

ORDINANCE 2011 – 07

HUNTINGTON COUNTY BOARD OF COMMISSIONERS

**AN ORDINANCE AMENDING THE COUNTY OF HUNTINGTON, INDIANA PERSONNEL
POLICIES HANDBOOK**

WHEREAS the County of Huntington, Indiana is an Equal Opportunity Employers, and

WHEREAS it is the intent of Huntington County, Indiana to comply with applicable federal and State of Indiana employment laws and regulations, and

WHEREAS the County of Huntington, Indiana provides Huntington County employees with information about established terms and conditions of employment and employee benefits, and

WHEREAS the Huntington County Commissioners adopted the Huntington County Personnel Policy Handbook on January 11, 2010, and


WHEREAS it is necessary to amend personnel policies from time to time.

NOW, THEREFORE BE IT ORDAINED AND ESTABLISHED BY THE COUNTY OF HUNTINGTON, INDIANA BOARD OF COMMISSIONERS THAT:


The attached Sections, 2.12, 2.16, 3.16.3, 3.4, 4.3, 4.5, 4.6.6(C), 4.13, and 5.14 of the County of Huntington Personnel Policies Handbook shall amend, modify and replace Sections 2.12, 2.16, 3.16.3, 3.4, 4.3, 4.5, 4.6.6(C), 4.13, and 5.14 of the current County of Huntington, Indiana Personnel Policies Handbook adopted January 11, 2010.

The attached Sections, 2.12, 2.16, 3.16.3, 3.4, 4.3, 4.5, 4.6.6(C), 4.13, and 5.14 of the County of Huntington, Indiana Personnel Policies Handbook are hereby adopted this 6th day of June, 2011; and shall be in full force and effect from and after its passage.

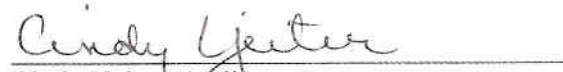
**BOARD OF COMMISSIONERS
HUNTINGTON COUNTY, INDIANA**


Kathryn Branham


Leon Hurlburt


Tom Wall

ATTEST:


Cindy Yeiter, Auditor

2.12 EMPLOYMENT REFERENCE CHECKS AND CRIMINAL BACKGROUND CHECKS (pg12)

Standard Positions:

- A. **Defined:** Most courthouse employees without confidential requirements in their positions.
- B. **Policy:** To ensure that individuals who are employed by the County are well qualified and have a strong potential to be productive and successful, it is the policy of the County to complete background and employment reference checks for candidates who have been made a conditional offer.
- C. **Guideline:** Elected officials / department heads should follow the Background Investigative Outline as written and included in the County of Huntington Personnel Forms. Copies may be obtained from the Human Resources Department.
 - a. At the discretion of elected officials/department heads, applicants may be subject to criminal background, traffic checks and/or credit checks.

Highly Confidential Positions:

- A. **Defined:** Law Enforcement Employees, Prosecuting Attorney Employees, CCIS Employees, Superior and Circuit Court Employees and others holding positions with access to high levels of confidential information.
- B. **Policy:** To ensure that individuals who are employed by the County are well qualified and have a strong potential to be productive and successful, it is the policy of the County to complete background and employment reference checks for candidates who have been made a conditional offer.
- C. **Guideline:** Elected officials / department heads should follow the Background Investigative Outline as written and included in the County of Huntington Personnel Forms. Copies may be obtained from the Human Resources Department.

Employment Verification Requests for County Employees (current and past):

For employment verification checks requested by outside employers of past or current County employees, the County, through the Human Resources Department, will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held.

No employment data will be released without written authorization and a release signed by the individual who is the subject of the inquiry.

2.16 ORIENTATION/EXIT INTERVIEWS (pg14)

Once employed by the County, the employee will receive a copy of the Huntington County Personnel Policies Handbook and any applicable workplace rules, including the drug-free workplace policy. It is the responsibility of the employee to read and understand the Personnel Handbook. Each employee shall sign the Employee Acknowledgment form; periodic updates will also be acknowledged.

Upon termination of the employment relationship with an employee, the Human Resources Department may conduct an exit interview with the employee. At this interview the employee will receive explanation of benefit options available upon termination of the employment relationship. An exit interview form will be mailed or an online survey emailed to each employee that does not have a personnel exit interview with the Human Resources Department.

3.16.3 Compensatory Time (pg 22-23)

When compensatory time is used in place of monetary reimbursement, compensatory hours shall be awarded at a rate of one and one-half (1 ½) times the amount of approved hours as specified in this policy.

Exempt employees may use compensatory time at the rate of one (1) hour earned for each hour worked over forty (40) hours and may be taken with the approval of the Elected Official or Department Head. Compensatory time will be granted as long as it does not adversely affect the operation of the department. No exempt employee will receive over-time payment in monetary form. If an exempt employee terminates employment for any reason he/she will not be compensated for any unused compensatory time.

Calculating compensatory time is based on actual hours worked; except that time off for paid holidays shall count as hours worked for purposes of calculating overtime compensation. Use of compensatory time must be determined in advance of submission of payroll.

At their sole discretion, elected officials/department heads may schedule use of employee compensatory time.

3.4 JOB DESCRIPTIONS (pg 18)

Huntington County positions, except those of elected officials, have been described in job descriptions. Job descriptions are maintained in the *Human Resources Office*. Copies of job descriptions are available in each office or department and provided to each employee.

New job descriptions or any modifications to existing job descriptions shall be submitted to the *Human Resources Director for review, and subsequent approval by the County Council*.

3.4.1 JOB CLASSIFICATION/PAY SYSTEM MAINTENANCE

The County Commissioners and the County Council must approve any change in job classification or pay rate. When an elected official/department head wishes to create a new position not currently classified, or reorganize jobs within a department, review seniority, or abolish a position, or if an employee wishes to have a job classification review of his/her position, review form(s) from the Human Resources Office shall be completed and returned with all required supplemental information. The Human Resources Director and members of the Job Classification Committee will meet to evaluate the requested action and make recommendations to the County Commissioners.

4.3 HOLIDAYS (pg29)

Holidays for the County shall be those established by the Board of Commissioners. A schedule of holidays for the current calendar year shall be prominently posted in January. The Commissioners may grant additional holidays at their discretion.

If a designated holiday falls on Sunday, it will be observed on the following Monday; if it falls on Saturday, it will be observed on the preceding Friday.

In observance of each authorized holiday, both full-time and part-time employees will normally be granted the day off from work. Only full-time employees shall receive straight-time holiday pay for each authorized holiday.

Calculation of holiday pay will be based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee otherwise would have worked on that day.

If a recognized holiday occurs during an eligible employee's paid absence (e.g., vacation, personal day), that day shall not be deducted from the employee's paid time off benefit. However, holiday pay will not be paid to an employee who is on Sick Leave, FMLA, or Leave of Absence.

At the discretion of the elected official/department head, an eligible employee who works on a recognized holiday may receive pay at one and one-half times his/her straight-time rate for the hours worked on the holiday provided the employee meets the requirements as designated under Section 3.16, Overtime Compensation. If an employee works a holiday and is paid time and a half, those hours will not be included in the total hours worked for the week for purposes of additional overtime payment.

In order to be paid for holidays described above, an employee shall have worked as a full-time employee on his/her scheduled workday immediately preceding the holiday and his/her scheduled workday immediately following the holiday, unless excused for vacation leave, compensatory time, or personal leave. An employee's termination date shall not be extended to include payment for any additional holiday pay. An employee's termination date shall be the last day actually worked.

Public Safety employees who work on a County recognized holiday will be granted another day off to be used at the employee's discretion. Public Safety employees on a three (3) days on, one (1) day off, four (4) days on, one (1) day off, three (3) days on, and two (2) days off schedule who are on one of their "off" days on a County recognized holiday will be granted another day off to be used at the employee's discretion. The Sheriff may opt to pay time and one half for any hours worked on a County recognized holiday in lieu of granting another day off to be used at a future time.

4.5 SICK LEAVE BANK (Pg 30-33)

The purpose of the Huntington County Sick Leave Bank is to relieve full-time County employees from undue financial burdens due to absences from work on a long-term basis because they are experiencing a serious health condition.

The extended sick leave policy is not intended to give unlimited sick leave to all full-time County employees. The policy is intended to provide a maximum benefit to full-time County employees who have utilized their regular sick leave days, personal days, vacation days, and compensatory time in accordance to the prescribed policies. Participation in the Sick Leave Bank is voluntary.

FMLA leave will run concurrently with Sick Bank leave. Employees will be required to submit proper paperwork for FMLA approval per the FMLA policy in the Personnel Policies Handbook.

The Huntington County Commissioners shall serve as the Sick Leave Bank Board.

Sick Leave Bank Established

- A. The County Commissioners shall initially seed the Bank with fifty (50) days.
- B. The County Commissioners shall develop application guidelines such as how many days may be withdrawn before reapplication is required, develop any application form(s), rules on requests,

and monitor the size of the Bank. It is understood that the Bank cannot discriminate against any applicant nor can its decisions be illegal.

- C. A Huntington County Sick Leave Bank is established and made available to full-time employees to voluntarily donate at least one (1) day of unused sick days from the previous year provided the employee has accrued at least one (1) sick day. All donated days lose their identity and become the property of the Sick Leave Bank and cannot be reclaimed by the contributor.

Enrollment

- A. The annual enrollment period to join the Sick Leave Bank shall be during the month of January of each year. The sick day(s) will be deducted from the last pay in January.
- B. If an employee who has previously enrolled and has made an application to re-enroll, but has no accrued sick days available at time of open enrollment, the employee may make an application to the Commissioners for an exception to allow enrollment after accrual has occurred. Exception application form will be available from the County Payroll Clerk.

Commissioners will consider exception application by the County Commissioners during an Executive Session and during a public meeting will be acted upon by a majority vote by the County Commissioners. The applicant shall be informed of the decision of the Board. The Auditor, serving as Board Secretary, or authorized designee shall maintain all minutes and records of the Board.

- C. New employees eligible to accrue sick or personal days shall be eligible to join the Sick Leave Bank when they have earned and donated one (1) sick or one (1) personal day provided they make application within the first 30 days of employment. The sick day will be deducted after 60 days of employment, or the personal day after 90 days of employment.

If sick bank application is not made during first 30 days of employment, employee will have to wait until the next available open enrollment period. If they have worked more than 6 months prior to open enrollment, the employee will be required to place additional day(s) according to the next section's schedule.

- D. If an employee who is not a member of the Sick Leave Bank and later wishes to join the Bank, he/she must deposit the number of sick days which would have normally been voluntarily deposited had the employee participated in the program from either the time of its inception or the employee's date of hire, whichever is less.

Eligibility / Sick Leave Bank Use

- A. Employees eligible to use Sick Leave Bank days must have donated the required sick days. Such employees must have exhausted all available paid sick days, compensatory time, vacation days, and personal days. Such employees must have been off work for an extended illness for an employee's own Family and Medical Leave qualifying condition for at least fifteen (15) consecutive working days.
- B. Employees receiving benefits derived from public funds as partial or full compensation of illness or disability causing the absence (i.e. Workers' compensation, Social Security Disability), shall not be eligible for Sick Leave Bank days.
- C. Employees who receive a written termination of services notice prior to the onset of an extended illness or a Family and Medical Leave qualifying condition shall not be eligible for Sick Leave Bank days.

- D. A written application must be made by the employee, employee's immediate family, or authorized representative accompanied by a physician's certificate to support use of the Sick Leave Bank days for an employee's own medical illness. The certification must include a statement that the employee is unable to perform the functions of his or her position and a prognosis for a return-to-work may be required. This information is deemed confidential. The application specifying the requested number of days shall be submitted to the Auditor for the Sick Leave Bank Board to use in making a decision. The medical certification and all medical related information shall remain strictly confidential and exempt under the Indiana Public Records Law.
- E. An application shall be considered by the County Commissioners during an Executive Session and during a public meeting will be acted upon by a majority vote by the County Commissioners. The applicant shall be informed of the decision of the Board. The Auditor, serving as Board Secretary, or authorized designee shall maintain all minutes and records of the Board.
- F. The maximum number of days that may be granted per employee shall be twenty (20) per application; an employee may make a second application and may receive a maximum of forty (40) days in a twelve (12) month period beginning on the date when the first day of any banked day is used. Days granted through the Sick Leave Bank will not be repaid by the employee member. Any sick days earned shall be used while using Sick Bank days. In the event the employee returns to work before exhausting all Sick Leave Bank days, those days shall revert to the Bank.

Replenishment of Sick Leave Bank

- A. From time to time, it may be necessary for the Board to replenish the number of Sick Bank days, and it shall have the authority to assess members' additional sick day donations. Each participant shall contribute one (1) day per year. At such time when the County-wide total of Sick Leave Bank days falls below forty (40) days, an obligatory assessment of one (1) additional day shall be made upon all current members of the Bank who have sick days accrued and available for use to replenish the Bank. The County shall collect no more than one (1) day per year from participants.
- B. For employees without available sick or personal days, the assessment will either be made during the following December if employed by the County, or deducted from the final paycheck upon termination.

4.6.6(C) Other Benefit Accruals (pg 41)

Accrual for benefits calculations, such as vacation, sick leave, or personal days, will continue to accrue during FMLA leave.

Once FMLA leave has been exhausted, if leave is continued under the Short Term Disability provisions, benefits will be then be suspended per that policy.

4.13 SHORT-TERM DISABILITY (pg 57)

If a regular full-time county employee becomes disabled and cannot work due to extended illness or a non-intentional self-inflicted disabling accident, the employee may be eligible for short-term disability

benefits. An employee's eligibility for these benefits will be determined by the county, based in part, on a written opinion of the employee's physician and/or an outside professional medical source chosen by the County Commissioners, which must designate when the illness commenced or the accident occurred.

Eligible employees will receive short-term disability benefits of 70 % of their current pay up to a maximum of \$500 per week for a period of time not to exceed twenty-six (26) weeks ("disability period") until they can return to work. The County Commissioners will determine when the employee is capable of returning to work. The disability period will begin on the date the illness commenced or the accident occurred, as determined by the county. Short-term disability compensation shall begin on the eighth (8th) day for both illness and injury.

An eligible employee will be required to use all accumulated sick days, personal days, and accrued comp days and may use accumulated vacation days during the disability period. Accordingly, an eligible employee with accumulated sick days or vacation days will receive their regular pay and the disability period will not be extended. The time granted for short-term disability leave will also apply against any FMLA entitlement. The short-term disability leave will apply only to the County employee and not to any other family member.

In order to apply for short-term disability benefits, an employee needs to contact their supervisor and their supervisor needs to notify the County Commissioners' Administrative Assistant of the application so that a determination can be made. Approval of benefits will then be determined by the County's third-party administrator and the applicant will be advised of the determination.

Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will be suspended during short-term disability leave *after FMLA leave (12 weeks) has been exhausted.*

5.14 BUSINESS TRAVEL (p76)

- E. Food costs, at the maximum rate of twenty-six dollars (\$26.00) per day or thirteen dollars (\$13.00) per half day, per employee, excluding alcohol, will be reimbursed with an itemized dated receipt by the County while on government business, up to a fifteen (15%) percent gratuity on food will also be reimbursed.*