

*County of Sac*

# **EMPLOYEE HANDBOOK**

## **PERSONNEL POLICY & OFFICE PROCEDURES**

Effective  
January 1, 2023

**Updated with the Board of Supervisors revisions:**  
May 26, 2023 – Section 2.3 and Section 5.6  
May 21, 2024 – Section 4.2

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# **1.0 INTRODUCTION, STATEMENT OF POLICY, & RIGHTS OF MANAGEMENT**

## **1.1 INTRODUCTION**

The policies contained in this Employee Handbook have been developed to help employees of Sac County understand benefits, working conditions, what is generally expected of them, and is for informational purposes only. Each employee of the County should read, understand, and comply with all provisions of the handbook. Some of the policies and benefits described in this handbook, such as the health insurance plan, are covered in greater detail in other policy documents. The County has tried to make this policy handbook complete, but if you have any questions about it or any aspect of your employment, please feel free to contact your supervisor.

This handbook and any of the policies contained herein are not a contract of employment and should not be construed as such. Employment can be terminated at any time at the will of the employee or the County for any reason, except those certain reasons specifically prohibited by law.

*IMPORTANT NOTE: The Sac County Public Health Department, the Sac County Assessor Department, and the Sac County Conservation Department are governed by separate administrative boards, and as such may set their own personnel policies, which will supersede the County Personnel Policy. Similarly, personnel policies negotiated within the context of a union bargaining contract will supersede County policies contained herein. The Sac County Sheriff, Jail, and Communication Center Departments will follow policies set forth for departments that require essential personnel.*

*At the time of employment with Sac County, you will receive any and all policies that govern your position.*

## **1.2 THE EMPLOYER/EMPLOYEE RELATIONSHIP**

The County recognizes that the attitude, efficiency, and productivity of employees depend, in large part, upon the degree to which a pleasant working environment, equitable treatment, and good working relationships exist. Employees have certain responsibilities to the County. They are expected to work their required hours and do their part in maintaining good working relationships with their supervisors, fellow employees, and the public. Continued failure to meet those responsibilities shall be sufficient cause for disciplinary action.

## **1.3 AMENDMENTS**

No employee handbook can anticipate every circumstance or question about policy. The County may revise the policies, procedures, benefits, and plans described in this handbook at any time without prior notice as deemed appropriate by the county. When changes are made, employees will receive a supplement or a new handbook. All amended or revised policies or procedures shall become effective immediately upon distribution to staff.

## **1.4 EMPLOYER RIGHTS**

Sac County, through its individual department heads and elected officials, shall have, in addition to all powers, duties and rights established by constitutional provision, statute, ordinance, charter, or special act, the exclusive power, duty and right, including but not limited to: plan, direct and control the work of its employees; hire, promote, demote, transfer, assign and retain employees in positions within the public agency; discipline, suspend, or discharge employees; to develop and enforce rules for employee

discipline; maintain the efficiency of governmental operations; to schedule working hours and require overtime work; determine employee qualifications; schedule vacations; relieve employees from duties because of lack of work or for other reasons; to determine what work or services shall be purchased or performed by employees; to change or eliminate existing methods, equipment or facilities; determine and implement methods, means, assignments, and personnel by which the County's operations are to be conducted; take such actions as may be necessary to carry out the mission of the County; initiate, prepare, certify and administer its budget; and exercise all other powers and duties granted to the County by law.

## ***2.0 EMPLOYMENT STATUS & REQUIREMENTS***

### **2.1 EMPLOYEE CATEGORIES & DEFINITIONS**

**Full-Time Employee:** An employee who works continuously during a calendar year with a minimum of 1950 annual hours. Full time employees are eligible for vacation, personal and sick leave, health insurance, IPERS, life insurance, long term disability insurance and paid holiday time.

**Full-Time On Call:** An employee who is scheduled and paid to be on-call fifty-two (52) weeks a year at least forty (40) hours per week. A regular full time on call employee is eligible for vacation, sick leave, health insurance, etc.

**Part-Time Employee:** An employee who works continuously during a calendar year with a maximum of 1560 annual hours. A regular part-time employee is entitled to pro-rated vacation, sick leave, IPERS, and is subject to the same work rules governing full-time employees.

**Seasonal Employee:** An employee who is scheduled to work full or part time for fewer than 12 months per calendar year and is not eligible for vacation, personal and sick leave, health insurance, life insurance, long term disability insurance and paid holiday time. Seasonal employees terminate annually but are able to re-apply if termination is a result of end of seasonal work. Seasonal employees are subject to the same work rules governing full-time employees.

### **2.2 DEFINITIONS**

**Exempt Employee:** A salaried employee who is not covered by the overtime provisions of the Fair Labor Standards Act and is not eligible to receive compensation for overtime work either in the form of time off (compensatory time) or in cash. Exempt employees are not subject to suspension without pay unless involved in a major safety infraction.

**Non-Exempt Employee:** An employee who is covered by the overtime provisions of the Fair Labor Standards Act and is eligible to receive compensation for overtime work either in the form of time off (compensatory time) or in cash.

**Supervisor:** For purpose of this personnel policy document, the term "supervisor" means elected official, the department head, or the person to whom an employee reports to or who provides direction and instructions to an employee.

**Department Head:** For the purpose of this personnel policy, the term "Department Head" refers to an employee, either elected or not, who oversees a particular department of the County. Department Heads are generally supervisors, but supervisors are not necessarily all department heads.

**Vested Employee:** An employee that has worked continuously for more than one (1) year.

### **2.3 NEW EMPLOYEE**

All new employees shall undergo an introductory period of ninety (90) days from the date of employment, during which the supervisor or Department Head may terminate the employee at any time for unsatisfactory performance. The reason for termination will be given to the employee in writing and will be effective immediately. Such decision will be irrevocable and shall not be subject to the grievance procedure provided herein. Former employees of the County that are re-hired shall be considered new employees.

New full-time employees will receive paid time off (PTO) after they have completed the introductory ninety (90) days of employment. Employees that are scheduled to work 1,950 hours per year will receive 37.5 hours of Paid Time Off (PTO) and employees scheduled to work 2,080 hours per year will receive 40 hours of Paid Time Off (PTO). The paid time off (PTO) must be approved by the employee's supervisor and be used prior to the employee's one year anniversary date. Paid Time Off (PTO) will not be eligible for carry-over or paid out as compensation.

## **2.4 EQUAL EMPLOYMENT OPPORTUNITY**

The County is dedicated to equal employment and advancement opportunities. It is the County's policy to hire and promote qualified individuals on the basis of their qualifications, interest, and aptitude, without unlawful regard to race, religion, color, sex, age, national origin, disability, or any other characteristic protected by local, state, or federal law. This policy applies to all terms, conditions, and privileges of employment, including but not limited to recruiting, hiring, training, transfers, promotions, and benefits.

## **2.5 JOB POSTING**

Whenever a position becomes available, a notice of such opening will be posted on the courthouse bulletin board for at least ten (10) calendar days before the deadline for filling the position. The notice will contain the position title, a brief job description, and minimum hiring specifications. The following positions are not required to be posted: deputy to an elected official, private secretary, and any positions in a confidential relation to the appointing officer.

Advertisements in county or other newspaper publications may also be warranted and is at the discretion of the Department Head or Supervisor.

## **2.6 HIRING & PROMOTION**

Employees hired by the County are done so at the discretion of the department head or supervisor, who may choose to appoint an interview team to fill positions as it is practical or necessary. Employees are hired based on their meeting the minimum requirements for the position and past experiences or knowledge that may be brought to the position.

It is the policy of the County to provide promotional opportunities for its employees when possible and practical. Promotions from one job classification or position to another may occur when an employee has met the minimum qualifications for that position, or when such a move is warranted or practical for the operation of the County or individual department.

## **3.0 PAY**

### **3.1 TIMESHEETS**

Time sheets are used to keep track of vacation, sick leave, comp time, etc. The time sheets are due in the Auditor's office on the Monday prior to each pay day. In the case of Holiday's, the Auditor's Office will

instruct department heads of alternative due dates. Paychecks may be withheld if the time sheets are not filed in a timely fashion.

### **3.2 PAY PERIODS & PAYCHECKS**

The County pays bi-weekly. Paychecks will be issued every other Friday. If the Friday pay day falls on a Holiday, checks will be issued for the Thursday before. If the employee chooses direct deposit as a form of pay distribution, the employee will receive a notice of deposit. The notice of deposit contains all pertinent information concerning current and year-to-date earnings and deductions for the employee. The notice of deposit is an important source of financial information and should be retained as a part of the employee's salary records. The supervisor must be notified immediately if an employee believes a mistake has been made on his/her check.

### **3.3 OVERTIME PAY & COMPENSATORY TIME**

All overtime work is to be determined by the supervisor and must be authorized by the supervisor before it will be paid. Overtime shall be paid to all non-exempt employees at the rate of time and one-half (1 ½) the employee's straight time hourly rate for hours worked in excess of 40 hours unless otherwise governed by Fair Labor Standards. Hours between 37.50 and 40.00 shall be paid at straight time, in accordance with the Department of Labor section 553.28.

For purposes of overtime and compensatory time, the work week will begin at 12:01 a.m. on Monday and end at 12:00 midnight on Sunday or 12:01 a.m. on Saturday and end at 12:00 midnight on Friday depending on the department. Paid leave (i.e., holiday, vacation, sick, etc.) shall be counted as work time for purposes of determining overtime.

An employee working overtime may be required to take compensatory time off in lieu of receiving cash payment. Compensatory time will be provided to employees at the rate of one and one-half (1½) times the hours worked. Employees may accumulate up to one hundred (100) hours of compensatory time. Once the maximum amount of compensatory time has been accumulated, the employee will receive overtime pay for any compensatory time earned. Compensatory time off must be approved by the employee's supervisor before the time off can be taken. Upon termination of employment, the employee shall be paid for any unused compensatory time at the employee's regular hourly pay rate.

Exempt employees shall not receive any compensation for overtime worked either in the form of cash payment or time off.

## **4.0 BENEFITS & PAYROLL DEDUCTIONS**

### **4.1 PAYROLL DEDUCTIONS**

The following deductions will be made from the paycheck of all employees:

- Federal Income Withholding Tax
- Federal Social Security and Medicare Tax (FICA)
- Iowa Public Employees Retirement System for qualified employees
- State Income Tax

Deductions from employee's pay shall be based upon the amounts required by the Federal and State governments. The following deductions may be made from the paycheck of employees as requested by such employees: insurance, annuity, investment, savings, Flexible Spending Account, and retirement plans. Voluntary payroll deductions requested by the employee shall be made at the employee's risk; the County shall not be liable in any way for losses incurred by the employee in any program for which said



employee requests a payroll deduction made. Other deductions, such as garnishments, may be made as law mandates them or ordered by the court system.

## 4.2 INSURANCE

Sac County provides county paid life insurance of \$10,000 and long-term disability insurance for all elected officials, Full-time and Full-time On-call employees. Additionally, Sac County offers health and major medical insurance, for all elected officials, Full-time and Full-time On-call employees insurance coverage will begin on the first day of the month following the first full month of full-time active employment and will end on the last day of the month in which the employee terminates. The Board of Supervisors will determine the plan(s) offered by the County, as well as the employee and the County cost share for each plan annually during the renewal process prior to open enrollment.

## 5.0 LEAVE

### 5.1 ANNUAL LEAVE

Annual leave is a benefit conferred on certain employees of the County permitting them to be absent from duty for personal reasons without loss of pay. Annual leave, although calculated and accrued from anniversary date to anniversary date, may not be used by the employee until after the employees' annual anniversary date.

**Accrual:** Annual leave shall be credited to Full-time and Full-time On-call employees in accordance with the following schedule:

	37.5 hour/week employees	40 hour/week employees
After One Full Year, Continuous Employment	37.5 hours	40 hours
After Two Full Years, Continuous Employment	75 hours	80 hours
After Seven Full Years, Continuous Employment	112.50 hours	120 hours
After Twelve Full Years, Continuous Employment	150 hours	160 hours
After Twenty-Five Full Years, Continuous Employment	187.5 hours	200 hours

In addition to annual leave, employees will earn two days (15 hours for employees that work 37.5 hours per week and 16 hours for employees that work 40 hours per week) of personal leave immediately (after 1<sup>st</sup> year) and again on each of the employee's anniversary date. Personal leave cannot be carried over and will not be paid in lieu of taking the time off.

Part-time employees may accumulate pro-rated vacation annually. Pro-rated vacation hours will be determined according to the number of paid hours for the previous year divided by the full-time equivalency for the department (i.e., 2080 or 1950) This percentage is then multiplied by using the full-time equivalent schedule based on years of continuous employment:

Example: Jane Doe worked 1350 hours →  $1350 / 2080 = .65$  (ratio of part-time to full-time hours).  
Jane Doe has been employed for 5 years which is equivalent to 80 hours of vacation time if she was full-time, therefore, she would receive 52 hours of leave. ( $.65 \times 80 \text{ hours} = 52$ )

Annual leave shall be determined from anniversary date to anniversary date. New employees will begin accruing vacation time at their date of hire but will not be able to use vacation time until after their first

anniversary date. Former employees who are rehired by the county will use their new hire date for determining vacation eligibility. Employees who are transferred from one department to another will retain their original hiring date.

**Use:** Annual leave shall be used within the twelve months after which it is earned unless special permission has been granted by the supervisor. Annual leave time cannot be used on a holiday. Five (5) days of annual leave may be carried over to the next year and/or no more than five days of vacation can be paid out in lieu of using or losing vacation time with the approval of department head.

**Approval:** Annual leave must be applied for in advance and approved at the discretion of the department head. Annual leave shall be requested and approved at least 10 working days in advance for vacation requests longer than 2 days in duration, except in emergency situations, as determined by the employee's department head.

The approval or disapproval of annual leave shall not be used as a means of disciplinary action or withheld without good cause.

**Upon Separation:** Annual leave earned and available to vested employees at the time they are separated from the County may be taken as annual leave or in a lump sum payment. Any leave accrued during a year in which the employee is employed but not vested will not be paid upon separation. Vested employees will be paid any unused and accrued vacation.

**Upon Change in Employment Category:** From time to time an employee may move from employment that is eligible for annual leave (e.g., Full Time) to one that is not (e.g., Part Time). Annual leave earned and available to employees at the time they change an employment category in this manner may be taken as annual leave or in a lump sum payment.

**Records:** Records of earned and/or vested annual leave and use is maintained in the Auditor's Office.

## 5.2 SICK LEAVE

Sick leave is a period of absence with pay granted to employees when an employee is absent from work due to illness or injury, or for medical, dental, or optical examination or treatment. Employees may be granted sick leave to attend to members of the immediate family, to wit: spouse, parents, stepparents, parents in law, children, stepchildren, grandchildren, and siblings. Up to 20 hours of sick leave may be used to attend to other family members and is subject to the discretion of the supervisor. Sick leave may be used to attend to dependent or non-driving adult family members (those listed above) but may not be used to accompany nondependent adult family members on routine checkups. Sick leave will not be paid as vacation time (annual leave) and will not be allowed to be used during the last two weeks of employment. Records of accrued and used sick leave will be kept in the Auditor's Office.

**Accrual:** Full-time employees shall accrue sick leave at the rate of one and one quarter (1 ¼) days per month, or fifteen (15) days per year. Accrued sick leave shall be determined from anniversary date to anniversary date. New employees will begin accruing sick leave at their date of hire but will not be able to use sick leave until after ninety (90) days of continuous employment. Former employees who are rehired by the county will use their new hire date for determining sick leave eligibility. Employees who are transferred from one department to another will retain their original hiring date.

**Accumulation:** Sick leave not used during the leave year in which it accrues shall accumulate and be available for use in succeeding years. The accumulation shall be limited to ninety (90) days, and sick leave will not continue to accumulate after an employee has used or taken 10 consecutive days of sick leave. Employees who have accumulated the maximum sick leave of ninety (90) working days will continue to accumulate sick leave at the rate of one and one-fourth (1¼) days for each month of employment in a segregated account to be used in the following manner:

When an employee has accumulated seven and one-half (7½) sick leave days in their segregated account, he/she will be entitled to one (1) day of compensatory time off, to be used prior to the employee's next employment anniversary date, or one (1) day of pay at the employee's option.

Part time employees can accumulate up to 2 hours a month with a maximum of 45 days

When employees use sick leave, they must replace their sick leave up to the maximum of ninety (90) days before they can again begin to accumulate sick leave days in their segregated account. Employees will not lose sick leave days in their segregated account due to an interruption caused when an employee replaces sick leave in the primary sick leave account to reach their maximum of ninety (90) days.

**Approval:** When absences due to sickness are necessitated, the employee shall notify the Supervisor prior to the beginning of the workday. Failure to do so without a bona fide reason shall result in the employee being considered absent without leave and subject to disciplinary action. Employees who are absent from their jobs because of personal illness may be required to produce a medical doctor's statement justifying the absence. The supervisor will not exercise the right to require proof of illness in such a manner as to abuse or harass employees.

**Substitution of Sick Leave for Annual Leave:** When sickness occurs during the time an employee is on annual leave, sick leave may be granted to cover the period of illness and the charge against annual leave shall be reduced accordingly. A medical certificate or other acceptable evidence may be required to support application for substitution and is up to the discretion of the supervisor.

**Sick Leave for on-the-Job Injuries or Disabilities:** To the extent that it is available, sick leave may be used for an on-the-job injury or disability. When worker compensation benefits are provided to an employee, the employee shall have the option of either accepting only the worker compensation benefits or of supplementing the work compensation benefits by being paid the difference between the amount of worker compensation and the employee's regular salary. (Regular salary – normal gross income, less taxes and IPERS for a regular work week.) If an employee chooses to supplement worker compensation benefits, the employee's sick leave credits will be reduced. Only the amount paid as salary shall be deducted from sick leave credits. The amount of the deduction shall be calculated by dividing the amount of the County's salary payment by the employee's hourly rate of pay.

**Temporary Disabilities:** Employees with medically certified temporary disabilities shall be entitled to a leave of absence according to rules governing leave.

Employees will be granted a maximum of six (6) weeks leave unless written approval is granted from the supervisor for an additional two (2) weeks. When said employees give notification to the supervisor of desire to return to work, along with a medical release to work, the County shall reinstate said employee within two weeks from receipt of notification. Employees on paid leave will accrue seniority and benefits according to the benefit provision of the County for its employees.

Any employee who does not report back to work by the expiration date as set forth in their leave of absence notice, or does not receive an approved extension, or who accepts other employment while on leave for the County, will be considered to have terminated employment with the County.

**Disposition Upon Separation:** There is no compensation made for accrued sick leave at the time of separation.

**Disposition Upon Change in Employment Category:** From time to time an employee may move from employment that is eligible for sick leave (e.g., full-time) to one that is not (e.g., part-time). There is no compensation for accrued sick leave at the time when an employee changes employment categories in this manner. Sick leave is not available to be held on account; what balance exists, if any, will be deleted.

**Donations of Sick or Annual Leave:** County employees who have earned sick leave or vacation leave can donate up to 20 hours of unused time per year to a fellow employee. Donated time can only be given to an employee after the employee has exhausted their own earned time such as vacation, sick, personal, and banked comp hours.

Procedure for sick or annual leave donations:

1. Department head can make a request for donations to all other department heads.
2. Employees donating time must complete a donation of sick or vacation leave form that includes number of hours donated, employee that will receive the donated sick or vacation leave, which leave is being donated, signature and date and submit it to the requesting department head.
3. At the end of the pay period, the requesting department head submits to payroll the employee who is donating's name and the number of hours donated to payroll clerk with other department pay period information, such as, time sheets. The department head can repeat this procedure until the benefiting employee returns to work.

The payroll clerk will make all appropriate adjustments to the employee(s) that donated sick and/or vacation time and to the employee who received donated sick and/or vacation time. Only the donated time used will be deducted from the donating employee's sick leave bank or vacation hours.

### 5.3 FAMILY MEDICAL LEAVE ACT (FMLA)

**Purpose:** The purpose of this policy is to provide employees with a general explanation of their FMLA rights. If you have any questions regarding your FMLA rights or this policy, please contact your department head.

**General Provisions:** The federal Family and Medical Leave Act (FMLA) provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an employee may use is either 12 (standard FMLA) or 26 weeks (military FMLA) within a 12-month period depending on the reasons for the leave.

**Eligibility:** Employees are eligible for FMLA leave if they: Have worked at least 12 months (52 weeks) for the County. The 12 months (52 weeks) does not have to be consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. All periods of absence from work due to or necessitated by service in the uniformed services will be counted in determining FMLA eligibility. An employee will be considered to have been employed for an entire week if they were on the County's payroll for any part of the workweek and have worked at least 1,250 hours for the County over the preceding 12 months. The FMLA uses the same method for determining compensable as the federal Fair Labor Standards Act (FLSA). Are employed at a work site that has at least 50 employees within a 75-mile radius. This distance is measured using the shortest means of surface transportation.

**Basic FMLA Leave Entitlement:** Eligible employees may take up to 12 weeks of unpaid leave during any 12-month period for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, or placement for adoption of foster care.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- For a serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.
- As used above, a *serious health condition* is an illness, injury, impairment, or physical or mental condition that involves:
- Any period of incapacity or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility; or

- A period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
- Any period of incapacity due to pregnancy, or for prenatal care; or
- Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or
- A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or,
- Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

**Standard FMLA Leave:** The FMLA entitles eligible employees who work for covered employers to take unpaid, job-protected leave in a defined 12-month period for specified family and medical reasons. Generally, employers may select one of four options to establish the 12-month period to be uniformly applied to all employees taking FMLA Leave.

**Military FMLA:** The single 12-month period for military caregiver leave begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other FMLA leave reasons.

An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reasons during the single 12-month period. Up to 12 of the 26 weeks may be for an FMLA-qualifying reason other than military caregiver leave. For example, if an employee uses 10 weeks of FMLA leave for his or her own serious health condition during the single 12-month period, the employee has up to 16 weeks of FMLA leave left for military caregiver leave.

Military caregiver leave is available to an eligible employee once per servicemember, per serious injury or illness. However, an eligible employee may take an additional 26 weeks of leave in a different 12-month period to care for the same servicemember if he or she has another serious injury or illness. For example, if an eligible employee takes military caregiver leave to care for a current servicemember who sustained severe burns, the employee would be entitled to an additional 26 weeks of caregiver leave in a different 12-month period if the same servicemember is later diagnosed with a traumatic brain injury that was incurred in the same incident as the burns.

An eligible employee may also take military caregiver leave to care for more than one current servicemember or covered veteran with a serious injury or illness at the same time, but the employee is limited to a total of 26 weeks of military caregiver leave in any single 12-month period. Additionally, an eligible employee may be able to take military caregiver leave for the same family member with the same serious injury or illness both when the family member is a current servicemember and when the family member is a veteran.

**Use of Leave:** An employee does not need to use his or her leave entitlement in one block. When medically necessary, leave may be taken intermittently (in small blocks of time) or on a reduced leave schedule (reducing the employee's usual weekly or daily schedule). Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Military Family leave due to qualifying exigencies may also be taken on an intermittent basis. Leave to care for or bond with a newborn child or a newly placed adopted or foster child may only be taken intermittently with the employer's approval and must conclude within 12 months after the birth or placement.

**Use of Paid and Unpaid Leave:** FMLA leave may be either paid, unpaid, or a combination of paid and unpaid leave. Whenever employee requests leave for an FMLA covered event, the employee will be required to exhaust all accrued sick leave, personal leave, and annual leave for which they are eligible

prior to being placed in unpaid leave status. Whether the leave is paid or unpaid, it will be counted toward the employee's 12-week entitlement in any given year.

**Maximum Amount of Leave:** An employee has a total of 12 unpaid weeks for all FMLA leaves in any fiscal year; however, an employee may have a total of 26 unpaid weeks in a single 12-month period if the FMLA leave is to act as a caregiver for a military family member. If both husband and wife are employed by the employer, FMLA leave is limited to a combined total of 12 weeks in a 12-month period when leave is taken for the following reasons:

- The birth, adoption, or foster care placement of a child.
- To care for the employee's parent with a serious health condition.

If leave is taken for other reasons, such as the employee's own serious health condition or to care for a child with a serious health condition, the husband and wife can each use up to 12 weeks of leave individually. When the husband and wife both use a portion of the total 12-week FMLA leave entitlement for the birth of a child, placement for adoption or foster care, or to care for a parent, the husband and wife would each be entitled to the difference between the amount he or she has taken individually and 12 weeks of FMLA leave for other purposes. For example, if each spouse took six weeks of leave to care for a parent, each could use an additional six weeks due to his or her own serious health condition or to care for a child with a serious health condition.

**Employee Responsibilities:** Employees should notify their manager and soon as they realize the need for FMLA leave. If the need to take FMLA leave is foreseeable (e.g., the birth of a child), the employee must give the employer at least 30 days prior notice of the need to take leave. When 30 days is not possible, the employee must give the notice as soon as practicable (generally within 1 or 2 business days of learning of the need for leave). If the need for leave is not foreseeable, this information must be provided as soon as practical and in compliance with the employer's normal call-in procedures, absent unusual circumstances. When submitting a request for leave, the employee must provide sufficient information for the employer to determine if the leave might qualify as FMLA leave, and provide information on the anticipated date when the leave would start as well as the duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

**Employer Responsibilities:** When an employee requests FMLA leave or the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee of the employee's eligibility to take FMLA leave within five business days, absent extenuating circumstances. The eligibility notice must state whether the employee is eligible for FMLA leave, and if the employee is not eligible, must state at least one reason why the employee is not eligible. Each time the eligibility notice is provided, the employer must also provide the employee with a written notice detailing the employee's rights and responsibilities. Employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Medical Certification:** Medical certification will be required for any request for use of FMLA leave for an employee's own serious health condition or to take care of a family member with a serious health condition. It is the employee's responsibility to provide complete medical certification within 15 calendar days of the request or to provide a reasonable explanation of the delay. Failure to provide the requested certification may result in the denial of continuation of leave. If the employer has reason to question the medical certification, the employer, at its own expense, may elect to seek a second opinion from a health care provider of their choosing. If the second opinion conflicts with the first opinion, a third opinion may be obtained at the employer's expense from a health care provider mutually chosen by the employee and

the employer. The third opinion will be controlling. The employee will be considered provisionally entitled to leave pending the second and/or third opinion.

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

**Maintenance of Health Benefits:** The employer will maintain group health insurance coverage, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work. Where appropriate, arrangements will need to be made for employees taking unpaid FMLA leave to pay their share of health insurance premiums. For example, if the group health plan involves co-payments by the employer and the employee, an employee on unpaid FMLA leave must make arrangements to pay his or her normal portion of the insurance premiums to maintain insurance coverage, as must the employer. Such payments may be made under any arrangement voluntarily agreed to by the employer and employee. An employer's obligation to maintain health benefits under FMLA stops if and when an employee informs the employer of an intent not to return to work at the end of the leave period, or if the employee fails to return to work when the FMLA leave entitlement is exhausted. The employer's obligation also stops if the employee's premium payment is more than 30 days late and the employer has given the employee written notice at least 15 days in advance advising that coverage will cease if payment is not received. In some circumstances, the employer may recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from FMLA leave.

The employer will maintain group health insurance coverage, including family coverage, for an employee on FMLA leave on the same terms as if the employee continued to work. Where appropriate, arrangements will need to be made for employees taking unpaid FMLA leave to pay their share of health insurance premiums. For example, if the group health plan involves co-payments by the employer and the employee, an employee on unpaid FMLA leave must make arrangements to pay his or her normal portion of the insurance premiums to maintain insurance coverage, as must the employer. Such payments may be made under any arrangement voluntarily agreed to by the employer and employee. An employer's obligation to maintain health benefits under FMLA stops if and when an employee informs the employer of an intent not to return to work at the end of the leave period, or if the employee fails to return to work when the FMLA leave entitlement is exhausted. The employer's obligation also stops if the employee's premium payment is more than 30 days late and the employer has given the employee written notice at least 15 days in advance advising that coverage will cease if payment is not received. In some circumstances, the employer may recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from FMLA leave.

**Fitness-for-Duty Certification:** As a condition of restoring an employee whose FMLA leave was due to the employee's own serious health condition, the employee will be required to provide a certification from the employee's health care provider that the employee is able to resume work. The employee has the same obligations to participate and cooperate in the fitness-for-duty certification process as in the initial certification process and is responsible for any associated costs.

**Job Restoration:** Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

**Failure to Return after FMLA Leave:** Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the Company's standard leave of absence and attendance policies.

This may result in termination of employment if the employee has no other Company-provided leave available to him/her that applies to the continued absence. Likewise, following the conclusion of the FMLA leave, the Company's obligation to maintain the employee's group health plan benefits ends (subject to any applicable COBRA rights).

**Military Family Leave Entitlement:** Notwithstanding the basic FMLA leave entitlements discussed previously, the FMLA also provides for two special military family leave entitlements:

- To permit an eligible employee who is the spouse, son, daughter, parent, or next of kin of a current servicemember with a serious injury or illness incurred in the line of duty on active duty to take up to 26 workweeks of FMLA leave during a single 12-month period to care for the servicemember (Military Caregiver Leave); and
- To allow an eligible employee whose spouse, son, daughter, or parent is a member of the National Guard or Reserves to take up to 12 workweeks of leave for qualifying exigencies arising out of the military member's active duty or call to active duty in support of a contingency operation (Qualifying Exigency Leave).

*A covered servicemember is:*

- A current servicemember of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the servicemember is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or
- A "covered veteran" who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.
- A *covered veteran* is an individual who was discharged under conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five-year period.

The FMLA definitions of *serious injury or illness* for current servicemembers and veterans are distinct from the FMLA definition of *serious health condition*.

- For current servicemembers, *serious injury or illness* means an injury or illness that was incurred by the member in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service, that may render them medically unfit to perform the duties of their office, grade, rank, or rating.
- For covered veterans, *serious injury or illness* means an injury or illness that was incurred in the line of duty while on active duty in the Armed Forces or that existed before the beginning of active duty and was aggravated by such service and manifested itself before or after the individual assumed veteran status, and is:
- A continuation of a serious injury or illness that was incurred or aggravated when they were a member of the Armed Forces and rendered them unable to perform the duties of their office, grade, rank, or rating.
- A physical or mental condition for which the covered veteran has received a VA Service-Related Disability Rating (VASRD) of 50% or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave.
- A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or
- An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.



**Military Caregiver Leave:** Military Caregiver Leave allows up to 26 weeks of unpaid leave in a single 12-month period to be granted to an eligible employee to provide care to an injured covered servicemember who is the eligible employee's spouse, son, daughter, parent, or eligible next of kin. To be eligible for Military Caregiver Leave (in addition to the eligibility requirements covered previously), the employee must be a spouse, son, daughter, parent, or next of kin of the covered servicemember.

Unless the servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver Leave policy, *next of kin* means the nearest blood relative of the servicemember, other than the servicemember's spouse, parent, son, or daughter, in the following order of priority:

- Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions
- Brothers and sisters
- Grandparents
- Aunts and uncles; and
- First cousins

The "single 12-month period" begins on the first day leave is taken to care for a covered servicemember and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave during this "single 12-month period," the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each servicemember. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered servicemember, and/or for each and every serious injury or illness of the same covered servicemember. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any "single 12-month period." Within the "single 12-month period" described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the "single 12-month period," an eligible employee may take up to 16 weeks of FMLA leave to care for a covered servicemember when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered servicemember and completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

**Qualifying Exigency Leave:** Eligible employees may take FMLA leave for a qualifying exigency, in which a military member (active duty, Reserve or National Guard) is on covered active duty or called to covered active-duty status. The military member must be the employee's spouse, son, daughter, or parent. Covered active duty applies when the military member is deployed to duty in a foreign country. Qualifying Exigency Leave is available under the following circumstances:

***Short-notice deployment.*** To address any issue that arises out of short notice (within seven days or less) of an impending call or order to covered active duty.

***Military events and related activities.*** To attend any official military ceremony, program, or event related to covered active duty or call to covered active-duty status or to attend certain family support or assistance programs and informational briefings.

***Childcare and school activities.*** To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.

***Financial and legal arrangements.*** To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.

***Counseling.*** To attend counseling (by someone other than a health care provider) for the employee, for the military member, or for a child or dependent, when necessary, because of duty under a call or order to covered active duty.

***Temporary rest and recuperation.*** To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to 15 calendar days of leave for each instance of rest and recuperation.

***Post-deployment activities.*** To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the military member's active-duty status. This also encompasses leave to address issues that arise from the death of a military member while on active-duty status.

***Parental care.*** To care for the military member's parent who is incapable of self-care. The parent must be the military member's biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age.

***Mutually agreed leave:*** Other events that arise from the military member's duty under a call or order to active duty, provided that the Company and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons; however, under no circumstances may the combined total exceed 12 weeks in any 12-month period (except for Military Caregiver Leave as set forth above). An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the military member's active duty or rest and recuperation orders or other military documentation indicating the appropriate military status and the dates of active-duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days.

**Limited Nature of This Policy:** This Policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The employer reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law. State or local leave laws may also apply.

## 5.4 INTERMITTENT OR REDUCED LEAVE

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule when medically necessary to care for an immediate family member with a serious health condition or because of a serious health condition of the employee. "Medically necessary" means that there must be medical need for the leave and the leave can best be accomplished through an intermittent or reduced leave schedule. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave. The employee must make a reasonable effort to schedule treatment(s) so as not to unduly disrupt the County's operations. If an employee request reduced or intermittent leave, once the intermittent or reduced leave has been

completed, the employee must be transferred back to the same position that the employee held prior to taking the FMLA leave or to an equivalent position. An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the supervisor's consent.

## 5.5 ADMINISTRATIVE LEAVE

Administrative leave is defined as an absence from regular duty which has been administratively authorized by the supervisor, and which does not result in charge against leave of any kind or a loss in salary or pay. An absence of this kind is not entered on time and attendance records. The supervisor shall verbally approve administrative absences. The following are examples that may warrant administrative leave:

- Physical examination for employment with the County or for induction or enlistment in the active armed services.
- Employees volunteering as blood donors without compensation.
- First aid treatment.
- Circumstances in line of duty when the employee is not hospitalized or sent home.
- Voting and registration in communities where employees maintain voting residence if voting registration hours render absence from duty necessary.
- Early dismissal of employees due to hazardous working conditions.

## 5.6 HOLIDAYS

All full-time employees are eligible for the following paid holidays:

New Year's Day  
Dr. Martin Luther King, Jr's Birthday  
Presidents Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve Day and Christmas Day

The following paid holidays will begin at noon:

Friday before Easter (Good Friday)

*\*\* Holidays may be changed at Board's discretion at any time through a change in this personnel policy\*\**

If a legal holiday falls on a Sunday, the following Monday will be observed. If the holiday falls on Saturday, the preceding Friday will be observed.

Sheriff's Office employees working in the patrol division, correctional division and communications division and Public Health Nurse Employees will observe the days of the actual holiday and not the courthouse observed days.

Part-time and seasonal employees scheduled to work on a holiday will be paid at one and one-half (1 ½) times their regular hourly rate. Full-time employees scheduled to work on a holiday will be paid double time (2x) their normal hourly rate.

Employees that are scheduled to work 1,950 hours per year will receive 7.5 hours for a paid holiday and employees scheduled to work 2,080 hours per year will receive 8 hours for a paid holiday except for the Friday before Easter which will be paid beginning at noon for both.

## **5.7 MILITARY LEAVE**

The County intends to comply with all state and federal laws and regulations promulgated regarding Military Service. Any full-time employee, when ordered by the proper authority to active state or federal services is entitled to a leave of absence for the period of active state or federal service, without loss of status and without loss of pay during the first thirty days of such leave of absence.

## **5.8 BEREAVEMENT LEAVE**

Full-time employees will be granted, at the discretion of the employee's supervisor, up to five (5) consecutive days of paid bereavement leave for members of the employee's immediate family, to wit: spouse, parents, stepparents, parents in law, children, stepchildren, grandchildren, siblings, grandparents, brother-in-law, and sister-in-law. Attendance at funerals of close friends or relatives other than the immediate family is at the discretion of the supervisor. Employees who are pallbearers or involved in the color guard of any funeral will be granted necessary time off, up to a maximum of one (1) day, at the discretion of the supervisor.

Only days absent which would have been compensable workdays will be paid for. No payment will be made during vacations, holidays, layoffs, or other leaves of absence. Payment shall be made based on the employee's regularly scheduled hours of work for the days on which the employee is on leave.

## **5.9 CIVIL LEAVE**

Any employee who is subpoenaed as a witness in a court of law or is called to serve on a Grand or Trial Jury in a court of law, may be granted paid leave for that period of time he or she is actually required to be away from County employment. To receive payment for such duty, the employee must submit certification of service to the payroll clerk. The employee shall be paid the difference between the fees or remuneration granted by the court and the employee's regular pay for the period of time during which the employee was absent due to jury service. The employee shall report for work if released from jury duty by 12:00 noon of any workday.

## **5.10 LEAVE WITHOUT PAY (LEAVE OF ABSENCE)**

Leave without pay, or a leave of absence, is defined as an approved absence from duty in a non-pay status. It may be granted by the supervisor and is distinguished from suspension initiated as disciplinary action. The employee shall make a request in writing, stating the reasons, and shall present the request to the supervisor. Leave of absence extensions may also be granted by the supervisor.

An employee granted unpaid leave shall continue to earn and receive insurance benefits, sick leave, and annual leave for leaves of absence lasting less than thirty (30) days. Holidays falling in the time period of leave will not be paid. If the employee does not return to work upon the expiration of the leave of absence, their employment shall be considered terminated.

The authorization of leave without pay is a matter of administrative discretion and should not be approved unless there is a definite expectation that the employee will return at the end of the approved period. Generally, leave without pay should only be granted if the employee has exhausted their annual leave.

## **5.11 UNAUTHORIZED LEAVE**

This is defined as any absence from duty that has not been granted or approved in accordance with established policy or procedure. In such cases, pay is denied for the entire period of absence. However, where it is determined by the supervisor that conditions rendered prior approval impracticable, annual or medical leave shall be charged. An unauthorized absence by an employee for three (3) or more working days shall be considered as voluntary resignation and the employee will not be eligible for longevity payment.

## **6.0 SEPARATIONS, SEVERANCE, LONGEVITY & DISCIPLINE**

All separations of employees shall be designated as either voluntary or involuntary.

### **6.1 VOLUNTARY SEPARATIONS**

**Resignation:** An employee who intends to resign shall notify the supervisor in writing at least 10 working days prior to the last day of work. An employee who resigns without sufficient notice is subject to having his or her separation designated as unsatisfactory service unless there is a valid reason for not being able to give sufficient notice.

**Retirement:** Employees intending to retire shall notify the supervisor, in writing, of their intent to retire at least twenty (20) working days prior to the last day of work.

**Severance Pay:** After ten (10) years of continuous full-time employment and upon voluntary termination of employment, non-elected employees will be eligible to receive a lump sum payment of one hundred dollars (\$100.00) per year of employment. The number of years of employment will be paid in whole years and determined from the current anniversary year.

**Longevity Pay:** Full and part-time employees' rate of pay increases on their anniversary date. The rates shall be consistent with any future negotiated increases with any union representing Sac County employees. The department head is responsible for notifying the payroll clerk of employee's longevity pay increase.

SERVICE TIME	RATE OF PAY
5 through 9 years	15 cents per hour
10 through 14 years	20 cents per hour
15 through 19 years	25 cents per hour
20 through 24 years	30 cents per hour
25 through 29 years	35 cents per hour
30 or more years	40 cents per hour

### **6.2 INVOLUNTARY SEPARATIONS**

**Reduction in Work Force:** An employee may be laid off at the discretion of the supervisor when the employee's position is eliminated, or when there is a lack of funds or lack of work.

**Disciplinary Actions and Dismissal:** Unless otherwise prohibited by collective bargaining agreement, a supervisor may discipline or discharge an employee for any reason which is not in violation of the law.

Disciplinary action, up to and including discharge, may be based upon, but is not limited to, any of the following reasons: inefficiency, insubordination, less-than-competent job performance, unauthorized use or abuse of county property, failure to perform assigned duties, inadequacy in the performance of assigned duties, inattentiveness to duty, dishonesty, theft, improper use of leave, substance abuse,

negligence, conduct which adversely affects job performance or the county, conduct unbecoming a public employee, misconduct, or any other just cause.

Supervisors are encouraged, but are not required to, use the following progressive, adverse actions when considering or before taking any disciplinary action or dismissal: written reprimand, disciplinary suspension, discharge, or other appropriate disciplinary measures.

A Supervisor must consult with the county attorney before disciplining or dismissing an employee.

In accordance with Iowa's Open Records laws (Iowa Code sections 22.7(11)(a)(5) and 22.15), information in confidential personnel records relating to an employee's resignation in lieu of termination, discharge, or demotion as the result of a disciplinary action and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion may become public records.

The provisions of this handbook do not establish contractual rights or conditions of employment between the County and its employees.

## **7.0 GENERAL OFFICE POLICIES**

### **7.1 WORK HOURS**

The attendance and work hours listed below are applicable to all employees, except those whose duties require schedule variance for appropriate service to the public. The work week for employees will normally be either thirty-seven and one-half (37 ½) hours or forty (40) hours, as specified by the Supervisor, with the work week beginning at 8:00 a.m. Monday, and ending at 4:30 p.m. on Friday. Workdays will normally begin at 8:00 a.m. and end at 4:30 p.m. These policies regarding the normal work week and the normal workday are not a guarantee of hours for work per day or per week.

Supervisors shall allow, with pay, one fifteen (15) minute break period in the morning and one fifteen (15) minute break period in the afternoon. One (1) hour shall be allowed as an unpaid lunch period. The scheduling of breaks will be determined by the employee's supervisor. If a break is missed due to customer traffic, employee shortages, or for any other reason, the time is not to be accumulated or reimbursed for cash. Sheriff's office employees working in the patrol division, correctional division and communications division will be granted paid break periods provided they do not leave the property or assigned area during these break periods.

### **7.2 COURTHOUSE CLOSING FOR INCLEMENT WEATHER**

The County Auditor may, in his or her sole discretion as custodian of the courthouse, decide to close the courthouse proper due to inclement weather. Employees whose job is housed in the courthouse will be compensated for any lost hours. Those employees that choose, or by job description need to continue working, will not receive additional or replacement pay over their normal pay. However, the employees that work through a courthouse closing will receive equal paid time off as those who did not which must be used within the following two pay periods and cannot be carried over or paid out.

Conservation and Public Health boards will make individual decisions regarding inclement weather.

If courthouse remains open or opens late all regular employees are expected to report to work. If an employee does not work, vacation, comp or personal time can be used.

### **7.3 MOTOR VEHICLE, DRIVER'S LICENSE, & LIABILITY INSURANCE**

All employees and volunteers whose duties and/or services require the operation of a county motor vehicle must possess a valid state driver's license and maintain a safe driving record. Additionally, those

employees who operate a privately owned motor vehicle while conducting official county business as a part of their employment are required to maintain automobile liability insurance coverage at least equal to the state specified minimum liability levels.

Employees who regularly operate vehicles on county business shall submit to a motor vehicle record (MVR) review on an annual basis. Employees operating a privately owned motor vehicle while conducting official county business will also need to submit proof of insurance coverage to the Department Head on a semi-annual basis.

An employee whose duties require the operation of a motor vehicle who either loses his/her state driver's license through suspension or termination or becomes uninsurable under either his/her personal insurance carrier or the County's insurance carrier may be immediately terminated by the County. However, such employee, within ten days, may make request to the Board of Supervisors for an unpaid leave of absence in lieu of termination. In considering said request, the Board may consider the employee's past employment record with the County, as well as the facts surrounding the license suspension and/or revocation and/or the loss of insurability.

## 7.4 ELECTRONIC COMMUNICATION

**E-Mail and Voicemail Acceptable Use.** The County provides e-mail and voicemail systems for employees to communicate with one another and persons outside of the County. In order to protect the confidentiality of communications, each employee may be assigned a distinct password and security code to access his or her computer and telephone messages. These passwords must be provided to the Supervisor. All employees should be aware, however, that the County has the ability to access all e-mail and voicemail.

E-mail and other means of electronic communications are business tools to permit rapid and efficient communications with a large audience. The County systems are business systems, and not a personal communications network or bulletin board. Users of these tools should apply good judgment and common sense. All electronic communication should be conducted as if it were done in a public meeting following the rules of ethical conduct and non-discriminatory behavior.

Employees will be expected to take full responsibility for their electronic communications. All communications shall be made with the acknowledgment that there is minimal control over what the recipient does with it. In some situations, electronic communications have been used in legal proceedings.

In the event the County receives information that an employee is abusing the system or is sending harassing, damaging, or defamatory messages, an investigation will be conducted, and the employee will be informed at the beginning of the investigation. If any employee has abused the right to use e-mail, he or she may be disciplined in any manner consistent with Section 6.3 of this handbook. Use of the County's e-mail system, voicemail, and other computer facilities shall comply with all laws and regulations and shall exhibit the highest moral and ethical standards of business conduct.

**Monitoring of Electronic Mail and Data:** *All electronic mail messages and related data are the property of Sac county. The County reserves the right to access messages and related data whenever there is a legitimate purpose to do so or under the following circumstances:*

Upon the discontinuation of County employment for any reason, a user's mail and data may be accessed for the purpose of saving those messages and files that pertain to County business. This access will be granted only upon written notification from the Department Head/Elected Official to the IT Administrator.

- These files may be subject for transfer to another user if necessary to conduct County business;
- If required by law to do so;

- In the course of an audit or investigation triggered by indications of impropriety or as necessary to locate substantive information;
- When necessary to investigate a possible violation of a county policy or a breach of the security of the electronic mail system; and
- In the event there is reasonable suspicion that a user has committed or is committing a crime against the County or for which the County could be held liable.

Employees who are placed on a leave of absence, terminated, or laid off from employment with Sac county have no right to the contents of their electronic messages and are not allowed access to the electronic communication system.

**Disclosure of Mail Accessed by Monitoring:** *The contents of any / all electronic mail sent from or received through a Sac county system shall be subject to Open Records Law unless otherwise protected by law and may be disclosed without the permission of the End User. The following shall be the procedure in which the IT Administrator delivers requested electronic mail documents to an individual making a specific request.*

If a request has been made for disclosure of an End User's County-owned electronic mail, the IT Administrator shall either print copies, or shall utilize technological means to obtain copies, of all mail requested. The timeframe for delivery of e-mails to an individual making a request shall be reasonable and follow the guidelines within the Open Records Law. The IT Administrator will contact the County Attorney if deemed necessary to review and redact the data.

**Retention of Electronic Mail Messages:** *This section of the policy is in regard to storing of e-mail messages and sets a guideline for cleaning up unnecessary messages.*

All e-mail and teams will be archived utilizing the County e-mail system. This system has a 2-year archive. All End User accounts have 99 Gb of storage space for e-mails. If the End User's e-mail account exceeds that limit, the End User will be asked to delete unneeded messages.

Use of the County's Internet facilities includes use of the County's domain name and as a result reflects upon the corporate image. The County's reputation is an important public asset. Illegal, unethical, or inappropriate behavior will not be tolerated, and the employee(s) will be subject to discipline or termination.

**Acceptable Use:** This section establishes guidelines and standards for the use of technology equipment, software, data, electronic mail, social media and the Internet. These guidelines and standards must be understood and accepted by each End User who may utilize Sac county technological resources including, but not limited to, Sac county employees, vendors, and public citizens. Revisions to these guidelines and standards may be expected as new products and services are introduced and as the understanding of information processing and Sac county business practice evolves.

*Hardware:* Any physical technology equipment used for processing data or for data / voice communication including, but not limited to: Desktop PC's, Laptops, Smartphones / Cell phones, Desk Phones, Virtual Desktops, Servers, Networking equipment, Printers, iPads, tablet PC's, etc.

*Software:* Programs, programming languages, instructions, or routines which are used to perform work on a computer or other technology hardware.

*Data:* Information such as records, images, e-mail, or other textual material stored on or accessible through a computer whether that data resides on County hardware or is accessible through the Internet or other on-line services through the use of County hardware.

*Inappropriate Conduct:* Conduct which violates the County's Acceptable Usage Policy.



*IT Administrator:* Individual or department designated as being responsible for County-owned technology resources for the End User accessing County-owned hardware, software, or data.

The Sac County IT shall be the IT Administrator for all County departments.

## 7.5 COMPUTER PROCEDURES

The first and foremost rule for using these technologies is:

*Don't say, do, write, view, or acquire anything that you would not consider to be County Business; that you do not require access to for your job responsibilities; and / or that you wouldn't be concerned to have everyone in the world learn about if the electronic records were requested for disclosure.*

**Conduct considered as misuse / inappropriate:** *The following conduct is considered as misuse or inappropriate. They include issues dealing with copyright laws, physical harm to the computer systems, accessing information that the employee does not have permission to access, connecting or using non-County owned software or equipment on the County network, harassment via the County computer system(s), invading privacy of others via the County computer system(s), using the system for personal gain, relocation of County-owned equipment or data, and transmitting offensive material via the County computer system(s).*

Copying County-owned or licensed software or data to another computer system for personal external use;

Attempting to, or modifying County-owned licensed software without approval from the IT Administrator;

Attempting to, or accessing Operating System prompts or executing Operating System commands without approval from the IT Administrator;

Attempting to, or damaging or disrupting operation of computing equipment, data communications equipment, or data communications lines;

Attempting to, or intentionally accessing or modifying data files, databases, directories, or software without proper authorization from the IT Administrator;

Using County computing resources for purposes other than those intended, including:

Allowing access by unauthorized persons

Using County resources for personal gain

Transporting computers, data, data media, programs, documentation and/or equipment to another location unless authorized by the IT Administrator;

Invading the privacy of an individual by using electronic means to ascertain confidential information;

Copying or altering another user's software or data without permission from that user;

Knowingly accepting or using software or data which has been obtained by illegal means;

Abusing or harassing another user through electronic means;

Using the County's computing facilities in the commission of a crime;

Using the County's computing resources to access, transmit, store, display or request obscene, pornographic, erotic, profane, racist, sexist or other offensive material (including messages, video, images or sound);

Connecting or attaching equipment not purchased by Sac county to County-owned workstations and equipment without approval from the IT Administrator and Department Head; and

Installing or using software not purchased by Sac county on County-owned workstations and equipment; or knowingly copying or using programs in contravention of copyright laws.

Attempting to remotely access any County system(s) using non-official means such as a backdoor or Trojan program or any other method in an attempt to circumvent the firewall and/or Internet monitoring software.

**Identification & Passwords:** *The County's computer systems require that each user have a unique identity, referred to as a "User-Id", protected by a "Password", to gain access to the system. This identity and password are used to represent an End User in various system activities, to provide access to*

*certain software and data based on his/her duties and purpose for requiring such access. As such, this computer identity is another instrument of identification and its misuse constitutes forgery or misrepresentation. Conduct which involves misuse of User-ID and Password includes:*

Allowing another individual to use the identity and password;

Using another individual's computer identity and password even if the individual has neglected to safeguard his or her computer identity

If access to a system is needed and the individual is not available, the Department head will contact the IT Administrator.

**Security Concerns:** *The following issues deal with the security of the system and cover items concerning the location of the equipment, using equipment that is approved by the IT Administrator as well as the Department Head / Elected Official, security precautions for mobile devices in the event of (or to prevent) a loss or theft of equipment, unsafe websites and end user security training.*

The placement of a computer system in a user area and the portability of the equipment and associated data media creates special user concerns, as outlined below:

- The IT Administrator and the End Users must ensure that all equipment is located in a secure area where the opportunities for theft are minimized.
- The End User must ensure that only authorized personnel have access to the computer system and that only legitimate items of County business are processed thereon.
- Local data files must be safeguarded from unauthorized access.
- The ability to load a large amount of data on an easily transported media makes it imperative that confidential data be carefully controlled and safeguarded.
- Mobile Devices, including but not limited to: laptops, cell / smart phones, iPads, etc. that are issued by Sac county as well as personal devices (limited to cell phones / smart phones only) that are used for business purposes and / or store Sac county information shall adhere to the following guidelines:
- Access to Sac county information resources using a mobile device must be pre-approved by the IT Administrator and the Department Head / Elected Official;
- Mobile devices must require a pin / pattern / password lock to access; Mobile devices must require a pin / pattern / password lock after a period of inactivity;
- Encryption is required for all mobile devices that must store or access sensitive information. (Please contact the IT Administrator for assistance establishing data encryption);

Users that use personal mobile devices for business must follow the same guidelines as those users who are issued County-owned devices;

- Users will physically secure mobile devices that are left unattended. (If left in a vehicle, mobile devices will be hidden from view, locked in glove compartment, etc.);
- Users are not allowed to provide unattended access to mobile devices by another user;
- Users will notify the IT Administrator immediately if mobile device is lost or stolen;
- Users will return Sac county provided mobile devices at the end of employment. At which time the device will be wiped.
- Disable Bluetooth unless needed
- Personal devices, excluding cell phones / smart phones, shall not be connected to any Sac County network.

The IT Administrator shall establish security rules regarding websites deemed to be dangerous and / or inappropriate for End User access. These websites shall be blocked via hardware and software settings.

The IT Administrator shall establish periodic End User Security Training. All End Users of County Systems shall be required to attend this training and / or review the training materials provided during the training session.

**Equipment Care, Maintenance, and Disposal:** *This section of the policy is a general guideline for keeping County owned computer equipment safe from physical harm from outside elements.*

Users must ensure that their computers are not exposed to extremes of heat or cold, dust, smoke, or other potential contaminants. Drinks and food should be kept away from the equipment or storage media. The IT Administrator should be advised of any malfunctions arising with the equipment.

Internet access is to be used to communicate with fellow employees and clients regarding matters within an employee's assigned duties, to acquire information related to or designed to facilitate the performance of regular assigned duties, and to facilitate performance of any task or project in a manner approved by an employee's Supervisor.

No one shall use any County computer hardware, software, network facilities, or information without proper authorization. No one shall assist in, encourage, or conceal from the County any unauthorized use, or attempt at unauthorized use, of any County computer hardware, software, network facilities, or information.

Virus-checking software is made available to users of the County's network environments and should be used with all electronic files or other software loaded onto County equipment or introduced by any means (i.e., Internet, floppy disk, CD-ROM, file transfer, DVD, jump drive or other sources).

No one shall copy, install, or use any software or data files in violation of applicable copyrights or license agreements. No software shall be installed on County equipment without prior authorization of the supervisor.

**End User responsibilities:** Secure their account and passwords. The IT Administrator will presume that all use of the account and passwords to be by the authorized End User of that account and passwords.

End Users must:

- take reasonable precautions to prevent the account and passwords from becoming known to other persons;
- Take reasonable effort to use the Internet resources effectively, economically and responsibly;
- Advise the IT Administrator or their supervisor/manager if information to which the End User is not entitled has been inadvertently obtained or sent, or they become aware of a breach of security;

In the use of County Internet access, the following is prohibited:

- Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws;
- Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information, including client information, of the County in violation of policy or proprietary agreements;
- Offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs;
- Sending or soliciting sexually oriented message or images;
- Operating a business, usurping business opportunities or soliciting money for personal gain, or political lobbying activities, or searching for jobs outside of the County; and,
- Sending chain letters, gambling, or engaging in any other activity in violation of local, state or federal law.

**Social Media Sites:** Sac county provides access to Social Networking sites including, but not limited to, *Facebook* and *Twitter*, to its employees for the sole purpose of providing access to such sites to conduct Sac county business only. These sites can be beneficial to County-related business and should be used in such a manner to promote Sac county and relay County- related Information to the public. It is the intent of this policy to ensure that users maintain discretion and professionalism while using these sites so as to not harm the reputation of Sac County.

Sac County has the right to disable commenting on any Social Media sites. It will be up to the Department Heads discretion to have commenting on or off, on their Social Media platform.

**General Provisions:** County Internet, E-mail, and voicemail technology are the property of Sac County. All communications and activities conducted on the County-owned systems and equipment are the property of the County. The employee should have no expectation of personal privacy when using County-owned systems or equipment. The County may review, audit, or download messages that employees send or receive and may monitor Internet access. County computer and telecommunications equipment is provided solely for business use only, and personal use is strictly prohibited.

Use of the County technology systems is a revocable privilege. Should an employee wish to clarify whether the use of any County technology is questionable, it should be discussed with the Supervisor for approval.

## 7.6 COUNTY EQUIPMENT & SUPPLIES

County equipment and supplies, including vehicles, office equipment, office supplies, and other equipment that may be used by county employees is provided solely for business use only. Personal use of any county equipment or supplies by an employee is strictly prohibited.

## 7.7 REIMBURSABLE EXPENSES

Employees may be reimbursed for traveling on official County business with a private automobile at the rate approved by the Board of Supervisors. The County does not provide any form of comprehensive collision or liability insurance coverage on personally owned automobiles. Employees receiving mileage reimbursement for use of automobiles for County business shall furnish proof of automotive liability insurance as provided in Section 7.3 of this handbook to offices where required.

Meals, lodging, and other reasonable expenses incurred by employees while on County business will be reimbursed when employees are required to travel outside Sac County. Expenses for alcoholic beverages and tips will not be reimbursed. The payroll clerk will follow all applicable Internal Revenue Service regulations regarding reporting of reimbursed expenses. Employees may claim reimbursement for lodging, and incidentals at actual costs in accordance with the following:

Charges for lodging will be reimbursed for a conference seminar, meeting, etc., for those nights when the event is actually in session and the night immediately preceding the session if travel to the site is not practical on the day of the session. Meals on a day-to-day basis will not be reimbursed. In the case of meal expenses incurred for a conference, seminar, and meetings, the cost of meals will be reimbursed. In the event that meals are included in any registration or tuition fee, other charges for meals shall not be allowed.

It shall be the responsibility of the employee's supervisor to review the expense report and assure that the expense is not a substitute for that which would normally be incurred by the employee in day-to-day personal expenses. Any employee of the County who is required to travel by air shall be authorized to travel only on tourist accommodations. However, if these accommodations are not available, and it is important that the employee travel at that time, he or she shall be allowed to accept those accommodations that are available.

An approved travel log indicating date of travel, origin and destination, and general purpose of the trip shall accompany employee claims for reimbursement of travel expenses

## **7.8 CELL PHONE POLICY**

Cell phone use is left up to the decision of the department head.

## **7.9 SMOKING BAN**

Pursuant to Iowa Code Section 142D.1: After July 1, 2008, you are now prohibited from smoking on any public property, in any public building or structure, and in any public owned vehicle or vehicle which is a work site. You may be fined: \$50.00 for the first offense, \$100.00 for the second offense, \$250.00 for the third and each subsequent offense.

## **7.10 NURSING MOTHER'S POLICY**

Sac County follows and supports the guidelines established under the Fair Labor Standards Act (FLSA) that requires employers to provide:

- "Reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk"
- "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and public, which may be used by an employee to express milk".

Employers are not required under the FLSA to compensate nursing mothers for breaks taken for the purpose of expressing milk. However, where employers already provide compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time.

# **8.0 GRIEVANCES & APPEALS**

## **8.1 GRIEVANCES & APPEALS**

A grievance is a wrong, real or imagined, considered by an employee as grounds for complaint. All employees shall have the right to file a grievance if they believe an injustice has been done because of:

- Lack of policy
- A policy that is unfair
- A deviation from, or misinterpretation of, an official policy
- A disagreement with another employee or Supervisor
- An unfair application of procedures or regulations

Grievances of the nature described above shall be presented to the supervisor, whose responsibility it shall be to consider any grievance presented, to initiate corrective action, and to resolve the problem for the employee.

If the employee is still dissatisfied with the result, he or she may, in writing request a hearing before the Board of Supervisors. Such a written request shall be filed with the Auditor seven (7) days prior to the next regular meeting of the Board. The Board shall have the option to hear said request or deny hearing. If a hearing is denied, the employee's supervisor's decision on the matter becomes final.

All personnel matters arising out of position classification, suspension, demotion, dismissal or other disciplinary action follow the procedure above.

## 8.2 SEXUAL HARASSMENT POLICY

**Notification and Effective Date:** All Sac County employees are required to read this Policy Prohibiting Sexual Harassment and must sign an Acknowledgment indicating that the Policy was read and fully understood by the employee.

The effective date of this policy is January 1, 2023.

**General Statement of Policy:** Sac County Government is committed to providing a workplace that is free from sexual harassment. Sac County employees shall not engage in sexual harassment. Sexual harassment is a violation of both federal and state statutes. Specifically, harassment based on sex is a violation of Section 703 Title VII of the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000e et seq.) as amended and Iowa Code section 19B.12 and chapter 216. Sexual harassment based on real or perceived sexual orientation or gender identity violates Iowa Code chapter 216.

Allegations of sexual harassment will be taken seriously, and prompt investigation will occur. It is the policy of the Sac County Government to maintain the confidentiality of sexual harassment complaints and investigations to the greatest extent possible. Complaints and records relating to complaints are confidential and not subject to disclosure under Iowa's open records laws.

**Sexual Harassment Defined:** Iowa Code section 19B.12 defines sexual harassment as "persistent, repetitive, or highly egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret as intentional harassment of a sexual nature, taking into consideration the full context in which the conduct occurs, which conduct threatens to impair the ability of a person to perform the duties of employment, or otherwise function normally within an institution responsible for the person's care, rehabilitation, education, or training."

There are two forms of unlawful sexual harassment:

- (1) an employee is subjected to unwelcomed speech or conduct of a sexual or non-sexual nature that is directed at the employee because of his or her sex, and the conduct creates a "hostile work environment;" and
- (2) an employment benefit or continued employment is conditioned on the employee's participation in some form of sexual behavior (also known as "quid pro quo harassment").

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Although unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are examples of unacceptable conduct in the workplace, unlawful sexual harassment is not dependent on whether offensive acts or comments were sexual in nature but whether the acts or comments are directed at a person because of his or her sex. Sexual harassment can be committed by both men and

women. And it may occur between members of the opposite sex or between members of the same sex. Sexual harassment can take place between (1) any two state employees, (2) a state employee and a non-state employee, including a contractor, or (3) between a state employee and a visitor, guest, client, patient, offender, or resident. Accordingly, this policy prohibits unwelcome, hostile, or offensive conduct, whether, of a sexual or non-sexual nature, that is directed at, or is motivated by, a person because of his or her sex.

Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual advances.
- Hostile conduct based on the person's sex, sexual orientation, or gender identity.
- Requesting or offering sexual favors in return for job benefits.
- Actions such as cornering, patting, pinching, touching, or brushing against another person's body that are sexual in nature.
- Open speculation or inquiries about another person's sex life.
- Jokes, remarks, or innuendos that are sexual in nature or based on real or perceived sexual orientation or gender identity about another person or about men or women in general.
- Displaying sexually explicit material in the workplace.
- Conditioning work benefits on submission to sexual advances, tolerance of a sexually hostile work environment or giving preferential treatment because of another person's submission to sexual advances, or tolerance of a sexually hostile work environment.

**Sac County Government and Employee Duties and Responsibilities:** All Sac County employees are responsible for knowing and understanding this policy and for maintaining a work atmosphere free of all forms of sexual harassment. In order to ensure the prompt investigation and response to any alleged incident of sexual harassment, each employee is strongly encouraged to immediately report any conduct prohibited by this policy.

If an employee experiences or witnesses any incident of inappropriate or unprofessional behavior in the workplace he or she believes may violate this policy, the employee should immediately report the incident and, if circumstances permit, express his or her concerns directly to the offending person. However, if the employee is not comfortable with addressing concerns with the offending person, the employee may report the matter to their Supervisor or the County Attorney. Once the incident is reported, the situation will be investigated, and appropriate action will be taken. All Sac County employees are expected to cooperate with an investigation undertaken pursuant to this policy. Failure to cooperate with an investigation may result in disciplinary action, up to and including termination of employment.

Every Supervisor shall ensure his or her staff knows, understand, and enforce this policy. Any Supervisor who knowingly and willfully fails to act upon an employee complaint or on personal knowledge of a possible violation of this policy will be subject to disciplinary action up to and including termination of employment or referral to the Iowa Attorney General's Office for consideration of removal from office under Iowa Code section 66.1A.

Furthermore, a supervisor will be subject to these same adverse actions for engaging in any form of conduct prohibited by this policy or for retaliating against an individual: (1) who has made a good faith complaint pursuant to this policy; (2) who aids another individual who has made a complaint; or (3) who is interviewed in the course of an investigation pursuant to this policy.

A Supervisor shall immediately notify the Sac County Attorney after receiving a complaint or alleged violation of this policy.

Every Supervisor shall ensure his or her staff knows, understands, and enforces this policy.

**Complaint Procedure:** Any employee who believes that he or she has been subjected to sexual harassment prohibited by this policy or individuals who witness or have knowledge of possible sexual harassment should immediately report the matter to his or her supervisor or County Attorney.

Every complaint made pursuant to this policy shall be promptly investigated to the extent necessary to determine whether a violation of this policy occurred and whether remedial measures are necessary. Complaints and records relating to complaints are confidential and not subject to disclosure under Iowa's open records laws.

**Investigation Procedure:** All complaints alleging violation(s) of this policy shall be promptly investigated by the Sac County Attorney or his designee. All Sac County employees must cooperate fully with any investigation. Failure to cooperate with an investigation may result in discipline up to and including termination of employment.

All complaints and investigations shall be handled in a manner that protects the privacy of those involved. Confidentiality will be maintained throughout the investigatory process, and information will be disclosed only to those people with a legitimate need to know about the matter. Total confidentiality, however, cannot be guaranteed because it may not be possible to conduct an effective investigation without revealing certain information to the alleged responsible party and potential witnesses.

To protect the privacy of those involved, all persons shall refrain from discussing the complaint except as necessary for the furtherance of the investigation. Persons interviewed will be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with the confidentiality directive may result in disciplinary action up to and including termination of employment.

**Corrective Action:** The Sac County Attorney will work with the appropriate Supervisor to ensure corrective action is taken immediately to remedy violations of this policy. Corrective action may include disciplinary action up to and including termination of employment. A Supervisor who fails to properly act upon a complaint or who has personal knowledge of a violation of this policy and fails to take appropriate action shall be subject to disciplinary action up to and including termination of employment or referral to the Iowa Attorney General's Office for consideration of removal from office under Iowa Code section 66.1A.

**Retaliation Prohibited:** Any form of retaliation against someone for resisting sexually harassing behavior, reporting a complaint under this policy, assisting the complainant, or cooperating in an investigation of a complaint is strictly prohibited by this policy and may be unlawful. No Sac County employee will be reprimanded or retaliated against for initiating an inquiry or complaint in good faith or for cooperating in good faith in the investigation of a complaint. Any incident experienced or witnessed by an employee that is believed to be an act of retaliation should immediately be reported to the employee's Supervisor or the Sac County Attorney. A report of retaliatory behavior shall be regarded as a separate and distinct case for investigation and discipline, regardless of the outcome of the original complaint.

**Training:** The Sac County Auditor shall offer training courses in preventing sexual harassment.

**State and Federal Resources:** This policy is intended to provide a mechanism for quickly identifying and correcting instances of sexual harassment in the Sac County Government. Nothing contained in this policy is intended to replace or deny any rights available under applicable local, state, and federal laws or regulations.



The Iowa Civil Rights Commission and the Equal Employment Opportunity Commission administer laws and regulations regarding employment discrimination and harassment, which include deadlines for filing discrimination complaints. For more information, these agencies may be contacted at the following:

#### IOWA CIVIL RIGHTS COMMISSION

Iowa Civil Rights Commission

Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319

515-281-4121; 800-457-4416 (toll free); 515-242-5840 (fax)

<http://icrc.iowa.gov>

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Reuss Federal Plaza

310 West Wisconsin Avenue, Suite 500

Milwaukee, WI 53203-2292

Phone: 1-800-669-4000

**Posting:** This policy is posted on the Sac County Government website at [sacountyiowa.gov](http://sacountyiowa.gov). Supervisors are responsible for distributing this policy to employees at the time of hire or orientation.

## **9.0 DRUGS & ALCOHOL**

### **9.1 DRUG AND ALCOHOL-FREE WORKPLACE**

Sac County recognizes that drug and alcohol use and abuse negatively affect the County, the employee and the employee's co-workers. Because of this, it is the policy of the County that the County will maintain a drug-free workplace. Employees will be required to abide by the terms of this policy statement.

The County Auditor, as Secretary to the Board, shall be responsible for publication and dissemination of this policy to each employee. In addition, the Auditor shall oversee the establishment of a drug-free awareness program to educate employees about the dangers of drug abuse and make them aware of available drug counseling programs. This program will be used as one method to inform employees of the drug-free workplace policy and the penalties which may be imposed for its violation.

"Workplace" is defined as the site for the performance of work done in the capacity as a County employee. That includes a county building, a county-owned vehicle or a County-approved vehicle used to transport County personnel to and from County work-related activities, and off County property during a County sponsored or County-approved activity, event or function. Since the County is committed to providing a safe workplace, it prohibits the following:

- the unlawful use, sale, manufacture, distribution, or possession on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance as defined by federal or state law. Any employee who violates this prohibition will be subject to disciplinary action up to and including termination of employment.
- the use, sale or possession of illegal drugs, controlled substances, imitation controlled substances, or counterfeit controlled substances, on the job or on the County's premises, including county owned vehicles, or vehicles being used in the discharge of county duties.
- any improper use of "legal" or physician-prescribed drugs on the job or on the County's premises, including vehicles as stated above.
- the use, sale of or possession of alcoholic liquor (beer, wine, or alcohol) on the job or on the County's premises, including vehicles as stated above; and
- being under the influence of illegal drugs or controlled substances, alcoholic liquor (beer, wine, or alcohol) or improperly used prescription drugs.

The County will notify the proper authorities of any suspected sale, possession or use of illegal drugs, controlled substances, imitation controlled substances, or counterfeit controlled substances by a county employee. If a situation warrants it, drug or alcohol testing will be considered. These situations include, but are not limited to, violations of this policy relating to being impaired on the job, or accidents on the job or physical or verbal altercations.

Employees shall notify their supervisor of their conviction under any criminal drug statute for a violation occurring in the workplace as defined above, no later than five (5) days after such conviction. If an employee is convicted of a violation of a criminal drug statute for a violation occurring in the workplace, the County will take appropriate disciplinary action against the employee, up to and including termination of employment, or the County, at its discretion, will require the employee to successfully participate in an approved drug abuse assistance or rehabilitation program. If the County requires the employee to successfully participate in an approved drug abuse assistance or rehabilitation program and the employee fails to do so, the County will take appropriate disciplinary action against the employee, up to and including termination of employment.

## **9.2 DRUG AND ALCOHOL TESTING**

The County reserves the right to conduct drug and alcohol testing under the following circumstances:

- (1) Following an offer of employment but prior to the performance of any work,
- (2) Where there is evidence of impaired job performance that may be the result of the use of illegal drugs, controlled substances, or alcohol.

Employees who refuse to submit to drug or alcohol testing are subject to discipline, up to and including discharge.

EMPLOYEE CERTIFICATION

employer copy

I hereby certify that I have received a copy of the “Employee Handbook, Personnel Policies and Office Procedures”, (hereafter “Handbook”) of Sac County, dated January 1<sup>st</sup>, 2023. ***Further, I understand that the policies and procedures in this Handbook supersede all previous versions.***

I have read this Handbook and understand the provisions contained in the Handbook. I recognize that Sac County reserves the right to modify, add to, or eliminate any of the matters, benefits, procedures, or anything else covered in the Handbook at any time. I recognize that I am an at-will-employee, and nothing in the Handbook, in any manner, alters my status as an at-will-employee, nor does the Handbook give to me any contractual employment rights, which would alter my status as an at-will-employee.

I agree to comply with the personnel policies and office procedures outlined in the Handbook of Sac County. I recognize that either Sac County or I may terminate the employment relationship at any time for any reason.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Employee Signature