



EMPLOYEE HANDBOOK

Adopted July 19, 2016

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IMPORTANT NOTICE

AT MOFFAT COUNTY, NEITHER THE EMPLOYEE NOR THE COMPANY IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A FIXED PERIOD OF TIME. EMPLOYMENT WITH MOFFAT COUNTY IS AT-WILL. EITHER THE EMPLOYEE OR MANAGEMENT HAS THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR IS THERE A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION. NO REPRESENTATIVE OF MOFFAT COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS BY VOTE, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF COUNTY COMMISSIONERS.

THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE ARE NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, MOFFAT COUNTY RESERVES THE RIGHT TO SUSPEND, TERMINATE, INTERPRET, OR CHANGE ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF MOFFAT COUNTY. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

A Message from the County Commissioners and Elected Officials

Welcome...

We are glad you have chosen employment with Moffat County. Our main goal is to serve the citizens of Moffat County.

This handbook serves as a tool to assist you in becoming familiar with necessary information about working here. The policies that follow do not cover every situation that may arise. They serve as a standard in keeping with sound operating practices and as a guide for managing employee related matters. Should you need assistance in the interpretation of a policy, please consult your immediate Supervisor, Department Head, Elected Official, or the Human Resources Department.

We would like you to take the time to acquaint yourself with our history, County goals, services, and departments. You are important to us and it is important for you to understand how you fit into our organization.

The secret behind the success of our County is our service-oriented, hardworking, dedicated, and loyal employees. We want to thank you for becoming a member of our team.

Moffat County Commissioner

Moffat County Commissioner

Moffat County Commissioner

Moffat County Assessor

Moffat County Clerk & Recorder

Moffat County Coroner

Moffat County Sheriff

Moffat County Treasurer

Moffat County Surveyor

1. PURPOSE AND INTENT

1.0 PURPOSE/INTENT/COVERAGE

This handbook applies to all County employees and all departments within the County who shall be subject to the provisions as contained herein.

This handbook is not intended to override or supersede any state or federal regulations or statutes that may apply to various aspects of County governmental functions.

Individual departments may have additional policies due to unique statutory or operating requirements but these policies apply in addition to and do not replace or supersede the Moffat County Employee Handbook unless exempted by the Board of County Commissioners by vote in a public meeting. Additional policies must be submitted to the Human Resources Department for review to ensure that a conflict with the County Handbook does not exist. In the event of a conflict, the information set forth in this handbook shall control and take precedent.

1.1 MANAGEMENT RIGHTS

The County Commissioners and other Elected Officials/statutorily required boards have the authority to direct County operations of their respective offices as provided for by the statutes of the State of Colorado. Included in this authority is the power for the Board of County Commissioners to appoint and remove all directors of departments and other individuals directly responsible to the Board of County Commissioners.

Each department or office of County Government is responsible for handling specific personnel matters in its area in accordance with this handbook. Further included is the authority for other Elected Officials to appoint and remove personnel in their departments in accordance with this handbook or state statutes. Except in situations involving public or employee safety, employees will be retained or terminated on the basis of the adequacy of their performance. Terminations of employment may result from, but are not limited to, situations involving employee conduct and/or violations of the information in the Moffat County Employee Handbook.

1.2 GENDER NEUTRALITY

Any statements of gender are intended as gender-neutral, male and/or female references are all-inclusive covering either gender.

1.3 SITUATIONS NOT COVERED

No written document can adequately cover every situation, which might arise. This handbook, however, states the general philosophy of the County, lending valuable guidance for those situations not specifically covered.

2. HIRING

2.0 EQUAL EMPLOYMENT OPPORTUNITY

EEO/Harassment Policy

Moffat County is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other applicable status protected by state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

ADA and Religious Accommodation

Moffat County will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety. The County will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the County. Employees needing such accommodation are instructed to contact their supervisor or the Human Resources Director immediately.

Sexual Harassment

Moffat County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes listed above, including sexual harassment, please use the following complaint procedure. Moffat County expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may be in violation of this policy.

Report the incident to your supervisor, Department Head/Elected Official, the Human Resources Director, or a County Commissioner who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable.

Moffat County prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you believe there has been a violation of our EEO or retaliation standard, please follow the complaint procedures outlined above.

If Moffat County determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

2.1 NEPOTISM

Members of an elected official's or employee's immediate family or household will be considered for employment on the basis of their qualifications of merit and fitness. However, Moffat County recognizes that a close familial relationship between an employee and a supervisor creates an actual conflict of interest or the appearance of a conflict of interest that has the potential to create an adverse impact upon employee work performance and morale and relates to fitness for employment. Therefore, immediate family members or household members of elected officials or existing employees may not be hired, if employment would:

- (i) Create a supervisory relationship between immediate family¹ or household members: No official or employee shall supervise or be in a direct line of supervision over a member of his or her immediate family or household member, nor shall any official or employee have authority to appoint, terminate, or discipline a member of his/her immediate family or household member.
- (ii) Place immediate family² or household members in a position where one family member or household member would audit, verify, receive, or be entrusted with moneys received or handled by the other family member or household member.

This policy may also be considered when assigning, transferring, or promoting an employee.

For the purpose of this policy, immediate family or household member ("familial relationship") is defined as follows:

Immediate family¹: Spouse, parent, children, stepchildren, sibling, in-law, aunt, uncle, niece, nephew, grandparent, grandchild, step-relatives, and persons who maintain a mutual residence.

Immediate family²: Spouse, parent, children, stepchildren, sibling, and persons who maintain a mutual residence.

This policy applies to all employment statuses as defined in Chapter 3: Types of Employees (Status), including contract employment and temporary employment through a temporary employment services agency.

Employees who become immediate family members or household members as defined herein ("creation of the familial relationship") may continue employment as long as their employment does not violate the conditions set forth above. If one of the conditions set forth above does result from the creation of the familial relationship, Moffat County will make attempts to locate a suitable position within the County to which one of the involved employees will be transferred and/or will make reasonable efforts to assign job duties so as to minimize the problems of supervision, safety, security, work performance or morale. If a transfer or such reasonable efforts of this nature are not feasible within 30 days of the creation of the familial relationship, the employees in question will be permitted

to determine which of them will resign. If the employees do not make the decision within ten days, Moffat County will require the employee with the least seniority to resign from their position.

This policy does not apply to any familial relationships that existed on March 1, 2006, the effective date of this policy. This waiver, however, may not be used as the basis for further exceptions subsequent to the effective date of this policy.

2.2 BACKGROUND CHECKS

Moffat County reserves the right to perform background checks and/or investigations on any or all-potential and current employees being considered for certain safety sensitive positions as applicable to departments. Included, but not limited to, are positions involving the handling of money, sensitive documents, working in areas with prisoners involving public safety, working in areas with children, working in areas with the elderly, and working in any other area involving public safety.

2.3 ORIENTATION

New employees are oriented on subjects necessary to enable them to understand general County organization, the compensation plan, employee benefits, overtime and leave policies, retirement benefits, continuation of health benefits authority, and other areas of general interest.

3. TYPES OF EMPLOYEES (STATUS)

3.0 FULL-TIME

An employee normally scheduled to work at least 40 hours per workweek. Full-time employees are eligible for County benefits.

3.1 PART-TIME

An employee normally scheduled to work at least 10 hours per week or less than a 40-hour workweek. Part-time employees are not eligible for County benefits.

3.2 OCCASIONAL

An employee normally scheduled to work less than 10 hours per week. Occasional employees are not eligible for County benefits.

3.3 TEMPORARY

An employee who is hired in a job established for a temporary period or for a specific assignment. Temporary employees shall be hired through the County designated Temporary Employment Agency. Temporary employees hired in a supervisory position will be hired directly by Moffat County. + Temporary employees are not eligible for County benefits.

3.4 EXEMPT EMPLOYEE

An exempt employee is not eligible for overtime pay. Exempt full-time employees are required to satisfy a 40-hour workweek; however, they may work additional hours as needed to accomplish the work of the position without overtime compensation. Exempt employees are eligible for exempt compensatory time. Refer to Section 5.27 Compensatory Time for Exempt Employees.

3.5 NON-EXEMPT EMPLOYEE

Non-exempt employees are eligible for paid overtime at one and one-half times his/her regular rate of pay. The threshold is 40 hours per week for all non-exempt employees, except law enforcement officers, whose overtime calculation is computed on a 160-hour threshold as defined in a 28 consecutive day work period. Refer to Section 5.27 Compensatory Time for Non-Exempt Employees.

3.6 APPOINTED OFFICIAL

An appointed official is an employee who is statutorily appointed by an Elected Official who is under the direct supervision of and has regular contact with that Elected Official. Appointed officials are subject to the provisions of the Moffat County Employee Handbook.

4. TRAINING AND EDUCATION

4.0 TRAINING

The degree of County participation for any employee in a training program shall be at the discretion of the Elected Official/Department Head.

Training is defined as seminars, workshops, conferences, and other educational training programs as approved by the Board of County Commissioners. The training program must be job-related, promote career development by gaining technical information, and enhance the County. The training is generally short term, in which a grade is not given and is not credited toward a degree. Refer to Human Resources for further information.

4.1 EDUCATION ASSISTANCE

Moffat County recognizes that the skills and knowledge of its employees are critical to the success of the County. Education assistance encourages personal development through formal education so those employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within Moffat County Government.

All full-time employees who have worked six (6) months of continuous service may request education assistance under this policy. Moffat County will reimburse 100% for tuition, books, and fees and job related certifications up to a maximum of \$500 per employee per calendar year who pass with a letter grade of "C" or better (or for a "pass" if pass/fail is the only option), and who meet the course guidelines. To be reimbursed, the required paperwork must be completed prior to enrollment in the class and classes must be provided by an accredited college, university, or trade school. Refer to Human Resources for further information.

5. WORK CONDITIONS AND RULES

5.0 AGE OF EMPLOYMENT

The minimum age of employment with Moffat County shall be age 18 unless pre-approved by the Moffat County Commissioners/Elected Official. No one shall be hired by Moffat County who is under the age of 16.

5.1 ALCOHOL AND DRUGS

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance, or abuse of any other substance is prohibited. This includes working after the apparent use of marijuana. Furthermore, the possession, purchase, or consumption (use), or sale of a controlled substance or alcohol on County premises or while conducting County business is prohibited.

5.2 ANTI-VIOLENCE

Any action, which in management's opinion is inappropriate to the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, vandalism, sabotage, arson, use of weapons, and bullying. Also prohibited is the carrying of weapons onto County property, intimidation, threats, or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on the County property unless they are pursuant to a concealed carry permit and a copy of such permit is in the employee's personnel file, or any other act, which, in management's opinion, is inappropriate to the workplace. No weapons are allowed in restricted areas. In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any prohibited conduct to management. Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

5.3 APPEARANCE, ATTIRE, AND HYGIENE

At the County personal appearance, attire, and hygiene are very important. A professional image must be maintained to instill confidence in the minds of our customers. Employee's appearance should be consistent with good hygiene, safety, and what the County considers appropriate business attire. Elected Officials/Department Heads may designate appropriate attire for their department, which must be approved by Human Resources.

5.4 ATTENDANCE, TARDINESS, AND ABSENTEEISM

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business. Employees who are going to be absent or late must contact their Supervisor/Elected Official/Department Head as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable. Failure to call in when absent may result in disciplinary action, up to and including termination.

5.5 BRIBERY

No employee shall accept any monetary benefits with the intent to influence his/her vote, opinion, judgment, exercise of discretion, or any other action in his/her capacity as an employee of Moffat County. No employee shall make an offer or agree to confer any monetary benefits with the intent to influence another's vote, opinion, judgment, exercise of discretion, or any other action in his/her capacity to another employee or Elected Official of a public entity. Employees shall comply with all other federal or state laws or regulations regarding conflicts of interest that govern their employment assignments. Such an action by an employee is grounds for immediate termination of employment.

5.6 CHANGE IN CLASSIFICATION

Reclassification of an existing position may occur when the County determines there are significant changes in the duties, responsibilities, and/or required qualifications of a position or the County determines a need due to economic and/or financial factors. Positions may also occur in the event that reorganization significantly alters or shifts the responsibilities of one or more positions.

5.7 CHANGE OF PERSONAL INFORMATION

Each employee, regardless of status, must inform the Human Resources Department of any change of name, dependents, marital status, address or telephone number within ten (10) days of the change. This information is part of the personnel file which is classified as confidential information. Employees will need to complete a *Payroll Change Form* and submit it to the Human Resources Department.

5.8 CLOSURE OF COUNTY BUILDING(S)/OPERATION(S)

The Board of County Commissioners, Elected Officials, and/or a statutorily required governing Board of the Department may close County Departments and/or County facilities or suspend County operations due to emergency conditions, special occasions, training, or pursuant to law. Foreseen closures will be discussed and voted on in a public meeting and adopted through a resolution.

The County has an Inclement Weather Policy, which may also apply to the closure of County buildings and operations. Refer to Section 5.20 Inclement Weather.

5.9 COMMUNICATION SYSTEMS

The County's computer network, access to the Internet, e-mail, and voice mail systems are business tools intended for employees to use in performing his/her job duties. Therefore, all documents and files are the property of the County. All information regarding access to the County's computer resources, such as user identifications, access codes, and passwords are confidential County information and may not be disclosed to non-County personnel.

All computer files, documents, and software created or stored on the County's computer systems are subject to review and inspection at any time by the County or citizens under the Colorado Open Records Act. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Computer equipment should not be removed from the County's premises without prior authorization from the Information Technology Department. Upon separation of employment, all communication tools should be returned to the County.

Certain employees require access to the State of Colorado Automated Information Systems for which passwords are required to gain access. Such passwords shall not constitute public records. The passwords shall be protected in accordance with the guidelines set forth by the entity/agency, which exercises ownership and control over the system or information being accessed.

Unauthorized Use: Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the County's communication systems in ways that management deems inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate Supervisor or the Information Technology Department before engaging in such conduct.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create the material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Nor should an employee assume that anything created through County property and equipment become their personal property that can be copyrighted or used in any other manner without the permission of Moffat County.

5.10 CONFIDENTIAL INFORMATION

No County employee shall disclose confidential information entrusted to or acquired by the employee by virtue of employment with the County, nor shall any employee use said information, or permit others to use it, in the furtherance of a private intent. If you have any questions about what is confidential information please see your Supervisor.

5.11 CONFLICT OF INTEREST

An employee exercising any influence in connection with a County contract, purchase, payment, or any other financial or monetary transaction, who is a director, president, general manager, or similar executive officer or who owns or controls, directly or indirectly,

a substantial interest in any business or entity participating in the transaction, shall meet with the Board of County Commissioners at the next regularly scheduled Commissioner meeting in order to give advance notice of the conflict to the Board of County Commissioners. Social Service's employees may not provide eligibility, casework, or other services if the employee has a personal relationship with the client or is related to the client. Failure to disclose a conflict of interest will not be tolerated and action may be taken according to Colorado Law. If you aren't sure whether you are involved in a conflict of interest, ask your Supervisor.

5.12 CORRECTIVE ACTION/DISCIPLINE

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which in its opinion, seems appropriate. Disciplinary actions can range from a formal discussion with the employee about the matter to the immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

5.13 DRIVER'S LICENSE

If a Driver's License is a requirement for a given position, the employee must have a valid Colorado Driver's License of the proper type for that particular position and comply with the Motor Vehicle Policy. Human Resources will conduct an annual check of Department of Motor Vehicles Records for all positions requiring a Driver's License.

5.14 DRUG AND ALCOHOL TESTING

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance or abuse of any other substance is prohibited. This includes working after the apparent use of marijuana, whether or not you are a lawfully registered user. Furthermore, the possession, purchase, or consumption (use), or sale of a controlled substance or alcohol on County premises or while conducting County business is prohibited.

Moffat County is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making. This policy applies to all employees. The type of testing is contingent upon whether the employee is considered safety sensitive. Safety sensitive employee is defined as any employee whose duties involve risk of injury or harm to the general public. Please contact Human Resources for further information regarding the Drug and Alcohol Policy.

Selectees and County employees that are in a position which requires a Commercial Driver's License (CDL) will be required to successfully pass a physical or acquire exemptions from the Colorado Department of Public Safety for those portions necessary to be allowed to operate the necessary motor vehicles as described in the job descriptions. Employees subject to CDL requirements please refer to the CDL Drug Testing Policy.

Sheriff's Office Employees: Shall follow the Sheriff's Department Policy Manual.

5.15 EMAIL

E-mail is to be used for business purposes. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. However, employees should be aware that these messages will be treated the same as business messages and are subject to review at any time without notice. The County prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail or anywhere else on County premises at any time. The County reserves the right to determine when an employee is using the County communication systems inappropriately. Employees are prohibited from unauthorized use of usernames or the passwords of other employees to gain access to another employee's e-mail messages.

5.16 ETHICS

It is the intent of Moffat County that its officials and employees adhere to high levels of ethical conduct so that the public will have confidence that persons in positions of public responsibility are acting for the benefit of the public. Officials and employees should comply with both the letter and spirit of the Ethics Policy and strive to avoid situations which create impropriety or the appearance of impropriety. Please contact Human Resources for further information regarding the Ethics Policy.

5.17 EVACUATION PLAN

County departments have established evacuation plans to safely and efficiently evacuate County buildings, all employees and visitors, under several emergency situations. The priority is life safety as well as protection of all assets. Employees should become familiar with their department evacuation plan, as well as the evacuation plan of buildings they frequently work in. Questions regarding County facility evacuation should be addressed through your Elected Official/Department Head and/or the Emergency Management Department.

5.18 GIFTS AND GRATUITIES

All County employees shall comply with the Gift Ban in the Provisions of Article XXIX, Section 3 of the Colorado Constitution.

5.19 HANDBOOK ADMINISTRATION

The Human Resources Department, under the guidelines of the Board of County Commissioners, is responsible for the day-to-day administration of the provisions of this handbook. The Human Resources Department provides interpretation and guidance in the application of the handbook provisions to the Board of County Commissioners, Elected Officials/Department Heads, Supervisors, and employees. The Human Resources Department provides a continuing effort to familiarize County employees with the contents of this manual and their applicability in any given situation. If you need help understanding this handbook, please contact your Supervisor or Human Resources.

5.20 INCLEMENT WEATHER

In the case of inclement weather, such as severe snow, all employees are expected to report to work unless the Board of County Commissioners declares by vote that the County offices be closed. The closing of County offices will be announced on local radio stations. Any employee who is absent from his/her position when offices are officially open will be charged annual leave, compensatory time, or leave without pay for any time missed.

In the event of closure before normal working hours are started, employees scheduled for the day will be paid for hours equal to the hours they work in their normal work shift. If closure occurs during normal working hours, employees scheduled for the day will be paid for the remainder of their shift for that day.

Essential employees who are required to perform their duties during inclement weather are not affected by any closing of County offices and will not be credited any time.

Employees not at work at the time of closure because of sick leave, annual leave, etc., shall not be paid for a regular day in addition to such leave.

Employees who, for personal reasons, wish to leave work early during severe weather conditions may do so with the permission of their Supervisor and will be charged compensatory time or annual leave for the period they are absent from work.

5.21 INSPECTION

The County reserves the right to conduct searches and inspections of any employee or County owned property without notice. Employees should be aware that they have no right to privacy in their desk, computer, phone, any locker, or any other equipment, furniture, or material provided by the County. Any employee who refuses to submit to a search will be subject to disciplinary action up to and including termination.

5.22 INTERNET

Use of the Internet must not disrupt the operation of the Moffat County network or the networks of other users. It must not interfere with employee's productivity. The County prohibits the display, transmittal, or downloading of material that is in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. Employees are not permitted to visit websites that are deemed by management as inappropriate or in violation of other County guidelines. The County reserves the right to determine when an employee is using the County's communications systems inappropriately.

5.23 LEGAL FEES

Civil Actions

Any employee who is named as a party to any litigation as an employee of Moffat County or a department or office of Moffat County shall immediately notify the Board of County Commissioners and the County Attorney's Office by delivering to each office a complete copy of all documents served upon the employee. The County Attorney's office shall notify the employee within fifteen (15) days pursuant to C.R.S. 24-10-110(4), as to whether or not the County will defend the employee in such action.

The employee's liability for attorney's fees shall be pursuant to C.R.S. 24-10-101, et. seq., and the County reserves the right to seek indemnification from the employee for an act deemed to be outside of the employee's scope of employment or for any willful and wanton act or intentional act on the part of the employee being sued. Subject to applicable constitutional, statutory, and contractual provisions, if any, the County may also refuse to represent said employee at its discretion or may discontinue such representation at its discretion by proper withdrawal and notification as allowed by and required by court rule or by statute.

Subject to applicable constitutional, statutory, and contractual provisions, if any, the Board of County Commissioners shall have full discretion to refuse to pay or reimburse an employee's attorney's fees in civil cases within the limits of C.R.S. 24-10-101, et seq., or any other applicable statute. The Board of County Commissioners reserves the right to review the denial of attorney's fees or defense costs in civil cases based upon the same criteria set forth below for criminal cases.

Criminal Actions

An employee may be reimbursed attorney's fees for a criminal action brought against the County employee based upon the following criteria:

1. The criminal action must be a case filed against the employee that arose out of an incident in which the employee was a participant during the course of and within the scope of employment.
2. The employee was acting in good faith and without malice and/or wanton or willful disregard of duties or responsibilities.
3. The attorney's fees are reasonable based upon community standards.
4. The action is ultimately terminated in favor of the employee, by acquittal or dismissal by prosecuting authority or plaintiff.
5. The claim is made for such attorney's fees within forty-five (45) days of a favorable termination of the criminal cases and the claim made does not include the claim for more than one attorney's fees.
6. The claim is presented and considered by the Board of County Commissioners as a claim as provided for in C.R.S. 30-11-107(1) (b) and 30-25-110(1).

All traffic matters and traffic tickets shall be the responsibility of the employee. If the traffic matter or traffic ticket occurred in connection with employment and results in personal injury or property damage it should be reported to the Elected Official/Department Head in charge of said department or office and the Human Resources Department. Moffat County may accept limited responsibility for fines levied or for oversize load citations Road & Bridge drivers may receive from the Department of Transportation as a result of inspections.

If an employee is arrested and charged with a criminal act, the employee may be placed on leave without pay until a complete administrative investigation is held to determine if the situation warrants disciplinary action. The County reserves the right to terminate any employee who is convicted of any felony or a misdemeanor offense, similar to those listed in Section 8.1 Standards of Conduct, while employed by the County.

5.24 LONGEVITY

Longevity Pay is currently on an anniversary date basis to full-time employees for years of service completed.

- 16 years \$20 per pay period
- 17 years \$40 per pay period (includes \$20 from year 16)
- 18 years \$60 per pay period (includes \$20 per pay period for years 16 and 17)
- 19 years \$80 per pay period (includes \$20 per pay period for years 16, 17, and 18)
- 20 years \$100 per pay period (includes \$20 per pay period for years 16, 17, 18, and 19)

The amount established for 20 years Longevity Pay is the maximum longevity amount a full-time employee will be paid per pay period. Full-time employees continue to receive the longevity pay until they separate from employment or the policy is changed. If economic circumstances so dictate, this policy may not be followed.

Full-time employees that are on leave without pay do not receive longevity pay for any time that he/she is on leave without pay. In this case, longevity pay is prorated for actual hours worked within the pay period. Moffat County's workers' compensation insurance carrier figures the longevity pay into the total gross wages for the calculation of workers' compensation pay.

5.25 OUTSIDE EMPLOYMENT

Employees of the County may take occasional or part-time jobs if:

1. It is performed completely outside of assigned working hours.
2. The employee's efficiency and performance is unaffected.
3. There is not conflict of interest as defined by state or federal law.
4. The Elected Official/Department Head must be notified in writing of outside employment. Employees may not engage in outside business activities during their County working hours.

Social Service Employees: Shall follow the State Department of Human Services Staff Manual.

Sheriff's Office Employees: Shall follow the Sheriff's Department Policy Manual.

5.26 PARKING

The County does not provide reserved parking for its employees. Each County facility may designate appropriate parking for County employees. The County and its insurance carrier(s) are not responsible for any damage or theft to personal property, including vehicles, on County property.

5.27 PAY CALCULATIONS

DEFINITIONS

- (a) **Alternate Work Schedule:** The Elected Officials/Department Heads may impose for their staff alternate work days or work times as long as they are within the same workweek and are not in violation of any County, State, or Federal policy.
- (b) **Compensatory Time for Exempt Employees:** Full-time and part-time employees that are classified as exempt are allowed to accumulate compensatory time for hours worked in excess of 44 hours in a work week. Compensatory time for exempt employees is accumulated and used on an hour for hour basis and may be accumulated to a maximum of 40 hours. Exempt employees are not paid the balance of any accumulated compensatory time at their time of separation of employment.
- (c) **Compensatory Time for Non-Exempt Employees:** Full-time employees that are classified as non-exempt and are covered by the Fair Labor Standards Act (FLSA) are allowed to accumulate compensatory time at a rate of one and one-half hours of compensatory time for each hour worked beyond the standard 40 hour workweek. Compensatory time off means hours during which an employee is not working, which are not counted as hours worked during the applicable workweek or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate. Non-exempt employees may accumulate a maximum of 80 hours of compensatory time. Elected Officials/Department Heads may set the number of accumulated hours of compensatory time less than 80 if they choose; they just cannot allow an accumulation of over 80 hours. If a non-exempt employee terminates employment with Moffat County, the balance of all accrued compensatory time will be paid at his/her regular rate of pay at their time of separation/termination of employment.
- (d) **Different Capacity/Same Type of Service:** An individual shall not be considered a volunteer if the individual is otherwise employed by the County to perform the same type of services as those for which the individual proposes to volunteer. Employees can never volunteer for their own position.
- (e) **Direct Deposit:** The required manner of payment for wages by Moffat County.
- (f) **Exempt Position:** Employees in exempt positions are paid on a salary basis and are exempt from overtime regulations according to the FLSA.
- (g) **Flextime:** Elected Officials/Department Heads may allow the use of flextime in their department. Hours may be flexed hour for hour within a work week in order to satisfy the 40-hour workweek.
- (h) **Hours Worked:** The hours actually worked by the employee. Time considered as "worked" are actual hours but will not include any other leave taken, including Annual, Sick, Holiday, and Bereavement Leave, as defined in Chapter 6, compensatory time, or any unauthorized leave taken.
- (i) **Non-Exempt Position:** Employees in non-exempt positions are paid on an hourly rate and are not exempt from overtime regulations according to the FLSA. Overtime pay or compensation time accrual begins after the established work time threshold has been reached. The threshold is 40 hours per week for all non-exempt employees, except law enforcement officers, whose overtime calculation is computed on a 160-hour threshold as defined in a 28 consecutive day work period.
- (j) **Overtime Hours:** Hours worked, as defined in 5.27 Hours Worked, by a non-exempt employee in excess of forty (40) hours for a workweek in which the employee will be paid overtime at the rate of one and one half times his/her regular rate in overtime pay or in compensatory hours. However, for covered employees in law enforcement activities or fire protection activities, overtime hours shall be calculated in accordance with the work period and FLSA Law Enforcement agency overtime guidelines. Exempt employees are exempt from overtime.
- (k) **Pay Period/Payday:** Moffat County shall pay its employees on a bi-weekly pay schedule (every other Monday). If the regular payday occurs on a holiday, the payday is the Friday prior to the holiday. The County reserves the right to set the cutoff date for each payment cycle. The Finance Department will establish an annual schedule of paydays for the following year by December first of each year, which will be distributed to Elected Official/Department Heads prior to the start of the next year.

In order to provide sufficient time for the processing of payroll, Elected Officials/Department Heads submit timesheets to the Finance Department by the date set by the Finance Department.

On each payday, employees receive a statement paystub showing gross pay, deductions, and net

pay.

- (l) Payroll Deductions:** Deductions required by law are withheld from employees' checks and paid by the County. All eligible employees shall contribute to the retirement plan and deductions for employee contributions to that fund are withheld from the employees' checks on a pre-tax basis. Provision is made for optional payroll deductions of premiums for medical, dental, additional life insurance, credit union savings accounts and loans, United Way, supplemental insurance, prepaid legal, and other miscellaneous deductions as may be approved by the Board of County Commissioners by vote and authorized by the employee.
- Payroll deductions may be arranged through the Human Resources Department.
- (m) Separation:** Includes resignation, retirement, layoff, or any other form of separation except suspension without pay.
- (n) Termination:** Includes dismissal because of disciplinary actions.
- (o) Timesheets:** Employees will submit timesheets on a bi-weekly basis using the Moffat County designated time and attendance software. Due to time limitations of payroll processing, incomplete timesheets will be processed as submitted. Any changes that need to be made will be made on the next payroll. If adjustments need to be made to a timesheet, the employee shall print the timesheet, make the necessary changes, and initial such changes. Supervisors approve the employee's changes unless they are incorrect and submit the timesheet to the Finance Department so that the changes can be processed on the next scheduled payroll. If full-time employees are approved for pay without satisfying the 40-hour workweek requirement, the following order of leave available will be used to satisfy the workweek: annual leave, compensatory time, and then leave without pay. These changes will then need to follow the process of timesheet adjustments as described in this section.
- (p) Volunteer:** An individual who performs hours of service for the County for civic, charitable, humanitarian reasons, or pursuant to order of the court.
- (q) Workweek:** The workweek shall consist of 40 hours per week. The workweek shall be seven (7) consecutive days beginning at 12:00 a.m. Saturday through 11:59 p.m. Friday. Law Enforcement workweek shall be set at Sunday 12:00 a.m. Saturday through 11:59 p.m. but will follow the FLSA Law Enforcement Agency overtime guidelines as covered under FLSA .

OVERTIME POLICY

Coverage

The Moffat County Overtime Policy applies to all employees as defined herein and as defined in the Fair Labor Standards Act (FLSA).

Requirement for Approval

The County has the right to require reasonable overtime work from all employees in the event of circumstances necessitating it. Prior to working any overtime hours, approval must be obtained from the Elected Official/Department Head, or an appointed designee of the Elected Official/Department Head. Failure to obtain permission will not forfeit the overtime pay or compensatory time, but may result in disciplinary action. All overtime records shall be maintained on the employee's timesheet.

How Paid

Departments may determine how overtime in their departments will be processed. This will either be through overtime pay or through compensatory time, as defined in Section 5.27 Compensatory Time for Non-Exempt Employees. Departments must notify Human Resources of how overtime will be processed.

Non-Exempt Overtime Pay: Hours worked, as defined in Section 5.27 Hours Worked, by a non-exempt employee in excess of forty (40) hours for a work week in which the employee will be paid overtime at the rate of one and one half times his/her regular rate in overtime pay or in compensatory hours. However, for covered employees in law enforcement activities or fire protection activities, overtime hours will be calculated in accordance with the work period and FLSA Law Enforcement agency overtime guidelines.

Exempt Overtime Pay: Exempt employees will not be paid overtime pay as they are exempt from overtime pay.

Non-Exempt Compensatory Time: Covered employees shall be given compensatory time, as defined in Section 5.27 Compensatory Time for Non-Exempt Employees, for a maximum carry over balance of 80 hours (53.33 actual hours worked). Elected Officials/Department Heads may set the number of accumulated hours of compensatory time less than 80 if they choose; they just cannot allow an accumulation of over 80 hours.

Compensatory time accumulation will cease once the maximum hours have been attained. If the

employee's balance is at the maximum, overtime hours will be compensated to the employee at the rate of one and one-half times the regular rate at which he/she is regularly compensated. Employees at the maximum hours may continue accumulation of compensatory time once the balance has been reduced under the maximum allotment.

Exempt Compensatory Time: Exempt employees are not entitled to overtime pay for time worked, but they may be allowed exempt compensatory time for hours worked in excess of 44 hours in the workweek, as defined in Section 5.27 Compensatory Time for Exempt Employees. Compensatory time for exempt employees is accumulated and used on an hour for hour basis and may be accumulated to a maximum carry over balance of 40 hours.

Payment for Compensatory Time Accrued (Non-Exempt Employees Only)

The County reserves the right to substitute cash, in whole or part, for compensatory time without affecting the subsequent granting of compensatory time off in future workweeks or work periods. If the County substitutes cash, each hour of compensatory time shall be paid at the regular rate earned by the employee at the time the employee receives such payment. A non-exempt employee can request payments for accrued compensatory time earned through the last processed payroll. This will reduce the employee's accrued compensatory time balance and will be paid at the regular rate earned by the employee at the time the employee receives payment. Upon separation of employment, a non-exempt employee shall be paid for unused compensatory time at the regular rate earned by the employee at the time the employee separates from employment. Exempt employees are not paid the balance of any accumulated compensatory time at their time of separation.

Use of Compensatory Time

Employees must request use of compensatory time through the Moffat County designated time and attendance software, which will be reviewed and approved/denied by the Elected Official/Department Head. Employees requesting the use of accrued compensatory time shall be permitted to use the compensatory time within a reasonable period after making the request, if such use does not unduly disrupt the operations of the department. Employees are allowed the use of sick leave/annual leave before using compensatory time.

Employees to Receive Overtime

The distribution of overtime shall be determined by the Elected Official/Department Head for each department. Overtime must be properly budgeted for.

5.28 PERFORMANCE REVIEWS

Evaluating employee job performance and providing feedback is an important factor in making employment-related decisions. See your Supervisor or the Human Resources Department for information regarding our review process.

5.29 PERSONNEL FILES

All County employees' personnel files are maintained by and are under control of the Human Resources Department. The Human Resources Department is the repository for all personnel files, which shall include the employee's application, any tests administered (if applicable), any change in job status or pay, records of training and certification, awards, reprimands, commendations, performance reviews, benefit information, and withholding authorizations. These files are of a confidential nature; however, state law deems some of the information in these files "public record". All confidentiality of personnel files will be maintained in accordance with state law. Violating the confidentiality requirements for personnel files will not be tolerated.

Information maintained for all County CDL drivers will be maintained at the Road and Bridge Department by the Moffat County Road & Bridge Manager.

5.30 POLITICAL ACTIVITIES

The Moffat County Board of County Commissioners encourages County employees in matters of responsible citizenship and does not by these provisions intend to interfere with the conduct of County employees engaged in political activity, as long as said activity is confined to hours when the employee is not on duty and further provided that said activity does not impair the employee's efficiency at the employee's particular job in the County workforce. Moffat County employees are protected from retaliation for engaging in lawful activity, including partisan political activities, while off Moffat County premises during non-working hours.

Moffat County will not restrict employees who are engaged in political activity unless said activity interferes in any way with the employee's job duties, performance or with departmental productivity, creates a conflict of interest or the appearance of a conflict of interest, or violates State election laws.

Any employee who desires to seek public office will be required to utilize accrued vacation time or take a leave of absence without pay beginning on the date of his/her official announcement of candidacy and continuing while he/she is a candidate if the campaign for the office to which the employee is seeking election interferes in any way with job duties, performance, or departmental productivity.

Political beliefs, activities, and affiliations are private matters of employees.

Employees will be protected from coercion for partisan political purposes in the workplace. Employees are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination.

Employees may not engage in partisan political activity during work hours, nor may they campaign while using County property and/or while wearing official County uniforms. Employees who campaign on County premises while off duty shall restrict their activity to designated County premises open to the general public for campaign/political activity purposes, shall reserve space in advance and shall pay all required fees, if any. See Resolution 2008 – 82.

- “County property” is defined as the use of County vehicles, telephones, fax machines, computers, scanners, electronic equipment, email, copiers, copy paper, and all other office supplies.
- “County premises” is defined as County-owned buildings, grounds, parks, fairgrounds, and any other County-owned or County-operated facility.
- “Campaigning” is defined as partisan political activity by a candidate for public office or an individual advocating for or against a candidate or a ballot issue or ballot question, and includes but is not limited to political speeches, requests for donations, advocating for or against votes, displaying signage/buttons advocating for or against a candidate for public office or a ballot issue or ballot question or distributing material that advocates for or against a candidate for public office or a ballot issue or ballot question. Campaigning also includes public meetings scheduled by a candidate for political office or an individual advocating for or against a candidate for public office or ballot issue or ballot question when the public meeting is held for the purpose of partisan political activity, including but not limited to public forums, political speeches and feedback sessions.

State law prohibits electioneering within 100 feet of a designated polling place on Election Day. There shall be no electioneering within 100 feet of the Moffat County Courthouse on Election Day and during Early Voting 10 days prior to the primary election and 15 days prior to the general election. In order to avoid submitting employees to unwelcome campaign advertisements on Election Day and during Early Voting, County departments and offices located within 100 feet of a designated polling place shall not play the radio on Election Day and Moffat County Courthouse offices and departments shall not play the radio on Election Day and during Early Voting ten days prior to the primary election and fifteen days prior to the general election.

“Electioneering” includes campaigning for or against any candidate who is on the ballot or any ballot issue or ballot question that is on the ballot, soliciting signatures for a candidate petition, a recall petition or a petition to place a ballot issue or ballot question on a subsequent ballot. “Electioneering” also includes but is not limited to distributing of campaign materials such as fliers, brochures, pens and pencils or notepads or displaying bumper stickers, clothing, hats or buttons that support a candidate or a political issue.

The Moffat County Human Resources Department will investigate alleged violations of this policy. An employee who is found to have violated this policy will be subject to appropriate discipline under Chapter 8 of the Moffat County Employee Handbook.

5.31 POLITICAL CONTRIBUTIONS AND SUPPORT

No employee shall be required to make any financial contributions to any political matter whatsoever.

Employees shall not be required to work for, or to participate in, the support of any political candidate or ballot issue during their non-working hours. Employees shall not be requested, urged, or asked to provide support for a political candidate or ballot issue while on County work time, nor shall they be ordered, threatened, or bribed to do so at any time or under any circumstances.

The Moffat County Human Resources Department will investigate alleged violations of this policy. An employee who is found to have violated this policy will be subject to appropriate discipline under Chapter 8: Standards of Conduct.

5.32 PROBLEM SOLVING

Employees who disagree or are dissatisfied with a County practice should promptly discuss the matter with their immediate Supervisor, where appropriate. Normally, this discussion should be held within 3-5 days of the incident or in a timely manner. Discussions held in a timely manner will enhance the County’s ability to resolve concerns while it is fresh in everyone’s mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to the immediate supervisor, then employees are encouraged to take the problem to their Elected Official/Department Head. If the problem still cannot be resolved, employees should go to Human Resources.

5.33 PROMOTIONS

Promotions are designed to allow qualified County employees a means for advancing their careers within the structure of County service. A full-time or part-time employee may be promoted within the department, without opening the position to application procedures but only if the employee to be promoted meets the qualifications designated in the County job description or requirements for the job.

5.34 PUBLIC RELATIONS

Each employee shall be courteous and considerate in dealing with the public, bearing in mind that an employee’s behavior may be a direct reflection of the County and its views.

5.35 RECORDING OF HOURS WORKED

Time records as approved by the Elected Official/Department Head, in conjunction with the Human Resources Department and the Finance Department, must be kept to accurately reflect actual hours worked, as well as any leave taken in accordance with Chapter

6 and compensatory time. Employees will record their time worked in the Moffat County designated time and attendance software. The employee and his/her supervisor shall each approve the timesheet to verify that the timesheet is accurate and true.

5.36 REFERENCES

The County does not furnish letters of recommendation.

If employees receive a call inquiring about a former employee, please refer it to the Human Resources Department. Only the Human Resources Director has the authority to respond to such inquiries. This restriction includes recommendations on social media sites.

5.37 RISK MANAGEMENT

Moffat County's risk management is handled through the Moffat County Human Resources Department.

5.38 SAFETY PROGRAM

The County is committed to a safe work environment for employees. Employees should report any unsafe practices or conditions to their Supervisor or the Human Resources Department.

Employees/board members are required to comply with all Moffat County Safety Rules. Each Supervisor/Elected Official/Department Head (whichever most appropriate) shall familiarize the employees/board members under their direction with all County departmental safety rules and shall require compliance with the same. Employees/board members shall utilize safety equipment provided by the County.

A(n) employee/board member shall report an on-the-job accident to his/her Supervisor/Department Head/Elected Official prior to the end of his/her work shift and to the Human Resources Department within 24 hours following the accident/injury. Failure to do so may result in a reduction in benefits and/or disciplinary action. In the event that an employee/board member believes he/she has been injured on-the-job, the employee/board member shall complete the employee/board member Section of the **Moffat County Accident Report Form** and fax it to Human Resources within 24 hours following the accident. The employee/board member will then forward the **Moffat County Accident Report Form** to their Supervisor/Elected Official/Department Head. The Supervisor/Elected Official/Department Head will complete the Supervisor/Elected Official/Department Head Section of the **Moffat County Accident Report Form**. The employee/board member will sign off on the Supervisor/Elected Official/Department Head's Section and submit the completed form to Human Resources.

In the event the employee/board member is unable or incapable of reporting the accident due to the severity of injury, the employee's/board member's Supervisor/Elected Official/Department Head/Board Chair shall complete the **Moffat County Accident Report Form** and submit it to Human Resources within 24 hours following the accident/injury.

Safety Rules

These general safety rules are designed to provide you with knowledge of the recognized and established safety practices and procedures that apply to many of the work situations you may encounter while employed by Moffat County. It would be impossible to cover every work situation. If you are in doubt about the safety of any condition, practice, or procedure, consult your Supervisor, Elected Official/Department Head, or the Human Resources Department for guidance.

1. **Accident Reporting:** Report all accidents or near misses to your Supervisor before the end of your work/volunteer shift and to the Human Resources Department within 24 hours following the accident/injury. Deliberate falsification of company records, including employment applications, time records, or safety documentation will not be tolerated.
2. **Alcohol or Illegal Drugs:** No illegal drugs, marijuana, or alcohol will be allowed on the worksite. Employees will notify their Supervisor of any prescription drugs that might affect their judgment.
3. **Cell Phone:** No texting while driving or operating equipment.
4. **Clothing:** Do not wear loose clothing or jewelry around machinery. It may catch on moving equipment and cause serious injury.
5. **Concentrate:** Most accidents can be avoided by concentrating on the job to be done. Always be aware of your surroundings and what is going on around you. Never distract the attention of another person, as you might cause him or her to be injured. If it is necessary to get the attention of another person, wait until it can be done safely.
6. **Drinking Water:** Always drink from regular water fountains or approved water coolers. Water from any other source may be unsafe to drink.
7. **Hazard Reporting:** Employees are responsible for notifying a Supervisor immediately of any unsafe condition and/or practice. It is every employee's responsibility to be on the lookout for possible hazards. If something seems hazardous to you, report it to your Supervisor immediately. Here are examples of possible hazardous conditions:
 - Slippery floors and walkways
 - Tripping hazards
 - Missing (or inoperative) entrance and exit signs and/or lighting

- Poorly lighted stairs
 - Loose handrails or guard rails
 - Open, loose, or broken windows
 - Dangerously piled supplies or equipment
 - Unlocked doors and gates
 - Electrical equipment left operating
 - Open doors on electrical panels
 - Leaks of steam, water, oil, other liquids
 - Blocked aisles
 - Blocked fire extinguishers, hoses, or sprinkler heads
 - Blocked fire doors
 - Evidence of any equipment running hot or overheating
 - Oily rags
 - Evidence of smoking in non-smoking areas
 - Roof leaks
 - Directional or warning signs not in place
 - Safety devices not operating properly
 - Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed
8. **Hazardous Materials:** Follow proper use and handling procedures for all hazardous materials. Do not use a chemical if you are not familiar with hazardous properties or have not received and been trained on the required protective equipment.
 9. **Horseplay:** Wrestling, running, pushing, or throwing any item in play or other disorderly conduct is forbidden while on the job. Do not engage in such other practices that may be inconsistent with ordinary and reasonable common sense safety rules.
 10. **Housekeeping:** All employees are required to keep his/her work area clear of debris or other tripping or slipping hazards. All debris must be disposed of properly in designated areas. Do not block access to fire extinguishers or exits. Properly mark off all areas with spills, debris, or broken items immediately in order to notify people of the hazard. Contact the appropriate personnel to assist with cleanup.
 11. **Hygiene:** It is each employee's responsibility to maintain personal hygiene particularly when working with hazardous chemicals. Eat or smoke only in designated areas, and always wash your hands before eating/smoking.
 12. **Machinery:** Report broken or malfunctioning equipment to your Supervisor immediately. Only trained, authorized employees are permitted to service or repair equipment and then only after deactivating all energy sources and locking out equipment. Only authorized machinery with all required guards will be used. If you are not familiar with the safety operation of a piece of machinery, ask your Supervisor for instruction and task training.
 13. **Medical Treatment:** In case of injury resulting to possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel. In no case should an employee attempt to remove foreign particles from someone else's eye.
 14. **Personal Protective Equipment:** Employees must practice proper use, care, and storage of personal protective equipment which is provided. Safety equipment such as restraints, pull backs, and two-hand devices are designed for your protection. Be sure such equipment is adjusted for you.
 15. **Seat Belts:** All employees who drive or ride in County vehicles or are on County business and drive his/her own vehicles must wear seat belts.
 16. **Signs/Labels:** Pay attention to all signs and labels. They are present as reminders of safety. Do not deface or cover up any safety material or signs.
 17. **Smoking:** Only smoke in designated areas and observe "No Smoking" regulations. Dispose of cigarette butts properly.

Human Resources shall go over the Safety Rules with employee during employee new hire orientation. A signed copy shall be placed in the employee's personnel file. Elected Officials/Department Heads shall go over the Safety Rules and policies with board members within their department. Elected Officials/Department Heads will obtain a signed copy of the Safety Rules from the board member and forward to the Human Resources Department. Human Resources will meet with departments, boards, and volunteers

as needed to explain the Safety Rules and the procedures for an accident. It is the responsibility of the Elected Official/Department Head to see that each employee/board member understands the safety rules for the County and any related to his/her department. A copy of the Moffat County Safety Forms Manual is available in each department. Disobeying a safety rule or failure to use all safety equipment provided may result in disciplinary action up to and including termination as well as a reduction in workers' compensation benefits.

All accidents, regardless of extent of the injury, must be reported prior to the end of the employee's/board member's shift to the employee's Supervisor/Elected Official/Department Head and within 24 hours following the accident to the Human Resources Department. In no event should any accident be reported after leaving the premises of the County at the end of your shift unless the employee is leaving in order to seek medical attention. Failure to report an accident prior to leaving at the end of your shift may result in disciplinary action up to and including termination.

Reporting of Accidents and Injuries:

1. **Industrial Accidents:** Any employee/board member who suffers an injury/accident during working hours shall report the accident/injury to his/her Supervisor/Department Head/Elected Official prior to the end of his/her work shift and to the Human Resources Department with an Accident Report Form within 24 hours following the accident/injury. These forms are available in the Human Resources Department, each department, and in safety manuals located in each department.
2. **Auto (motor vehicle) Accidents:** All automobile accidents involving County vehicles, equipment, or private vehicles operated for County purposes, shall report the accident/injury to his/her Supervisor/Department Head/Elected Official prior to the end of his/her work shift and to the Human Resources Department with an Accident Report Form within 24 hours following the accident/injury. These forms are available in the Human Resources Department, each department, and in safety manuals located in each department.
3. **Traffic Violations:** All employees who receive citations for moving or parking violations will be responsible for payment of the fine and court costs. If a court appearance is necessary, the employee must handle the situation on his/her own time. The amount of time the employee is away from his/her work is to be taken from accumulated compensatory time or annual leave. Moffat County may accept limited responsibility for oversize load citations Road & Bridge drivers may receive from the Department of Transportation as a result of inspections.

5.39 SEPARATION OF EMPLOYMENT

We request that employees who wish to resign their positions notify the County of their anticipated departure date and go over the "check out" procedures at separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department.

Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with the County maintained satisfactory performance and attendance.

5.40 SERIOUS OR LIFE THREATENING DISEASES

Moffat County recognizes that employees with life threatening medical disorders, including, but not limited to, cancer, heart disease, and infectious or other communicable diseases, may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. As long as these employees are able to meet acceptable performance standards, able to perform duties within the work restrictions established by their doctor, and medical evidence indicates that their conditions are not a threat to themselves or others. Supervisors should contact Human Resources for assistance. At the same time, Moffat County has an obligation to provide a safe work environment for all employees and the public it serves. Every precaution should be taken to ensure that an employee's condition does not present a health and/or safety hazard to himself/herself, other employees, or the public that the County serves.

5.41 SMOKING POLICY

It is the objective of Moffat County to provide a smoke-free environment in order to protect the health and comfort of all employees, visitors, and the general public who work or do business in County buildings, and to avoid conflicts between smokers and nonsmokers.

1. Smoking is permitted outdoors during specific time periods designated by the Elected Official/Department Head. The Elected Official/Department Head may post in their department the designated time periods.
2. Smoking is not allowed within 15 feet of building entryways.
3. The County will be responsible for supplying all no-smoking signs, notices, and postings used on the premises.

5.42 SOCIAL MEDIA

Whenever an employee uses social media, the employee should use good judgment. The County requests that the employee be respectful of the County, our employees, our customers, our partners and affiliates, and others.

Personal use of social media is never permitted on working time by means of the County's computers, company-issued mobile devices, networks, and other Information Technology resources and communications systems. Use of personal mobile devices during work time should be kept to a minimum. The County has developed Use of Social Media Guidelines for employees who use

social media like blogs, wikis, and social networking sites that may contain postings related to the County, employees of the County, and other affiliates of the County.

Nothing in this guideline is meant to interfere with the employees' right under federal law to engage in protected and concerted activity, including the employee's ability to discuss terms and conditions of their employment.

Social Media Guidelines

1. Public communications concerning the County, employees of the County, and any other affiliates of the County must not violate any guidelines set forth in the Moffat County Employee Handbook, especially as it relates to discrimination, unlawful harassment, and illegal activities.
2. The employee's personal or anyone else's blog, wiki, or social networking site is not the ideal place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Complaints to the County regarding these issues shall be made consistent with the complaint procedures in the Moffat County Employee Handbook so that the County can address them.
3. Blogs, wikis, chat rooms, and other forms of social media communications are individual interactions, not corporate communications. All postings on a blog, wiki, chat room, or social networking site on behalf of the County must be preapproved and sent by authorized employees.
4. If the employee posts any comment that promotes or endorses County products or services in any way, the law requires that the employee disclose that he/she is employed by the County.
5. The employee must comply with all applicable laws including copyright and fair use laws. The employee may not disclose any sensitive, proprietary, confidential, or financial information about the County. Confidential information includes trade secrets or anything related to the County's inventions, strategies, financials, or products that have not been made public, internal reports, procedures or other internal business-related confidential communications. Further detail is provided in Section 5.10 Confidential Information of the Moffat County Employee Handbook.
6. When the employee uses social media, he/she should use good judgment. The County requests that the employee be respectful of the County, our employees, our customers, our partners and affiliates, and others. Avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages our employees, customers, partners and affiliates, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment.

Employees should consult with his/her Elected Official/Department Head, the Information Technology Department, or the Human Resources Department if he/she has any questions or the appropriateness of publishing information relating the County, its employees, or any of its affiliates.

5.43 SOFTWARE AND COPYRIGHT

The use of County software must be in accordance with the applicable Software Agreements or as directed by the County's Information Technology Department. Employees must not use the County's technology resources to copy, retrieve, forward, or send copyrighted materials unless the employee has the author's permission.

5.44 TELEPHONES/CELL PHONES/MOBILE DEVICES

In the interest of good business practice, telephone calls and text messaging must not interfere with an employee's job performance.

The County provides cell phones to those employees who need them to perform their jobs. Such phones are intended for business use. Therefore, personal calls and text messages should be limited to those absolutely necessary and should be brief. Phones and mobile devices with cameras should not be used in a way that violates other County guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees' use of a cell phone or mobile device to access County systems is restricted/prohibited without prior authorization. Such access, once authorized, may subject the employee's personal device to discovery requests or County action. Employees authorized to access County systems and information using a personal device must immediately inform the County if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones while driving. Pursuant to Colorado State Law, it is illegal for drivers of all ages to text while driving.

5.45 USE OF COUNTY TOOLS, VEHICLES, AND PROPERTY

It is the duty of every County employee to protect, preserve, and conserve all property entrusted to the employee. Equipment, tools, and vehicles should be checked out to the employee in writing whenever possible.

No County employee shall use County property for the employee's private use or allow its use by another person or entity without prior written approval from the appropriate Department Head/Elected Official/statutorily required board. County property shall never be used for personal monetary gain.

An employee may use private tools or equipment on his/her job, but should inform the Elected Official/Department Head of such use. The Elected Official/Department Head and employee should have a written understanding or agreement regarding said use, any reimbursement, replacement, etc., regarding the tools or equipment used. A list of each employee's tools and/or equipment will be kept by the Elected Official/Department Head for insurance purposes.

Any employee leaving County employment for any reason, including but not limited to resignation, layoff, or termination, must immediately return any and all county property he/she may have to the appropriate County department.

It is the responsibility of Elected Officials/Department Heads, or their designees, to see that all separating/terminating employees have checked in all County property, such as identification cards, credit cards, cell phones, badges, uniforms, keys, tools, manuals, etc. An employee's final paycheck may be held until such items are returned.

Willful acts or acts of gross negligence with County property may be grounds for disciplinary action up to and including termination.

5.46 VOICE MAIL

The County's voicemail system is intended for transmitting business-related information. Although the County does not monitor voice messages as a routine matter, the County reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

5.47 WORKING HOURS

The workweek shall consist of seven (7) consecutive days and eight (8) consecutive hours of work shall constitute a work shift, unless otherwise agreed upon by the Human Resources Department and the Elected Official/Department Head. All employees shall be scheduled to work on a regular workday/shift and each workday/shift shall have a regular starting and quitting time. Irregular hours may also be scheduled to meet unique operating requirements.

6. LEAVE

6.0 ELIGIBILITY

Paid leave is granted to full-time employees (budgeted 2,080 annual hours) based upon the accumulation calculations in this chapter. Employees classified as part-time, temporary, on-call, and occasional are not eligible for leave.

6.1 GENERAL PROVISIONS

Paid leave will not be granted for overtime hours, scheduled days off, or for hours greater than what the employee is normally scheduled to work in a shift. For the purpose of calculating overtime, any leaves taken shall not be calculated as hours worked within a work week/pay period. Leave may not be used for hours over the employee's regularly scheduled shift in a workday. Leave usage will not be permitted in a workweek in which an employee has satisfied the 40-hour workweek requirement through actual hours worked.

When an employee is unable to report to work, he/she is responsible for personally notifying his/her Supervisor (or if incapacitated, by a family member) of the absence prior to the normal starting time or as soon thereafter as possible. Road & Bridge employees are required to notify the Road & Bridge Director or Manager by 6:45 a.m. on the day of the absence. An employee's failure to notify his/her Supervisor may cause the absence to be designated as unauthorized leave and/or leave without pay and the employee being subject to disciplinary action. All other leave requests should be made according to the guidelines outlined below for each leave type that is taken.

It is the responsibility of the individual employee to request leave through the Moffat County designated time and attendance software. The employee's Supervisor will be responsible for approving or denying the employee's request. Employees are responsible for monitoring his/her leave accruals and usage, as it appears in the Moffat County designated time and attendance software, the bi-weekly on the Finance Leave Usage Report, and/or the employee's pay stub, and for notifying the Finance Department immediately of any discrepancies.

Regular approved leave with or without pay is to be reported in the Moffat County designated time and attendance software regardless if the employee is exempt or non-exempt. All requests for Leave shall be made in advance of the start date, except for requests of sick leave, jury/witness leave, and medical leave of absence, which shall be made as soon as possible.

Leave Records: Official records for all leave types and compensatory time shall be maintained by the Moffat County Finance System, which is under the direct supervision of the Finance Department.

6.2 ANNUAL LEAVE

It is recognized by the County that time away from work may be beneficial to an employee's mental and physical health. Annual leave is compensated time off to be used at the discretion of the employee with prior approval from the employee's Elected Official/Department Head. It is the responsibility of the Elected Official/Department Head to approve and schedule annual leave in

order that all employees have an opportunity to use their earned annual leave while retaining a sufficient work force to efficiently operate their departments. Annual leave will be paid at the employee's current hourly rate at the time the leave is used. **Employees classified as part-time, temporary, on-call, or occasional are not eligible for Annual leave.**

Annual Leave Accrual Calculation and Maximum Accumulation:

| Length of Continuous Employment | Pay Period Accrual Rate Based on Annual Budgeted Hours | Accrual Cap That Can Be Carried Over Each Year |
|---------------------------------|--|--|
| | Full-time (budgeted 2,080 hours per year) | |
| Through 5 years | 3.70 hours | 320 hours full-time |
| 6 through 10 years | 4.62 hours | 320 hours full-time |
| 11 through 15 years | 6.16 hours | 320 hours full-time |
| 16 years and over | 7.70 hours | 320 hours full-time |

Accruals & Maximum Accrual Cap

Annual leave accruals will begin on a full-time employee's date of hire and will be prorated for the pay period in which he/she begins employment. The accrual cap is the maximum amount of annual leave that can be carried over from one pay period to another. The annual leave accrual cap is 320 hours. Once an annual leave balance reaches the accrual cap, accrual ceases until the balance has been reduced.

Use of Annual Leave

There is no waiting period from time of hire to begin using annual leave. Annual leave accrued through the last processed payroll may be requested for use. It is the responsibility of the individual employee to request annual leave through the Moffat County designated time and attendance software. Annual leave will not be granted for scheduled days off or for hours greater than what the employee is normally scheduled to work in a shift. The employee's Supervisor or Elected Official/Department Head approves requests for annual leave on the basis of work requirements and other leave requests within the department. Employees may not request a payout of any hours of annual leave instead of using annual leave.

A leave request is timely if made within the department's directives for submitting leave. From time to time, those directives can be modified based on staffing levels, workloads, and contingent upon reasonable restrictions applied to all employees in the same class. Requests for annual leave beyond one day must be submitted at least five (5) days in advance of the starting date of the requested leave and may not be used to exceed the regularly scheduled hours in a regular workweek (40 hours for all employees, except law enforcement, which is 160 hours in a 28-day period). Employees calling in for the immediate use of annual leave can cause a disruption to the department. Abuse of calling in and using annual leave may result in a denial of annual leave, which could lead to an unexcused absence and disciplinary action. Annual leave may be used no more than 80 working hours in succession without special approval from the Elected Official/Department Head. Seasonal workloads may preclude scheduling leave during certain times of the year. **Annual leave IS NOT used in the computation of overtime.**

Payment for Unused Annual Leave at Separation/Termination of Employment

Upon separation/termination, a full-time employee shall be paid for accumulated and unused annual leave at the employee's rate of pay immediately preceding separation/termination. This amount will not exceed the annual leave accrual cap. Annual leave will be prorated to the last day of service. The records maintained by the Finance Department regarding annual leave shall be deemed conclusive for all purposes.

6.3 BEREAVEMENT LEAVE

Request for bereavement leave may be granted by the Elected Official/Department Head as follows:

| Definition of Family | Family Members Included | Number of Bereavement Days | Additional Sick Leave that may be requested by the Employee and may be approved by the Elected Official/Department Head beyond the initial Bereavement Leave |
|----------------------|--|---|--|
| Direct Family | Employee's spouse, child(ren), stepchild(ren), or child(ren)-in law | 5 days <i>"Day" defined as:</i> Full-time: one regularly scheduled shift | 5 days <i>"Day" defined as:</i> Full-time: one regularly scheduled shift |
| Immediate Family | <ul style="list-style-type: none"> Parents, step-parents, siblings, siblings-in-law, grandparents, and grandchild(ren) of either the employee or employee's spouse Persons involved in a romantic relationship Other relatives in the permanent residence of the employee | 3 days <i>"Day" defined as:</i> Full-time: one regularly scheduled shift | 5 days <i>"Day" defined as:</i> Full-time: one regularly scheduled shift |
| | Aunt, uncle, niece, or nephew of the employee or employee's spouse | 1 day <i>"Day" defined as:</i> Full-time: one regularly scheduled shift | 3 days <i>"Day" defined as:</i> Full-time: one regularly scheduled shift |

Any time requested beyond the five (5) days of bereavement leave and additional sick leave request must have the prior approval of the Elected Official/Department Head and shall be charged as sick leave, annual leave, and/or compensatory time, as appropriate and/or leave without pay in the event that all sick leave, annual leave, and/or compensatory time has been exhausted. Employees may contact Human Resources to find out if they are eligible. **Employees classified as part-time, temporary, on-call, or occasional are not eligible for bereavement leave. Bereavement leave IS NOT used in the computation of overtime.**

Funerals for other than those listed in this policy may be attended by the employee at the discretion of his/her Elected Official/Department Head. If approved, the leave shall be charged as compensatory time and/or annual leave, as appropriate and/or leave without pay in the event that all compensatory time and/or annual leave have been exhausted.

6.4 DOMESTIC ABUSE LEAVE

Employees subject to domestic abuse may be eligible for a leave of absence. Please see the Human Resources Department for more information.

6.5 FAMILY & MEDICAL LEAVE ACT (FMLA)

Moffat County provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job (this includes workers' compensation injuries and/or illnesses).

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

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

Benefits and Protections

During FMLA leave, Moffat County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium(s) while on leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of leave without pay, paid leave will not accrue during the leave without pay.

Eligibility Requirements

Employees are eligible if they have worked for Moffat County for at least 12 months and have worked 1,250 hours in the 12 months preceding the date the employee seeks to start the leave.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regiment of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA Leave in a 12-month period is either 12 weeks or 26 weeks as defined in the Employee/Family Leave Entitlement and Military Family Leave Entitlement sections. Moffat County uses a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt Moffat County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with Moffat County may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Substitution of Paid Leave for Unpaid Leave

Moffat County requires employees to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with Moffat County's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the County paid leave policies, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted. Moffat County requires that all sick leave be exhausted before any annual leave can be used for the purpose of FMLA. **Compensatory time MAY be substituted for unpaid FMLA leave only after all sick leave and annual leave have been exhausted.**

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice to Human Resources as soon as practicable and generally must comply with Moffat County's normal call-in procedures.

Employees must provide sufficient information for Moffat County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform Moffat County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. Certification will be required for all cases except for leave the employee is taking due to a workers' compensation claim. The workers' compensation

claim documentation will suffice for the certification required for FMLA. Moffat County may require second and third medical opinions at Moffat County's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with Moffat County's attendance guideline. Employees on leave must contact Human Resources at least two days before their first day of return.

Moffat County's Responsibilities

Moffat County will inform the employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, Moffat County will provide a reason for the ineligibility.

Moffat County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If Moffat County determines that the leave is not FMLA-protected, Moffat County will notify the employee.

Unlawful Acts

FMLA makes it unlawful for Moffat County to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against Moffat County.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

6.6 HOLIDAY LEAVE

Moffat County provides separate holiday leave to all full-time employees. Moffat County will be closed on any day as designated by Resolution of the Board of County Commissioners. In the event any holidays fall on Saturday, the Friday preceding will be considered the holiday; if the holiday falls on Sunday, the next following Monday will be considered the holiday. Moffat County's holidays are usually designated as follows and each is observed on the day or date indicated or as adopted annually:

| | |
|------------------------------|--|
| New Year's Day | January 1 |
| Martin Luther King Day | Observed Day after Thanksgiving |
| President's Day | 3 rd Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | 1 st Monday in September |
| Columbus Day..... | Observed Day before or day after Christmas Day |
| Veteran's Day..... | November 11 |
| Thanksgiving Day..... | 4 th Thursday in November |
| Christmas Day..... | December 25 |

Full-time employees will be paid for holiday leave, one shift per employee regardless of whether the employee works or not, without deducting from any leave the employee may have accrued. Full-time employees will be paid for hours equal to the hours they work in their normal work shift (i.e. 8-hour shift, 10-hour shift, 12-hour shift) at the time the holiday is observed by the County.

Employees classified as part-time, temporary, on-call, or occasional are not eligible for Holiday Leave.

Working on a Designated Holiday

Elected Officials/Department Heads may require employees to work on designated holidays. Holidays designated by State Statute or Proclamation of the President or Governor, other than those identified by Moffat County will not be observed as holidays, unless approved by the Board of County Commissioners. Employees that work on a designated holiday will have holiday and actual hours worked recorded on their timesheet. With prior approval from his/her Elected Official/Department Head, an employee that must work on a designated holiday may float the holiday to use within the same workweek. If department needs make it unfeasible to use the holiday in the same workweek, the Elected Official/Department Head may discuss with Human Resources the nature of the problem and possibly receive an extension to use the holiday through the current pay period. **Holiday leave IS NOT used in the computation of overtime.**

Holiday Banks

Full-time Moffat County employees receive ten holidays per year. Not all Moffat County Departments have a schedule that allows the closure of their office on holidays. In order to accommodate these types of schedules holiday banks have been established.

Departments that are setup in the Holiday bank are:

- Moffat County Sheriff's Department and Jail (Law Enforcement Only)

On January 1, full-time employees in the Sheriff's Department and Jail are given five (5) holidays they must use by June 30 on a "use them or lose them" basis. On July 1 the employee will be given the remaining five (5) holidays they must use by December 31 on a "use them or lose them" basis. All Holiday leave for the current year must be used by the end of the year in which it is earned or it will be forfeited.

Accommodations for Religious Holidays

See Section 6.11: Religious Leave.

6.7 JURY AND WITNESS LEAVE

Moffat County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform his or her duty as a juror. An employee called to jury duty shall notify his/her Elected Official/Department Head in advance and shall be excused from work to report for this duty. If the employee is excused from jury duty during his or her regular work hours, he or she is expected to report to work promptly.

If the employee is selected as a juror he/she shall notify his/her Elected Official/Department Head as soon as possible. An employee shall be granted jury leave with pay for the period required to serve on jury duty. An employee shall be paid on the basis of straight time not to exceed the hours the employee would work in a regularly scheduled shift per day when so engaged as a juror. All monies received as jury duty pay from the court shall be signed back to the County. (Only those monies received for such duty performed during the employee's scheduled shift shall be signed back to the County).

When in obedience to a subpoena or by the direction of the proper authority and the employee appears in an official capacity as a witness in a case involving Moffat County, he/she shall be granted witness leave with pay. When in obedience to a subpoena or by the direction of the proper authority and the employee does not appear to be in an official capacity as a witness in a case involving Moffat County, he/she shall be granted witness leave with pay on a case-by-case basis at the discretion of the Elected Official/Department Head. An employee shall be paid for actual hours that the subpoena or the direction of the proper authority requires him/her to be present. All monies received by the employee as witness fees shall be signed back to the County if the employee has been paid for the normal workday.

An employee, who is involved in his/her own litigation and not in his/her official capacity, shall not be entitled to pay for time missed for the employee's litigation. The employee may be allowed to use annual leave, compensatory time, and/or leave without pay in the event that all annual leave and/or compensatory time has been exhausted. The employee shall notify his/her supervisor or Elected Official/Department Head immediately upon his/her becoming aware of the court date so that proper scheduling may occur. **Jury and Witness Leave IS NOT used in the computation of overtime.**

6.8 LEAVE WITHOUT PAY

Leave without pay may be granted to an employee for good cause when it is in the best interest of the County and the employee. Under justifiable circumstances, as determined by the Elected Official/Department Head or appointing authority and the Human Resources Department, an employee may be granted leave without pay for a period not to exceed twelve (12) weeks in any one year period of time. Moffat County uses a "rolling" 12-month period measured backward from the date an employee uses any LWOP. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when deemed necessary by the Elected Official/Department Head and the Human Resources Department. Leave without pay shall be for specific periods of time. Upon expiration, the employee must report for work or secure a leave extension. Failure to report to work or secure an extension of leave time shall be considered a resignation. If the leave without pay absence is due to an FMLA qualifying event, FMLA will run concurrent with the absence.

Leave without pay will be granted only after all compensatory time and annual leave available for use has been exhausted. In the case of injury or illness, sick leave must also be exhausted before leave without pay can be used. **Compensatory time MAY be substituted for unpaid FMLA leave only after all annual leave and sick leave has been exhausted.**

To apply for leave without pay, an employee shall request through the Moffat County designated time and attendance software at least ten (10) working days (exception see FMLA) before the effective date, except in emergency situations. An employee shall not accrue retirement, longevity, annual leave, or sick leave benefits while on leave without pay. To arrange for payment by the employee for insurance premiums (exception see FMLA), credit union loans, and other eligible employee payroll deductions; employees shall contact the Human Resources Department prior to taking any leave without pay. Leave without pay shall be granted with the assurance of reinstatement to the same pay grade. Any appointment made to a position vacated by an employee on leave without pay shall be temporary. Leave without pay shall not constitute a break in service with Moffat County.

6.9 MEDICAL LEAVE OF ABSENCE

A medical leave of absence may be granted to an employee for good cause when it is in the best interest of the County and the employee. Under justifiable circumstances, as determined by the appropriate Elected Official/Department Head and the Human Resources Department, an employee may be granted a medical leave of absence without pay for a period not to exceed twelve (12)

weeks during a twelve (12) month period; Moffat County uses a “rolling” 12-month period measured backward from the date an employee uses any Medical Leave of Absence time. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when deemed necessary by the Elected Official/Department Head and the Human Resources Department. A medical leave of absence may be requested for time that extends beyond FMLA or for medical reasons that do not qualify for FMLA. A medical leave of absence shall be for specific period of time. Upon expiration, the employee must report for work or secure a leave extension. Failure to report to work or secure an extension of leave time shall be considered a resignation.

An employee on a medical leave of absence will be required to substitute accrued paid leave for unpaid leave on the terms and conditions set. The County requires that all sick leave be exhausted before any annual leave can be used for the purposes of an injury/accident/illness, excluding workers’ compensation which an employee shall be paid directly by the County’s workers’ compensation insurance provider. If an employee that has been placed on a medical leave of absence does not have any accumulated sick leave or annual leave, the employee may use compensatory time. Once sick leave, annual leave, and compensatory time have been exhausted, the leave will be designated as leave without pay. If an employee is on a medical leave of absence and has been placed on Long Term Disability (LTD) the employee may use his/her annual leave to cover the percentage of wages that the LTD is not paying. No leave type may be used to make up the percentage of wages that the LTD is not paying. An employee that is on a medical leave of absence that qualifies for, but is not receiving LTD, will have job guarantee as long as the employee is using his/her accumulated sick leave.

While an employee is on a medical leave of absence, his/her status will be monitored to ensure that the criteria required for the leave is still being met.

To apply for a medical leave of absence, an employee shall present the request in writing to the Elected Official/Department Head at least ten (10) calendar days before the effective date, except in emergency situations. The Elected Official/Department Head and the Human Resources Department determine if a medical leave of absence will be approved. An employee shall not accrue retirement, longevity, annual leave, holiday leave, or sick leave benefits while on a medical leave of absence without pay. To arrange for payment by the employee for any insurance premiums, credit union, etc., employees shall contact the Human Resources Department prior to taking any medical leave of absence without pay or a medical leave of absence while on workers’ compensation. A medical leave of absence shall not constitute a break in service with Moffat County. An employee who engages in other employment, including self-employment, while on a medical leave of absence may be subject to disciplinary action, up to and including termination, unless such employment was approved in advance by the appropriate Elected Official/Department Head.

6.10 PARENTAL INVOLVEMENT LEAVE

Eligible employees may use accrued paid leave to attend academic activities for school aged children. To be eligible, an employee must work in a nonexecutive or nonsupervisory capacity and be the parent or legal guardian of a child enrolled in either public or private school grades K-12 or certain nonpublic home-based educational programs. Employees can take leave for the following academic activities: Parent-teacher conferences and meetings related to special education services, response to intervention, dropout prevention, attendance, truancy, or disciplinary issues.

Use of Leave

Full-time employees may take up to a maximum of 18 hours in an academic year to attend such activities. Part-time employees may take leave on a prorated basis. Employees may not take more than six hours of leave in any one-month period and leave may not be taken in increments of longer than three hours.

Paid Leave Substitution

The organization requires employees to use accrued paid leave (annual leave or compensatory time) while taking Parental Involvement Leave. Further leave may not be provided where an employee has exhausted accrued paid leave. Employees may make up time that they are out during the same workweek.

Notice Requirements

Except in emergencies, employees are required to provide at least one calendar week’s advance notice of the need for leave. Employees must provide written verification of the academic activity from the school or school district. In emergencies, employees are required to provide notice and written verification from the school as soon as possible after learning of the need for leave. Employees are required to make a reasonable attempt to schedule academic activities outside regular work hours.

Limitations on Leave

The County may limit the ability of an employee to take Parental Involvement Leave in cases of emergency or in other situations where the employee taking leave may endanger a person’s health or safety or in a situation where the absence of the employee would result in a halt of service or production.

6.11 RELIGIOUS LEAVE

Employees shall be allowed time off to attend religious observances where such accommodation to the employee does not constitute an undue hardship on the operation of County business. Such religious leave shall be charged as annual leave or compensatory time.

6.12 SICK LEAVE

Sick leave shall be granted to an employee for his/her illness/injury or for the illness/injury of any of his/her immediate family, which requires the employee's presence such as the care of a minor child or a FMLA qualifying event. Per FMLA guidelines, immediate family is defined to mean the employee's spouse, son, daughter, stepson, stepdaughter, adopted son or daughter, or parents/step parents. Immediate family for non-FMLA qualifying events shall be defined as the employee's spouse, minor children, and minor stepchildren. **Employees classified as part-time, temporary, on-call, or occasional are not eligible for Sick leave. Sick leave IS NOT used in the computation of overtime.**

Sick Leave Accrual Calculation and Maximum Accumulation:

| Annual Budgeted Hours | Per Pay Period Accrual Rate Based on Annual Hours Budgeted | Accrual Cap that Can Be Carried Over Each Year |
|--|--|--|
| Full-time (Budgeted 2,080 hours per year) | 3.70 hours | 960 hours |

Accruals & Maximum Accrual Cap

Sick leave accruals will begin on a full-time employee's date of hire and will be prorated for the pay period in which he/she begins employment. The accrual cap is the maximum amount of sick leave that can be carried over from one pay period to another. The sick leave accrual cap for full-time employees is 960 hours. Once a sick leave balance reaches the accrual cap, accrual ceases until the balance has been reduced.

Use of Sick Leave

There is no waiting period from time of hire to begin using sick leave. Sick leave accrued through the last processed payroll may be requested for use. It is the responsibility of the individual employee to request sick leave through the Moffat County designated time and attendance software. Sick leave will not be granted for scheduled days off or for hours greater than what the employee is normally scheduled to work in a shift. The employee's Supervisor or Elected Official/Department Head approves requests for sick leave. Sick leave claimed for either the day or days immediately preceding or immediately following scheduled days off, at the discretion of the Elected Official/Department Head or Supervisor, shall be supported by evidence of illness or injury from a physician. Employees that have claimed sick leave for three (3) consecutive days or longer shall contact Human Resources to determine if FMLA is needed due to a qualifying event. If it is determined that the illness/injury does not qualify for the initiation of FMLA paperwork and sick leave is claimed for five (5) consecutive days or 40 hours (whichever occurs first), the absence shall be supported by a return to work release from a physician. This release must be submitted to Human Resources prior to the employee's return to work. In the absence of such supporting evidence, the leave taken shall be charged against the employee's accrued annual leave or against any compensatory time to which the employee may be entitled. Employees may not request a payout of any hours of sick leave instead of using sick leave.

When an employee is unable to report to work, he/she is responsible for personally notifying his/her Supervisor (or if incapacitated, by a family member) of the absence prior to the normal starting time or as soon thereafter as possible. Road & Bridge employees are required to notify the Road & Bridge Director or Manager by 6:45 a.m. on the day of the absence. An employee's failure to notify his/her supervisor may cause the absence to be designated as unauthorized leave and/or leave without pay and the employee being subject to disciplinary action.

Payment for Unused Sick Leave at Separation/Termination of Employment

Upon separation/termination of employment, a full-time employee shall be paid only for accumulated and unused sick leave hours in excess of 480 at the rate of one-half the employee's rate of pay immediately preceding separation/termination. Part-time employees shall not be paid for accumulated and unused sick leave upon separation/termination of employment. Sick leave will be prorated to the last day of service. The records maintained by the Finance Department regarding sick leave shall be deemed conclusive for all purposes.

6.13 UNAUTHORIZED LEAVE

No County employee may absent himself/herself from his/her duty without specific permission from his/her Elected Official/Department Head or his/her designee. When an employee absents himself/herself without authorized leave in excess of one-half day the employee may be terminated unless unusual circumstances or other situations can be offered as a satisfactory explanation for such absence (upon the employee's return). Such information will be reviewed by the Elected Official/Department Head and the Human Resources Department in order to decide what action is taken.

6.14 UNIFORM SERVICE (MILITARY) LEAVE

Employees granted military leave of absence are re-instated and paid in accordance with the laws governing veteran's re-employment rights.

6.15 VOTING LEAVE

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections.

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their Supervisor or Elected Official/Department Head no later than the day prior to Election Day.

6.16 WORKERS' COMPENSATION LEAVE

Job Related Injury or Illness

An employee who becomes incapable of performing his/her normal duties as the result of an injury or illness incurred as a result of activities performed within the scope of the employee's employment shall be deemed to be on workers' compensation leave.

Moffat County will pay the employee their full day wages for the date of injury. The Workers' Compensation Act of Colorado requires a three (3) working day waiting period during which the injured employee receives no disability wage unless the period of disability lasts longer than fourteen (14) calendar days from the date of injury, beginning the day after the day of injury. Any employee on workers' compensation leave may be compensated for the three (3) working day waiting period if he/she chooses to utilize sick leave. If the employee does not have sick leave available, the employee may then use annual leave. If no sick leave or annual leave is available, the employee will be on leave without pay. **Compensatory time MAY NOT be used for workers' compensation leave.**

For purposes of defining days worked in a current month, sick leave or leave without pay taken by the employee during the three (3) work day wait period will be considered to be "working days" in order to meet the County's rule on the 40 hour workweek requirement, but will not be considered hours worked for the calculation of overtime.

Workers' compensation leave will be authorized only in those cases in which:

1. **Moffat County Accident Report Form** has been initiated by the employee and submitted to Human Resources within 24 hours after the accident occurrence.
2. An employee has a written statement from the County's Designated Physician concerning the employee's treatment and his/her inability to return to work.
3. All County policies relating to workers' compensation leave are complied with fully.

FMLA will run concurrent with workers' compensation leave, refer to Section 6.5 Family and Medical Leave. Moffat County will continue to contribute the County share of the medical allowance for the employee's health insurance premiums for a maximum of three (3) consecutive calendar months in any twelve (12) month period. After the three-month period, payment of health insurance premiums will be totally the responsibility of the employee. The first month of continued benefit will commence based on the following:

If the injury/illness occurs during the 1st through the 15th of the month, and the employee does not return to work in the current month, then said month's medical allowance would be considered the first month of continued County contribution of medical allowance. If the injury/illness occurs from the 16th through the last day of the month, it will be considered as a regular County contribution of medical allowance. If the employee returns to work during the 1st through the 15th of the month, the County will contribute as a regular medical allowance. If the employee returns to work after the 16th day of the month, depending on which month the return is in, it will be the employee's responsibility to pay the full health insurance premiums unless the return is before the three months of continued medical allowance from Moffat County. The employee will be responsible to make payments for the employee's share of the medical premiums during the three (3) continued benefit months, and the full premium thereafter by the last working day of the month coverage.

An employee shall not accrue annual leave or sick leave while on workers' compensation leave if the employee is unable to return to work beyond the time allowed under FMLA, refer to Section 6.5 Family and Medical Leave. If the employee is released to work on a reduced-hour basis and is provided and performs employment on this basis, he/she will accrue his/her accruals on a prorated basis based on the actual hours worked according to Moffat County Employee Handbook.

The Human Resources Department may request the employee to be examined and treated by a physician selected by the County and/or its insurance carrier. If the employee attends the appointment arranged by Human Resources, the time will be considered work time and paid by the County. The cost of said examination and treatment shall be at the expense of the workers' compensation insurance carrier, or the County. If the employee refuses treatment at the time of Human Resources' request, the employee's workers' compensation file will be noted "refused treatment", which may later affect the workers' compensation benefits for his/her claim.

6.17 Workplace Accommodations for Nursing Mothers

A private space will be provided, and time will be permitted, for nursing mothers to express milk during the workday. The time permitted typically will not exceed the normal time allowed for lunch and breaks. If additional time is needed above and beyond normal breaks/meal time, the Supervisor and employee will agree upon a plan which might include the employee using annual leave/vacation time, arriving at work earlier, or leaving later. Please see Human Resources for additional information.

7. BENEFITS

7.0 STATUTORY BENEFITS

Social Security: Each pay period a portion of the employee's salary along with a matching amount provided by the County is set aside for Social Security benefits. This program is intended to provide the employee and the employee's family with security for retirement benefits, disability payments, financial assistance for dependents or disabled persons, lump sum death payments, Medicare, and survivor's benefits. Specific information about personal or family situations is available through the Social Security Administration.

Workers' Compensation: The County carries insurance to cover the cost of a work-related injury or illness. Benefits help pay for an employee's medical treatment and may include part of income the employee may lose while recovering. Detailed information is given to an employee if he/she is injured on the job or suffer an occupational illness.

Unemployment Insurance: The County contributes a percentage of an employee's wages to the state to provide unemployment benefits if an employee becomes unemployed through no fault of their own. Eligibility for benefits is an individual determination made by the appropriate state agency.

7.1 OPTIONAL BENEFITS

Employees may be eligible for additional benefits depending on their employment status. Contact Human Resources to obtain information regarding optional benefits.

8. STANDARDS OF CONDUCT

8.0 WORKPLACE EXPECTATIONS

Certain working guidelines have been found to be beneficial both to efficiently operate an organization and to maintain cooperative working relationships. All employees should familiarize themselves with these rules and apply them conscientiously to their daily work activities. Exercising common sense and sound judgment is the guiding principle behind these expectations.

Attendance Related Expectations

Moffat County provides employees with several types of authorized leave from work. Although this leave is available, employees are still expected to report for work as scheduled. Moffat County activities are disrupted by absences from work because work may go undone or because other employees who were scheduled for time off must be called in or held over to work overtime. A limited number of absences per year may occur and do not seriously impair our mission to serve our taxpayers, but when the absences become frequent, unscheduled, or abusive, Moffat County takes action to enforce this policy. Moffat County encourages the use of annual leave, so long as employees are using it responsibly and in a non-disruptive manner and so long as the employee's supervisor is given a reasonable opportunity to grant or deny the leave. When annual leave has been scheduled, Moffat County can only cancel it for business necessity.

1. Be regular in attendance and demonstrate dependability in all aspects of your job. Let your Supervisor know of your absences in a timely manner so they can be accommodated.
2. Make yourself available for work outside your regular schedule if it is necessary.
3. Arrive at work on time and be prepared to begin working at the scheduled starting time.

Equal Employment Opportunity and Workplace Violence Expectations

1. Maintain an environment free of harassment and discrimination.
2. Familiarize yourself with Moffat County's EEO/Harassment Policy and comply with it.
3. Respect the rights of others and do not engage in fighting, threats, violence, immoral conduct, or use of abusive or obscene language.
4. Report incidents of discrimination, harassment, and violence immediately to a Supervisor or Human Resources.
5. Use computers and e-mail for appropriate purposes only. Do not send threatening or obscene messages by e-mail.

Job Performance Related Expectations

Moffat County expects that all of its employees will perform their jobs in a satisfactory manner. Satisfactory performance includes a broad range of issues that go beyond technical and physical ability. In addition to good quality work, a satisfactory job includes completing assignments in a timely manner, avoiding disruption of other employees' work, diligent completion of training and requirements for the job, and meeting Moffat County's expectations of your job.

1. Cooperate with your Supervisor and co-workers and actively help to complete work.
2. Follow instructions and perform job assignments.
3. Perform work in an efficient and competent manner.
4. Work the full time that you are scheduled.
5. Use computers and e-mail for official company business only.
6. Be courteous and professional when dealing with co-workers, members of the public, and your Supervisor.
7. Take care of Moffat County's property and equipment. You are responsible for all property and equipment that are given to you for use on the job. Exercise care when using property and equipment to avoid damaging them. Do not remove them from County premises without permission.
8. Take your training and education seriously so you will be able to apply what is being taught.
9. Provide suggestions for improving the work environment.
10. Be honest and accurate. Be honest and accurate in your dealings with supervision and co-workers and on all Moffat County records, including time sheets, expense reports, and any documentation prepared for Moffat County.
11. Manage your time effectively. Coordinate lunch periods and breaks with your Supervisor and limit them to their designated periods. Do not waste time by taking extended breaks, making unnecessary personal phone calls, or engaging in idle conversation when you should be on the job.
12. Do not engage in horseplay or practical joking.
13. Make sure that concerns or constructive criticism is addressed through the proper protocol: Immediate Supervisor, Elected Official/Department Head, appropriate board, Human Resources, and/or the Board of County Commissioners. Going directly to a County Commissioner will not result in a solution to the concern.

Safety Related Expectations

In order to assure a safe and healthful work environment for all employees, co-workers, and the general public, Moffat County will meet or exceed the safety and health requirements of all Federal, State, and Local authorities having jurisdiction.

1. Wear proper and appropriate protective clothing or equipment if your job or work assignments call for it.
2. Be aware of and responsible for your own personal safety as well as for the safety of others and observe all safety rules and regulations.
3. Report all accidents, illnesses, and injuries immediately to your Supervisor. Even if they seem minor at the time, Moffat County needs to be made aware of them so we can take action to prevent similar incidents from occurring and so we can take the appropriate action under Workers' Compensation Law.
4. Be alert. If you are ill or taking medications you should notify your Supervisor if the medications could affect your job performance.
5. Be fit for duty and free from the effects of alcohol and drugs.
6. Follow the General Safety Rules of Moffat County (see Safety Program, Section 5.38)

8.1 STANDARDS OF CONDUCT

The provisions of this chapter are intended to provide a means for resolving problems arising from misconduct by an employee or from disagreement between an employee and a supervisor or Elected Official/Department Head of the County.

The disciplinary procedure provides the County with a method of correcting or alleviating employee behavior that is inconsistent with the expectations and standards established by the County.

The employee has a right to communicate this dissatisfaction with work related matters over which Supervisors have control.

The County recognizes certain guidelines of conduct are necessary for the orderly operation of the business and the benefit and protection of the rights and safety of all employees.

Unacceptable Conduct

To promote understanding of that which is considered unacceptable conduct, the County offers the examples listed below, which are not exhaustive, for the identification of improper conduct that may be the subject of immediate discharge. Moffat County retains the right to identify conduct, which may not be listed below as improper and to treat the same as the subject of immediate discharge.

1. Theft, unauthorized removal from the premises, or conversion to personal uses of property and/or merchandise belonging to the County, another employee, or a member of the public.

2. Altering or falsifying sales receipts or any County records, reports, or documents.
3. Failure to properly record County business transactions and/or handling of cash in a manner inconsistent with department or County policies and procedures.
4. Unauthorized acceptance of gifts or solicitations from vendors or others in connection with performance of job duties.
5. Using, possessing, or selling alcohol or unlawful drugs on County premises or reporting to work under the influence of or impaired by alcohol or unlawful drugs.
6. Operating, having a major investment in, or having a relationship with a business that competes with or provides supplies for the County, for employee personal gain.
7. Providing false information on employment application or other personnel records or failing to answer all questions fully and truthfully.
8. Willful actions resulting in injury to individuals or willful destruction/damage to County, citizen, or employee property.
9. Falsifying or altering time records in any way for another employee.
10. Disregard or violation of safety, fire, or security standards and regulations.
11. Failure to use prescribed safety practices with equipment, chemicals, and tools.
12. Unauthorized divulgence of any confidential County records.
13. Flagrant insubordination – refusal to follow reasonable supervisory instruction.
14. Leaving work during the standard work schedule without notifying a Supervisor or his/her designee as the case may require.
15. Carrying or concealing a weapon without a proper permit or in restricted areas, including knives with blades in excess of three and one-half inches in length.
16. Conviction of a felony or other criminal act, which occurred either on or off the job, which may result in negative consequence for the County, or which have a negative impact on the working relationship of other employees.
17. Because we work for the public, we must assume we are always in their presence; furthermore, we always want to show the utmost respect for our co-workers. Therefore, the use of profane or vulgar language in the workplace, or language involving terms, descriptors, or epithets focused negatively on any one person or group based on sex, race, ethnic origin, or handicapping condition is prohibited. Violation of this policy may result in disciplinary action in accordance with policies and procedures.

Improper Conduct

The County offers the examples listed below, which are not exhaustive, for the identification of improper conduct that will be the subject of disciplinary action in accordance with the Disciplinary Procedures as outlined in Section 8.2 of this Policy up to and including immediate termination. The County retains the right to identify conduct, which may not be listed below as improper and to treat the same as the subject of disciplinary action in accordance with the Policy listed above which may also involve immediate termination.

1. Attendance violations include, but are not limited to failure to notify supervisor in a timely manner of absence, failure to report for work as scheduled, and excessive absenteeism.
2. Job Performance-Job performance violations include, but are not limited to poor quality of work performed, failing to meet stated expectations, not following established work procedures, breaking work rules, disrupting the work of others, or failure to complete an employee's training requirements.
3. Safety-Safety violations occur if an employee does not follow safety rules, policies, and procedures.
4. Equal Employment Opportunity and Workplace Violence-These violations generally involve lack of respect for others or inappropriate conduct toward others.
5. Neglect of duties or sleeping during scheduled work hours.
6. Disregard for public relations, rude, or discourteous conduct toward a member of the public or another employee.
7. Failure to immediately report an accident or injury on the County premises or during the conduct of business on behalf of the County to the nearest Supervisor or Manager. (These reports are absolutely necessary for proper filing of Workers' Compensation and County liability claims).
8. Incompetent or unsatisfactory work performance as defined within the given job duties and/or other standard duties and expectations associated with working with the public and suppliers on behalf of the County and general job performance.
9. Reporting to work inappropriately dressed.
10. Creating or contributing to unsafe or unsanitary working conditions.

11. Conduct which would bring serious discredit to the County, its employees, citizens, and/or the entities it does business with.
12. Distributing non work-related materials for any purpose on County premises without authorization.
13. Impeding or interfering with the work of other employees.
14. Political or Religious soliciting or canvassing on County premises.

Communication/Technology

Protecting County Information Systems Capabilities and Equipment is every employee's responsibility. The County retains and may at any time exercise its right to review, audit, intercept, access, and disclose any information contained/maintained within its Information Systems Capabilities and Equipment. Deliberate unauthorized acts against the County, including but not limited to misuse, misappropriation, and destruction of information or system resources, the deliberate unauthorized use of software by an employee is prohibited. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

The County offers the examples listed below, which are not exhaustive, for the identification of communication/technology actions and activities that are prohibited and may result in disciplinary action, up to and including termination.

1. Sending or posting discriminatory, harassing, or threatening messages or images.
2. Using the County's time and resources for personal gain.
3. Stealing, using, or disclosing someone else's code or password without authorization.
4. Sending or posting confidential material, trade secrets, or proprietary information outside of the County.
5. Violating copyright law.
6. Failing to observe licensing agreements.
7. Engaging in unauthorized transactions that may incur a cost to the County or initiate unwanted Internet services and transmissions.
8. Sending or posting messages or material that could damage Moffat County's image or reputation.
9. Participating in the viewing or exchange of pornography or obscene materials.
10. Sending or posting messages that defame or slander other individuals.
11. Attempting to unlawfully gain access to any computer.
12. Refusing to cooperate with a security investigation.
13. Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
14. Using the Internet for political causes or activities, religious activities, or any sort of gambling.
15. Jeopardizing the security of the County's electronic communications systems.
16. Sending or posting messages that disparage another organization's products or services.
17. Passing off personal views as representing those of the County.
18. Sending anonymous e-mail messages.
19. Engaging in any other illegal activities.

8.2 DISCIPLINARY PROCEDURE

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which, in its opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

Performance Improvement Plans

In conjunction with some disciplinary actions, the Supervisor and employee may consider developing a performance improvement plan to help assure that the problem does not recur. This could include additional training, goal setting in conjunction with the annual performance review, additional supervision, or other steps calculated to help the employee meet expectations. Failure to do this, however, does not excuse the employee from taking responsibility for his/her own actions and correcting the problem behavior. Future incidents may still result in additional discipline or discharge.

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ACKNOWLEDGEMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE MOFFAT COUNTY EMPLOYEE HANDBOOK DATED JULY 12, 2016. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. I AGREE TO KEEP THIS BOOK IN MY POSSESSION DURING MY EMPLOYMENT AND TO UPDATE IT WHENEVER PROVIDED WITH MATERIALS TO DO SO. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH MOFFAT COUNTY IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH MOFFAT COUNTY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. MOFFAT COUNTY HAS THE SAME RIGHT.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL-INCLUSIVE, BUT IS INTENDED TO PROVIDE A SUMMARY OF SOME OF MOFFAT COUNTY'S GUIDELINES TO ME.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED MOFFAT COUNTY EMPLOYEE HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. MOFFAT COUNTY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- NO REPRESENTATIVE OF MOFFAT COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS BY VOTE, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF COUNTY COMMISSIONERS AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Print Name

Signature

Date

Human Resources Signature

Date