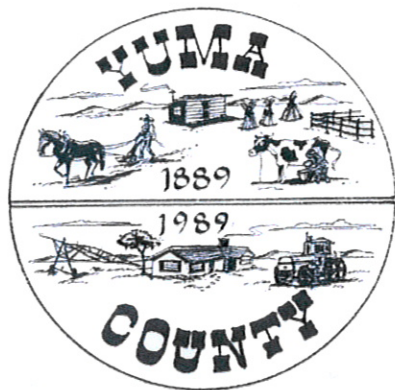


Yuma County Employees Handbook

2009



Yuma County
Highway Department



Yuma County Court House



Health and Human Services



Yuma County Landfill

EMPLOYEES

ARE YUMA COUNTY'S GREATEST ASSET.

EMPLOYEE HANDBOOK

YUMA COUNTY GOVERNMENT

YCG Employee Handbook

This handbook is designed to acquaint you with Yuma County Government and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by YCG to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As YCG continues to grow and change, the need may arise and YCG reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or YCG to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur. This handbook is not intended to be a contract of employment or a warranty of benefits.

If you have any questions about any of the information in this handbook, please talk to your department head, to the Administration Department or the County Commissioners.

Statement of Disciplinary Action

Yuma County respects and appreciates all employees. To provide continuity through all departments, the Employee Handbook was adopted as a policy for Yuma County department operations. Specific sections of the manual contain a disciplinary statement others do not. Even if a disciplinary statement is not included in a specific section, Employees are expected to adhere to and comply with all sections of this manual. Employees are hereby informed that a violation of any portion of the Employee Handbook will be subject to disciplinary action up to and including termination of employment. Each department head will determine disciplinary action for their respective departments.

YCG Welcome from Our Board of County Commissioners

Dear New Employee,

Congratulations on becoming a Yuma County Public employee. We wish you every success here.

We take great pride in operating our organization in a friendly and efficient manner. Working together, we provide leadership, resources and services, for the people of Yuma County.

We have made a commitment to provide you with good working conditions, competitive wages and benefits, and opportunities for advancement. Together we can make this an enjoyable place to work.

You are encouraged to read this handbook and refer to it often. If you have any questions, feel free to contact the Administration Department.

Once again, we welcome you as a Yuma County Public employee, and we hope you will take pride in being a member of our team. Best wishes in your career.

Sincerely,

Yuma County Commissioners

ROBIN WILEY

DEAN WINGFIELD

TRENT BUSHNER

Yuma County Government

Handbook Introduction

YUMA COUNTY PUBLIC EMPLOYEES

Any department head or elected official may establish work rules applicable to the department or office so long as such rules do not conflict with these personnel policies or any state or federal law.

Nothing in this handbook will limit individual departments from developing their own policies and procedures for daily operations of their departments.

The policies and procedures contained in this manual describe the general standards of personnel operations for the County, the content of which is either contractually binding upon the County or restrictive in terms or interpretation by the County. The purpose of the Yuma County personnel policies and procedures is to provide a framework for efficient and cost effective personnel management for all County operations.

The County reserves the right, at its discretion, to change, supplement or eliminate any or all policies and procedures with or without prior notice to County employees.

No contract of employment, written or implied, is created by this policy. There is no guaranteed minimum length of employment. Employment with Yuma County is employment "at will" and therefore, just as an employee may terminate the employee's relationship with the county for any reason, the county expressly reserves the right to terminate any employee at its sole discretion. The policy may, however, in certain cases be incorporated by reference into a formal contract of employment. Department heads serve at the pleasure of the Board, which appoints and supervises them. This subsection does not apply to elected or appointed officials whose term is set by statute or to employees who have a written contract of employment with the County or an agency thereof.

The ultimate authority for interpretation, application, and enforcement of these policies rests with the Board of County Commissioners.

This handbook supersedes and replaces all prior procedures manuals and /or handouts.

Adopted by Resolution 12\31\98A

Revised January 1, 1999

Revised April 30, 2003

Revised September 18, 2006

Revision Effective March 1, 2007 –Resolution 02-28-07A

Revision Effective September 30, 2008 – Resolution 09-30-2008 A

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Employee Handbook

Yuma County Government

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SECTION 1

DEFINITIONS

STANDARDS 101 Definitions

The words and terms used in this section shall have, unless otherwise defined, the following meanings:

ADMINISTRATION DEPARTMENT:

The Yuma County Administration Department includes the Yuma County Administrator and the Yuma County Finance Officer, who are under the direction of the Board of County Commissioners. This office is located in the courthouse, 310 Ash Street, Suite A, Wray, Colorado.

BOCC

The Board of County Commissioners

COMPENSATION:

All forms of valuable consideration, including wage and fringe benefits, earned by or paid to any employee by reason of service in a position with the County.

DEPARTMENT:

A functional division within the County governmental structure which either (1) was created through the Colorado Constitution and is directed by statute to have certain mandatory responsibilities, or (2) is administered by the BOCC to provide services for the health and safety of the citizens of the county. The departments covered by this handbook include: Assessor, Clerk, Treasurer, Sheriff, and under direction of the BOCC; Administration, County Road and Bridge, Human Services, Landfill, Extension, GIS, and Custodian.

DEPARTMENT HEAD:

The person designated to oversee personnel and duties in each department within the County government as a result of election or appointment.

DEPUTY:

The person designated by the elected department head to assume supervisory responsibility over other personnel and to make judgmental decisions affecting that department in the absence of the elected official.

EMPLOYEE:

An employee is anyone paid for performing the duties of a job title as a regular, hourly or salaried worker on the payroll system of the county. Employees may be part time or fulltime. Employees have deductions taken for federal, state, and local taxes and for required and authorized benefits such as social security, insurance and retirement as covered under Employment in Section 6 of this handbook.

EXEMPT EMPLOYEE:

An exempt employee is one who is appointed by the BOCC as a department head with supervisory status over several non-exempt employees and whose salary is appropriate for the duties performed. An elected department head is also an exempt employee. An exempt employee does not receive overtime or paid leave compensation as defined under the Fair Labor Standards Act.

HOLIDAYS:

All employees working 32 hours or more per week on a year-round basis will receive paid holidays as established annually and published by the BOCC. Temporary employees do not receive paid holidays.

ILLEGAL HARASSMENT:

Illegal harassment can be verbal, physical or visual, such as signs, posters, material downloaded from internet, sexually explicit e-mail messages and are considered offensive or inappropriate by the person receiving them.

IMMEDIATE FAMILY:

Persons in the employee's or employee spouse's "immediate family" are: husband, wife, children, step children, foster children, and parents, grandchildren, brothers, sisters, nephews, nieces, aunts, uncles, and grandparents.

JOB CLASSIFICATION:

A set of written job descriptions which generally describe a set of jobs that are similar but not identical in their essential job duties, minimum qualifications, physical and mental requirements for job tasks and skill, environmental and working conditions and hours. Differing jobs within a class may be grouped into a pay and/or promotional scheme that determines relative rank and pay rate of job by difficulty, skills required, managerial skills required, budget management skills, number of people supervised and similar factors in order to determine a pay classification system. If a class has a promotional scheme dependent on on-the-job training, paid outside training, or on the job cross training, it is expected that each member of a job title within that job class would be offered similar opportunities to participate in training that would enable them to apply for or be promoted into positions within their class.

JOB DESCRIPTION:

Any written description of a job and statements of the essential job duties, the essential mental, physical requirements of the job tasks, skills, and duties: a statement of the various environmental conditions and hours, and a general statement of the minimum qualifications for an applicant or an incumbent.

NON-EXEMPT EMPLOYEE:

A non-exempt employee receives an hourly wage and is entitled to overtime or paid leave compensation as defined under the Fair Labor Standards Act.

PART-TIME POSITION:

A part-time employee is one who is scheduled to work less than 32 hours a week. Employee may or may not be eligible for health insurance and/or retirement. See requirements for eligibility for health insurance and retirement under Employment in Section 6 of this handbook

PERSONNEL COMMITTEE:

The personnel committee is comprised of the department heads from the Road and Bridge Department, Health and Human Services Department, Administration Department, Extension Office, Yuma County Landfill, elected officials, or their designees.

SEPARATION:

Separation is the termination of the employment relationship between the county and an employee, regardless of reason. It may include, but is not limited to dismissal, layoff, retirement, resignation or the death of an employee.

SUSPENSION:

Suspension is temporary separation from county service for disciplinary purposes where the case is not sufficiently grave to merit dismissal or where the results of an independent investigation are pending.

TEMPORARY EMPLOYEE:

An individual hired for a position that is created for a specified term; i.e., a position that is not of a continuing nature. The individual may be part-time or full-time during the term of the position.

VACANCY:

A vacancy is a duly created position which is not occupied, but for which funds have been provided.

WORK PERIOD:

For law enforcement personnel the maximum number of allowable hours that may be worked in a work period of 28 consecutive days must not exceed 171 hours.

WORK WEEK:

The workweek shall be the maximum number of hours, which may be worked before overtime is paid or accrued. (See workweek under section 4-401.)

SECTION 2

STANDARDS

STANDARDS 201 Equal Employment Opportunity

Equal employment opportunities to all applicants and employees shall be provided in the administration of all personnel practices such as recruitment, appointments, promotions, discipline, retention, training and other benefits, terms and conditions of employment in a manner which does not discriminate on the basis of race, color, creed, sex, national origin, age, political affiliation, disability, or any other non-merit factor.

In order to provide equal employment and advancement opportunities to all individuals, employment decisions will be based on merit, qualifications, and abilities.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate manager, the Administration Department or the Yuma County Board of County Commissioners. Employees can raise concerns and make reports without fear of reprisal.

Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

STANDARDS 202 Americans with Disabilities

Yuma County Government is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. This policy is neither exhaustive nor exclusive. YCG is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

APPLICANTS: Pre-employment inquiries are made only regarding an applicant's ability to perform the essential duties of the position.

TREATMENT: Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. Leave of all types will be available to all employees on an equal basis.

ACCOMMODATION: YCG will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

STANDARDS 203 Conducts and Appearance

All employees are expected to conduct themselves in a manner which is a positive reflection on the County and which demonstrates tact, courtesy and good judgment appropriate to their job duties. Dress shall be appropriate for the position.

Every Yuma County Public employee represents YCG and strives for positive public relations. Employees are expected to be courteous, friendly, helpful and prompt in attention to both the public and to coworkers. Our relations with the public and co-workers are not only a reflection of ourselves, but also of the professionalism of YCG.

SMOKING: In keeping with Yuma County's intent to provide a safe and healthful work environment, smoking is prohibited inside all Yuma County buildings, automobiles, and pickups.

This policy applies equally to all employees and to members of the public conducting business with Yuma County Government. Yuma County employees who violate this policy will be subject to disciplinary action up to and including termination of employment.

STANDARDS 204 Drug and Alcohol Use

No employee shall use narcotics or alcohol while on the job, nor report to work while under the influence of either controlled substance or alcohol, unless prescribed medication has been shown to not pose a safety hazard to the employee, his peers or the public. Any side effects to prescribed medication are to be reported to the supervisor. YCG is committed to maintaining the health and safety of its employees.

DISCIPLINARY ACTION:

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

STANDARDS 205 Harassment and Violence in the Workplace

Harassment:

Yuma County is committed to providing a working environment that is free of discrimination. In keeping with this commitment, Yuma County maintains a strict policy prohibiting unlawful harassment, including sexual, racial, ethnic, national origin, or religious harassment. This policy prohibits harassment in any form, including verbal, physical, and visual harassment.

Any employee who believes he or she has been harassed by a co-worker, supervisor, or official of Yuma County, or any other person during the performance of work for Yuma County, should promptly report such harassment to his or her supervisor, to the County Administrator, or to the County Commissioners. The County will promptly investigate, as appropriate, all complaints and take appropriate corrective action.

Sexual Harassment:

Sexual harassment is one form of harassment.

” Sexual harassment” is any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature 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 is used as a basis for employment decisions affecting the 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 work environment.

Sexual harassment can be verbal, physical, or visual (for example, signs and posters, material downloaded from the Internet, sexually explicit e-mail messages).

Yuma County supervisors, elected officials and department heads are responsible for creating a work environment that is free of discrimination or harassment. Failure on the part of a manager to report allegations of harassment or respond appropriately to complaints of harassment will lead to disciplinary action.

Supervisors are specifically prohibited from harassing or retaliating against any employee who files a complaint or grievance under this policy or who provides truthful testimony or evidence.

Violence in the Workplace:

Yuma County Government is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, we have adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

EXPECTED BEHAVIOR: All employees, including managers and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

PROHIBITED BEHAVIOR: Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including but not limited to harassment that is based on an individual's sex, race, age, national origin, religion or disability.

WORKPLACE CONFLICTS: YCG encourages employees to bring their disputes or differences with other employees to the attention of their managers or the Administration Department before the situation escalates into potential violence. We are eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

THREATS: All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate manager, elected official or department head. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

SUSPICIOUS BEHAVIOR: All suspicious individuals or activities should also be reported as soon as possible to a manager. Seek assistance; do not place yourself or others in danger. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

STANDARDS 206 Claims – Scope of Duty

When liability is alleged against a Yuma County employee, if the Yuma County Commissioners determine that the employee was acting within the scope of his/her duty, Yuma County shall provide a defense at its expense. Further, Yuma County shall hold harmless, and indemnify its employees against any tort, claim or judgment arising out of a negligent act or omission occurring within the scope of the duties of that employee. However, Yuma County, by this statement, does not waive any governmental immunity that it, or its employees might otherwise have.

STANDARDS 207 Department Variation

It is recognized that the duties of certain departments require variations in hours, breaks and other county policies. In those instances, it is necessary that the department develop an individual policy to serve its unique needs, which shall be submitted to the Commissioners for their review and approval, and thereafter shall be included under Section 2 Standards 207 of these policies as variation relating to the individual departments.

Variances brought before the Yuma County Commissioners, that may or may not affect other departments, need to be brought to the personnel committee for discussion and possible adoption.

ROAD AND BRIDGE VARIANCE

Work Week:

The normal workday for Road and Bridge Employees will be from 7:30 a.m. to 4:00 p.m. with ½ hour off for lunch. Employees may have a fifteen-minute work break during each 4-hour shift. This department may go to four ten hour days as business needs require to be determined by the road supervisor, with the approval of the County Commissioners. During the four ten-hour day workweek, the workday is from 6:30 a.m. to 5:00 p.m.

Holidays during the 4 day 10 hour workweek:

County holidays falling on a Friday during the Road and Bridge 4-10 hour day work week will be scheduled as directed by the Yuma County Commissioners.

Emergency Closings:

The Road and Bridge Supervisor will direct the Road and Bridge Employees when there is adverse weather. Road and Bridge employees will be called if there is a change from the normal start time.

SHERIFF VARIANCE

Policy and Procedure Manual:

The Yuma County Sheriff's Office has and will maintain their own policy and procedure manual, which complies with the State and Federal guidelines, and has been approved by The Board of County Commissioners.

LANDFILL VARIANCE

Holiday:

On two holidays: 1) Fair Day and, 2) the Day After Thanksgiving, the landfill will be open for two hours each day. The landfill employee working on these holidays will receive time and one half for the time worked.

Employees will receive time and one half for the Saturday worked in the workweek, which includes a holiday, provided they are physically at work the other 32 hours of the workweek. (Example – Employee works 4 hours on Saturday. The holiday falls on Monday, but the employee takes the following Tuesday off for personal leave.

Saturday would be paid at straight time or the employee would only take 4 hours personal leave for Tuesday.)

STANDARDS 208 Health And Safety

Each county employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. In some instances, an employee may be required to wear safety equipment. At all times, employees are to wear seat belts when driving a County Vehicle.

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

Reporting of Work Related Injuries or Illness:

On the job injuries or job-related illnesses are to be reported immediately to the employee's supervisor. The supervisor will see that the employee gets first aid or, in case of a more serious injury, medical attention. In no event shall a report of injury to a county supervisor, manager, or elected official be delayed beyond three days. There are reasons for these regulations: Immediate treatment may prevent complications from developing, such as infection. (See Section 605 Workers Compensation)

STANDARDS 209 Health Insurance Portability and Accountability Act (HIPAA)

Yuma County Government is committed to complying fully with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). In order to provide insurance coverage and/or health plan administrative services, we must obtain and maintain Protected Health Information (PHI). YCG has established a Privacy Notice and Practices to ensure proper measures to obtain PHI from employees. This privacy notice describes the types of information that are collected and your rights regarding how that information can be used.

A copy of the HIPAA Practice and Privacy Notice can be obtained from the Administration Department. The privacy officer will be the attorney to the Board of County Commissioners.

Privacy of Personal Health Information:

This policy shall apply to all county employees, volunteers, elected officials who are signatory to this policy, and all funded individuals, departments, boards, or functions falling under the budget authority or supervisory authority of the Board of County Commissioner.

The county intends by this policy to ensure compliance with all federal and state rules regarding the privacy of information, without regard to the source or type of information. These rules include, but are not limited to, the Federal Privacy Act provisions applicable to counties (5U.S.C. 501 et seq.), the Health Insurance Privacy and Portability Act, the privacy exceptions under the Colorado Open Records Act, and all other acts and laws governing any functions assigned to county government by federal or state agencies including the Standards for Privacy of Individually Identifiable Health Information in the federal law known as HIPAA. These may include laws and rules applicable to public health, social services, law enforcement, detention, employee records, credit protection and other functions performed by the county.

Improper disclosure of medical records including personal health information is strictly forbidden and constitutes a criminal offense under Colorado law. C.R.S. 18-4-412 provides that any person who, without proper authorization, knowingly obtains a medical record or medical information with the intent to appropriate the medical record or medical information to his or her own use, or to the use of another, who steals or discloses to an unauthorized person a medical record or medical information, or who, without authority, makes or causes to be made a copy of a medical record or medical information commits theft of a medical record or medical information.

Personal Health Information Procedures Mandated by New Law:

To effectuate this policy with respect to personal health information, the county has appointed a Privacy Officer, has adopted this set of Policies and Procedures, will post Privacy Notices on all employee bulletin boards at county facilities, and will investigate and log each reported privacy breach regarding PHI and take steps to prevent any further erosion of privacy for all personal health information regardless of location or manner of storage or transmission.

Commencing on April 14, 2003, and thereafter, any individual who believes that their personal health information has been created, transmitted, or used in violation of HIPAA may report the alleged improper use to the County Privacy Officer who shall make and retain a log of each such report, and either investigate and take all necessary steps to protect against any future use of the PHI or to a designated departmental privacy officer, who shall undertake all assigned duties including reporting it to the County Privacy Officer. The log shall be retained continuously for 6 years under HIPAA rules.

Privacy Officer

The County Privacy Official shall be the attorney to the Board of County Commissioners. The County Privacy Officer's duties shall include all necessary tasks to insure that the county remains in compliance with HIPAA, including but not limited to:

1. Monitoring and implementing the county's privacy procedures through training, supervision and follow-through with all county personnel;
2. Receiving, investigating, and resolving complaints regarding potential breaches of privacy;
3. Maintaining a log of such incidents that complies with HIPAA; and
4. Reporting on such duties to the Board of County Commissioners not less than once per year.
5. Ensuring the proper postings of a currently valid Notice per HIPAA

SECTION 3

PRE-EMPLOYMENT

EMPLOYMENT 310 Pre-Employment Physical

A physical will be paid for newly hired county employees required to have a physical according to the job description. Thereafter, the physical, if required for the county held job, is treated as a routine physical benefit through the health insurance. If the insurance company does not cover routine physical costs as part of their plan, the employee may submit the invoice to the Board of County Commissioners for approved payment by Yuma County. The employee will be responsible for paying the co-pay amount if applicable.

EMPLOYMENT 311 Pre-Employment Drug Screening

All new hires joining the team at Yuma County will be required to undergo a pre-employment drug screening through the local clinic. Any offers of employment shall be contingent upon the results of that screening.

EMPLOYMENT 312 Pre-Employment Background Check

All new hires joining the team at Yuma County will be required to undergo a pre-employment background check. Any offers of employment shall be contingent upon the results of that screening.

SECTION 4

EMPLOYMENT

EMPLOYMENT 401 Work Week

The workweek for purposes of payroll calculation under the Fair Labor Standards Act will be considered to start 12:01 Saturday morning and go until the following Friday at midnight. Employees are to work 40 hours per week. Employees may have a 15-minute break during each 4-hour shift.

The Road and Bridge department may go to four ten hour days as business needs require, to be determined by the road supervisor with the approval of the County Commissioners.

EMPLOYMENT 402 Attendance Records

All department heads shall keep daily attendance records reflecting days worked, days off and hours off for those leaves authorized herein, for each employee. Employees are to notate the time they are not at work during the normal work day on their time sheet. (ex: 3 pm to 5 pm). Leave which is unapproved or taken without a paid accrual shall also be noted. (See Benefits 611 Employees No Pay)

EMPLOYMENT 403 Regular Holidays

The Commissioners at their first regular meeting of each year will determine regular holidays with pay. When the normal holiday falls on a Sunday, the holiday will be recognized on the following Monday. When the normal holiday falls on a Saturday, the preceding Friday will be recognized as the holiday.

EMPLOYMENT 404 Overtime

Employees will work overtime only in an emergency and only upon approval of the Board of County Commissioners, elected official, or supervisor. In the event non-exempt employees are required to work overtime, they shall be compensated for hours physically at work in excess of 40 hours in a work week at one and one-half times the regular hourly rate or shall receive compensatory time on an hour and a half for hour worked basis. The decision to give compensatory time or overtime pay will be at the discretion of the appointing authority. The department head shall be responsible for authorizing and recording all overtime.

If a non-exempt County employee is required to work because of an emergency on a day, which is recognized as a holiday, the non-exempt employee will be compensated at the rate of time and one-half for each hour worked on that holiday, even if the employee has not met the 40-hour week threshold. This is in addition to their regular holiday pay that is included in their salary. Members of the Board of County Commissioners shall be contacted immediately when there is an emergency. As to a nonexempt employee, any accrued compensatory time at year-end over 32 hours shall be bought out at the current rate of pay. Accrued compensatory time may be used January, February, March, or April of the next year. If time is not used by April 30, the overtime will be paid at the current rate of pay.

Holiday pay is only for those days designated as holidays by the Board of County Commissioners. The Commissioners set the Holiday schedule at the first meeting of the year. Work on a holiday day must be recognized as an emergency by the Board of County Commissioners.

(Adopted per Resolution 2-28-07A)

EMPLOYMENT 405 Emergency Closings

The Board of County Commissioners may close County facilities or suspend County operations due to emergency conditions, special occasions, or pursuant to law.

All employees are expected to report for duty regardless of inclement weather or public emergency unless the Board of County Commissioners declares the County offices closed.

Should the Board of County Commissioners declare that the County operations should be closed or suspended for any reason, employees shall receive regular pay and will not be docked compensation for time not worked. If County facilities remain open but an employee is unable to make it to work safely, he or she shall use personal leave to compensate for the time lost.

If County operations are suspended, the Board of County Commissioners shall notify or cause to be notified the appropriate Department Heads, who will then have the responsibility of notifying his or her staff. Should employees report for work during times when operations have been suspended, those employees would have the benefit of receiving compensatory time for the time worked on an hour for hour basis. This compensatory time shall be used as quickly as is reasonable, not to exceed 30 days from the date of accrual.

Variances to this policy may exist for the Road and Bridge Department, for the Sheriff's Department, or any other essential personnel as designated by the Board of County Commissioners.

EMPLOYMENT 406 Outside Employment

Any outside employment engaged in by a County employee must not interfere with or adversely affect the employee's responsibilities. All employees shall be required to notify their immediate supervisor of the acceptance of outside employment and its nature. If the Employee's outside employment interferes with his/her county employment responsibilities, the appointing authority shall require that employee terminate the outside employment or face disciplinary action.

EMPLOYMENT 407 Uses of County Property

Any use of county property, equipment, vehicle, or convenience for any purpose other than the performance of official duties connected with official departmental functions by any county employee may be cause for disciplinary action and/or immediate termination. It may also be a violation of law subjecting the employee to criminal charges.

EMPLOYMENT 408 Vehicle Use

Every employee who drives a vehicle on County business will possess a valid Driver's License at all times. No employee will drive a vehicle on County business if their driving privileges are under suspension, have been revoked, or their license has expired. While using a county vehicle, an employee shall comply with all applicable county policies and all applicable laws.

Driver License Checks will be done yearly for employees that are expected to drive a vehicle as part of the job duties.

All operators, drivers, and passengers of Yuma County motor vehicles, shall use safety belts as equipped for the vehicle to the extent required by Colorado law.

Employees will immediately report all accidents, however minor, involving a vehicle on County business to their supervisor. The supervisor will immediately notify the county administrator who is the contact for County Casualty and Property Insurance.

An employee receiving a ticket due to the employee's actions while operating a county vehicle will pay the ticket. A second offense in a county vehicle or while working may require taking a defensive driving class.

Use of County vehicles is limited to official County Business.

No smoking is allowed in county vehicles.

EMPLOYMENT 409 Conflict of Interest

County employees, public officers, appointed boards and elected officials should avoid business interest and transactions that conflict with the duties and public trust of the position or job held. This could involve money or not and could be actual or only perceived. Situations, which give the impression of impropriety, should be avoided.

Conflict of interest questions regarding county employees, public officers, appointed board members, elected officials or any enterprise or organization that does business with Yuma County will be brought to the BOCC for review, investigation, decision and resolution. Decisions of the BOCC shall be made a matter of public record.

EMPLOYMENT 410 Reimbursement of Expenses

It is Yuma County's policy to provide reimbursement for expenses to elected officials and employees when conducting business for the County's benefit. Elected Officials and employees shall be reimbursed for out-of-pocket expenses when requested on Expense Report forms provided by the Administration Department.

Travel charged to Yuma County, regardless of the funding source, shall be for the benefit of the County and completed using the most economical means available which will satisfactorily accomplish the County's business.

Detailed receipts evidencing such expenditure shall accompany all expense reports. In the event expenses were incurred for which a receipt cannot be obtained, the submitting party shall provide a written explanation of such absent receipt and the expense, including all information necessary to justify reimbursement.

The approving authority responsible for authorizing any such travel expenses prior to any reimbursement shall

approve all expense reports. Appointed positions will submit expense reports to the Yuma County Commissioners.

Upon completion of travel, a travel reimbursement expense report form must be filed to obtain reimbursement for approved travel expenses. The travel reimbursement expense report shall contain a statement as to the purpose of the travel.

Lodging, meals, and other reimbursable travel expenses shall only be reimbursed for the period of time necessary for the official traveler to accomplish County business. When an employee uses an alternate method of transportation, which is authorized by the approving authority, additional time required to complete County business shall be charged to approved leave.

If lodging, meals or transportation expenses are included in conference fees, registration fees, or are otherwise furnished at no additional cost to the official traveler, no reimbursement shall be made for these items.

By submitting a reimbursement for travel expenses the official traveler is certifying that the expenses claimed were for actual expenses incurred for the benefit of Yuma County.

Meal reimbursements of travel and related expenses for both required and not-required meetings will be according to the following:

Breakfast --Travel commencing before 6:30 a.m. and extending after 8:00 a.m. Reimbursement allowed up to \$7.50. Itemized receipt must be submitted.

Lunch --Travel commencing before 11:30 a.m. and extending after 1:30 p.m. Reimbursement allowed up to \$10.00. Itemized receipt must be submitted.

Dinner -- Travel commencing before 5:30 p.m. and extending after 6:30 p.m. Reimbursement allowed up to \$15.00. Itemized receipt must be submitted.

The above meal costs can vary outside of the meal maximum above. But they should not exceed the combined total. The maximum meal reimbursement for one day is \$32.50. This is at the discretion of the department head.

The travel time is considered as the time it takes from the starting location (office or home) to the meeting destination and/or from the destination to the starting location not including mealtime.

This calculation can be estimated by Mapquest.com or other scale. A 15-minute break for every 2.5 hours of traveling time will be allowed. (If a break coincides with mealtime, it is reimbursable. Break refreshments are not reimbursable.)

The following expenses shall not be reimbursed:

Alcoholic Beverages purchased by the official traveler.

Political expenses or functions.

Personal expenses incurred during travel, which are primarily for the benefit of the official traveler and not directly related to the official purpose of the travel. Examples: personal hygiene items, magazines, movie rentals.

Reimbursements will not be made for any non-county personnel traveling with the county employee. Permission in advance of travel should be sought for additional passengers when using a county vehicle.

EMPLOYMENT 411 Telephones and Computers

County telephones and computers are for County business. Personal use of these tools, including calls, e-mails and the use of the Internet are to be held to a minimum. Inappropriate or excessive personal use may subject the employee to disciplinary action up to and including termination.

All communications and information transmitted by, received by, or sorted in electronic communications systems owned or leased by Yuma County is the property of Yuma County and may be subject to the Colorado Open Records Act. Employees do not have a right to privacy in such communications and information.

SECTION 5

EMPLOYMENT PRACTICES

EMPLOYMENT PRACTICES 501 Recruitment

Yuma County provides equal opportunity in employment by recruiting and selecting employees based on their relative ability, knowledge and skills for positions regardless of race, color, religion, sex, age, national origin, disability, veteran status or political affiliation.

Position vacancies may first be offered to current qualified county employees who submit an application. Position vacancies shall be publicized by posting position vacancy announcements on the official bulletin board outside the commissioner's office and advertised through such media as appropriate in order to attract any and all qualified applicants.

Recruiting procedures may be waived due to emergencies or special circumstances at the BOCC's discretion.

EMPLOYMENT PRACTICES 502 Applications

Application forms for position vacancies shall be available from the designated office or the Administration Department. Each and every vacant position requires a separate application.

Application forms of the successful applicant shall become a part of that employee's permanent personnel file.

The department head's original job application is to be kept in the Administration Office. The department heads include: the Yuma County Administrator, Road and Bridge Supervisor, Landfill Supervisor, and Human Services Director.

EMPLOYMENT PRACTICES 503 Selection

All applicants shall be evaluated as to their qualifications and ability to perform the responsibilities and tasks of the position. Selection of applicants shall not be made on the basis of race, color, creed, sex, age, national origin, political affiliation, disability status, or other non-job related criteria.

EMPLOYMENT PRACTICES 504 Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986 (IRCA), each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within 3 working days of initial date of hire. Former employees who are rehired must also complete the form if they have not completed an I-9 with Yuma County within the past three (3) years, or if their previous I-9 is not longer retained or valid.

EMPLOYMENT PRACTICES 505 Hiring of Relatives

No applicant shall be appointed or hired to a position if a member of his or her immediate family is the direct supervisor with authority for promotions or pay status for the position. Relatives will not work for the same immediate supervisor nor will they supervise each other.

Persons in the “immediate family” of the employee or the employee’s spouse are: husband, wife, children, stepchildren, foster-children, parents, grandchildren, brothers, sister, nephews, nieces, aunts, uncles, and grandparents.

A present employee shall not be terminated on grounds of the nepotism policy if the incoming elected official is a member of the present employee's family.

If employees become related and their employment violates this policy, the affected employees will have three (3) months to comply with this policy. This policy does not apply to situations existing prior to the effective date of the manual.

Evidence must be available to demonstrate that Equal Employment Opportunity procedures were unequivocally followed during the selection process and that the most qualified person was selected for the vacant position.

EMPLOYMENT PRACTICES 506 Orientation

All new employees shall be oriented to departmental structure and functions by appointing authorities and/or their authorized designees, who shall provide all new employees with comprehensive information concerning pay plans, office policy rules of conduct and job performance expectations.

All new employees shall meet with the county administration office to fill out payroll papers, receive information on benefits, personnel handbook, and payroll deduction options and procedures.

EMPLOYMENT PRACTICES 507 Performance Evaluations

A high standard of performance is expected of Yuma County Public employees. Employees and supervisors are encouraged to discuss job performance and goals on an informal day-to-day basis. Formal performance evaluations are conducted to provide both employees and supervisors the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and determine positive, purposeful approaches for meeting goals.

A written performance evaluation shall be prepared by the appointing authority or an immediate supervisor on a regular basis for all regular full- time, regular part-time, and introductory employees below the level of appointing authority. The appointing authority shall discuss the performance evaluation with the employee. The employee shall sign the performance evaluation to indicate that the evaluation was discussed. A copy of the completed, signed evaluation shall be maintained as a part of the employee's permanent personnel file, with a copy to be given to the employee. Employees shall be evaluated on the following criteria:

1. Regular full-time and regular part-time employees shall have a written evaluation of their job performance. Performance evaluations for regular full- time and part-time employees shall occur at least once a year.
2. New employees shall have a written performance evaluation prepared at the conclusion of their probationary six (6) month period.

3. One or more of the following remedies are possible as a result of a below-standard service rating: corrective action, separation, suspension, and/or termination, but not necessarily in any prescribed combination or order of progression.

EMPLOYMENT PRACTICES 508 Dispute Resolutions

Yuma County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Yuma County supervisors and management.

Yuma County strives to ensure fair and honest treatment of all employees. Elected Officials, Department Heads, supervisors, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

Any employee may file a grievance without fear of jeopardizing his or her employment position, opportunities for advancement, salary increase or performance evaluation. No employee shall be coerced by his or her supervisor to not proceed with the grievance nor to appear as a witness at a hearing regarding a grievance. Such action by a supervisor shall be considered a basis of grievance.

When a grievance is reduced to writing, it should contain certain information as to the date, time and place, the issues involved and the relief sought. The grievance shall be signed and dated by the aggrieved employee.

The procedure for filing a grievance is as follows:

1. Any employee shall initiate the grievance procedure by verbally discussing it with his or her immediate supervisor within five (5) working days of the incident for which the grievance is based. The supervisor shall, within five (5) working days, verbally discuss his or her decision with the employees.

2. If the employee is dissatisfied with the information decision of the immediate supervisor, he or she may, within five (5) working days of verbal discussion of the immediate supervisor's decision, present the grievance in written form to the supervisor or the department head.

The department head (or supervisor) shall conduct the conference with five (5) working days of the receipt of the written grievance. The conference shall include the aggrieved, his or her immediate supervisor, and any other party to be present by the aggrieved employee. The department head shall present his or her decision in writing to the employee within five (5) working days of the conference.

3. If the employee is not satisfied with the decision of the department head or supervisor, he or she may, within five (5) working days of written notice from the department head or supervisor, submit his or her written grievance to the elected official. The elected official shall present their written decision to the employee within five (5) working days of the hearing. The decision of the elected official is final.

Should the employee fail to proceed with the grievance within any of the time limits set forth under this procedure, it shall be assumed that the grievance has been settled on the basis of the last decision reached. If the supervisor or department head fails to comply with the time limitations specified herein, the employee may proceed immediately to the next step.

If an employee fails to follow the appropriate internal steps and files a grievance directly with the elected official, this may be considered insubordination that may result in disciplinary action.

This same procedure shall be available for use by any member of the public at large for other general complaints.

EMPLOYMENT PRACTICES 509 Reductions in Force (RIF)

It is the policy of Yuma County Government to provide a consistent staffing procedure that will enable YCG to reduce labor force in a manner that has minimal adverse effect. Actions that may be implemented prior to initiating the Reduction in Force policy, consist of, but are not limited to: a hiring freeze, salary freeze, days off in lieu of an increase in salary, and reduction of office hours. The Board of County Commissioners must give approval of any measures needed to reduce the expenditures prior to implementation of the Reduction in Force Policy.

The Board of County Commissioners, and/or Elected Officials may initiate layoffs for the following reasons: lack of work, lack of funds, or reorganization.

When there is to be a reduction in force in the number of positions in a job profile, vacant positions in the profiles shall be the first abolished. The Board, or Elected Official or Department Head as directed by the Board, shall layoff employees within an affected profile by reviewing the most recent service rating of each employee. The employee within the affected profile that has the lowest service rating shall be terminated first. If there are two or more employees within the affected profile that share the lowest service rating, then the individual with the least seniority on the job will be terminated. Seniority on the job will be defined as:

- a. Date of hire with Yuma County. The total time in years, months and days that a permanent employee has spent working with the County shall be counted.
- b. Continuous Service: Only time spent in continuous service shall be used in determining seniority. The initial date of continuous service shall be the date the employee was appointed as beginning work to the County, when such service has not been interrupted.
- c. Military leave, that interrupts county employment, shall be included in determining seniority.

The employee may be offered a position in any profile at the same or lower grade level in another occupation group in which the employee had previously attained permanent status, provided the terminated employee has both of the following: Seniority over the current incumbent in the position and a higher service rating.

Should a vacancy occur within the affected profile of an employee terminated due to the RIF policy being put into practice, the terminated employee shall be offered the position, provided the terminated employee had at least a satisfactory service rating at the time of his/her termination from employment. This provision shall be good for one year only, following termination due to the RIF policy being enacted.

EMPLOYMENT PRACTICES 510 Separation

When it is time for employment to end, Yuma County Government strives to make the separation as amicable and smooth as possible for both the employees and the organization.

RESIGNATION: Resignation is a voluntary act initiated by the employee to terminate employment for YCG. YCG requests at least 2 weeks written notice prior to resignation. When an employee quits or resigns employment, the wages or compensation shall become due and payable upon the next regular payday.

INVOLUNTARY DISMISSAL: Involuntary dismissal is when an employee is released from employment by the Department Head. If an employee is dismissed involuntarily, a final payroll check will be issued to them within six hours of termination; but if at such time the employer's accounting unit responsible for the producing of payroll checks, is not regularly scheduled to be operational, then the wages due the separated employee shall be made available to the employee no later than six hours after the start of the county's next regular workday.

EXIT INTERVIEW: Prior to an employee's departure, an employee will have an exit interview with their supervisor to recognize that all county items are turned in (i.e. keys). The supervisor will sign a form that acknowledges this has taken place. The form is taken to the Administration Department where it will be signed to acknowledge the terminating employee has received information on benefit changes due to terminating employment with Yuma County.

An exit interview will also be scheduled with the BOCC, a member of the BOCC, a person designated by the BOCC, or an elected official (as long as that elected official is not the direct supervisor) to discuss the reasons for separation.

REDUCTION IN FORCE: Unfortunately from time to time, YCG may be forced to consider reducing the work force due to lack of work, lack of funds, reorganization or other factors beyond the control of YCG. See Section 4 Employment Practices 509 for details.

UNEMPLOYMENT COMPENSATION: The purpose of the state's unemployment compensation law is to protect the employee by providing financial assistance if the person is out of work. Yuma County complies with all the compensation laws.

EMPLOYMENT PRACTICES 511 Personnel Files

Yuma County Government maintains a "permanent" personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases and other employment records.

Personnel files are the property of YCG and access to the information they contain is restricted under the Colorado Open Records Act. Generally, only department heads or elected officials of YCG who have a legitimate reason to review information in a file are allowed to do so, in addition to the employee.

EMPLOYMENT PRACTICES 512 Personnel Data Changes

Personnel data including personal mailing addresses, telephone numbers, dependents and emergency contact information is maintained on all employees. Accurate and current information is essential to keep employees informed, to locate individuals, and to be able to contact the appropriate person in an emergency.

It is the responsibility of each employee to promptly notify Yuma County of any changes in personnel data. Doing so ensures that important benefit or tax information may be sent to you. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times. Contact your direct supervisor and the Administration Department as soon as any changes occur in your personnel data.

SECTION 6

BENEFITS

BENEFITS 601 Life Insurance

All regular county employees shall participate in the group life insurance program according to the Agreement Yuma County has with their current Health Insurance provider. If an employee and the employee's spouse work for the county and are both eligible for health insurance, both will be covered for group life within their respective departments. All new employees shall be provided literature on the life insurance plan. An enrollment card must be submitted by the personnel office within 10 days of hire.

BENEFITS 602 Medical Insurance

All qualifying county employees, excluding temporary employees, will be eligible to enroll in the county's group health insurance plan according to the Agreement Yuma County has with their current Health Insurance Provider. An enrollment card must be submitted to the personnel office within 10 days of hire.

To be eligible for health insurance an employee must work 32 hours or more hours a week with full time employee status. Coverage will begin on the first day of the first full month after the pay period following 30 days of continuous employment. Insurance premium deduction will be for the following month's insurance. (i.e. Premium deducted on the May 31st pay period will be for June insurance coverage.) All new employees shall be provided literature on the coverage plan options.

BENEFITS 603 Retirement

After the successful completion of one (1) year of employment, all qualifying county employees, excluding temporary employees, shall participate in the Yuma County Retirement Program. The retirement program shall be managed and administered according to the rules of the CCOERA Retirement Plan. Generally, an employee must have been employed regularly for a minimum of 20 hours per week and a total of 5 months a year, and must have completed one year of continuous service in order to enter the CCOERA Retirement Plan. Continuous service is defined as the latest period of uninterrupted employment with the county. Service is not considered to be interrupted by sick leave, military service or temporary layoffs. The employee will have retirement premiums deducted beginning the pay period following 30 days after the first year anniversary date of retirement eligibility. All employees shall be provided literature on the retirement plan.

Employees receiving pay for accumulated leave shall receive retirement benefits on one half (1/2) of approved:

- 1) personal unused leave in excess of 60 days paid at the end of each calendar year.
- 2) accrued leave up to 60 days when an employee separates employment from Yuma County.

BENEFITS 604 Benefits Continuation (COBRA)

Yuma County Government gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage following the guidelines established by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

ELIGIBILITY FOR COVERAGE: Employees may request continued coverage after a "qualifying event" such as resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of

absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. COBRA coverage would be denied if discharge is for "gross misconduct".

COST: Under COBRA, the employee or beneficiary pays the full cost of coverage at YCG's group rates plus an administration fee.

RIGHTS AND OBLIGATIONS: Each eligible employee is provided with a written notice describing the rights granted under COBRA.

BENEFITS 605 Workers Compensation

In accordance with 8-43-102 C.R.S., (1.5) (a) Every employee ... who sustains an injury resulting from an accident shall notify the employer in writing of the injury within four (4) working days of the occurrence of the injury, unless the employer, or the employee's foreman, superintendent, or manager has written notice of said injury. If the employee is physically or mentally unable to provide said notice, the employee's foreman, superintendent, or manager, or any other person in charge who has notice of said injury, shall submit such written notice to the employer. If said employee fails to report said injury in writing, such employee may lose up to one day's compensation for each day's failure to so report. Any other person who has notice of said injury may submit a written notice to the employer which report shall relieve the injured employee from reporting the accident. Any employer receiving written notice of an injury pursuant to this subsection (1.5) shall affix hereon the date and time of receipt of such notice and shall make a copy of such notice available to the injured employee within two working days following receipt of such notice.

WARNING

If you are injured on the job, written notice of your injury must be given to your employer within four working days after the accident, pursuant to section 8-43-102(1) Colorado Revised Statutes.

If the injury results from your use of alcohol or controlled substances, your worker's compensation disability benefits may be reduced by one-half in accordance with section 8-42-11.5 Colorado Revised Statutes.

All employee injuries are to be reported within four days to:

Administrator or Finance Officer in the Yuma County Administration Office
(970 332 5796)
Yuma County Administration
310 Ash Street, Suite A
Wray, CO 80758

To be eligible for worker's compensation benefits an employee must be examined and treated at the nearest hospital emergency room in the event of medical emergency. The designated physician should be notified as soon as possible thereafter by the employee or the supervisor, if the employee is unable to do so. The health care provider should be informed that the billing for the treatment should be submitted to Yuma County's Worker's compensation Fund.

BENEFITS 606 Injury Leave

Employees and elected officials who are injured on the job must report the injury to their supervisor and to the Yuma County Administration Office within 4 days of the injury (excluding weekends).

If the injury is determined to be compensable under workman's compensation, an employee may take accumulated personal leave for the first three days of a layoff caused by the injury. However, if the "3 day waiting period" is paid by Workman's Compensation, the employee will reimburse the county for the three personal days paid for by the county. In accordance with statute, employees will receive workman's compensation (approximately 2/3 salary). The remaining balance of the employee's monthly salary amount, which worker's compensation does not cover, may be filled by using personal leave days. The total paid to the employee (worker's compensation plus personal leave) cannot total more than the employee's net (Gross salary less FICA, federal withholdings, state withholdings and other withholdings) monthly salary amount.

Employee Responsibilities on Injury Leave

The Employee Responsibilities on Work Related Injuries or Illness is to:

- Cooperate with medical treatment plans, and
- Schedule and attend all follow-up medical appointments and therapy as required under the medical plan, and
- Observe and follow all established physical and medical restrictions at all times and at all places, or return to the doctor for any necessary adjustment of those restrictions, and
- Contact or visit the supervisor promptly after each medical appointment to inform the county of your ability to return to work and to provide a copy of the Physician's Report, keeping them informed of work status and conditions, and
- Submit copies of Physician's reports to the Yuma County Administration Office, and
- Accurately record any time charged to worker's compensation and submit copies of time sheets to the Yuma County Administration Office, and
- Keep in contact as needed with the payroll or benefits clerk in order to arrange for the proper paperwork to be completed, and
- Perform temporary modified duty for the county, if assigned, within the medical restrictions, and
- Return to work as soon as possible after the medical provider has cleared the employee to go back to work.

BENEFITS 607 Leave

CONDITIONS OF LEAVE

A. LEAVE:

All employees who meet the employment status requirements specified herein will be entitled to personal leave, injury leave, funeral leave, administrative leave, military training leave, leave without pay, leave of absence and court and jury leave as may be necessary from time to time. All employees shall be treated equally with regard to the conditions and usage of available leave.

B. PERSONAL LEAVE “PAID OR ACCRUED”:

Full Time Employee

Employees must be regular full-time employees to accrue paid personal leave when employment starts. Employees are urged to expend accrued personal leave during the calendar year in which it accrues.

Accrual rate of personal leave is on a monthly basis. An employee may not take personal leave during the first six months of employment, which is considered the normal introductory period; except, an employee may use personal leave for unforeseen medical reasons after 30 days of continuous employment. (See C. Use of Personal Leave.)

Personal leave will begin accruing on the first working day. The first month's leave will be prorated. (The number of hours worked divided by 173.33 times 8 hours equals the first months personal leave.) Personal leave is deemed as earned the last working day of the month.

Years of Service	Personal Leave Accrued Monthly		Yearly Total
	Hours	Days	
0-1	8	1 day	12 days
1 - 10	14	1 and 3/4 days	21 days
10 - 20	18	2 and 1/4 days	27 days
20 +	20	2 and 1/2 days	30 days

Permanent Part-time Employee

Effective January 1, 1999, a permanent part-time employee that works more than 20 hours per week, and has completed 5 years of employment shall receive paid leave time. Beginning year 6, the permanent part-time employee shall receive 3.33 hours per month (40 hours per year).

Personal leave is deemed as earned the last working day of the month. Leave for a permanent part-time employee cannot be carried forward into the next year. For each year thereafter, the permanent part-time employee shall receive 8 additional hours per year to a maximum of 80 hours according to the following schedule.

Permanent Part Time Employee Personal Leave Accrued			
Years of Service	Hrs per Month	Hrs per Year	Days per Year
6	3.33	40	5
7	4	48	6
8	4.66	56	7
9	5.33	64	8
10	6	72	9
11 +	6.66	80	10

C. USE OF PERSONAL LEAVE:

An employee cannot "borrow" from personal leave that has not yet been earned. Personal leave is deemed as earned the last working day of the month.

One day (at a time) of personal leave could be used without prior authorization from the Department Head. If absence is due to illness, a written Doctor's statement (at the discretion of the dept. head or elected official) may be required, if more than one day of absence is necessary.

Notice of absence must be given to the dept. head or elected official within one hour of designated start time. Non-notification of an absence may result in disciplinary action resulting in termination.

Official holidays occurring during personal leaves are counted as holidays, not as personal leave. Illness and emergency closure days during leave periods are counted as personal leave days.

Personal leave may be taken only when authorized by the appointing authority, who may establish periods during which no personal leave may be taken. Leave taken without prior authorization may be granted as personal leave at the discretion of the appointing authority. Leave without pay may be charged for any leave, which was not authorized in advance.

Whenever possible, personal leave shall not be denied by appointing authorities when such denial, based on carryover limitations, could result in the forfeiture of accumulated personal leave.

If an employee becomes ill or is injured while away from the assigned county department, and while on leave, the illness or injury should be reported to their supervisor as soon as possible.

If personal leave is exhausted, the appointing authority may grant leave without pay (See Section 6, 610 and "Section 8, 801" Family Medical and Leave Act.)

Employees have the option of contributing a minimum of 8 hours personal leave to the Sick Leave Bank during the enrollment period. (See Sick Leave Bank, Section 7)

An employee may not have more than six (6) months of combined, consecutive paid and/or unpaid leave, whether it is a combination of accrued personal leave, accrued compensation time, approved sick leave bank days and/or approved leave without pay.

Use of personal leave days may run concurrently with the Family Medical Leave Act.

Earned but unused personal leave up to sixty (60) days will be payable upon termination of employment at the current rate of pay. When personal leave is used in conjunction with a termination, the last day worked will be considered the termination date. If the last day worked is within the month, the personal leave for that month will be prorated based on hours worked divided by 173.33 times leave hour accrual. Earned but unused personal leave up to 60 days will be payable upon termination of employment at the current rate of pay.

D. UNUSED PERSONAL LEAVE: (Adopted per Resolution 02-28-07A)

Employees may be compensated for unused personal leave in excess of the 60-day maximum accumulation. Upon approval by the Department Head and ratified by the Board of County Commissioners, those days over 60 may be paid through the counties respective budget. The Maximum leave buyout at the end of the year will be according to the following schedule:

	Leave Earned				
	Monthly		Yearly		
Years of Employment	Days	Hours	Days	Hours	Max Year End Buyout Days
0-1	1	8	12	96	
1 -10	1.75	14	21	168	10
10 -20	2.25	18	27	216	12
20 +	2.5	20	30	240	13

Employees that have accumulated more than 60 days at the end of the calendar year will fill out the Unused Personal Leave form annually. The employee and department head must sign and return the form with the original signatures to the County Administration office. The document will be presented to the Board of County Commissioners for final approval.

Up to 60 days of accrued leave would be paid to the employee upon retirement or termination from County employment. Retirement benefits will be paid on one half (1/2) of accrued leave. Any accumulation of unused leave above 60 days at the time of termination will be forfeited.

BENEFITS 608 Funeral Leave

Funeral leave shall be granted to an employee to attend the funeral of an immediate family member of the employee or the employee's spouse. For purposes of this section, persons in the "immediate family" of the employee or the employee's spouse are: husband, wife, children, step-children, foster-children, parents, grandchildren, brothers, sisters, nephews, nieces, aunts, uncles, and grandparents.

Three days of funeral leave may be granted, up to a maximum of five working days, to be determined by the department head or elected official depending upon the travel distance required of the affected employee.

Funeral leave shall not be granted for settlement of estates nor any other matter except time necessary to arrange for,

travel to, attend and return from the funeral.

Funeral leave of one day may be taken if the employee is a pallbearer or an escort.

Funeral leave for other than “immediate family” will be treated as personal leave time. If there is not accumulated personal leave time, then the time off will be deducted from the employee's next pay period.

An office or department may be closed for a funeral upon approval by of the Board of County Commissioners; i.e. death of an employee. In this case, employees will be allowed to attend on county time. For the purpose of calculating overtime, the time allowed to attend a funeral when the office or department is closed by the BOCC will be considered as paid but not at work, which is how a holiday is considered. If a department closes for a funeral and an employee chooses not to attend the funeral, they should be expected to stay at work or use leave time.

BENEFITS 609 Military Leave

Any employee of the County, who is a member of the National Guard or reserve components of the United States Armed Forces, may be given up to fifteen (15) calendar days paid military leave for military training purposes in any single calendar year. An employee is entitled to military leave if he or she returns to work at the end of the required military service unless prevented from doing so through no fault of his or her own. If an employee taking military leave does not return to work at the end of the leave, other than for reasons not the fault of the employee, the leave taken will be deducted from the employee's other leave accruals, if any, or if no leave exists the absence will be considered to be leave without pay. If the employee cannot return to work because of required continued military service, the employee is eligible for leave without pay, subject to applicable state or federal law. The period of military leave will be determined by the employee's unit, state, or federal orders. A copy of the orders must be given to the employee's supervisor and forwarded to the Board of County Commissioners.

Annual leave or leave without pay may be used for additional military purposes such as Active Duty for Training (A.D.T.). Annual leave or leave without pay shall be scheduled as set out in the appropriate section for those types of leave.

A County employee who is involuntarily called to active military duty may be reinstated after release from active duty, in accordance with applicable state and federal law. This policy shall be in accordance with C.R.S. 28-3-601 and 603.

Other provisions of law may affect military leave and reinstatement. Contact the Administration Department to confirm and make sure you understand Yuma County policies.

All requests and considerations for Military Leave are to be approved by The Yuma County Board of Commissioners prior to the leave commencing.

[See also 801 Family and Medical Leave Act of 1993: (FMLA) / Page 48]

BENEFITS 610 Leave without Pay/Leave of Absence

Employees may be granted personal leave without pay for such other reasons and under such conditions and circumstances as the Board of County Commissioners deem appropriate. Conditions imposed on a discretionary personal leave may include (a) loss of health benefits or continuation only at the employee's expense and (b) a limited commitment on the County's part as to restoration of employment at the expiration of the leave.

The employee shall be required to exhaust all accumulated personal leave, and compensatory time as a condition of receiving personal leave without pay, except in cases of military leave and other applicable legal requirements, personal leave accruals will not continue during such leave. In granting such leave, each case will be considered

individually. The employee's job performance record and the needs of the particular department may be considered in acting on a leave application. A written request and support documentation may be required, at the discretion of the department head if appropriate, and Board of County Commissioners. All such leaves must be approved in writing by both the department head, if appropriate and the Board of County Commissioners before they become effective.

If the employee fails to return to work on or before the date that the leave expires or fails to provide supporting documentation or respond to additional requests for documentation supporting the need for continued leave, the employee will be deemed to have terminated his or her employment with the County. The maximum amount of consecutive leave time with or without pay shall not exceed six (6) months. (Exception would be CRS 28-3-601 through 608 – Military Leave)

BENEFITS 611 Employee No Pay adopted 5-29-09A Resolution

Employees are to submit time sheets to the department supervisor in time for payroll to be processed by the Yuma County Finance Department. Scheduling of the time sheet due date may be set by individual departments based on the Finance Department's deadline, which varies each month. Those employees not submitting a time sheet in time to their department to meet the monthly payroll deadline will receive "No Pay" for those hours not represented by a time sheet. The "No Pay" amount will be added to the next payroll once the time sheet(s) have been received.

An employee will receive "No Pay" when absent from work and not enough personal leave or compensatory time to carry through to the end of the payroll period has been accumulated. If the "No Pay" situation occurs after the time sheets are submitted, the department head must notify the Finance Office of the "No Pay" situation within three days of the payroll date. (Payroll date is the day the employees receive pay.)

BENEFITS 612 Court and Jury Leave

An employee shall be granted paid jury leave for the period he is required to serve on jury duty. Compensation received from the court for jury duty during the time absent from work shall be surrendered to Yuma County, except for parking expenses and mileage allowance.

Court leave shall be granted at the discretion of the county's appointing authority.

When, in obedience to a subpoena or direction of proper authority, an employee appears as a witness in a court proceeding or an official government hearing relating to the employee's employment, the employee shall be granted court leave for such services. Compensation received from the court for court leave during the time absent from work shall be surrendered to Yuma County except for verified parking expenses and mileage allowances.

When an employee serves as a witness in court in a non-work related capacity, the employee shall be charged personal leave or leave without pay as appropriate. The employee shall retain compensation received for such services. At the discretion of the appointing authority, a finding of "extenuating circumstances" may be made, which would allow for the use of "court leave".

SECTION 7

SICK LEAVE BANK

701 Sick Leave Bank

In order to provide a no cost, short-term disability program for employees, the County has available a Sick Leave Bank. Donation to this bank is voluntary. Only regular, full-time employees may request use of the Sick Leave Bank. The Department Head, Elected Official, Personnel Committee, or Sick Leave Bank Governing Board does not guarantee approval of a Sick Leave Bank Request.

A. ADMINISTRATION:

1. The Sick Leave Bank Governing Board composed of seven (7) voting members elected by the participants in the Bank and one (1) non-voting representative from the county administration office administers the Bank. A quorum of 4 is required for holding a meeting. A member participating via a landline phone can meet the quorum.
2. No more than two (2) representatives from any department will be allowed on the board. This board will review all requests from the sick bank.
3. When there is an election, the member receiving the highest number of votes will fill the longest term. In the case of a tie ballot the Sick Leave Board will vote on the term limit positions.
4. If a position on the Board comes open, the member receiving the highest number of votes from the previous election will have the opportunity to fill the vacant position, if this member is not in conflict with paragraph 2 above.
5. The Personnel Office shall report the status of the Bank to the County Personnel Committee and to the participants at the beginning of each calendar year.
6. The meetings are open to all employees. Executive session will be called to review a request before the Board. All actions will be taken during the open meeting.

B. ENROLLMENT:

Full-time employees will have an open enrollment period during January of each year to accept or decline membership to the Bank. 1998 full time employees who do not join the bank January, 1999, may join at a later open enrollment time, but must donate hours retroactive to year 1999. (Example: do not join January 1999; but decide to join January 2002, then must donate 32 hours. (8 X # years))

New full-time employees may join the Bank by donating 8 hours of personal leave anytime on or after the pay period following 2 full months of employment. (Example: Full-time employee date of hire is 1/15/99, then they would be eligible to sign up for bank on 03/31/99, with another 8 hours to be deducted January of 2000.)

If a new full time employee does not choose to join the County Sick Leave Bank by the end of the 6 month probation of employment, their next opportunity to join the Bank will be during the January open enrollment time of any year providing they donate hours retroactive to January of the year following their date of hire. (Example: Employee date of hire-June, 1999, did not join bank until January, 2002, would need to contribute 24 hours.

At the beginning of each year, the original signed Sick Bank Contribution form must be returned to the administration office. The minimum contribution is 8 hours per year.

Accumulated days in the Bank are carried over from year to year. An additional contribution is required each year thereafter while a member of the Bank. Hours donated to the Sick Leave Bank are not refundable.

The Sick Leave Bank will cap at 3500 hours at which time the current members do not have to donate any more hours. When the bank drops below 3000 hours, the Sick Leave Bank Governing Board has the option to assess a contribution of up to eight (8) additional hours from member employees of the Bank.

If a mandatory contribution is required, the 8 hour contribution a new employee is donating toward their 24 hour minimum contribution will also be considered their mandatory contribution. If 24 hours are met, and a mandatory contribution is imposed, then new employees will be required to make a mandatory contribution. **adopted 5-29-09A Resolution**

If an employee is using Sick Leave Bank hours (all personal leave and comp time has been exhausted), and there is a mandatory contribution imposed, this employee will need to contribute 8 hours by taking a day without pay to remain in the pool. **adopted 5-29-09A Resolution**

If capped, new employees will be allowed to join the bank, but must make a minimum contribution of 24 hours. This can be done over a 3-year period. Nonmember full-time employees may join during January open enrollment provided they fill their hours retroactive to date of eligibility. The minimum contribution will be 24 hours.

C. CONDITIONS OF USE:

The following conditions govern the granting of sick leave days from the Bank:

Employees applying to the Sick Leave Bank must have contributed to the Bank.

Employees may, in the case of health emergencies, apply to the Sick Leave Bank Governing Board for use of the leave from the bank.

Sick leave may be granted ONLY in cases of employee physical illness or injuries.

Application is to be in the form of a letter, signed by the employee. If an employee is unable to make application for him or herself, a family member may fill out the application.

In all cases, the request must be accompanied by a physician's signed statement specifying the nature of illness, the dates and medical service, and the expected date of return to work for the employee. If this information is not included, the application may not be considered. The employee is to submit the physical requirements of their job to the Doctor to aid in determining if the employee is capable of returning to work. The physical requirements can be obtained from the department head/elected official.

The applicant must submit the request to his/her Department Head/Elected Official prior to consideration by the Sick Leave Bank Governing Board. The Department Head/Elected Official must attach an updated personal leave and compensation time schedule to the application.

Application to the Sick Leave Bank Governing Board for use of the Sick Leave Bank should be done prior to exhausting the accrued personal leave and/or compensation time according to the following schedule:

8 hours from 2 full months of employment to 6 months of employment
16 hours from 6 months of employment to 12 months of employment
24 hours from 12 months to 24 months of employment.
32 hours from 24 months to 36 months of employment
40 hours after employment of 36 months.

The department head is to inform the pool of the applicant's leave and/or compensation hours on the books.

The Sick Leave Bank Governing Board will review the application and make a decision. If the employee does not have the required booked hours, unpaid leave will be applied according to the above schedule before the Sick Leave Bank Hours can be used. Banked hours will not be used until the employee has exhausted all of his/her individual personal leave days and any compensation time accumulated.

Not more than five (5) months shall be granted to one member in a twelve-month period. An employee may not have more than six (6) months of combined, consecutive paid and/or unpaid leave, whether it is a combination of accrued personal leave, accrued compensation time, approved sick leave bank days and/or approved leave without pay.

Use of sick leave bank days may run concurrently with the Family Medical Leave Act, whether or not the FMLA began prior to application and approval of the Sick Leave Bank.

The Sick Leave Bank Governing Board cannot recommend sick leave days to be granted to member employees in an amount that exceeds the number of sick leave days accumulated in the Bank.

A holiday occurring during the use of sick bank hours will not be counted as sick bank hours used. The employee will receive the benefit of the holiday hours.

If the Sick Leave Bank Governing Board denies use of bank hours, the governing board will notify the applicant in writing, stating the reason(s) for the denial. Decisions made by the Sick Leave Bank Governing Board may be appealed to the County Personnel Committee.

Any unused sick leave granted by the Sick Leave Bank Governing Board shall be returned to the Bank.

There shall be no personal leave time accrued by an employee while on Sick Leave Bank time. Accrual deduction for use of sick bank hours will be prorated based on the number of sick bank hours used divided by the salaried hours 173.33 X normal personal leave accrual.

(Example: Employee of 2 years uses 40 hours of approved sick bank time in a month. $40/173.33=23.08\%$ X 14 personal leave hours = 3.23 hours. 14 hours minus 3.23 = 10.77 personal leave accrued for the month.

Upon termination from the County, a Bank member will no longer be eligible to draw sick leave time from the Bank. Bank hours contributed to the Sick Leave Bank are not reimbursable.

An employee that is re-employed after a break of 30 days as an employee of Yuma County will be considered as a new employee for purposes of joining the Sick Leave Bank. (See Section B -Enrollment.)

Maximum amount of consecutive leave time with or without pay shall not exceed six (6) months.

SECTION 8

FAMILY MEDICAL LEAVE ACT

CIVIL RIGHTS COMPLIANCE

CIVIL RIGHTS AND DRUG FREE WORKPLACE

801 FAMILY AND MEDICAL LEAVE ACT OF 1993: (FMLA)

General Provisions:

Employees who have been employed for at least one (1) year, and have worked at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave under Federal law. Except for those employees designated as "highly compensated employees," employees will be returned to the same or to an equivalent position upon their return from leave. The benefits director for Family and Medical Leave is the County Administrator.

When an employee provides notice to the department head of a need for medical leave longer than 5 consecutive days or 5 accumulated days for the same condition/illness, the department head will notify the administrative office at which time the employee will be sent the FMLA notification detailing the expectations and obligations of the employee. The notification letter will be by certified mail. The Family and Medical Leave shall run concurrent with use of the employee's accrued paid personal leave.

Reasons for FMLA Leave:

All employees who meet the applicable time of service requirements may be granted family or medical leave consisting of appropriate accrued paid leave and unpaid leave, for a period of twelve (12) weeks (during any 12-month period from the time of notification of being on FMLA is received) for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or birth of the employee's child;
2. To care for the employee's child after birth, or placement of a child for adoption or foster care with the employee.
3. To care for the employee's spouse, child or parent who has a serious health condition; or
4. For a serious health condition that renders the employee incapable of performing job functions.

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider.

This FMLA policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition, which if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition. FMLA may be taken in increments.

If husband and wife both work for the county and each wishes to take leave for the birth of a child, adoption, or placement of a child in foster care, the husband and wife may only take a combined total of 12 weeks of leave.

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

Procedure for Requesting Leave:

In all cases, an employee requesting leave must complete an "Application for Family and Medical Leave", have it signed by the Department Head and return the original to the County Administrator. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave.

An employee intending to take family or medical leave because of an expected birth or placement or because of a planned medical treatment must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her supervisor and to the County Administrator as soon as knowledge of the necessity for the leave arises.

Medical Certification:

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

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

The county has the right to ask for a second opinion. The county will pay for the employee to get a confirmation from a second doctor, which the county will select.

If necessary to resolve a conflict between the original confirmation and the second opinion, the county will require the opinion of a third doctor. The county and the employee will jointly select the third doctor, and the county will pay for the opinion. This third opinion will be considered final.

Benefits Coverage During Leave:

During a period of family or medical leave, an employee will be retained on Yuma County's health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person, or by mail. The payment must be received in the Accounting Department by the end of the month.

If the employee pays a premium to an additional supplemental insurance plan, the employer will continue making a payroll deduction while the employee is on paid leave. While the employee is on unpaid leave, the employee must continue to make premium payments on the additional supplemental insurance plan, along with the health care payments.

If the employee chooses not to return to work for reasons other than a continued serious health condition, the employee will reimburse the county the amount paid by the county for the employee's health insurance premium during the FMLA leave period.

An employee who takes family or medical leave will not lose any employment benefits that accrued before the date leave began. Personal leave accrued shall not be credited nor is it available for use until the employee returns to work duty from FMLA leave.

Personal leave cannot be accrued while on unpaid leave.

Restoration to Employment Following Leave:

A "Notice of Intention to Return from Leave" must be completed by the employee and returned to the County Administrator two (2) weeks before returning to work if possible. "An employee eligible for family and medical leaves with the exception of those employees designated as "highly compensated employees".... will be restored to his or her old position or to a position with equivalent pay, benefits, and other terms and conditions of employment.

Intermittent Leave or a Reduced Work Schedule:

When shown to be medically appropriate the employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year), or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced daily schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12-month period. Intermittent leave may not be used to care for the birth of a new child except at the supervisor's discretion.

Military Family Leave:

(Section 585(a) of the National Defense Authorization Act amended FMLA)

Military Caregiver Leave (also known as Covered Servicemember Leave): Eligible employees who are family members of covered servicemembers will be able to take up to 26 workweeks of leave in a "single 12 month period" to care for a covered servicemember with a serious illness or injury incurred in the line of duty on active duty.

Qualifying Exigency Leave:

A new military entitlement helps Family members of the National Guard and Reserves manage their affairs while the member is on active duty in support of a contingency operation. This allows the normal 12 workweeks of FMLA job-protected leave available to eligible members with a covered military member serving in the National Guard or Reserves to use for "any qualifying exigency" arising out of the fact that a covered military member is on active duty or called to active duty status in support of a contingency operation. A qualifying exigency for which employees can use FMLA leave: (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

802 Civil Rights Compliance

No person shall, on the grounds of race, color, national origin, age or disability, be excluded from participation in or be subjected to discrimination in any program or activity funded, in whole or in part, by Federal funds. Discrimination on the basis of sex or religion is also prohibited in some Federal programs. (Age-42 U.S.C. 6101 et seq.; Race-42 U.S.C. 2000d; Handicap-29 U.S.C. 794.)

The County must appoint a "Civil Rights Compliance" overseer. Until further notice, the position shall be assigned to the County Administrator and the Yuma County Commissioners.

803 Drug Free Workplace Act

Yuma County is dedicated to providing a drug free workplace. We also recognize that our employees are our most valuable resource; it is our goal to provide a healthy, satisfying working environment, which promotes opportunities for growth. In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse; and (3) prohibit the controlled manufacture, distribution, dispensing, possession, or use of controlled substances.

Purpose:

The purpose of this policy is to assure worker fitness for duty and to protect our employees and the public from the risks posed by the use of prohibited drugs or controlled substances. This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug programs.

Applicability:

This policy applies to all employees, paid part-time employees, and private contractors when they are performing county-related business on or off-site. This policy applies to off-site lunch periods or breaks after which an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by this policy while on Yuma County premises and will not be permitted to conduct business if found to be in violation of this policy.

Definitions - Prohibited Substances:

The following categories of prohibited substances are addressed by this policy:

"Prohibited substance" means the following substances specified in Schedule 1 or Schedule 11 of the Controlled Substances Act, 21 U.S.C. 801 et. seq. and published at 21 CFR 1308.11 and 21 CFR 1308.12; marijuana; cocaine; opiates; phencyclidine (PCP); and amphetamines. Also included in this policy are alcohol, prescription drugs and non-prescription drugs that are determined to impair a person's ability to perform the essential functions of their job.

Prohibited Conduct:

Manufacture, Trafficking, Possession, and Use

Any employee engaging in the manufacture, distribution, dispensing, possession, or use of prohibited substances on Yuma County premises, in Yuma County vehicles, or while on Yuma County business will be subject to disciplinary action up to and including immediate termination. Law enforcement agencies shall be notified, as appropriate, where criminal activity is suspected.

Under the Influence

Any employee who is reasonably suspected of being impaired, or under the influence of a prohibited substance (e.g. having a prohibited substance in the body) shall be suspended from job duties pending an investigation and verification of the employee's condition. Any employee found to be under the influence of prohibited substances shall be subject to disciplinary action, up to and including termination.

Alcohol, Prescription Drugs, Non-Prescription Drugs

Employees who are using prescription or non-prescription drugs, which may in any way affect their work performance, are required to report this information to their supervisor.

Treatment Requirements

All employees are encouraged to make use of available resources for treatment for substance abuse problems. Under certain circumstances employees may be required to undergo treatment for substance abuse. Any employee who refuses or fails to comply with Yuma County requirements for treatment, after care, or return to duty shall be subject to disciplinary action, up to and including termination.

Notifying Yuma County of Criminal Drug Conviction

Any employee who fails to notify Yuma County of any criminal drug conviction for a drug statute violation occurring in the workplace by no later than 5 days after such conviction, shall be subject to disciplinary action, up to and including termination.

Proper Application of the Policy

Yuma County is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors or department head must use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor or department head who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

YCG Employee Acknowledgment Form

The employee handbook describes important information about Yuma County Government, and I understand that I should consult the Administration Department regarding any questions not answered in the handbook. I have entered into my employment relationship with YCG voluntarily and acknowledge that there is no specified length of employment. Accordingly, either YCG or I can terminate the relationship at will, with or without cause, at any time.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to YCG's policy of employment-at-will. All such changes will customarily be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Yuma County Board of Commissioners has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (PRINTED): _____

EMPLOYEE'S SIGNATURE: _____ DATE: _____

Please sign in **Blue** ink.

Original to be returned to Commissioners Office