there shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that (1) the veteran obtained a passing rating on the examination without the addition of the credit points; and (2) the veteran is applying for a first promotion after securing public employment. Veterans choosing to use veteran's preference points must provide a copy of their DD-214 discharge paper when making application for the position.

Section 3.04 Interviews

- (a) The number of candidates to be interviewed is determined by the hiring supervisor.
- (b) Commissioners are welcomed to participate in interviews by notifying the Human Resources Manager. The full County Board shall be responsible for the interview of County Coordinator candidates and Department Head candidates.
- (c) The original applications, resumes, letters of qualifications, selection interview forms and or documents relating to the selection process shall be retained in County Administration in good condition according to the Human Resources Records Retention Schedule.

Section 3.05 Initial Offer

- (a) All applicants who are offered a position within the County shall be sent a written offer letter indicating: starting salary, length of probation period, position title, and position status (full-time, part-time, exempt, non-exempt, union, non-union), and summary of benefits.

Section 3.06 Pre-Employment Medical Exams

- (a) The hiring department head or designee may determine that a pre-employment medical examination, which may include a psychological evaluation, is necessary to determine fitness to perform the essential functions of any County position. Where a medical examination is required, an offer of employment is contingent upon successful completion of the medical exam.
- (b) When a pre-employment medical exam is required, it will be required of all candidates who are offered employment in that job class. Information obtained from the medical exam will be treated as confidential medical records.
- (c) When required, the medical exam will be conducted by a licensed practitioner designated by the County with the cost of the exam paid by the County. The practitioner will notify the Human Resources Manager that a candidate either is or is not medically able to perform the essential functions of the job. The Human Resources Manager will confer with the candidate regarding reasonable and acceptable accommodations. If the candidate is rejected for employment based on the results of the medical exam, he/she will be notified of this determination.

Section 3.07 Reference Checks

- (a) The Human Resources Manager or designee will be responsible to conduct candidate reference checks. The results will be shared with the hiring supervisor.

Section 3.08 Criminal Background Check

- (a) The County will conduct a criminal background check on individuals upon making a conditional job offer. No offer of employment shall become final until receipt of the results of a successful criminal background check.

Section 3.09 Drug and Alcohol Test

- (a) Drug and alcohol tests may be required after an offer of employment has been made based on the individual meeting the requirements of the job including the satisfaction of required testing in compliance with all applicable state and federal laws.

Section 3.10 Hiring

- (a) Each hire is approved by the Board of Commissioners through consent agenda or other formal board action prior to the date of hire.

- (b) However, consistent with MN Statute 387.14, the County Sheriff need not get County Board authorization prior to filling a position so long as the position being filled was specifically identified and approved by the County Board as part of the current year's budget.

Section 3.11 Hiring of Relatives

- (a) The employment of relatives in the same department may cause conflicts. Relatives of persons currently employed by Todd County may be hired only if they will not be working directly for or supervising a relative within the County. For the purpose of this policy, a relative includes: child, step-child, daughter-in-law, son-in-law, spouse, parent, step-parent, sibling, step-sibling, grandparent, grandchild, the employee's spouse's parent, step-parent, sibling, step-sibling and any other person whom the employee has been declared legal guardian.

Section 3.12 Eligibility List

- (a) It is the policy of Todd County to establish an eligibility list upon completion of interviews, ranking applicants under final consideration. The eligibility list is valid for up to six (6) months and may be used, at the discretion of the Department Head, if the position becomes vacant again within that six (6) month period.

Section 3.13 Letters of Rejection

- (a) All applicants who are turned down for positions within the County will be notified that the position has been filled. This notification will typically be done by email.

Section 3.14 Promotions

- (a) A promotion is an advancement from a position in one salary grade to a position in a higher salary grade.

Section 3.15 Training/Probationary Period for New Hires

- (a) This period is an integral part of the selection process and will be used for the purpose of closely observing the employee's work and for training the employee in work expectations. This period for new hires is twelve (12) months in length and can be extended at the discretion of the Department Head for up to six (6) months. A written performance evaluation will be prepared and discussed with the employee prior to the end of their probation period. Probationary employees may be disciplined at the sole discretion of the County, up to and including dismissal. An employee so disciplined, including dismissal, will not have access to the grievance procedure.
- (b) Nothing in these Policies shall be construed to imply that after completion of the probationary period, an employee has any vested interest or property right to continued County employment.
- (c) Sick leave and vacation time will be earned but may not be used during a new hire's initial six (6) months of employment.

- (d) A new employee's service with Todd County begins with the date of hire and continues to accrue as long as the employee continues working for Todd County.

Section 3.16 Probationary Period for Transfers, Demotions, or Promotions

- (a) Employees transferred, promoted or demoted to a different position shall serve a probationary period for three (3) months in the new position.
- (b) At any time during the probationary period a promoted, transferred or demoted employee may be demoted or reassigned to the employee's previous position or a similar position for which the employee has been determined by the County to be qualified, based on the written recommendation of the Department Head with approval of the Personnel Committee. If an employee is so demoted or reassigned as described in this policy, the employee will not have the right to utilize the grievance or other appeal procedure.
- (c) A written performance evaluation will be prepared and discussed with the employee prior to the end of their probationary period. This period of three (3) months can be extended at the discretion of the Department Head for up to three (3) months.
- (d) During the three (3) month probationary period, the employee shall have the right to revert back to his/her former position.
- (e) During the probationary period employees who have been promoted, demoted, or reassigned are eligible to use their accrued vacation and sick leave.

Section 3.17 Employee Conduct

- (a) Employees are representatives of the county and are responsible for assisting and serving the citizens for whom they work. An employee's primary responsibility is to serve the residents of Todd County. Employees are expected to conduct themselves in an ethical, professional, responsive manner. To this end, employees are expected to adhere to established policies, rules, and procedures, and follow the instructions of their supervisors.

All employees are expected to:

1. Perform assigned duties at all times.
2. Follow lawful direction from the County Board, County Coordinator, the Department Head, and Supervisor.
3. Render prompt and courteous service to the public at all times.
4. Read, understand, and comply with the rules and regulations as set forth in these policies, as well as those of their departments and outlined in position descriptions.
5. Conduct themselves professionally toward both residents and other County employees, and respond to inquiries and information requests with courtesy.
6. Immediately report any and all unsafe work conditions to their supervisor.
7. Maintain satisfactory attendance while meeting the goals set by their supervisor.

Section 3.18 Hours of Work

- (a) Purpose: To define the schedule of work hours for Todd County employees as determined by operational needs and demands of each department within Todd County.

- (b) County employees will follow the hours of work as they are set by the County Board and/or defined in the applicable collective bargaining agreement. Regular, full-time employees shall work at least a forty (40) hour work week, but are not guaranteed any number of hours.
- (c) Employee attendance:
 - (i) Attendance and punctuality are essential to the smooth running of the business of the county. Employees are expected to be at work, on time, on a regular basis. Persistent absenteeism or tardiness will be cause for disciplinary action or dismissal.
 - (ii) Planned absences must be arranged with the employee's supervisor in advance. Employees must notify their supervisor as early as possible if they are unable to report to work on time for any reason, or in the event of an unplanned absence. Likewise, if an employee needs to leave work early they must notify their supervisor.
- (d) Work schedules:
 - (i) The normal work week for all employees will be Sunday through Saturday. The normal business hours shall be 8:00 a.m. to 4:30 p.m., Monday through Friday of each week. Variances to this normal workday may be authorized upon approval by the Department Head or County Coordinator and are subject to change by the County Board.
- (e) Lunch period:
 - (i) The normal lunch period is for one-half (1/2) hour and is unpaid except where other arrangements are made by the Department Head and approved by the County Coordinator. Lunch periods are duty free.
- (f) Rest period:
 - (i) Employees scheduled to work four (4) or more continuous hours shall be allowed a fifteen-minute break within each four (4) hour period. Rest periods not taken in any particular day are forfeited.
 - (ii) Employees who are nursing mothers shall make every effort to use her fifteen-minute break within each four (4) hour period to express her breast milk. Inquiries about a location for the employee to express her breast milk shall be made to that employee's supervisor who, will work with the human resources department, or to the human resources department directly. The location shall be in an appropriate place in as close a proximity to the employee's work area as possible, as per Minnesota statute §181.939.

Article IV. Performance Management

- (a) Purpose: To provide communication between the employee and the immediate supervisor relating to job performance, work standards, the employee's performance strengths, and developmental needs.

- (b) Todd County believes in a comprehensive and collaborative approach to performance management. Performance management should not consist only of an annual performance evaluation, but that supervisors must regularly communicate regarding job performance, work standards, developmental needs and most importantly provide positive reinforcement. Performance evaluations should be complete and accurate and based on documented examples of work performed.
- (c) The County Coordinator will be responsible for developing an appropriate model in conformance with this policy that provides for, at a minimum:
 - (i) Communication of performance standards.
 - (ii) Communication with employees to identify if performance standards have been met.
 - (iii) Evaluation of performance.
- (d) Probationary employees
 - (i) Todd County recognizes the importance of a probationary period for employees to learn about the organization, and to learn if they “fit” in the position they have been hired for. As such, supervisors and employees should use the probationary period to communicate and learn about each other’s work style, as well as the unit’s work style.
- (e) Responsible authority for performance management.
 - (i) Employees: The Department Head or immediate supervisor will conduct the performance management process for supervisors and non-management employees.
 - (ii) Department Heads: The County Board will conduct the performance management process for Department Heads and directors.
 - (iii) County Coordinator: The Personnel Committee conducts the performance management process for the County Coordinator, with the full County Board conducting the performance evaluation portion.

Section 4.01 Disciplinary Action

- (a) Purpose: The County recognizes its responsibility to develop and administer regulations and disciplinary measures in a fair and consistent manner. When practical and appropriate, a system of progressive discipline will be followed. However, it is the prerogative of management to invoke disciplinary measures commensurate with the underlying conduct.
- (b) Disciplinary measures: Different types of disciplinary measures may be used depending on the offense. Disciplinary measures include:
 - (i) Oral reprimand: this action is taken by a supervisor in which he/she verbally informs an employee about an action, inaction or behavior of the employee which the supervisor finds objectionable or wishes corrected.

- (ii) Written reprimand: this is an action taken by a supervisor in which he/she writes out the action or behavior which he/she wishes the employee to change, cease or begin. The written reprimand shall describe the behavior to be corrected and shall give directions for the future, including the consequences of repeating the actions which brought about the written reprimand. Written reprimands will be presented to the employee in accordance with the notification section of these policies.
- (iii) Suspension: this is an action taken by the supervisor that removes the employee from the county payroll for a period not to exceed 30 days. This action does not require the employee's consent. The employee does not accrue salary, vacation leave credit or sick leave credit during the suspension and the employee may not use such time while on suspension.
- (iv) Demotion: an employee may be demoted if attempts at resolving the problem have failed, and the employee would qualify for, and in the supervisor's opinion, be a productive employee in the new position.
- (v) Dismissal: this is an action taken by the supervisor that permanently removes an employee from employment with the county. Dismissed employees shall be treated the same as employees separated for reasons other than retirement in the matters of paying documented, earned severance pay.
- (c) Just cause: adequate reason for disciplinary action as determined by county representatives.
- (d) Notification: All disciplinary actions described herein, other than an oral reprimand, shall include notifying the employee of the disciplinary action being taken as follows:
 - (i) A written notice of the action, giving reasons for the action and the effective dates and conditions of the action, must be signed by the supervisor or authorized subordinate. This notice shall be presented to the employee in person by the supervisor or authorized subordinate, or sent to the employee's last known address by mail before the effective date of the action. If the written notice is presented in person, the employee should sign all copies to acknowledge receipt. If he/she refused, the presenter shall note it on the form.
 - (ii) A copy of the written notice shall be retained by the supervisor and made part of the employee's personnel file.

Section 4.02 Authority to Carry Out Discipline

- (a) Communication between supervisory staff, Department Heads, administration and the personnel committee is required to address disciplinary issues.
- (b) Supervisors may carry out oral reprimands.
- (c) Directors may carry out written reprimands without unpaid leave.
- (d) The County Coordinator or designee may carry out all disciplinary measures, with the exception of dismissal.
- (e) County Board action is required for dismissal.

Section 4.03 Grievance Procedure

- (a) Purpose: To provide a method for the prompt and equitable resolution of disputes relating to the administration of the personnel policies and procedures manual.
- (b) Definitions: A grievance is a dispute or disagreement raised by any employee against the county and/or a supervisor because of an interpretation or alleged violation of these policies. The following actions are not subject to the grievance procedure:
 - (i) The classification or rate assigned to the employee's position;
 - (ii) The results of the employee's performance evaluation;
 - (iii) Any salary decisions;
 - (iv) The legitimacy of any of the provisions of the personnel policies;
 - (v) Actions proposed but not taken; and
 - (vi) Any investigative activity provided that no action has been taken.
- (c) Scope of grievances
 - (i) An employee who commences a grievance proceeding under the provisions of a collective bargaining agreement or a statutorily created process, is precluded from grieving the issue under these rules.
 - (ii) The county may elect to treat a grievance raised by a group of employees relating to the same issue as a single grievance proceeding.
- (d) Processing of a grievance
 - (i) It shall be the county's policy to address all grievances promptly. In order to facilitate the processing of employee grievances in an orderly and just manner, and to provide the employee access to all levels of management and a fair and impartial hearing, the following procedures are to be used:
 - 1) Step 1: an employee having a grievance shall present such grievance to their supervisor within ten (10) working days after the event causing the grievance. It shall be the responsibility of the supervisor to investigate the grievance, to discuss the grievance with the employee, and to give a written answer to the employee within ten (10) working days from the time the grievance was initially presented.
 - 2) Step 2: a grievance not resolved in step 1 may be appealed to the Department Head, provided such appeal is made within ten (10) working days after receipt of the decision in step 1. The employee shall place the grievance in writing setting forth the nature of the grievance, the facts on which it is based, the provisions of these rules allegedly violated, and the remedy requested. If a grievance is properly appealed to the Department Head, he/she shall issue his/her decision in writing within ten (10) working days after the meeting.

- 3) Step 3: in the event the grievance is not resolved in step 2, the decision rendered may be appealed to the County Board, or its representative, provided such appeal is made within ten (10) working days after receipt of the decision in step 2. If a grievance is properly appealed to the County Board, or its representative, they shall set a time to hear the grievance within twenty (20) working days after the appeal is received. After the meeting, the County Board or its representative shall issue its decision in writing within ten (10) working days to the parties involved. Such decision, upon review of the County Board, is final.

(e) Time limits

- (i) If the grievance is not presented within the time period set forth above, it shall be considered waived. If a grievance is not appealed to the next step within the specified time limit, it shall be considered settled on the basis of the county's last answer. If the proper authority does not answer a grievance or appeal thereof within the specified time limits, the employee shall treat the grievance as denied, and may immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the employee and authority involved in the step at the request of either party.

Section 4.04 Termination of Employment

- (a) Purpose. To make the separation of employment with Todd County as amicable as possible for both the employee and the county.
- (b) Involuntary separations. Employees who are involuntarily separated, including layoff and discharge shall be paid in full no later than the next regular payday.
- (c) Voluntary separations: Employees who choose to resign must give at least two weeks written notice to the Department Head. The written notice must specify the last day that the employee will be at work. In the event that the employee is able to do so, he/she should give the county thirty (30) or more day notice in order to allow the county adequate time to find a replacement.
- (d) Mutual separation. In situations where the employer and employee agree on terms to separate the employment relationship, the County Coordinator is authorized to execute separation agreements on behalf of the County Board. This authority is limited to agreements with a financial impact less than or equal to the authority of the Coordinator in the Todd County Financial Policies.
- (e) Job abandonment: An employee who is absent from work for a period of three (3) consecutive working days or more without notifying the Department Head of the absence shall be deemed to have voluntarily resigned not in good standing. An employee who fails to return from a leave of absence on the prescribed date without notice shall be deemed to have voluntarily resigned not in good standing unless the resignation is waived by appropriate County Board action.

- (f) Employees who are separated from employment shall be paid in full no later than the next regular payday unless another date is mutually agreed upon.

Section 4.05 General Procedures

- (a) Employees, except probationary employees, who resign in good standing after giving the required two weeks' notice and who resigns for reasons other than in anticipation of a disciplinary action, will receive forty percent (40%) of their documented, accumulated sick leave and any documented, unused accrued vacation leave. Non-exempt staff will receive documented, accumulated comp time. Accrued benefits and/or severance pay may be granted in accordance with applicable collective bargaining agreements and pursuant to law.
- (b) Employees who resign, separate or terminate not in good standing shall forfeit sick severance.
- (c) Employees may pick up final paychecks in the auditor/treasurer's office or request that final payment be mailed via regular mail to the separating employee.
- (d) It is the responsibility of the separating employee's immediate supervisor to assure that the employee returns all county property, keys and/or equipment prior to the employee's receipt of the final paycheck. The county may hold final payment of accruals until all county property, keys and/or equipment is returned. The separating employee may be allowed to remove personal items from their work station area during normal business hours with their supervisor present if appropriate. The supervisor will also notify MIS to remove the employee from computer access. All expenses and credit cards should also be balanced and returned prior to issuing the final payment of accruals.

Section 4.06 Exit Interviews

- (a) Purpose. To provide the separating county employee an opportunity to express an opinion with regard to employment issues with Todd County.
- (b) Every employee separating from county employment is to be extended the courtesy of a final interview with the Department Head and/or human resources department. The exit interview form will be completed by the interviewer and filed in the personnel file.
- (c) The separating employee will be advised of separation matters including but not limited to final pay, vacation pay, benefits.
- (d) In the event an interview is not possible, the human resources department will mail the exit interview form to the exiting employee, with a self-addressed stamped envelope.
- (e) Exit interview information will be compiled and reviewed by the County Coordinator to determine trends or corrective action that may be necessary. When necessary, this information will be shared with the County Board and Department Heads.

Article V. Wages and Salaries

Section 5.01 Salaries: Elected and Appointed Department Heads

- (a) Purpose. To establish, maintain, and administer an equitable compensation system for all Todd County employees and Todd County elected and appointed officials.
- (b) Elected officials. The salaries for Todd County elected officials, including county commissioners, county attorney, county auditor/treasurer, county recorder and county sheriff will be set by resolution of the County Board in December of each year prior to the year in which the salary is to be paid.
 - (i) Elected officials may choose to be placed on the county approved step and grade grid. In the event the elected official chooses this option, the County Board must approve the placement on the grid; however there is no future board action required.
 - (ii) A payroll holdback shall be used for all elected officials, following the same 11-day holdback schedule in force for all other employees.
- (c) Appointed positions
 - (i) The salaries for appointed positions that include all non-elected Department Heads, mid-management personnel and all confidential personnel are set in accordance with the county pay scale, comp-worth plan and personnel policies.

Section 5.02 Overtime Pay

- (a) Purpose. To follow the Fair Labor Standards Act for non-exempt employees as it relates to hours worked in excess of forty hour per work week, or an amount set forth in an applicable collective bargaining agreement.
- (b) General procedures. All overtime hours worked shall be authorized by the Department Head and/or supervisor. All records of overtime hours worked must be maintained and reported on the employee's time sheet.
- (c) In accordance with law, non-exempt employees will receive pay or compensatory time off at the rate of one and one half times the regular rate for hours actually worked over forty (40) hours per week. Overtime hours that are approved by the Department Head and/or supervisor and submitted on a time sheet may be paid without board approval.
- (d) For the purpose of computing overtime compensation, overtime hours worked shall not be pyramided, compounded or paid twice for the same hours worked. Overtime will be calculated to the nearest one-quarter (1/4) hour. All paid vacation time, paid holidays, paid sick leave, compensatory time off, and paid leave of absences shall be considered as "time worked" for purposes of qualifying for the overtime premium.
- (e) Comp-time shall be paid out to non-exempt employees when transferring from one department to another or when changing from non-exempt status to exempt status.
- (f) Compensatory time off must be approved by the employee's department head.

- (g) The maximum accumulation of comp time for non-exempt, non-union employees is 80 hours.
- (h) When an employee is required to travel in connection with a temporary assignment, payment of overtime during this period is to be determined by the immediate supervisor on the basis of the circumstances involved and in accordance with applicable law.
- (i) Supervisors will take no action that encourages employees to work off the clock without recording the hours worked.
- (j) Exempt employees. Exempt employees are not eligible for overtime as those terms are used in the Fair Labor Standards Act. It is the county's policy that exempt employees who work hours over and above their normal schedule may take time off to compensate for these additional hours as long as their responsibilities are met and approved by the exempt employee's supervisor. The time off will be granted on a 1:1 basis for each hour worked in excess of the employee's normal schedule. In no event shall any exempt employee be paid out severance or otherwise for such time which is not taken.
- (k) Exceptions to this policy may be granted if submitted in writing and approved by the County Board.

Section 5.03 Payroll Deductions

- (a) Purpose: To make deductions from an employee's wage in accordance with applicable law and, where required, the employee's consent.
 - (i) Employees shall be required to complete all applicable forms necessary for deductions a may be required by law.
 - (ii) No deduction from an employee's wages for any period shall cause the employee's wages for any such period to be less than the wage required to be paid by the county pursuant to applicable law.

Section 5.04 Section 5.05 Pay Procedure

- (a) Purpose: To maintain a consistent and efficient payroll department and procedures.
- (b) General procedures
 - (i) The payroll period shall be biweekly. Todd County employees shall be paid biweekly on Wednesday for work performed during the previous pay period. There are 26 pay periods in one year.
 - (ii) The Department Head or supervisor will submit timesheets on the due date established by the payroll department. Payroll due dates may be accelerated due to holidays. The timesheets will list actual hour's worked and/or other paid time off such as sick/vacation time, utilized during the current pay period to be paid.
 - (iii) Checks will be distributed from the auditor/treasurer's office following the completion of processing each payday (Wednesday) at 8:30 a.m.
 - (iv) Todd County implements an 11-day holdback on wages/salaries.
- (c) Automatic payroll deposit. All county employees must enroll for direct deposit of their payroll pursuant to Minnesota statute §471.426.

Article VI. Comparable Worth Policy and Compensation Plan

Section 6.01 Scope of Policies and Procedures

- (a) Purpose: These policies and procedures express the Todd County Board of Commissioners' intent to maintain a county-wide plan which conforms to comparable worth standards found in Minnesota §471.991-471.999 related to local governments in Minnesota.
- (b) The County recognizes that its employees are its most valuable resource, and that they are directly responsible for achieving its goals and carrying out its mission. To that end, the County utilizes a market-based pay plan that offers competitive salaries and benefits to employees, while focusing on fiscal efficiency and accountability to taxpayers. If a position is deemed to be significantly out of market then the Administration Department may recommend a review and adjustment to a position.
- (c) The following policies and procedures are based on the "Todd County job classification system for pay equity analysis review and update" which was done in conjunction with Springsted and accepted by the Todd County Board.
- (d) Classifications of newly created positions. Classifications of newly created positions will be evaluated in the following manner:
 - (i) A job description will be developed for the position by the Department Head and submitted to the human resources department. The Administration Department, or designee, will evaluate the position using the Systematic Analysis and Factor Evaluation (SAFE) System.
- (e) Classification changes for existing positions.
 - (i) Changes initiated by the employee(s).
 - 1) Existing positions may be reviewed if requested by an employee and agreed with by the supervisor, Department Head, and/or County Coordinator. A decision to reevaluate a position shall be decided on based upon significant changes to major job functions, enough to warrant a reevaluation.
- (f) Basis for appeals
 - (i) The Department Head and/or County Coordinator will only initiate completing and reaching a consensus on a job evaluation request for reconsideration form for an existing position that contains a change in major job functions from those described in the current job description.
 - (ii) Appeals that could result in a higher classification of a position based on new tasks that have been added within the past year may be denied because the Department Head may be instructed to create a new job description and post that job after board approval of the new position.
 - (iii) A change in major job functions does not guarantee a change in score resulting in either an increase or decrease in grade level.

- (g) Step adjustments within a Grade class may occur. A request must be made and be approved by the Supervisor, Department Head and County Coordinator before consideration. The adjustment must be recommended by the personnel committee with final approval by the County Board. The basis for the decision to adjust must be based on budget and organizational implications.
- (h) Following approval of the County Board, any resulting changes in salary or grade classification will be effective upon the pay-period following approval.
- (i) All individuals will be notified in writing within 30 days of the outcome of their appeal and the impact, if any, that it will have on their salary.

Section 6.02 Salary Changes as a Result of Comparable Worth Grade Level

- (a) **Reclassifications.** The following rules will govern salary changes resulting from reclassifications:
 - (i) Anniversary dates shall be recognized as the date of hire. Any comparable worth grade level reclassification of positions would not affect an employee's anniversary date.
- (b) **Salary on reclassification to a higher grade.** An employee whose position is reclassified to a higher grade shall receive a pay adjustment that is the minimum of the new salary range or an amount equal to four percent (4%) higher than the current salary and placement onto the next highest step, whichever is greater. No salary increase shall be granted which would place the employee's rate of pay above the maximum of the authorized salary range for the new (reclassified) position. The employee's eligibility for step increases will not change upon the reclassification.
- (c) **Salary on reclassification to a lower grade.** An employee whose position is reclassified to a lower grade shall be placed in that new salary range at the employee's existing rate of pay. An employee whose rate of pay is above the maximum of the salary grade, due to a reclassification to a lower grade, shall receive one-half (½) of the uniform cost of living adjustment granted by the County Board to other employees whose salaries fall within their assigned grades. The employee's eligibility for step increases will not change upon the reclassification.
- (d) **Salary on promotion.** An employee promoted to a classification in a higher salary range shall receive a pay adjustment that is the minimum of the new salary range or an amount equal to four percent (4%) higher than the current salary and placement onto the next highest step, whichever is greater. No salary increase shall be granted which would place the employee's rate of pay above the maximum of the authorized salary range for the new (promoted) position. An additional increase may be granted to the promoted employee if such additional increase is recommended by the Department Head, the promotion involves more than one grade change, and the recommendation is approved by the County Board. The employee's eligibility for step increases will not change upon the promotion.

- (e) Salary on demotion – voluntary & disciplinary. For a voluntary or disciplinary demotion, the employee’s pay shall be reduced to a point within the salary range for the classification of the new (demoted) position as determined by the County Board. Employees demoted for disciplinary reasons shall, at a minimum, receive a reduction in salary in an amount equal to at least four percent (4%) of the applicable grade for the position. In no event, shall a demoted employee’s rate of pay remain above the maximum of the authorized salary range of the classification to which the employee was demoted. The employee’s eligibility for step increases will not change upon the demotion.
- (f) Salary for employees working out-of-class. Employees who are appointed to a position in a higher classification for at least sixteen (16) consecutive working days shall receive a temporary pay adjustment for all time worked in the higher classification. This temporary pay adjustment shall be equal to the pay he or should would have received in the event that he/she had been promoted to the position. When the employee reverts to the employee’s previous position, the employee’s salary shall be readjusted to its previous level unless otherwise provided. This section shall not apply to employees who are filling in for an incumbent employee who is on vacation. The employee’s eligibility for step increases will not change while working out-of-class.

Article VII. Employee Benefits and Services

Section 7.01 Insurance – Group Health and Life

- (a) Purpose: To provide group health and group life insurance to employees of Todd County. The group health insurance contributions and coverage described below is not vested and the county expressly reserves the right to change this provision at any time.
- (b) All full-time regular employees, who work a minimum of forty (30) hours per week, are entitled to health and life insurance provided by Todd County. Elected officials are also considered full-time, regular employees for the purpose of insurance eligibility.
- (c) The effective date for health and life insurance is the first of the month following 30 days of full-time employment provided the employee completes and submits a completed enrollment form within 30 days of hire in a full-time, regular position. Additional coverage may be elected for eligible dependents of the employee at an additional cost to the employee.
- (d) Enrollment forms and additional information regarding the group health and life insurance plans are available in the human resources department.
- (e) Disability leave. Employees who become disabled while in the employ of the county and who have exhausted their sick and vacation leave shall have their county-paid portion of life insurance and health insurance premiums paid by the employer for up to one year.

- (f) Employee resignation/reduction of hours. Employees who leave the employ of the county or have a reduction of hours worked may pursuant to COBRA rules continue to participate in the group health insurance program for up to a period not to exceed eighteen (18) months provided they pay the full premium cost. A longer period may be granted as required by COBRA. If an employee dies, the employee's spouse and/or eligible dependent children may continue to participate in the group health insurance program for up to thirty-six (36) months as required by applicable Cobra law.
- (g) Retirement. Upon retirement, an employee at his/her own cost may participate in the Retiree Group Health Plan with the condition the employee has been employed by the County for a minimum of twelve (12) years and be at least fifty-five (55) years of age, or have at least thirty (30) years of service.
 - (i) Post-retirement Benefit: Only employees hired on or before January 1, 2007 are eligible for this benefit. Upon early retirement, the Employer will pay an amount not to exceed \$731.50 per month towards the cost of single health insurance up to three years, not to exceed the employee's 65th birthday with the condition the employee is eligible for PERA and has twenty (20) or more years of service.
 - (ii) MSRS HCSP Contribution: Only employees hired after January 1, 2007, or those who are eligible for the benefit found in Section 17.7 who voluntarily and irrevocably waive in writing any right to the benefit found in Section 17.7, are eligible for a \$250.00 annual contribution into their MSRS HCSP on January 2 of each year of employment with Todd County.
 - (iii) One-time contribution. Only employees hired between January 1, 2007 and March 1, 2014, or those who are eligible for the benefit found in Section i above who voluntarily and irrevocably waive in writing any right to the benefit found in Section i above, are eligible for a one-time contribution to their MSRS HCSP on the following schedule:

Years of employment	Contribution into MSRS HCSP
1	\$1,000
2	\$1,250
3	\$1,500
4	\$1,750
5	\$2,000
6	\$2,250
7	\$2,500

Eligible employees with more than 7 years of employment will receive the maximum contribution of \$2,500. In the year that eligible employees receive this one-time contribution the employee is not also eligible for the \$250.00 annual HCSP contribution found in Section ii for that year.

- (h) Other qualifying events for continuation of health insurance benefits. A covered employee and/or qualified beneficiary must provide notice to the human resources department of divorce, legal separation, or a dependent child's loss of dependent status under the plan. This notice must be provided no later than 60 days after the later of the qualifying event; loss of coverage due to the qualifying event.
- (i) Life insurance. All full-time, regular employees shall be covered by a term life insurance policy. This coverage is part of the county's group health insurance.
- (j) Claims against the county. It is understood that the county's only obligation is to purchase an insurance policy and pay such amounts as agreed to herein and no claim shall be made against the county as a result of denial of insurance benefits by an insurance carrier.
- (k) Premium holiday. Should the county be notified of a reduction in premium, the county shall equally share the reduced premium cost for dependent coverage with the employee.

Section 7.02 Vacations

- (a) Purpose: To provide employees with a break from the work environment.
- (b) This policy also recognizes the work of employees and rewards additional vacation time after continual years of service. Due to the fact that the majority of Todd County employees are covered by collective bargaining agreements and that these agreements may provide different benefit accrual, usage and limitations, non-union employees in these departments will accrue and be able to use the following benefits subject to the provisions of the collective bargaining agreement in effect for unionized members of the department in the event that they differ from the policies below.
- (c) General procedures:
 - (i) Vacation accrual schedule for full-time employees:

<u>Years of service</u>	<u>hours per month</u>	<u>monthly accrual</u>	<u>annual accrual</u>
1 - 3	8	1 day	12 days
4 - 5	10	1-¼ days	15 days
6 - 10	12	1-½ days	18 days
11 – 15	14	1-¾ days	21 days
16 – 20	17	2 days	24 days
21 – 24	18	2- 1/8 days	25 ½ days
25 and over	19	2-¼ days	27 days

- (ii) Regular, full-time employees shall earn vacation hours based on the above schedule, at the completion of the month.

- (iii) Regular part-time employees who average more than 14 hours per week but less than 40 hours per week shall earn pro-rated vacation hours based upon the above schedule and the average number of scheduled hours the employee worked in the preceding calendar quarter.
 - (iv) Vacation leave shall not be earned by any employee during a non-pay status except military leave of absence without pay.
 - (v) An employee who leaves the employ of the county in good standing shall receive documented, accumulated unused vacation leave as severance pay provided a minimum of a two (2) week written notice is provided.
- (d) Vacation usage.
- (i) Department Heads and/or supervisors are responsible for scheduling vacation leaves for employees under their supervision. While every effort will be made to accommodate an employee's vacation request, vacations will be scheduled so as not to unduly disrupt the normal operation of the department. Should a conflict in scheduling occur, it will be resolved on the basis of first request and then seniority at the time of the request.
 - (ii) Vacation leave may be taken only to the extent that it is earned.
- (e) Vacation carryover
- (i) The maximum carryover of vacation time from one year to the next shall be twenty-four (24) days or (192) hours.
- (f) Vacation cash out option
- (i) Employees may select to cash out the vacation hours accrued in excess of 16 hours per month which shall be paid out the first pay period in December.

16 – 20 yrs. Of service 17 hrs. Accrued/month = cash out 1 hr. /month up to 12 hrs.
 21 – 24 yrs. Of service 18 hrs. Accrued/month = cash out 2 hrs. /month up to 24 hrs.
 25 yrs. Of service 19 hrs. Accrued/month = cash out 3 hrs. /month up to and over
 36 hrs.

Section 7.03 Vacation Donation

Purpose:

To provide employees with the option of donating vacation time to another employee on medical or disability leave who has exhausted all of their accrued sick and vacation time.

- (a) General procedure
 - (i) The employee on leave of absence must provide the human resources department with a written request to accept vacation leave from co-workers.
 - (ii) The human resources department or Department Head shall extend notice to county employees based on the employee's wishes.

(b) Holidays and weekends

- (i) Unless indicated otherwise, when any of the above holidays fall on a Saturday, the preceding day shall be a holiday, and when any of the above holidays fall on a Sunday, the following day shall be a holiday.
- (ii) When a paid holiday falls on an employee's scheduled day off the employee shall be paid for the holiday. When a paid holiday falls during a vacation period, the employee shall receive holiday pay for that holiday and shall not use vacation benefits for that day.
- (iii) Non-exempt employees who are required to work on a holiday shall receive compensation at the rate of one and one-half (1-1/2) times the employee's regular straight time hourly rate of pay, plus holiday pay.
- (iv) In order for an employee to qualify for the holiday pay provided in this article, they must be on pay status on the last scheduled work day immediately preceding the holiday, and the first scheduled work day immediately following the holiday.

Section 7.05 Sick Leave

- (a) Purpose: To provide paid leave to eligible county employees who are unable to work due to illness, injury, disability, or by necessity for medical/dental care.
- (b) General procedures:
 - (i) Sick leave shall be earned by full-time regular employees at the rate of one (1) day or eight (8) hour maximum for each full month of service worked. Though sick leave shall be accrued, probationary employees may not use it until they have successfully completed their probationary period. The maximum carryover of sick leave from one year to the next per employee shall be 1040 hours or 130 days.
 - (ii) Sick leave benefits shall only accrue when an employee is on compensated payroll status. Sick leave benefits shall not be earned by any employee while in a non-pay status, except employees on military leave.
 - (iii) Regular part-time employees who average more than 14 hours per week but less than 40 hours per week shall receive pro-rated sick hours based on the average number of scheduled hours the employee worked in the preceding calendar quarter.
 - (iv) Employees shall notify their Department Head or supervisor as early as possible and prior to the employee's start time when using sick leave, unless an emergency prevents the employee from doing so.
- (c) Sick leave usage: Employees shall be granted sick leave with pay to the extent of the employee's accumulation for absences necessitated by illness, injury, disability, or by necessity for medical/dental care of the employee or the employee's minor child/stepchild.
- (d) Utilization for family:

- (i) Employees shall be granted use of sick leave for the employee's immediate family on the same basis the employee is able to use sick leave benefits. Immediate family, for the purpose of this section, shall be limited to the employee's spouse, children/step-children, adult child, parents, stepparents, mother-in-law, father-in-law, grandparents, grandchildren of either the employee or his/her spouse, ward, brother(s), sister(s), son-in-law and daughter-in-law.
- (ii) Medical Certification. The County reserves the right to require written medical certification from an employee in the event of three (3) consecutive days of absence or in cases of the repeated and systematic absence of an employee. The Department Head or human resources department may require a medical statement from an appropriate medical authority before granting sick leave, as well as verification that an employee is able to perform the duties of employment before the employee is allowed to return to work.
- (e) Workers compensation: When an employee is absent from work because of a sickness or injury arising out of the course of employment, the county shall pay the difference between the remuneration received by the employee from workers' compensation and the employee's take home pay except for the three (3) day waiting period. This difference shall be deducted from the employee's sick leave benefits and is subject to subrogation with workers' comp benefits. In no event shall this additional compensation paid to the employee by virtue of sick leave result in the payment of a total daily, weekly or monthly compensation of the employee nor shall it exceed a period of time in excess of one (1) year related to the same injury.
- (f) Sick leave during vacation leave: When sickness occurs during a vacation leave, the period of illness may be charged as sick leave and the time against vacation leave reduced accordingly. To qualify, employees will be required to call their Department Head/supervisor as soon as possible if they become ill on vacation leave. Upon the discretion of the supervisor, a doctor's verification shall be submitted upon return.
- (g) Severance pay: An employee who leaves the employ of the county in good standing shall receive 40% of their documented, accumulated sick leave as provided in section 3.13.
- (h) Sick leave bonus: Any sick leave eligible employee who uses no sick during the calendar year shall receive a two hundred dollar (\$200) payment. Any sick leave eligible employee who uses not more than one (1) day, up to a maximum of eight hours (8), of sick leave during the calendar year shall receive a one hundred dollar (\$100) payment. The employee shall receive this payment the first pay-period in February of the following year.

Section 7.06 Family and Medical Leave

- (a) Purpose: To comply with the family and medical leave act.
- (b) General procedures:

- (i) Eligible employees may request a family and/or medical leave of absence for up to 12 weeks of leave in any 12-month period under certain circumstances. Employees are eligible after one year of employment and after 1,250 hours of work over the previous 12 months. An eligible employee's FMLA entitlement is limited to a total of 12 work weeks of leave during any rolling 12 month period measured forward from the date the employee's first FMLA leave began.
 - (ii) Employees shall concurrently utilize accrued paid leave during a family and/or medical leave of absence. It will be the policy of Todd County to require all employees to first use their accrued, available sick, vacation, or comp time for any part of the twelve (12) week period.
- (c) Reasons for taking leave: Pursuant to the FMLA a leave may be granted for any of the following reasons:
- (i) For the birth of the employee's child and to care for the newborn child;
 - (ii) For placement with the employee of a son or daughter for adoption or foster care;
 - (iii) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
 - (iv) Qualified exigency and military caregiver leave (26 workweeks of unpaid leave during a single 12-month period).
 - (v) For a serious health condition that makes the employee unable to perform the employee's job.
- (d) Advance notice and medical certification: Employees may be required to provide advance notice and medical certification. A family and/or medical leave of absence may be denied if requirements are not met:
- (i) An employee must ordinarily provide 30 days' advance notice when the leave is foreseeable;
 - (ii) A medical certificate to support a request for leave because of a serious health condition may be required. Second or third opinions, at the expense of the county, and a fitness for duty report to return to work may also be required.
- (e) Job benefits and protection. For the duration of the leave, an employee's health coverage under any group health plan will be maintained. An employee must continue to pay his or her share of group health plan premiums that had been paid by the employee prior to the leave.
- (i) Upon return from leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
 - (ii) An FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- (f) Interplay between leaves: If a leave qualifies as family and/or medical leave and parenting leave pursuant to Minnesota chapter 181, the leaves will run concurrently and the leave used will count against the employee's entitlement under both types of leave.

Section 7.07 Personal Leave of Absence

- (a) Purpose: To assist employees who encounter unusual circumstances that necessitates an extended period of absence from their daily work duties. An unpaid leave for up to 60 calendar days, this is in addition to vacation or comp, for personal reasons may be granted to an employee at the employer's discretion with approval from the Department Head. No such leave shall be granted or used for the purpose of securing other employment.
- (b) General procedures: A leave of absence greater than ten (10) working days must be requested in writing and submitted by the employee to the Department Head or supervisor for review. The Department Head will require the employee to complete the necessary request forms and then submit the forms to the human resources department for processing.
- (c) Final determination to grant a leave of absence will be made at the discretion of the Todd County Coordinator. When granting a leave of absence the following factors will be considered:
 - (i) The employee's record of performance.
 - (ii) The employee's need for a leave of absence.
 - (iii) The workload of the employee's department.
 - (iv) The length of the request.
- (d) Available vacation and comp time shall be paid out while on leave. Once vacation and comp time has been paid out the remainder of the leave shall be without pay. County benefits, as related to vacation, sick leave and holidays shall cease during the unpaid leave of absence period. However, health insurance, life insurance, PERA, shall continue during the leave. The cost of participating in these benefits shall be paid by the employee on a month-to-month basis.
- (e) If the leave is for medical reasons for the employee and the employee does not qualify for family medical leave of absence (FMLA) or has exhausted FMLA, a personal – medical leave may be granted. Available sick time shall also be paid under these circumstances.
- (f) Return from leave of absence. The employee will be able to return to their same position provided it has not been eliminated due to reorganization or reduction in workforce.
- (g) If the position no longer exists, all efforts will be made to return the employee to a comparable position within the organization.
- (h) If the employee does not return to work on the expiration date of the leave of absence, employment with Todd County shall be terminated. Employees shall notify their supervisor at least 60 days prior to the expiration date of their leave of absence of their intent to return to work. Employees who do not give at least 60 days notice will forfeit 10% of their severance benefit should they not return to work. Employees who do not give at least 30 days notice will forfeit 20% of their severance benefit.

Section 7.08 Funeral Leave

- (a) Purpose: Up to 24 hours paid funeral leave will be granted to an employee when a death occurs in their immediate family for the purpose of attending the funeral and related matters.
- (b) Immediate family includes: spouse, child, son/daughter-in-law, ward, brother(s), sister(s), parents, brother/sister-in-law, parent-in-law, step family, grandparent, and grandchildren of either the employee or spouse. Also the employee's aunt, uncle, niece, nephew or domestic partner or any other relative living in the employee's home.
- (c) In the event that the employee needs more than 24 hours of leave, the employee may have the option of using sick leave, compensation time, and vacation time or time without pay.
- (d) Part-time, regular employees will be granted time pro-rated based on their actual hours worked in the previous quarter. Temporary, or seasonal employees shall not be eligible for funeral leave benefits.

Section 7.09 Military Leave

- (a) Military leave shall be granted pursuant to appropriate state and federal laws.
- (b) Employees, who are members of an organized military reserve component and are ordered to active duty for a temporary or indefinite period, shall be granted a military leave with pay for up to a maximum of 15 days in any one calendar year in accordance with Minnesota §, Chapter 192. After completion of the 15 days paid leave, the employee shall be granted military leave without pay for the remainder of the active period.

Section 7.10 Non-FMLA Military Leave

- (a) An eligible employee who has an immediate family member actively deployed in the military forces may request to use up to eighty (80) hours of their accumulated sick leave time to assist with emergency circumstances stemming from the active service when:
 - (i) The request is approved at the discretion of the County Coordinator; and
 - (ii) The employee has first depleted all accumulated vacation leave available and accumulated compensatory time available; and
 - (iii) The active deployment of the family member is documented in writing and submitted to the County Coordinator; and
 - (iv) When granting such leave would not create a hardship within the employee's department.
- (b) The decision of the County Coordinator with regards to whether to grant or deny leave is final.

Section 7.11 Jury Duty/Court Time

- (a) Purpose: To allow employees summoned to serve on a jury or testify as a witness.

- (b) Employees of Todd County shall not sustain a loss in pay or loss of benefits when called upon for jury duty. Employees called for jury duty shall be compensated with the difference between the employee's daily jury duty per diem and the employee's normal daily wage. If an employee is excused from jury duty during the working day, the employee shall report back to work if time permits.
- (c) Employees required to be absent in response to a court order or subpoena in which they are personally involved shall have the option of taking such time off as vacation or without pay.
- (d) Temporary or seasonal employees shall not be eligible for jury or witness duty benefits.

Section 7.12 School Conference and Activities Leave

- (a) To provide employees leave of up to a total of 16 hours during any twelve (12) month period to attend school conferences or school-related activities to the employee's child(ren) in accordance with Minnesota § §181.9412. This leave shall be granted provided the conferences or school-related activities cannot be scheduled during non-working hours. The employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the employer.
- (b) The employee shall substitute paid vacation time or comp time for this leave if available. This leave may be granted without pay provided all vacation and comp time is exhausted.

Section 7.13 Bone Marrow Donation Time

- (a) Leave with pay shall be granted to an employee undergoing a medical procedure to donate bone marrow as provided for by Minnesota statute §181.945.
- (b) Employees who are undergoing a medical procedure to donate bone marrow shall be granted a leave of absence with compensation not to exceed forty (40) work hours. A Department Head may require verification by a physician of the purpose and length of each leave requested by the employee to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted prior to the medical determination is not forfeited.

Section 7.14 Blood Donation Time

- (a) Employees who donate blood during business hours may receive up to one hour of paid time. Any time over one (1) hour shall be deducted from the employee's sick time. If sick time is exhausted, vacation or comp time shall be utilized.

Section 7.15 Voting Leave/Election Judge Time

- (a) Voting: Every employee who is eligible to vote in an election has the right to be absent from work for the purpose of voting during the day of the election. Employees must work with their supervisor to ensure coverage of duties. Employees must only take as much time to vote as is needed. Employees shall be paid for the time taken to vote per Minnesota § Chapter 204C.04 and 204C.08 Subd.1d. Employees who take time off to vote must provide their supervisor with reasonable notice of their intent to take this time off to vote prior to taking the time off.
- (b) Election judge: An employee who is selected to serve as an election judge pursuant to Minnesota statute §204B.21, subdivision 2 may, after giving their supervisor at least 20 days written notice, be absent from a place of work for the purpose of serving as an election judge without penalty. An employer may reduce the salary or wages of an employee serving as an election judge by the amount paid to the election judge by the appointing authority during the time the employee was absent from the place of employment.
 - (i) The written request to be absent from work must be accompanied by a certification from the appointing authority stating the hourly compensation to be paid the employee for the service as an election judge and the hours during which the employee will serve. An employer may restrict the number of persons to be absent from work for the purpose of serving as an election judge to no more than 20 percent of the total workforce at any single worksite as defined by Minnesota statute §204B.195.

Section 7.16 Political Party Leave

- (a) In accordance with M.S. 202A.135 and 202A.19, upon 10 days written notice, employees may be absent from work to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee; or attend any convention of major political party delegates (including meetings of official convention committees) if the employee is a delegate or alternate delegate to that convention; or to attend a major political party caucus. Employees taking political party leave shall have the option of taking such time off as vacation, compensatory time or without pay.

Section 7.17 Legislative/Elected Office

- (a) In accordance with M.S. 3.088, an appointed officer or employee of the County, who serves as a legislator or as a full-time city or county officer in Minnesota, is entitled to a leave of absence without pay when on the business of the office with the right to reinstatement.

Section 7.18 Organ Donation Leave

- (a) In accordance with M.S. 181.9456, part-time and full-time employees who seek to undergo a medical procedure to donate an organ or partial organ to another person shall be granted paid leave, in an amount not to exceed forty (40) working hours per donation, based on the employee's assigned work schedule. Such leave shall be subject to the employee's submission of confirmation by a physician of the need for the leave and length of each absence requested. Such leave shall not be charged against the employee's accrued sick leave, vacation, or compensatory time; however, sick leave, vacation, and/or compensatory time may, at the employee's election, be used to supplement such leave for situations in which the leave extends beyond forty (40) hours. If there is a subsequent medical determination that the employee does not qualify as an organ donor, any of the forty (40) hours of paid leave used by the employee prior to that medical determination shall not be eligible for recovery by the County.

Section 7.19 Minnesota Parenting Leave

- (a) Minnesota law (M.S. 181.940-.944) provides employees the opportunity to request and obtain up to twelve (12) weeks unpaid leave for childbirth or adoption without having to exhaust paid sick leave or vacation. To be eligible for Minnesota Parenting Leave, an employee must have been employed by the County in a half-time position (at least forty (40) hours per pay period) for at least twelve (12) consecutive months immediately preceding the request for leave. The employee may determine when the twelve (12) weeks is to begin, provided it is not more than six (6) weeks after the date of birth or adoption (or after the child leaves the hospital if the child remained hospitalized after the mother was discharged). If this type of leave is requested, and if the employee is FMLA-eligible, the time off from work is deemed FMLA leave and will be recorded as such.

Section 7.20 Request for Leave

- (a) Requests for leave must be provided in writing to the Department Head or Division Director for requests made under sections 7.06 – 7.15 of this policy, the director must forward to the County Coordinator as necessary for approval.
- (b) Each department or division shall establish their own procedures for leave requests under sections 7.01 – 7.05

Section 7.21 Minnesota State Retirement System (MSRS) Health Care Savings Plan (HCSP)

- (a) Purpose: To provide a program that allows employees to save money to pay medical expenses and/or health insurance premiums after retirement or termination of employment. Minnesota statute §352.98 authorizes Minnesota state retirement system (MSRS) to offer this health care savings (HCSP) program to Todd County employees.
- (b) Todd County HCSP for non-union management, supervisory & confidential staff, excluding elected officials:

- (i) All non-union management, supervisory and confidential employees not covered by a bargaining unit who are eligible for a Public Employees Retirement Association (PERA) pension shall contribute 100% of their sick leave payout upon retirement or termination of employment.
- (ii) Employees who are not eligible for a Public Employees Retirement Association (PERA) pension shall contribute their sick leave severance payout at the following schedule:

0 – 20 years of service:	40%
beginning 21 years and over:	60%

Section 7.22 Sick Hour Conversion

- (a) Employees who have accrued over 1040 of sick hours will have 50% of those hours converted to cash and deposited into their post-retirement health care savings account. The conversion will take place once a year at year-end.

Section 7.23 Todd County HCSP for Elected Officials

- (a) A plan for elected offices including the county attorney, auditor-treasurer, recorder, sheriff and county commissioners has been developed as they are ineligible to participate in the plan outlined under Section 7.17 since they do not accumulate sick leave severance benefits. In an effort to balance this, elected officials are afforded an opportunity to participate in the HCSP under this program:
 - (i) Elected officials who have completed at least one term shall contribute 1% (percent) of their annual salary into the HCSP plan.
 - (ii) The county of Todd shall contribute into the HCSP a lump sum payment of \$3,000 per term upon completion of their second term and subsequent terms thereafter.

Section 7.24 Employee Recognition Service Awards

- (a) The county believes that a program to recognize county employees who make significant contributions and demonstrate their commitment during the performance of their duties result in higher morale and productivity among all employees and permit the county to fulfill its statutory responsibilities in an efficient and cost-effective manner thereby serving a public purpose. Minnesota Statute 15.46 allows for County Boards to establish employee recognition and wellness programs.
- (b) Eligibility: All regular, full-time and regular, part-time employees. Seasonal and temporary employees are not eligible for bonus payments.

Years of service award schedule

5 years	\$25.00
10 years	\$50.00
15 years	\$100.00
20 years	\$200.00
25 years	\$400.00
30 years	\$400.00

- (c) Procedure. Employees who reach their 5th, 10th, 15th, 20th, 25th, and 30th anniversaries shall receive the above scheduled service award in December of the year they reach this milestone of employment. The service award payments will be issued by the payroll department and are subject to applicable tax withholding requirements.
- (d) The County Coordinator may purchase items such as plaques, frames, certificates, greeting cards or other appropriate tokens of appreciation at a cost of no more than \$50.00 on behalf of the County Board for retiring or departing employees.

Section 7.25 Safety Committee

- (a) Purpose: To develop a committee as defined by state statute, to oversee Todd County's safety and health issues as they relate to employees and the public.
- (b) The human resources manager oversees the safety committee. Members of the safety committee include a representative from the following departments and other Todd County entities:
 - (i) Administration
 - (ii) Building maintenance
 - (iii) Community corrections
 - (iv) County Board member
 - (v) Courthouse
 - (vi) Law enforcement
 - (vii) Public health
 - (viii) Public works
 - (ix) Social services
 - (x) Soil & water
 - (xi) Solid waste
 - (xii) 2 members - Health and Human Services
- (c) The safety committee will meet on a regular, as-needed basis to review injury claims and safety concerns brought forth by county employees and the public. The safety committee will review:
 - (i) Accident frequencies and losses
 - (ii) Overall compliance with the safety program
 - (iii) Areas in the program that may require broader development
 - (iv) Status of any outstanding safety recommendations

- (d) These reviews ensure the continued direction of the county program. Recommendations by the safety coordinator will be brought to the Todd County Board of Commissioners for direction and/or action. Meeting minutes will be on file in the County Coordinator's office.

Section 7.26 AWAIR/Safety Policy

- (a) Purpose: To provide a safe work environment for Todd County employees and its citizens according to a work place Accident And Injury Reduction Act (AWAIR), Minn. Stat § 182.653, subd. 8.
- (b) Responsibilities and authorities. The County of Todd realizes that it has the responsibility to provide a safe workplace for its employees and a safe environment for its citizens. Each employee must pursue the highest standards in his or her assigned activities and recognize that the wellbeing of persons and the protection of our physical resources are as important as the activity and the work being performed. The county expects its management and employees to respond to all planned safety efforts and to perform their assigned jobs in the safest manner possible.
- (c) These procedures are applicable to all operating departments within the county. The administration of this policy shall be the responsibility of the respective Department Heads. The duties herein may be delegated to other levels of management or operation, but responsibility shall not be delegated.
- (d) Todd County maintains a separate policies and procedures manual (AWAIR) that is available in all departments which is reviewed and updated annually by the safety committee. All employees are required to be familiar with the policies and procedures contained in the AWAIR manual.

Section 7.27 Emergency Closings

- (a) The County Board Chair, Sheriff, Public Works Director, and/or County Coordinator shall have the authority to close all or a part of the County's operations during the normal work period for reasons including but not limited to; weather, safety, bomb threats, memorial services or other situations as designated by the County Board. The County Board may delegate the authority to close county facilities to such other officials as it may deem appropriate. Two delegates must agree to any closing of county facilities. The notification of emergency closing will be communicated to each department in the County. Notification will be made through Code Red, on our website, social media sites and to the local radio station, whenever possible prior to working hours.

- (b) Closing of facilities to the general public. To ensure public safety in the event of inclement weather or designated emergency, the County may close its facilities to the public. In the event County facilities are closed to the public due to emergency but are not designated as completely closed employees covered under this policy may choose to absent themselves or remove themselves from duty. Any employee exercising the option to remove themselves from duty shall use vacation or compensatory time off for the time absent from work. If such employee has no accrued vacation or compensatory time, the time absent from work shall be leave without pay. An adjustment shall be made to vacation and sick accruals based on number of hours worked in that timeframe.
- (c) Closing of facilities to the general public and employees. If an official action to completely close the government center is taken by or on behalf of the County Board, employees who are normally scheduled to work shall not suffer any loss in pay or benefits for the duration of the closing as provided; however, in no event shall this guarantee against losses in pay or benefits in excess of 16 hours within any calendar year. This policy does not apply to those employees or departments normally expected to be on duty during such emergency events.
- (d) Absences due to inclement weather. When the facilities remain open to the general public, employees shall use accrued vacation or compensatory time. If such employee has no accrued vacation or compensatory time, the time absent from work shall be leave without pay. An adjustment shall be made to vacation and sick accruals based on number of hours worked in that timeframe.

Article VIII. Organization standards and rules.

Section 8.01 Code of Ethics

- (a) Purpose: to define conflict of interest to Todd County employees.
- (b) Definitions: For the purpose of this policy the following definitions shall apply:
 - Business** - means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity that engages either in nonprofit or profit making activities.
 - Confidential information** - means any information obtained under government authority which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any individual or a business.
 - Private interest** - means any interest, including but not limited to a financial interest, which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any individual or a business.
 - Immediate family** - means spouse, child, parent, grandparent and spouse of such persons.

Employee - shall include elected officials and all county employees, including Department Heads and appointed individuals.

- (c) Acceptance of gifts or favors: Employees of Todd County in the course of or in relation to their official duties, shall not directly or indirectly receive or agree to receive any payment of expense, compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except the county, for any activity related to the duties of the employee unless otherwise provided by law. The provisions of Minnesota statute §471.87 and the exceptions set forth in Minnesota statute §471.88 shall apply. The acceptance of any of the following shall not be in violation of this section:
 - (i) Plaques or similar mementos recognizing individual services in a field of specialty or to a charitable cause;
 - (ii) Honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the county of Todd.
- (d) Use of confidential information. An employee of the county of Todd shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.
- (e) Use of property. An employee shall not, without prior approval, use or allow the use of county time, supplies, or county owned or leased property and equipment for the employee's private interest or any other use not in the interest of the county, except as provided by law and/or the county's information systems' policy. For example, as personal computers are updated they become property of the county MIS Department for dissemination to other departments within the county.
- (f) Conflicts of interest. The following actions by an employee of the county of Todd shall be deemed a conflict of interest and subject to disciplinary action as appropriate:
 - (i) Use or attempted use of the employee's official position to secure benefits, privileges, exceptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated, which are different from those available to the public; or
 - (ii) Acceptance of other employment, engagement in private business or in the conduct of a profession during the hours for which the employee is employed to work for the county, or outside such hours in a manner, that would affect the employee's productivity as an employee of the county or affect the employee's independent judgment in exercise of the employee's official duties; or
 - (iii) Actions as an agent in any action or matter pending before the county of Todd, except in the proper discharge of official duties or on the employee's behalf.

- (g) Determination of a conflict of interest. When an employee believes that the potential for a conflict of interest exists, it is the employee's duty to report the matter to his or her supervisor or if there is not a supervisor, to the County Coordinator. Such report shall be made within 7 days after the potential for a conflict becomes known. A conflict of interest shall be deemed to exist when a review of the occurrence by the employee or the employee's supervisor, the County Coordinator or the County Board determines that this code of ethics has not been complied with.
- (h) Resolution of a conflict of interest. If it is determined that a conflict of interest exists, the County's labor attorney, county attorney, the employee's Department Head, the County Coordinator, and the employee may attempt to resolve the conflict with the employee after notifying the employee of the alleged incident in writing. The employee will be provided the opportunity to have a representative present throughout the meetings to resolve the alleged conflict. If the conflict is not resolved, or if it is determined that the conflict is of such a serious nature that warrants disciplinary action, the employee shall be disciplined under the terms of this personnel policy. In the case of conflict of interest involving a county commissioner, the county attorney shall handle the resolution.
- (i) Outside employment. Employees shall obtain prior written approval (a copy of which will be placed in the employee's personnel file) from the employee's Department Head before engaging in any other employment activity or enterprise for private gain that may constitute a conflict of interest. Department Heads shall obtain prior written approval from the County Coordinator before engaging in any other employment activity or enterprise for private gain that may constitute a conflict of interest.
- (j) Acceptance of advantage by county employee. No employee of the county in direct contact with suppliers or potential suppliers of the county, or who may directly or indirectly influence a purchased product or products, evaluation contracted services, or otherwise has official involvement in the purchasing or contracting process shall:
 - (i) Have any financial interest or have any personal beneficial interest directly or indirectly on contracts or purchase orders for goods or services used by, or purchased for resale or furnished to the county; or
 - (ii) Accept directly from a person, firm or corporation to which a contract or purchase order has been or may be awarded, a rebate gift, money, or anything of value other than as defined in section b. No such employee may further accept any promise, obligation or contract for future reward.
- (k) Prohibited political activity. All political activity is permitted except as provided below:
 - (i) No person shall in any manner during hours of employment use his or her authority or official influence to compel any employee:
 - 1) To apply for membership in or become a member of a political organization;
 - 2) To pay or promise to pay a political contribution; or
 - 3) To take part in any political activity.

- (l) Complaints. If a fellow employee or a non-employee makes a complaint about an employee's compliance with this policy, the complaint should be initially brought to the attention of his/her Department Head. The Department Head will notify the County Coordinator regarding the complaint within 7 days.
- (m) Annual confirmation. Department Heads will sign an annual confirmation that they have received, read and understood the Todd County code of ethics policy and that they are not aware of any violations of such policy. Such confirmation will be filed with human resources department.

Section 8.02 Harassment, Offensive Behavior Policy, and Including Sexual Harassment

- (a) Purpose: To provide a work environment free of harassment in any form.
- (b) Policy statement. It is the policy of Todd County to maintain a work environment free of harassment, offensive behavior, sexual harassment and any form of sex discrimination in employment prohibited by title vii of the civil rights act of 1964 and the Minnesota human rights act. Harassment, offensive behavior, or any form of sexual harassment is unacceptable and will not be permitted. Any employee found to have acted in violation of this policy will be subject to disciplinary action, up to and including discharge from employment.
- (c) Definitions
 - (i) Harassment or offensive behavior includes: unwelcome physical or verbal conduct based upon sex (gender), race, color, creed, national origin, religion, age, marital status, familial status, disability, status with regard to public assistance, or sexual orientation, especially if that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or use of public services or public accommodations or creates an intimidating or offensive environment.
 - (ii) Sexual harassment includes: unwanted or unwelcome sexual advances which include but are not limited to:
 - 1) Requests or demands for sexual favors (whether subtle or blatant);
 - 2) Patting, pinching, or similar physical conduct that is sexually motivated; or
 - 3) Verbal comments, abuse, or kidding that is sexually-oriented or sexual in nature.
 - (iii) "Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:
 - 1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;

- 2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
 - 3) That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, or creating an intimidating, hostile or offensive employment environment; and the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.
- (iv) Examples: Behavior or conduct which may constitute sexual harassment may include, but are not limited to the following:
- 1) Verbal
 - a) Unwelcome sexual comments, innuendoes, or suggestions about an individual's body, clothing or sexual activity;
 - b) Discussion of sexual topics, sexual practices, sexual preferences, sexual experiences, sexual jokes and stories;
 - c) Requesting or demanding sexual favors, explicit or implicit suggestions that there is a positive or negative connection between sexual behavior or sexual compliance and any term or condition of employment; or
 - d) Language of an obscene or sexual connotation and stereotypical terms such as "sweetheart," "slut," "stud," or "hunk."
 - 2) Non-verbal
 - a) The display or posting of sexually explicit or graphic pictures, objects or items in the work place such as a "girlie calendar" or cartoons depicting sexual jokes or sexual acts;
 - b) The use of suggestive facial expressions or gestures of a sexual nature; or
 - c) Unwelcome visits to an individual's home, hotel room or areas considered private or outside the work premises.
 - 3) Physical
 - a) Kissing, touching, patting, pinching or brushing against a person's body;
 - b) Sexual contact; or assault and battery.
 - 4) This list of examples is not intended to be exhaustive. Other types of behavior or conduct, which are not included in this list, may constitute sexual harassment and be in violation of county policy.

Section 8.03 Responsibilities

- (a) All employees:
 - (i) All county employees, appointed individuals and elected officials are required to conduct themselves in a manner consistent with the spirit and intent of this policy.
 - (ii) Any person who believes he or she has been subjected to sexual harassment by an employee, officer, agent of the county, or any third person with knowledge or belief of conduct which may constitute sexual harassment, must report the alleged acts immediately to an appropriate county official. (see section d).
- (b) Department Heads, supervisors, and elected officials are responsible for:
 - (i) Establishing and maintaining a climate in the work unit that encourages all employees to communicate questions or concerns regarding this policy;
 - (ii) Recognizing incidents which they believe may be sexual harassment;
 - (iii) Immediately notifying the County Coordinator/human resources department in writing of harassment allegations so that investigatory procedures may be implemented. The failure of a Department Head and/or supervisor to report a complaint of harassment may result in disciplinary action; and
 - (iv) Taking corrective action to eliminate substantiated incidents of sexual harassment.
 - (v) Retaliation against a person who makes a complaint of harassment or participates, testifies or assists in the investigation of a harassment complaint is prohibited. Retaliation includes but is not limited to, any form of intimidation, reprisal or harassment. Retaliation will not be tolerated and may, in and of itself, result in disciplinary action, up to and including discharge from employment.
- (c) The County Coordinator/human resources department is responsible for:
 - (i) Informing Department Heads and supervisors of their obligations under this policy;
 - (ii) Informing employees of the county's policy regarding harassment, including providing training and posting of this policy; and
 - (iii) Investigating harassment allegations and ensuring that appropriate disciplinary action is consistently and fairly administered.

Section 8.04 Internal Complaint System and Discipline Procedure

- (a) Reporting: Any person who believes he or she has been subjected to sexual harassment by an employee, officer, agent of the county, or any third person with knowledge or belief of conduct which may constitute sexual harassment, must report the alleged acts immediately to an appropriate county official as designated below. Appropriate county officials to whom complaints of sexual harassment should be made include:
 - (i) Your supervisor and/or Department Head;
 - (ii) The harasser's supervisor and/or Department Head;
 - (iii) The County Coordinator/human resources department.

- (iv) If the individual engaging in harassment is an employee's supervisor and/or Department Head, the aggrieved employee should contact the County Coordinator or human resources department. If the individual engaging in harassment is the County Coordinator or human resources department, the aggrieved employee should contact a member of the Todd County Board or County Attorney.
- (b) Report it—do not ignore it!
- (c) Reprisal: The county will take appropriate action against any employee, agent, officer, elected official, or commissioner who retaliates against any person who reports alleged harassment, offensive behavior, or violence, or who retaliates against any individual who testifies, assists, or participates in an investigation related to a complaint.
- (d) Investigation. Upon notice of an allegation of sexual harassment, county administration, or someone they designate, will conduct a prompt, fair, and thorough investigation of the complaint. Fair consideration will be given to all the facts presented. All complaints will be handled in a confidential manner to the extent possible pursuant to applicable laws.
- (e) Normally, as the first step of investigation, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The investigator will attempt to obtain the following information:
 - (i) A description of the incident(s), including date(s), time(s), and place(s);
 - (ii) Corroborating evidence;
 - (iii) A list of witnesses; and identification of the offender(s).
- (f) The county shall have all reports or complaints of harassment, offensive behavior, or violence investigated promptly, fairly, and completely by county officials, or by a third party designated by the county.

Section 8.05 Prevention of Harassment

- (a) Todd County will:
 - (i) Post notices of county policy and procedures;
 - (ii) Provide training activities in-house (at a minimum of every three (3) years);
 - (iii) Provide counseling or support services to victims, or arrange for such services provided outside the county.

Section 8.06 Training

- (a) The county will provide opportunities for employees to receive training related to the prevention of harassment.

Section 8.07 Workplace Violence

- (a) Purpose: To maintain a respectful, safe workplace and public service environment free from violence. Todd County will not tolerate violence or threats of violence by or toward any employee, client, volunteer or citizen. Such violence or threats of violence may subject the individual to appropriate disciplinary action, possible criminal charges and/or possible restriction from county facilities.
- (b) Possession, threat of use, or use of an object as a dangerous weapon, including all firearms, is prohibited at the workplace, on county property, in county facilities, and county vehicles, unless such possession, threat of use or use is an approved requirement of the job.
- (c) This policy applies to full-time, part-time, long-term substitute/temporary and seasonal employees, elected and appointed officials, interns, grant recipients, volunteers and citizens.
- (d) Acts or threats of violence defined: Acts of violence or threats of violence include offensive, intimidating or degrading conduct against persons or property which affect or alter employment conditions or create a hostile, abusive or intimidating work environment for county employees, clients, volunteers or citizens.
- (e) Examples of prohibited conduct: Examples of behavior or conduct which may constitute violence or threats of violence include, but are not limited to the following:
 - (i) Hitting, shoving or pushing an individual.
 - (ii) Threatening to harm an individual, his/her family, friends, associates or property.
 - (iii) Intentional destruction or threat of destruction of property owned, operated or controlled by Todd County.
 - (iv) Harassing, intimidating, abusive or threatening comments or telephone calls.
 - (v) Harassing, intimidating, abusive or threatening letters or other forms of written or electronic communications.
 - (vi) Harassing surveillance or stalking. “stalking” means the repeated following of or contacting of another person and with such following or contact, placing the other person in reasonable fear of his/her safety or well-being.
 - (vii) Making a suggestion or otherwise intimating that an act to injure persons or property is appropriate, without regard to the location where such suggestion or intimation occurs.
 - (viii) Unauthorized possession or inappropriate use of firearms, weapons or any other dangerous object on county property.
- (f) This list of examples is not intended to be exhaustive. Other types of conduct, which are not included in this list, may constitute violence or threats of violence and be in violation of county policy.
- (g) Application of prohibition. The county prohibits and will not tolerate acts of violence or threats of violence. This prohibition applies to all persons involved in county operations, including but not limited to, county employees, clients, volunteers and citizens.

- (h) Violations of this policy by any individual on county property, by any individual acting as a representative of the county while not on county property or by any individual acting off county property when his/her actions affect the public interest or the county's business interests may subject the individual to appropriate disciplinary action, up to and including termination from employment, possible criminal charges and/or possible restriction from county facilities.
- (i) Employee obligations. Each employee of Todd County must report incidents of violence or threats of violence of which he/she is aware. Appropriate county officials to whom complaints of violence or threats of violence should be made include:
 - (i) Your supervisor and/or Department Head;
 - (ii) The perpetrator's supervisor and/or Department Head; or
 - (iii) The County Coordinator
 - (iv) Human resources department
- (j) If the individual engaging in violence or threats of violence is an employee's supervisor and/or Department Head, the aggrieved employee should contact the County Coordinator or human resources department. If the individual engaging in the conduct is in the County Coordinator or human resources department, the aggrieved employee should contact a member of the Todd County Board or County Attorney
- (k) Supervisory obligations. Department Heads and supervisors are responsible for:
 - (i) Establishing and maintaining a climate in the work unit which encourages all employees to communicate questions or concerns regarding this policy;
 - (ii) Recognizing incidents which they believe may constitute violence or threats of violence;
 - (iii) Immediately notify the County Coordinator or human resources department in writing of allegations so that investigatory procedures may be implemented. The failure of a Department Head and/or supervisor to report a complaint may result in disciplinary action; and
 - (iv) Taking corrective action to eliminate substantiated incidents of violence or threats of violence.
- (l) Upon notice of an allegation of violence or threats of violence, the County Coordinator or human resources department, or someone they designate, will conduct a prompt, fair and thorough investigation of the complaint. Fair consideration will be given to all the facts presented. All complaints will be handled in a confidential manner to the extent possible pursuant to applicable laws.
- (m) Training. The county will provide opportunities for employees to receive training related to risk factors associated with workplace violence and the proper handling of emergency situations.
- (n) Dissemination of policy. All employees will be given copies of this policy. The human resources manager will give all new employees a copy of the policy as part of their orientation.

Section 8.08 Employee Attire & Personal Property

- (a) Employee attire. Employees interact on a daily basis with citizens and others on behalf of Todd County. As representatives of Todd County, employees are required to conduct themselves, appear and dress appropriately as determined by their Department Head.
- (b) Personal property. The county is not responsible for the loss of personal items, money or valuables belonging to employees. If employees are missing personal articles, money or valuables, they should notify the Department Head/supervisor immediately. All articles found in the facility with no owner identified should be given to the county auditor-treasurer where the person who lost the item may claim them.

Section 8.09 Tobacco Free Policy

- (a) Purpose: To provide a tobacco free working environment for Todd County employees and citizens.
- (b) The Todd County Board of Commissioners acknowledges the Minnesota Clean Indoor Air Act, and Minnesota statutes regarding smoking in public places.
- (c) The responsibility for the enforcement of the tobacco free policy within county buildings, grounds (except for designated areas) and vehicles is delegated to the individual Department Heads, both elected and appointed.

Section 8.10 Drug Free Workplace Policy

- (a) Purpose: Todd County has a commitment to its employees and to the public to provide a safe work environment. Todd County requires high standards for safety, health and professionalism from its employees. Todd County recognizes the impact that the use of alcohol and/or drugs has on job performance and the potential damage such use can cause to employees and to the safety and security of operations and the general public. Todd County's goal is to maintain a work environment that is free from the illegal use or abuse of drugs or alcohol. Each employee bears the responsibility to be accountable so that Todd County can achieve this goal. This policy is applicable to all employees and applicants of Todd County.
- (b) Rules
 - (i) No employee shall use any alcohol on Todd County property, while the person is working for the county or on county business, nor while operating any county vehicle, machinery or equipment, except law enforcement officers operating in an official capacity. No employee, including law enforcement personnel, may use any drug on Todd County property, while the person is working for the county or on county business, nor while operating any county vehicle, machinery or equipment. This does not apply to alcohol consumption at social events when county business is incidental to the event.

- (ii) No employee shall, while on Todd County property during the employee's work time or while the employee is on county business or operating any county vehicle, machinery or equipment, be intoxicated or impaired from the use of alcohol or drugs or under the influence.
 - (iii) No employee shall possess, consume, sell, purchase, trade or otherwise transfer any drug, anytime, or anywhere, except for valid medical reason, or authorized action.
- (c) Procedure
- (i) All alcohol or drug screening tests for which blood is drawn or urinalysis or breathalyzer sample are taken shall be administered by a competent person. All drug and alcohol testing analysis shall be done by a laboratory licensed by the Minnesota commissioner of health.
 - (ii) Any employee who is covered by this policy, who is using medication that is prescribed by a physician which will significantly interfere with the employee's work performance, is required to notify his/her supervisor when reporting for work. Supervisors will assign other work if available; if appropriate work is not available, the employee may be required to take a sick day.
 - (iii) Prior to requiring a drug or alcohol test, the employee or job applicant will be given an opportunity to review the policy. The employee or job applicant will be asked to indicate any medication that the individual is currently taking or has recently taken and other information relevant to the reliability of or explanation for a positive test result.
- (d) Circumstances for a drug or alcohol test
- (i) The employer may, at its discretion, require drug/alcohol testing under the following circumstances:
 - 1) Applicant. When a person applies to become an employee of Todd County, provided a conditional job offer has been made to the applicant. The same test will be required of all applicants conditionally offered employment for the position.
 - 2) Reasonable suspicion testing. If there is reasonable suspicion that an employee:
 - a) Is under the influence of drugs or alcohol;
 - b) Has violated any of the rules, set out in section c above ("rules");
or
 - c) Has caused a work-related accident or was operating or helping to operate machinery, equipment or vehicles involved in a work-related accident.
 - d) Has sustained a personal injury or has caused another employee to sustain a personal injury, as defined in Minnesota Statute 176.044, subd. 16

- 3) Treatment program testing. If the employee has been referred by Todd County for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program, drug/alcohol testing may be requested or required without prior notice anytime during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.
- 4) Random, return to duty, and follow-up basis testing. These tests are limited to employees required to maintain a commercial driver's license as a condition of employment. DOT drug testing is in place for employees who are required to have a commercial license for their job. Such testing will be done in compliance with the DOT drug/alcohol testing policy.

(e) Test results and consequences:

(i) Applicant:

- 1) If an applicant refuses to submit to a drug/alcohol test, the conditional job offer will be withdrawn and the applicant will not be hired or considered further.
- 2) If an applicant tampers with any (the applicant's or another's) urine or blood sample, the applicant will be given no further consideration.
- 3) If at any step (initial screening, confirmatory test or confirmatory retest) the test result or a sample is negative, there will be no adverse impact on the employer's consideration of the applicant and his/her qualifications.
- 4) If the applicant adequately explains a positive test result, there will be no adverse impact on the employer's consideration of the applicant and his/her qualification.
- 5) If the initial screening test result is positive and is verified by a confirmatory test, the applicant may request a confirmatory retest of the original sample, at the original laboratory, at the applicant's own expense and/or may submit additional information to the employer to explain that result. If a confirmatory retest is not requested or is positive or if the applicant does not submit satisfactory information within 7 calendar days after notification of the test result, the job offer will be withdrawn.
- 6) If a job offer is withdrawn, the employer will inform the applicant of the reason.

(f) Employee

- (i) If an employee refused to submit to a lawful drug/alcohol test, he/she will be subject to discipline, up to and including termination.

- (ii) If an employee tampers with any (the employee's or another's) urine or blood sample, the employee will be subject to discipline, up to and including discharge.
- (iii) If, at any step, (initial screening, confirmatory test, or confirmatory retest), the test result on a sample is negative, no adverse employment action will be taken based on that sample alone.
- (iv) If an employee satisfactorily explains a positive test result, no adverse action will be taken based on that result.
- (v) If the confirmatory test is positive, the employee may request a confirmatory retest of the original sample at the employee's own expense and/or submit additional information to explain the positive test result.
- (vi) If the confirmatory retest confirms the original positive test result and this was the first confirmed positive test result for the employee, the employee will be given an opportunity to participate in, at the employee's own expense or pursuant to the employee benefit plan, a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the employer after consultation with a chemical use counselor, doctor, or health care professional of Todd County's choosing:
- (vii) If the employee refused to participate in counseling or a rehabilitation program or fails to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program or by failing to maintain recommended sobriety or drug-free status after completion of the program, he/she will be subject to termination.
- (viii) No adverse employment action will be taken if the employee participates and successfully completes the counseling or rehabilitation program and does not have another positive test result within two (2) years after completion of the program.
- (ix) An employee who has tested positive may be placed on paid administrative leave or reassigned at the same rate of pay pending the outcome of a confirmatory test and, if requested, a confirmatory retest, if the employer believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. If the outcome of the confirmatory test or requested confirmatory retest is negative. If the confirming test is positive, it will be covered under "F" of this section, above.
- (x) If the confirmatory retest confirms the original positive test result and this was not the first confirmed positive test result for the employee on a test requested by the employer, the rule c of this policy has not been violated, the employee will be subject to termination.

- (xi) Violation of this policy will be grounds for taking disciplinary action against an employee, up to and including termination of employment. A willful failure to cooperate with Todd County in enforcing this policy will also be grounds for disciplinary action, up to and including termination.
- (xii) Every employee is responsible for assuring compliance with this policy and these rules. Every employee has a duty to cooperate with any investigation of suspected violation(s) of this policy or these rules. Every employee and applicant has an affirmative duty to inform Todd County of all information relevant to the reliability of, or explanation for, a positive test result.
- (g) Every employee is expected, as a condition of continued employment, to cooperate in screening programs and drug/alcohol testing under this policy and any refusal to do so may be grounds for disciplinary action, up to and including termination.