

BOISE COUNTY BOARD OF COUNTY COMMISSIONERS

ROGER B. JACKSON
District I Commissioner



DALE HANSON
District III Commissioner

JOHN S. FOARD, JR.
District II Commissioner

RORA A. CANODY
Clerk to the Board

RESOLUTION #2003-01

A BOISE COUNTY RESOLUTION ADOPTING
THE BOISE COUNTY PERSONNEL POLICY

WHEREAS, the Boise County Board of Commissioners has drafted an updated version of the Boise County Personnel Policy known as Resolution #98-06, and added to under Resolution #2001-09; and

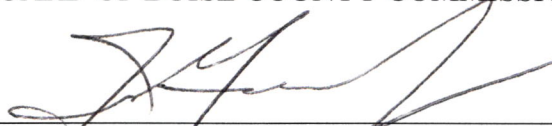
WHEREAS, diligent review and discussion of the new policy has been held by the Board;

NOW THEREFORE BE IT RESOLVED, that the Boise County Board of Commissioners do hereby rescind Boise County Resolution #98-06, and Boise County Resolution #2001-09; and

FURTHER BE IT RESOLVED, that Resolution #2003-01, to be known as the Boise County Personnel Policy Manual and be effective upon the date of adoption.

PASSED and ADOPTED this 3rd day of December 2002, during the regular meeting of the Board of Boise County Commissioners.

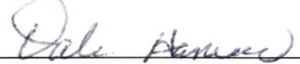
BOARD OF BOISE COUNTY COMMISSIONERS



John S. Foard, Jr., Chairman

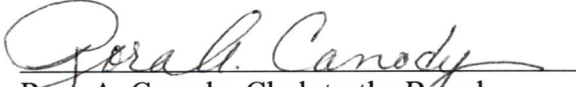


Roger B. Jackson, Commissioner



Dale Hanson, Commissioner

Attest:



Rora A. Canody, Clerk to the Board

BOISE COUNTY PERSONNEL POLICY MANUAL

RESOLUTION #2003-01

Adopted December 2002



TABLE OF CONTENTS

I.	GENERAL POLICIES	
	Intro to Public Employment.....	1
	Equal Employment Opportunity Statement.....	1
	Veteran's Preference.....	2
	Nepotism Prohibition.....	2
	Preference for Promotion from within.....	2
II.	HIRING PRACTICES: RECEIVING APPLICATIONS	
	Administration of the Hiring Process.....	2
	Notice of Vacancies.....	2
	Hiring Practices – Part Time or Casual / Seasonal.....	3
	Employee Selection Procedures.....	3
III.	EMPLOYMENT START – UP	
	Employment forms to be completed.....	4
	Payroll reporting systems.....	4
	Distribution of policy.....	4
	Commercial Driver's License Requirements.....	4
	Probationary Period	5
	Drug and Alcohol Policy.....	5
IV.	RULES OF EMPLOYEE CONDUCT	
	Personal performance and behavior.....	9
	Workplace conduct	10
	Prohibited workplace conduct	11
V.	EMPLOYEE CLASSIFICATION, COMPENSATION & BENEFITS	
	Classifying employees for policy purposes.....	15
	Employment Status.....	15
	Employee Classification.....	15
	Significance of Employee Classification.....	16
	Compensation policies.....	16
	Establishment of pay system.....	16
	Compliance with State & Federal pay acts.....	17
	Classification plan.....	17
	Right to change compensation.....	17
	Overtime compensation-compliance with FSLA.....	17
	Compensatory time policy.....	17
	Reporting and verifying time records.....	18
	Work periods.....	18
	Promotions & Compensation.....	19

	Payroll procedures and paydays.....	19
	Compensation while on jury duty or witness.....	20
	Military leave.....	20
	Reduction in force.....	20
	Payroll deductions.....	20
	Travel expense reimbursement.....	20
	On the job injuries.....	21
	Family and Medical Leave Act of 1993.....	21
	Employee benefits.....	22
	Vacation leave.....	22
	Sick leave.....	23
	Holidays.....	24
	Disability leave.....	24
	Bereavement leave.....	24
	Leaves of absence.....	24
	Reduction in benefits.....	25
	Benefits for part-time employees.....	25
	Insurance coverage available to employees.....	25
	Retirement.....	25
	Transfer of benefits with employee transfer.....	26
VI.	EMPLOYEE EVALUATION AND DISCIPLINE	
	Evaluation procedures.....	26
	Standard procedures.....	26
	Interviews.....	26
	Employee personnel files	26
	Personnel records.....	26
	Access to personnel files.....	27
	Management of information in files.....	27
	Employee discipline procedures and principles.....	27
	Purpose of discipline policy.....	27
	Disciplinary system framework	27
	Hierarchy of disciplinary actions available.....	27
	Appeal hearing.....	28
VII.	SEPARATION FROM EMPLOYMENT	
	Reduction in force.....	29
	Reinstatement preference.....	29
	Retirement policy.....	29
	Final Evaluation.....	29
	Compulsory Resignations.....	29

COBRA benefits.....	29
Exit interview.....	30
Resignation policy.....	30

BOISE COUNTY PERSONNEL POLICY

I. GENERAL POLICIES

A. INTRODUCTION TO PUBLIC EMPLOYMENT

Working for Boise County may be somewhat different from any employer for whom you may have worked in the past. Boise County is a political subdivision of the State of Idaho, though it is not a part of state government. The Board of County Commissioners (Board) serves as the governing body for Boise County, and as such, has primary authority to establish terms and conditions of employment with Boise County. The Board also appoints personnel to help carry out its administrative responsibilities.

As with all elected public officials, the Board is ultimately responsible to the voters of Boise County. The terms set forth in this booklet reflect public entity policy at the time of its printing, but they are subject to change at any time, without prior notice, and at the sole discretion of the Board.

Only the Board has authority to establish general policy for Boise County employees. Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of Boise County, not of the official who supervises his/her work. The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the Board. That is particularly true for terms or conditions, which would establish a financial obligation for Boise County, now or in the future. It is important that all employees understand the relationship between policy adopted by the Board and department policy implemented by other elected officials.

For purposes of this policy, "departments" as referred to herein are: the Board, Clerk/Auditor/Recorder, Treasurer, Assessor, Coroner, Planning & Zoning, Sheriff, Prosecuting Attorney, Road and Bridge, Solid Waste/Noxious Weed, Disaster Service, East Boise County Ambulance, Community Justice, Indigent and any other department that may be developed by the Board.

B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of Boise County employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to the race, religion, gender, age, national origin, or non-job-related disability. No job or class of jobs will be closed to any individual except where a mental or physical attribute, gender, or age is a bona fide occupational qualification. It is the policy of Boise County to comply in all respects with the Americans with Disabilities Act. All objections to application of Boise County's policy in this regard shall be brought to the attention of the office of the Board, or in the case of objection to actions undertaken by the Board, to legal counsel for the entity.

C. **VETERAN'S PREFERENCE**

Boise County will accord a preference to employment of veterans of the U.S. armed services in accord with provisions of Idaho Code §65-502 or its successor. In the event of equal qualifications for an available position, a veteran who qualified for preference pursuant to Idaho Code §65-502 or its successor will be employed.

D. **NEPOTISM PROHIBITION**

No personnel related by blood or marriage within the first or second degree, i.e. parent, child, brother, sister, shall be employed on a permanent full time basis within a same department within Boise County, this does not prohibit such related personnel from working for Boise County in different departments as more fully described in Resolution #2001-09. And, per I.C. §18-1359(4) no person related to a county commissioner by blood or marriage within the second degree may work for county in any capacity.

E. **PREFERENCE FOR PROMOTION FROM WITHIN**

Qualified individuals who are already employees of Boise County may be given preference over outside applicants to fill vacancies in the work force. The transfer between departments may occur.

II. **HIRING PRACTICES: RECEIVING APPLICATIONS**

A. **ADMINISTRATION OF THE HIRING PROCESS**

Each elected official and department head is responsible for seeing that employment procedures established by the manual are followed. The requirement for hiring practices contained in this manual are directory only and may vary as circumstances warrant to achieve fair and equitable employment practices.

All employment application(s) will be accepted in the office of the Chief Personnel Clerk (Risk Manager), and in the office of the elected official or department head who may place a newspaper advertisement or otherwise solicit application at the time described by any such notice. Applications received at times other than when direct solicitations are made will be kept in the office of the Chief Personnel Clerk to be accessed by any county official who is seeking an employee at any time. Placement of a completed application in this clerk's file shall not constitute application for any specifically advertised position, and shall not require further action by any elected official or department head.

B. **NOTICE OF VACANCIES**

Vacancies in Boise County employment may be announced in one or more of the following ways:

1. Notice of the vacancy shall be given to county employees and any qualified persons whose application is on file with Boise County, and/or;

2. Publication in the classified section of one or more newspapers of general circulation, and/or;
3. Posting on a bulletin board at the county office, post office and/or city halls throughout the county, and/or;
4. Employees of Boise County may contact individuals and advise them privately of job openings and request those persons submit an application for employment. If county employees who are supervisors do this, they must inform the county personnel clerk of such contact.

The employment application solicitation process may also include a recruiting effort outside Boise County when deemed necessary to obtain applications from individuals with necessary technical skills or other specialized qualifications.

C. HIRING PRACTICES – PART TIME OR CASUAL/SEASONAL EMPLOYEES

The requirements set forth for advertising, soliciting, and recruiting new employees may be abbreviated in the instance of part time or casual/seasonal employees as deemed appropriate by the elected official or department head responsible for any such hiring.

D. EMPLOYEE SELECTION PROCEDURES

1. Authority and responsibility for employee selection

The authority to select Boise County employees is vested with the department head who is responsible for supervision of that employee. Any selections shall be subject to budgetary authority approved by the Board and subject to policies and procedures for employee selection established for the county by the Board. Each applicant for a position shall complete a standard application form required of all Boise County job applicants. Additional application information may be required by department heads or other elected officials subject to possible review by the Board. The Chief Personnel Clerk shall be made aware, in writing, by department heads prior to their soliciting applicants for potential employment, or their offering employment to any individual.

2. Testing of applicants

Applicants for county positions may be subject to testing to determine their competence or their abilities to perform certain tasks, providing that the tests are directly related to the requirements of the applicable position. Such tests may be subject to approval by the Board.

3. Interviews

The employing official or his/her deputies will conduct interviews to determine the fitness of applicants for a certain position. Interviews should encompass a similar scope of questioning for all applicants for a similar position. Differences of interviewing queries shall be based upon information contained in job resumes' and

application forms. The employing official, during all interviews of applicants, shall comply with Federal and State laws, as well as the Boise County Personnel Policy and all Boise County procedures when interviewing.

4. Final responsibilities for the employment decision

The decision to employ a county employee shall be made by the department head that will serve as the ultimate supervisor for that employee. All permanent appointments by appointed supervisors are subject to final approval of the Board. No employment decision shall be deemed valid unless the salary and budget authorization shall first have been approved by the Board.

III. EMPLOYMENT START-UP

A. EMPLOYMENT FORMS TO BE COMPLETED

The following pre-employment forms must be completed before the employee may begin work for Boise County:

1. Employment application form
2. Insurance forms
3. Immigration form (I-9)
4. W-4 Form
5. Any other benefit forms necessary for employee information

B. PAYROLL REPORTING SYSTEMS

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the Chief Personnel Clerk. Each report of employee time must be signed by both the supervisor and the employee and shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered.

C. DISTRIBUTION OF POLICY

At time of employment each employee shall receive a copy of this personnel policy. It is the responsibility of the employee to familiarize him or herself with the contents of the personnel policy and to acknowledge its receipt. Periodic updates or changes shall also be acknowledged.

D. COMMERCIAL DRIVER'S LICENSE REQUIREMENTS

All employees who drive vehicles that meet the requirements for a CDL as identified by the Division of Motor Vehicles are required to have a valid CDL driver's license.

Copies of all valid CDL drivers' licenses will be placed in the employee's permanent personnel file located in the clerk's office.

E. PROBATIONARY PERIOD

New employees are subject to a six-month probationary period where employees must demonstrate their abilities to handle the responsibilities of their position. Boise County uses this six-month period to determine if the employee meets the expectations for the position for which the employee was hired. During this six-month probationary period either the employee or Boise County may end the employment relationship at will, with or without cause or advance notice.

An employee supervisor may extend the probationary period if they deem it necessary to work with an employee who is only marginally meeting the requirements for their position.
Appeal process

Employees who transfer or promote to another position within Boise County will be subject to at least a thirty-day (30) probationary period for the new position. The probation period may be extended with approval by the Board on recommendation from the department head. If the probationary employee is terminated during the probationary period they may be returned to their previous position or transferred to another position they are fully qualified for if such a vacancy exists with Boise County.

All supervisors shall have a written plan for training all new employees, which includes necessary orientation of such employee. That plan shall be on file with the Chief Personnel Clerk, and shall be discussed with the new employee by the supervisor at the time of employment.

F. BOISE COUNTY DRUG AND ALCOHOL POLICY

**BOISE COUNTY
DRUG/ALCOHOL TESTING POLICY**

POLICY STATEMENT

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol can have on employees, **Boise County** has a responsibility to its employees and the public at large, to see that its employees in the above mentioned areas are both drug and alcohol free while on duty. This responsibility comes in light of recent studies showing that employees who are under the influence of drugs or alcohol while on duty are more likely to cause accidents and injuries, both to themselves and co-workers, as well as the public at large.

Therefore, **Boise County** has implemented this Drug and Alcohol Free Workplace Policy that includes within its provisions those regulations contained within the Department of Transportation (DOT) Controlled Substances and Alcohol Use and Testing, as contained in 49 CFR Part 382.

Questions Regarding this Policy

The Board hereby designates the Chief Personnel Clerk as the person responsible for implementing this policy.

Employees Use of Alcohol

Boise County is committed to ensuring that all employees and volunteers are not on duty and do not operate a county vehicle while under the influence of alcohol. Therefore, employees and volunteers of this County are not to consume alcohol within four (4) hours of reporting to work. Employees and volunteers are not to report to work or remain at work while having an alcohol concentration of .02 or greater. Employees and volunteers are prohibited from using or possessing alcohol while they are on duty.

Employees' Use of Illegal Drugs

Boise County has an absolute prohibition against an employee and volunteer's use of illegal drugs, or the illegal use or misuse of prescription medication. Evidence that an employee or volunteer has tested positive for the presence of illegal drugs pursuant to a test given under the terms of this policy will be proof sufficient to establish the employee's or volunteer's violation of this provision.

DRUG AND ALCOHOL TESTING OF PROSPECTIVE AND CURRENT EMPLOYEES

Pre-Employment Testing

All prospective employees in safety sensitive areas or in positions where motorized equipment will be operated will be tested for the presence of illegal drugs, as well as evidence of alcohol intoxication prior to employment with Boise County. The Chief Personnel Clerk shall determine when a pre-employment test for illegal drugs will be administered to an interviewee. Furthermore, all prospective employees must disclose to Boise County all previous employers for whom they have worked in similar positions within the past two (2) years. Boise County will then request from those employers all information regarding any incidents where the prospective employee has tested positive for illegal drugs or alcohol, or refused to test. In the event that Boise County receives information from a past employer that the prospective employee has tested positive for drugs or alcohol within the last year, that prospective employee will not be offered employment. Employees will be required to sign a consent form authorizing Boise County to conduct a check with each employer the employee has been employed with during the past two (2) years to determine if the employee has tested positive for illegal drugs or alcohol. That consent form shall specifically release any former employer of any and all liability for information provided to Boise County about the employee.

Reasonable Cause

Boise County may require an employee to be tested for illegal drugs or alcohol when there is reasonable suspicion to believe an employee is under the influence of illegal drugs or alcohol while at work. If an employee tests positive for illegal drugs or alcohol while at work, they may request a second confirming test of the previously tested sample, at their own expense. If the second confirming test shows no presence of illegal drugs or alcohol, Boise County shall reimburse the employee for the cost of the test.

Random Testing

All employees will be subject to random drug and alcohol testing. Random testing selections shall be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made; except in safety sensitive areas and those operating motorized

vehicles. The Board may increase the frequency and/or deviate from a scientifically valid method for safety sensitive areas and those operating motorized vehicles. Random testing for drugs and/or alcohol will take place just prior to, during, or just after an employee's duty time. When an employee tests positive for illegal drugs or alcohol while on duty, they shall be immediately suspended from duty, without pay.

Post-Accident

An employee or volunteer operating a vehicle for Boise County that is involved in a reportable accident will be tested for both illegal drugs and alcohol as soon as practical. For terms of this policy a reportable accident means an accident that results in a fatality, or where someone involved required medical treatment away from the scene, or if one of the vehicles is towed away, and if there is a citation issued in connection with the accident. Alcohol testing must be administered within two (2) hours of the accident and drug testing must be administered within thirty-two (32) hours of the accident.

Any employee or volunteer required to be tested under this section must remain readily available for such testing and such an employee or volunteer may not consume alcohol within eight (8) hours of the accident. An employee or volunteer who is involved in an accident requiring a drug and alcohol test must notify Boise County of the accident as quickly as possible and comply with those instructions given them relative to their taking a drug and alcohol test.

Specimen Collection Procedures and Test Result Notification

Adulteration or Submission of a Concealed Specimen

If, during the collection procedure, the collection monitor detects an effort by an employee or volunteer to adulterate or substitute a specimen, a second specimen will be immediately required. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, the collection monitor will inform Boise County's contact of the employee's or volunteer's refusal to submit a true specimen. Such conduct by the employee or volunteer will be considered as a refusal to provide a true specimen for testing.

In the event that a prospective or current employee or volunteer submits a specimen that the laboratory later identifies as a diluted specimen, Boise County will advise the employee or volunteer of that result.

Drug/Alcohol Specimen Collection Procedures

All testing for illegal drugs will be done by the testing of an employee's or volunteer's urine specimen. All such testing will utilize the split specimen collection procedure. Under that procedure, each employee or volunteer will have his/her urine specimen sealed in two separate containers and both sent to a SAMHSA certified laboratory for testing. If an employee's or volunteer's first specimen tests positive, that employee or volunteer may request, within three (3) days of the positive notification, that the other specimen be tested at another SAMHSA laboratory. This second test must be completed within five (5) working days and will be done at the employee's or volunteer's expense unless the second test comes back negative. During the time the second specimen is being tested, that employee or volunteer will be suspended without pay. Any employee or volunteer who has a test come back negative will be given back pay for the time of the suspension. All specimen collections will be conducted by personnel that have been instructed and trained in collection procedures set by the DOT. All testing for alcohol will be done

by the use of a DOT approved breath-testing device, operated by a trained and qualified breath alcohol technician (BAT).

Notification of Test Results

Boise County has arranged that all test results, both drug and alcohol, will be forwarded to Boise County through the current company approved by the Board, as the representative of Boise County, and the Medical Review Officer (MRO). Prior to Boise County being informed that a prospective or current employee has tested positive for illegal drugs, the employee will be offered an opportunity to personally discuss the positive drug test with the MRO or his representative. The MRO will follow up on such information as is appropriate. Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If this is verified, the employee's test result will be reported as negative. If, after consideration of the matter, the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to Boise County's contact, as well as the identity of the drug.

If the employee cannot be located, the MRO, or his representative, may request that the Boise County contact arrange for the employee to contact the MRO as soon as possible to discuss the results of the positive test. The MRO will communicate a positive result to Boise County without discussing the result with the employee if the employee expressly declines the opportunity to discuss the results of the test, or the employee is instructed by Boise County to contact the MRO but fails to do so within 24 hours.

Refusal

An employee or volunteer of Boise County may not refuse to take a drug or alcohol test when requested to do so, consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive for illegal drugs or alcohol.

An employee or volunteer will be considered as refusing to test if he/she expressly refuses to take a test when so requested, or otherwise fails to provide an adequate breath or urine sample without a valid medical explanation. Additionally, an employee or volunteer will be considered as refusing to test if he/she engages in conduct that clearly obstructs the testing process.

Effect of Testing Positive for Drugs or Alcohol

Any prospective employee who tests positive for the presence of illegal drugs or alcohol will not be hired. Any current employee who tests positive for the presence of illegal drugs or alcohol will be subject to immediate termination from employment with Boise County.

For purposes of this policy, an employee tests positive for alcohol when that employee's blood alcohol concentration (BAC) is .04 or above. If an employee tests between .02 and .039 BAC, that employee will not be allowed to work for Boise County for 24 hours from the time of the test. An employee that twice tests between .02 and .039 BAC in a year's time will be treated as the equivalent of testing positive for alcohol. This last provision is done as a matter of Boise County policy and is not as required by the DOT.

IV. RULES OF EMPLOYEE CONDUCT

A. PERSONAL PERFORMANCE AND BEHAVIOR

Each employee of Boise County is encouraged to conduct him or herself in a manner, which does not reflect adversely upon Boise County. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of Boise County as a public institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions of Boise County and its officials. In order to accomplish this, each Boise County employee:

1. Shall be prompt and regular in attendance at work or other required employer functions.
2. Shall comply with dress standards established in a department for which the employee works. The managing official shall set dress standards, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
3. Shall dedicate primary efforts to Boise County employment. Secondary employment is permissible if it does not conflict with primary county job. If there is a conflict determined by the employee's supervisor, such employment may be required to be terminated. Individual department rules may spell out permissible examples of "moonlighting" wherein employees may hold additional positions, but such ruled must be approved by the Board.
4. Shall avoid nepotism in appointments and working relationships with other employees in Boise County and related agencies. No employee shall engage in conduct that violates state nepotism laws. It is the policy of Boise County that domestic relationships involving living together constitute "Members of a household" as defined by I.C. §59-701, et seq.
5. Shall not accept gifts or gratuities in any personal or professional capacity which could create the impression that the giver was seeking favor from the employee or official.
6. Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
7. Shall not release personnel information or any other public record without the express authority of the public official responsible for custody of the record or without an order from a court of competent jurisdiction.
8. Shall not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the Boise County work force.

It is a violation of the Boise County Personnel Policy to consume any alcohol during working hours, or to use non prescription drugs in a manner contrary to the instructions contained on such non prescription drug label or in a manner which negatively affects their ability to function in their job as an employee of Boise County.

9. Shall not engage in conduct in the operation of a motor vehicle, which affects the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment. Employees who are called to report to work during off duty time, who have been ingesting any alcohol or other non-prescription drug, must notify their supervisor of such fact prior to leaving their residence to report to duty.

B. WORKPLACE CONDUCT

Each employee will be expected to conduct him or herself in the workplace in accordance with the following rules. Boise County employees who have first hand knowledge of a violation of the Boise County Personnel Policy, or criminal conduct by another employee shall report it to his or her immediate supervisor, or the Chief Personnel Clerk. **These rules are not all-inclusive of conduct expected of Boise County employees.** Each employee of Boise County shall:

1. Give his/her best efforts to accomplish the work of Boise County for public benefit in accordance with policies and procedures adopted by the Board and elected officials. Each employee shall be subject to the administrative authority of the official who supervises the department where the employee works.
2. Adhere to any code of ethics in his/her profession and avoid conflicts of interest or using his/her public position for personal gain.
3. Follow all rules for care and use of public property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
4. Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor which violates laws of any local jurisdiction, the state, or federal.
5. Abide by department rules and Boise County rules concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records, which are not open to public scrutiny in accordance with the direction of the responsible official.
6. Adhere to the defined work schedule and procedures. Each employee shall follow the rules regarding the reporting of work hours and the approval, which must be given for pay record submittal. Failure to follow such rules may be grounds for

delayed payment of wages, salaries, or reimbursements or for imposition of appropriate disciplinary penalties.

7. Follow rules regarding breaks and lunch periods, including provisions granting supervisors authority to adjust them. Timing of breaks or lunch periods may be changed to accommodate the completion of necessary work.
8. Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.
9. Report any accidents observed to have happened on entity property or involving entity property. Each employee shall provide as much information as he or she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible and reasonable efforts should be made to assist those in need.
10. Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
11. Maintain a valid Idaho driver's license when necessary in the conduct of work for Boise County. Each employee is obligated to report any state-imposed driving restrictions to his/her immediate supervisor and to notify his/her supervisor in the event that his/her driving abilities are impaired by other than state restrictions.
12. All drivers of Boise County vehicles will attend a Defensive Driving Course within six months of employment. The course will be approved by the current insurance carrier. The employee and supervisor will coordinate the training with the Risk Manager. Failure to attend a scheduled Defensive Driving Course within the time period will result in termination unless previously approved by the Board.
13. Perform such obligations as are necessary to carry out the work of Boise County in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

C. PROHIBITED WORKPLACE CONDUCT

Within the workplace, employees of Boise County shall not:

1. Be present in the workplace under the influence of drugs, alcohol, illegal substances or other substances which would impair the ability of the employee to perform his work competently or which would threaten the safety or well-being of other workers or the public. No worker should be absent from work on account of such conduct, even though such conduct does not occur during regular working hours. (See drug and alcohol policy stated in full in employee start-up section.)

2. Engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
3. Sleep or be absent from the employee's workstation during normal working hours. Employees shall be attentive to their work at all times.
4. Engage in malicious gossip and/or spreading rumors, engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employee's work output or encouraging others to do the same.
5. Sexually harass a fellow worker or member of the public at any time while in the Boise County active service. Sexual harassment shall be defined as unwelcome advances, requests for sexual favors, and other offensive physical and/or verbal conduct of a sexual nature. Within the workplace such conduct must not create a situation that alters the conditions of employment or create an abusive working environment. Accusations of sexual harassment should be brought to the attention of the department head, the Chief Personnel Clerk, or the prosecuting attorney, depending on the source of the alleged harassment. Any claims of sexual harassment shall remain confidential unless they cannot be resolved through actions taken by the appointing authority.

Sexual harassment is illegal and contrary to the policies of Boise County. Sexual harassment involves making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of employment, or making submission to or rejection of such conduct the basis of employment decisions, or creating an intimidating, offensive, or hostile working environment by such conduct.

Boise County employees shall report observations of sexual harassment to the Chief Personnel Clerk or his/her supervisor, even though they are not the recipients of such harassment.

The following are examples of prohibited sexual harassment:

- a. **Verbal:** Sexual innuendo, sexually suggestive comments, insults, jokes of a sexual nature, or sexual propositions;
- b. **Non-verbal:** Making suggestive or insulting noises, leering, whistling, making sexually-related gestures, posting sexually explicit pictures or drawings;
- c. **Physical:** Touching, pinching, brushing the body, coercing intimate contact, sexual intercourse, or assault.

This list is not all-inclusive. Any conduct that might be deemed offensive by a member of the opposite sex should be avoided.

Any employee who believes he or she has been the subject of sexual harassment should report the alleged conduct immediately to the elected official or department head at his/her office, or if this person is perceived to be the source of the harassment, report to the Chief Personnel Clerk in the Courthouse Complex, Idaho City, Idaho or by phoning 392-4431. Alternative reports may be made to the Board. In the event that neither of these persons is available, the incident or circumstance should be reported to the Prosecuting Attorney. Any complaint about improper sexual conduct should be taken to the person first listed above unless practical considerations require otherwise. Any complaint about the sexually related conduct of one of the persons identified in this paragraph should be brought to another official listed herein.

A confidential investigation (to the extent that confidentiality is allowed by law) of any complaint will be undertaken promptly. Boise County encourages each employee to use the procedures set forth in the policy to address any sexual harassment problems as quickly as possible. Employees have the right if they believe the policies herein have not accurately addressed their concerns to contact the Idaho Human Rights Commission (Phone (208) 334-2873), the Equal Employment Opportunity Commission (Phone (206) 553-0968), or a private lawyer to discuss their legal rights.

Any employee found by Boise County to have sexually harassed another employee will be subject to appropriate disciplinary sanctions ranging from a written warning to termination. Retaliating or discriminating against an employee for complaining about sexual harassment is strictly prohibited.

Boise County recognizes that whether sexual harassment has occurred requires a factual determination based upon all evidence bearing upon the issue. False accusations of sexual harassment can have serious effects upon those accused and others in the workplace.

All employees are required to strictly follow the reporting procedures set forth in this policy and required to maintain confidentiality in all matters pertaining to claims of sexual harassment. Sexual harassment will not be tolerated in the Boise County workplace.

6. Use work time for personal business including selling of goods or services to the general public or proselytizing religious or political views to members of the public during the workday. Employees should minimize the amount of work time spent on similar activities engaged in with fellow employees.
7. Engage in political activities while on duty in public service. This rule shall not apply to elected officials or chief deputies to an elected official. Employees shall enjoy full political rights when not carrying out their work obligations.
8. Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.

9. Discriminate in the treatment of co-workers or members of the public on the basis of race, religion, gender, age, disability or national origin.
10. Smoke within the public office or other public buildings.
11. Violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or by other public officials.
12. Abuse employee benefit offerings by taking unjustified sick leave, unearned vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with the Boise County policy.
13. Violate rules concerning absence from the workplace without proper leave and shall obtain permission as required by the Boise County policy for use of vacation, sick, bereavement, or other types of leave granted by this personnel policy.
14. Provide false or misleading information or reports regarding job-related duties.
15. Engage in visits with children, friends, or family members which interfere with the course of work in the office or department in which the employee serves.
16. Use telephones and/or email in the office or workplace in a manner that disrupts the work or work flow nor shall workplace telephones be used for non-local, personal calls or calls relating to the employee's business or other personal interests.
17. Engage in criminal conduct of any kind while on duty. Boise County employees are expected to behave in a lawful manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.
18. Violate any rule established by the department head to maintain order and productivity in the workplace.
19. If a department head has any information that any employee in their department is involved in any illegal activity the department head has a right to conduct an internal investigation and failure of that employee to cooperate with that investigation is grounds for terminating their employment.

The foregoing lists are not all-inclusive. Violation of any of the rules set forth above shall be grounds for disciplinary action, including possible dismissal. The rules contained in this personnel policy manual are subject to change at any time at the sole discretion of the Board.

Potential penalties for violation of any such rules may include but shall not be limited to:

1. Leave with or without pay.
2. Suspension for a variable or fixed period.

3. Demotion to position with lower compensation and/or authority.
4. Reprimand.
5. Dismissal.

V. EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS

A. CLASSIFYING EMPLOYEES FOR POLICY PURPOSES

1. Employment Status

Except as otherwise provided in this paragraph, employees of Boise County will not be suspended without pay, demoted with an accompanying change in pay, or discharged from their positions except for cause related to performance of their job duties or other violations of this policy. Cause shall be determined by the employee's supervisor/elected official and shall be communicated in writing to the employee when employee status is changed.

Only suspension without pay, demotion with change of pay, or discharge for cause shall be subject to the appeal procedure set forth in this personnel policy. The appeal procedure is to be construed in a directory manner. It is the duty of the employee to show by clear and convincing evidence that the factual basis for the personnel action is incorrect or that the reasons for the personnel actions are contrary to the public interest or violates existing law. Should the employee establish such basis, the employee's back wages and benefits shall be restored as if the specified action had not occurred. This action may not be taken in an arbitrary and capricious manner.

Changes in employment status which are the result of budgetary needs, reductions in force, reorganization of work duties through transfer or reassignment, or general changes in the terms or conditions of employment or of benefit offerings shall not be subject to the appeal procedure set forth herein. Boise County retains full authority, without prior notice, to modify the general terms and conditions of employment. Additional information may be obtained from the Chief Personnel Clerk or by appointment with the department's elected official or department head.

2. Employee Classification

The classification of the position an employee holds with Boise County may affect the status of obligation or benefits associated with employment. The primary classes of employees and their respective status is outlined as follows:

- a. Full-Time Regular Employees
(attained after successful completion of six (6) month probationary period)

Employees whose typical work schedule calls for at least 32-40 hours of scheduled work during each week of the payroll period. Full-time regular employees shall receive all employee benefits provided by Boise County as such benefits now exist or may be subsequently changed.

b. Part-time Regular Employees

Employees whose typical work schedule calls for at least 20 hours, but not as much as 32 hours, of scheduled work during each week of the payroll period. Part-time regular employees shall receive reduced employee sick and vacation leave in accordance with policies adopted by the Board. The scope of leave received may vary proportionately with the number of hours typically scheduled for a part-time regular employee. The number of hours scheduled may also affect the employee's obligation to participate in certain mandatory state benefit programs.

c. Casual/Seasonal Employees

Employees who provide services for Boise County on an irregular or temporary basis or whose scheduled hours of employment for the entity are typically fewer than 20 each week of the payroll period are classified as casual employees. Casual employees will receive no benefits provided to regular employees, except those required by law or those provided by express written authorization of the Board.

3. Significance of Employee Classification

The procedures for hiring, promotion, and transfer of full-time employees shall be subject to the provisions of this policy. Personnel actions concerning part-time or casual employees are not subject to guidelines set forth herein unless the policy provisions expressly provide therefore.

B. COMPENSATION POLICIES

1. Establishment of Pay System

Boise County compensates employees in accord with decisions by the Board as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or status quo maintenance for any time period. The supervising elected official or department head may make suggestions about salary compensation and other pay system concerns but the final decision regarding compensation levels rests with the Board. The Board reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which they think justify changes in entity expenditures.

Employees shall participate in a performance evaluation system established by the Board. Such evaluation may be the basis for allocating changes in compensation in

each budget year. Records of evaluations shall be kept in the personnel file of each employee.

2. Compliance with State and Federal Pay Acts

Boise County shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

3. Classification Plan

All employees of Boise County shall be classified in the position they hold with Boise County in the following manner:

- a. Elected officials
- b. Exempt employees
- c. Classified full-time employees subject to the testing and placement standards established by this personnel policy manual.
- d. Part-time or casual employees exempt from placement standards cited herein.

4. Right to Change Compensation

Boise County reserves the right to change general compensation for any reason deemed appropriate by the Board. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent entity budget.

5. Overtime Compensation – Compliance with Fair Labor Standards Act

In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt or non-exempt for purposes of the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law, which governs the obligation of employers to pay overtime compensation. Certain employees are exempt from operation of this law because they hold positions, which are primarily executive or administrative in nature. Most supervisor and/or professional positions qualify for such exemption. As such, exempt employees are not required to receive premium pay for hours worked beyond the limits provided by the statute. Employees who serve as sworn law enforcement officers may be subject to special exceptions found in the FLSA (See 207K). Please contact your department supervisor or the Chief Personnel Clerk for further clarification of your FLSA status.

6. Compensatory Time Policy

Boise County allows the accumulation and use of compensatory time. Compensatory time will begin accumulating when an employee (except Sheriff's deputies) has worked more than forty (40) hours in a week, with Boise County's

week being from 12:00 a.m. Saturday (midnight on Friday) to 11:59 p.m. on the succeeding Friday. All Departments, with the exception of the Sheriff's deputies, may accumulate compensatory time not to exceed one hundred (100) hours in total for an individual employee. When an employee exceeds the one hundred (100) hour limit, that employee will be required to begin taking off the compensatory time at one (1) day a week. The use of compensatory time will be required to begin the month following the period in which the compensatory time was reported.

Boise County Sheriff's deputies will be allowed to accumulate compensatory time not to exceed one hundred (100) hours in total for an individual employee. Compensatory time will begin accumulating when one hundred sixty one (161) hours have been worked in the deputy's twenty-eight day pay period. When a deputy exceeds the one hundred (100) hour limit, that employee will be required to take time off to get the accumulated compensatory time below the limit in the next twenty-eight day pay period after the compensatory time was reported.

In case of unusual conditions that constitute potential harm to the citizens of Boise County or in case of an emergency declared by the Board, has the power to waive the compensatory caps put in place in the paragraphs above. Verbal approval may be given by at least two board members with a formal written request and approval to be completed at the next regularly scheduled board meeting. Waiver of compensatory cap shall be requested and approved for a specified period of time to accommodate such emergency.

Negative compensatory time will never be allowed. Compensatory time cannot be taken prior to it being earned. If a time sheet reflects the use of compensatory time that has not been earned, the time will be deducted from vacation time. If no vacation time is available, the time will be deducted from the employee's regular pay.

7. Reporting Verifying Time Records

It is the responsibility of each employee to properly record time that he or she has worked during a payroll period on a Boise County approved time sheet. No paychecks will be given to an employee until the time sheet is presented to their supervisor or department head. It is incumbent upon each supervisor to review, sign and submit their employees' time sheets to the Chief Personnel Clerk within five days from the payroll date. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked. The Chief Personnel Clerk shall retain these records for at least four years following a pay period. Failure to carry out these duties may result in disciplinary action.

8. Work Periods

Employment with Boise County is subject to the Federal Fair Labor Standards Act as previously described. Each employee is responsible for monitoring the status of hours worked in each work period. Overtime will be allowed only when authorized by an appropriate supervisor or when absolutely necessary in an emergency. The

workweek for all regular employees who are subject to the FLSA will begin at 12:00 a.m. Saturday (midnight on Friday) of each week and concludes at 11:59 p.m. of the succeeding Friday. For regular and part time employees, hours actually worked must exceed forty (40) in a work week, and premium compensation will be paid, or authorized compensatory time will be allowed to accrue, on the paycheck next following the work period during which it was earned.

Sworn law enforcement personnel are subject to special exception (§ 207(k)) which allows establishment of their work period up to twenty-eight (28) days. Compensatory time may be earned for qualifying law enforcement hours beyond one hundred and sixty (160) in a 28-day work period. Law enforcement hours of one hundred sixty one (161) to one hundred seventy-one (171) hours will be tracked at regular time. Any hours of one hundred seventy-two and beyond will be tracked at time and a half after. For these special exception employees, payment of premium compensation will be paid, or authorized compensatory time will accrue. Questions about overtime and compensatory time should be directed to your supervisor or the personnel office.

9. Promotions and Compensation

Compensation for all employees is established by action of the Board. The annual budget of Boise County sets the funding available to compensate employees in various departments. Promotions and changes in status may be recommended and made by officials in each of the operating departments but final authority regarding funding compensation rests with the Board.

10. Payroll Procedures and Paydays

Employees are paid the 1st and 16th of each month or next working day from these dates throughout the year. Paychecks are issued by the Chief Personnel Clerk. Pay checks compensate full time employees for work performed in the pay period ending on the last day of the month for the check received on the 1st and the pay period of the 1st through the 15th for the check received on the 16th. Hourly people have a ½ month lag in pay periods: i.e. hours worked the period from the 1st through the 15th would be paid the 1st of the following month and hours worked the last half of the month will be paid the following 16th. Paychecks will be distributed by hand, direct deposit, or by mail prior to 5:00 p.m. on payday.

Sworn law enforcement officers may have different pay periods and payroll dates due to the 28-day payroll period under the provisions of 207K.

It is the obligation of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand individual circumstances. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with official policy of the entity. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Board with the assistance of the Chief Personnel Clerk, the policy shall prevail.

11. Compensation while Serving on Jury Duty or as a Witness in Court Proceeding.

Leave will be granted to full-time employees called to jury duty or to serve as a court witness in accordance with Board-adopted policy. Normal pay will be provided to full time employees serving as a juror or witness with no compensation being paid by the court system.

12. Military Leave

Unpaid leave of absence will be granted for a maximum of fifteen (15) calendar days to participate in ordered and authorized field training under the National Defense Act. Our public entity employment policy will comply with provisions of Idaho Code §46-224, et seq., or its successor, as those Code provisions govern leaves of absence for military service.

13. Reduction in Force

Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and workload. Reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.

14. Payroll Deductions

In accord with Idaho Code §45-609 or its successor, no payroll deductions will be made from an employees paycheck unless authorized by the employee in writing or required by law.

Boise County offers the following miscellaneous deductions to its employees in accordance with the terms of specific resolutions approving any such program, and in accordance with the policies or other documents which establish the programs. The following programs are offered at the time of the personnel policy manual's adoption. They are subject to change at the Board's sole discretion at any time.

- a. Approved deferred compensation plans handled by payroll deduction
- b. Approved credit union participation
- c. Employee-requested deduction programs subject to entity policy
- d. Cafeteria plan
- e. Disability insurance paid for by employee

15. Travel Expense Reimbursement

An employee on entity business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by the Board. Each county employee is responsible for providing verified receipts for any expenses for which reimbursement is requested in accord with Idaho Code §31-1506 or its successor. **PLEASE REFER TO BOISE COUNTY TRAVEL POLICY PASSED AS A SEPARATE RESOLUTION.**

16. On-the-Job Injuries

All on-the-job injuries shall be reported to the Risk Manager and department supervisor as soon as practicable to allow filing of worker's compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident he shall be eligible for worker's compensation and shall not be charged with any vacation or sick leave time while away from his or her position. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the Board for review. A doctor's release is required to enable the employee to return to work.

The employee has the option to remain on County payroll while off work due to an injury by utilizing accumulated sick time, vacation time and/or comp time if any such time is owed to the employee as shown in the official records at the personnel office.

17. Family and Medical Leave Act of 1993

Employees of Boise County may have rights for twelve (12) weeks of leave under the provisions of the Family and Medical Leave Act of 1993 if they meet the following eligibility requirements:

From the Code of Federal Regulations (CFR), Section 825.110 "An eligible employee" is an employee of a covered employer who has:

1. been employed by the employer for at least twelve (12) months, and
2. been employed for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave, and
3. been employed at a work site where 50 or more employees are employed by the employer within 75 miles of that work site.

If an employee meets these eligibility requirements, they may request up to twelve (12) weeks of leave where Boise County will continue to employee's benefits (employer portion only) during the leave period. If the employee does not return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, Boise County will seek reimbursement for the premium(s) that were paid for the employee's medical coverage.

An employee is required to use any accrued paid vacation and sick leave before utilizing leave without pay under this FMLA policy. If leave accruals are less than twelve (12) weeks, the employee may take the rest as unpaid leave. An employee will continue to accrue leave while utilizing their sick and vacation leave. However, vacation and sick leave will cease to accrue during the unpaid portion of their leave.

An employee is required to give thirty (30) days advance notice or as much time as practical when the need for FMLA leave is foreseeable. Boise County reserves the

right to request medical certification supporting any leave, and may require second or third opinions (at Boise County's expense) as well as a doctor's release to return to work. Leave may be denied if these requirements are not met.

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. When leave is taken because of birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced schedule with prior written approval from the Department Head. When FMLA leave is needed to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when medically necessary.

Leave for an employee and their spouse, who both work for Boise County, is a total of twelve (12) weeks if the leave is for reasons other than personal serious illness.

Employees are entitled to a leave under FMLA for the following:

To care for a child following a birth or placement of a child with the employee for adoption or foster care.

To care for a sick child, spouse or parent who has a serious health condition.

An employee is unable to perform work duties because of his/her own serious health condition.

This policy does not address every instance where FMLA may be taken, other requests will be considered on a case by case basis in compliance with the provisions of this law. Should you have any questions about your rights under FMLA, please contact the Chief Personnel Clerk.

C. EMPLOYEE BENEFITS

Boise County offers a number of employee benefits for regular full-time and regular part-time employees who have successfully completed the probation period. These benefit offerings are subject to change or termination at the sole discretion of the Board. Each is subject to the specific terms of its respective insurance policy and/or official resolution of the Board.

1. Vacation Leave

Vacation leave is available to full-time and part-time employees who have completed the equivalent of six (6) months of full-time employment. Vacation accrues from the start of employment in the following manner:

<u>Length of Service</u>	<u>Vacation Accrual</u>
0 through 1 year	5 days / year
2 through 5 years	10 days / year

6 through 12 years	15 days / year
13 through 24 years	20 days / year
25+ years	25 days / year

Vacation leave can only accrue to a 20-day (160 hours) maximum. Any excess over 20 days not used will be forfeited, without right of compensation, at the conclusion of the month in which it became excess. This rule may be subject to an exception for one/half (1/2) year's additional accrual upon written permission of the responsible elected official and the Board. Vacation leave is to be scheduled with consent of the responsible elected official or department supervisor. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first priority will be the orderly functioning of affected departments. If at the time the employee leaves employment with Boise County, he/she has accumulated vacation time on the records, said time will be paid with final paycheck, as this is a compensated benefit.

2. Sick Leave

Sick leave benefits are provided to full-time and part-time employees on the basis of eight (8) hours per month. Each employee may accumulate up to four hundred eighty (480) hours. If at the time the employee leaves employment with Boise County, he/she has accumulated sick leave on the records, said leave will be forfeited as this is an uncompensated benefit. Sick leave is a benefit to provide relief to the employee in the event of illness to the employee or his/her immediate family. It is to be used in the event of an illness or medical, dental, and/or similar appointment for the employee or family member. Request for sick leave must be requested at least within two hours of the time when the scheduled work period is to begin.

If an employee is absent from work more than three (3) continuous days, a competent medical authority's report may be required by the employee's supervisor. Elected officials or department supervisors asked to approve use of continual/frequent sick leave may request an independent review of reported illnesses at any time by a competent medical authority at the employee's personal expense.

There is no sick leave carry-over provision comparable to that provided in the entity's vacation policy. Sick leave benefit recipients will receive their normal compensation when using sick leave benefits. The Board in case of long-term illness may extend an employee's sick leave for an indefinite period of time. Such extension is in the sole discretion of the Board.

Provisions of the Family and Medical Leave Act of 1993 will provide leave to certain employees who qualify for such benefits. Employees should contact the personnel office for further details.

3. Holidays

Ten (10) official holidays are provided for full-time employees. Employees who have full-time active status on the date of any holiday shall receive compensation for that day even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The Board may change the holiday schedule at any time.

Employees who must be scheduled to work on holidays shall be paid for their normal scheduled number of hours as holiday pay plus their regular hourly rate for the actual hours worked. This pay will be included in their checks the following month.

Recognized Holidays:

New Years Day
Martin Luther King, Jr./Human Rights Day
Presidents Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Christmas Day

4. Disability Leave

Boise County shall allow any employee who is disabled in such a manner that his/her return to work is anticipated, a maximum of one hundred twenty (120) days unpaid leave for purposes of recovering from said disability. The employee may, at his or her option, choose to use vacation and/or sick leave to receive pay as long as such benefits are available in accordance with the Family and Medical Leave Act of 1993.

5. Bereavement Leave

Up to five (5) days of paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers, sisters, or other family members as approved by the supervisor). Additional leave may be granted from accrued vacation leave or unpaid leave of absence.

6. Leaves of Absence

Employees having worked more than one year may be granted up to thirty (30) days unpaid leave by the elected official of their department. Paid leave in any amount or unpaid leave in excess of thirty (30) days shall require written approval of the Board.

7. Reduction in Benefits

Boise County, through its Board, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

8. Benefits for Part-time Employees

Part-time employees shall receive benefits in the following manner: Employees who work twenty (20) hours to thirty two (32) hours per week during a consecutive five (5) month period will earn sick and vacation pay at one-half (1/2) time of full time employees. Casual/seasonal employees do not earn benefits.

9. Insurance Coverage Available to Employees

Boise County provides comprehensive health, vision, and dental insurance to permanent full-time and part-time employees who work twenty (20) or more hours per week and offers family coverage at the employee's option and cost. Insurance coverage begins on the first day of the month following the month in which an employee's first paycheck is issued. All coverage is subject to policy terms and to change at any time. Claims procedures are administered by the personnel office. Continued health coverage is available to former employees at their own cost pursuant to federal law (COBRA). Information may be obtained from the personnel office.

Limited life insurance coverage is provided to full-time and part-time regular employees who work twenty (20) or more hours per week. The terms of this program are contained in booklets and administrative policies available for inspection in the personnel office.

10. Retirement

The retirement plan of Boise County combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from Federal and State income taxes, and Boise County matches this with an additional larger contribution. Contact the personnel office for further information.

Boise County offers the following miscellaneous benefits to its employees in accordance with the terms of specific resolutions approving any such program, and in accordance with the policies or other documents which establish the program. The following programs are offered at the time of this personnel policy manual's adoption. They are subject to change at the Board's sole discretion at any time.

- a. Deferred compensation plans handled by payroll deduction.
- b. Credit union participation
- c. Employee-requested deduction programs subject to entity policy.
- d. Provision of uniforms, tools, equipment allowance, etc.
- e. Further training and higher education reimbursement or tuition refund.

11. **Transfer of Benefits with Employee Transfer**

Accrued benefits for each employee continue to be the benefit of that employee if the employee transfers from one department to another. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

VI. EMPLOYEE EVALUATION AND DISCIPLINE

A. EVALUATION PROCEDURES

1. **Standard Procedures**

Each employee may be evaluated on a semi-annual basis to assess the performance of that employee in the job being performed for Boise County. Each evaluation will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity and additional efforts expended by the employee on behalf of Boise County. Each supervisor is authorized to use necessary evaluation tools. At the same time the supervisor may fill out a standard Boise County evaluation form, which shall be placed in the employee's permanent record file.

2. **Interviews (Evaluation)**

Each evaluation shall be concluded with an interview between the evaluated employee and the immediate supervisor in which the employee will be told what the findings of the employer's evaluation are. Each employee will be given an opportunity to respond to the evaluation both orally, in which case notes may be taken by the supervisor, or the employee may submit a written response to the employer's evaluation to be placed in the employee's personnel file, provided that it is filed with the employer within ten (10) days of the date of the oral presentation of the evaluation.

B. EMPLOYEE PERSONNEL FILES

1. **Personnel Records**

The official employee records for Boise County will be kept in the office of the Chief Personnel Clerk. Within these personnel files will be kept all records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with Boise County. Any supervisory personnel or the employee him or herself may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review materials placed in his or her personnel file at any reasonable time. Copies of materials in a personnel file are available to each employee without charge. Personnel files shall not be removed from the premises.

2. Access to Personnel Files

It is the policy of Boise County to allow limited access to the personnel file for any employee. Those authorized to evaluate materials in a personnel file include supervisory personnel in the relevant operating department, clerical payroll personnel, members of the Board, and the employee him or herself. Based upon the inherent confidentiality of personnel matters, access of others to personnel files shall be only with authorization of the supervising official and the Board. Information regarding personnel matters will only be provided to outside parties with a release from the employee or in other circumstances where release is deemed appropriate or necessary with the concurrence of both the official supervising the records and the Board.

3. Management of Information in Personnel Files

Each employee shall be provided an opportunity to contest the contents of a personnel file at any time. This is to be done by filing of a written objection and explanation, which will be included in the file along with the objectionable material. The supervising official, with the concurrence of the Board, may remove any offending material upon a showing by the employee that it is inaccurate or misleading.

C. EMPLOYEE DISCIPLINE PROCEDURES AND PRINCIPLES

1. Purpose of Discipline Policy

The purpose underlying the discipline policy of Boise County is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

2. Disciplinary System Framework

Boise County adopts the following framework for actions to be taken in the event that employment policies are violated by any employee subject to this manual. Progressive steps may be implemented in order to discourage policy violations. Boise County reserves the right to take any of the prescribed steps in any order in the event that a supervisor deems a policy violation or action of the employee to be serious enough to warrant a certain step. Such steps shall be documented in the record of the disciplinary action. Progressive discipline shall be applied only where the supervisor believes that the potential for improvement and curative behavior is possible.

3. Hierarchy of Disciplinary Actions Available

The following actions are among the disciplinary steps, which may be taken by the supervisor in response to personnel policy violations:

- a. Oral warning

- b. Written warning or reprimand
- c. Suspension with or without pay
- d. Demotion
- e. Probation
- f. Dismissal

4. Appeal Hearing

The personnel policy of Boise County establishes the right to a hearing in the event of a discharge or demotion with attendant change in pay or suspension. The employee must submit a written request for a hearing within five (5) working days. The elements of procedure to be followed in any such hearing to be undertaken at the direction of the supervisor, unless waived by the employee, are the following:

- a. The applicant shall be provided notice of the charges against him/her and the time the hearing is to be conducted.
- b. The employee shall be heard before the elected official or department supervisor responsible for department management with the oral hearing to last no longer than two (2) hours, unless otherwise approved by the department supervisor.
- c. There shall be a record maintained, including a tape recording of the hearing.
- d. The employee shall have the right to an explanation of the conduct complained of.
- e. The employee shall have an opportunity to be represented by legal counsel at his/her own expense.
- f. The employee shall be provided an opportunity to present evidence and to rebut the information upon which his/her charged misconduct or inadequate performance is based.
- g. The employee shall be provided with a written reply from the department supervisor within twenty (20) days of the hearing.

Every such hearing shall take place as soon as it can be accommodated by the schedules of those involved. Additional time may be granted at the request of the employee upon a showing that additional time is necessary to provide facts necessary to respond to the charges. Said decision shall set forth the reasons for the personnel action.

VII. SEPARATION FROM EMPLOYMENT

A. REDUCTIONS IN FORCE (RIF)

When financial circumstances or changes of workload require, Boise County reserves the right to reduce forces in such manner as it deems necessary to maintain the effective functioning of Boise County services. Decisions about the functions to be reduced are not subject to the appeal procedure established by Boise County.

B. REINSTATEMENT PREFERENCE

Employees who leave Boise County employment due to a reduction in force shall retain a first right to return in the event of work force rebuilding for one year from the date of their separation. Employees shall retain a preference only for work for which they are fully qualified and for which available service requirements can be met.

C. RETIREMENT POLICY

The retirement policy of Boise County shall comply in all respects with federal and state requirements respecting mandatory retirement and the obligations established by the Public Employee's Retirement System of Idaho (PERSI). No employee shall be compelled to retire except in compliance with said acts.

D. FINAL EVALUATION

When an employee separates from Boise County service, if an evaluation has not been performed within the most recent six month period, the supervisor may conduct an evaluation of the individual's performance prior to separation from employment.

E. COMPULSORY RESIGNATIONS

An employee who, without valid reason, fails to report for three (3) consecutive work days without authorized leave, shall be separated from the payroll and reported as compulsory resignation.

F. COBRA BENEFITS (CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985)

Employees of Boise County who currently receive medical benefits, who separate their employment may be eligible to continue those medical benefits at the employee's sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from Boise County, please contact the personnel office.

G. EXIT INTERVIEW

Each employee who terminates from employment with Boise County may participate in an exit interview with the employee's supervisor or in the event of involuntary termination with the Chief Personnel Clerk. In such interview, the supervisor shall notify the employee when certain benefits will terminate and when final pay will be issued. The employee will inform the interviewer about his/her impressions of employment in such interview. An employee exit form will be completed at this point and will be retained in the employee's personnel file.

H. RESIGNATION POLICY

Voluntary resignations will be effective if made orally or in writing to the employee's supervisor or department head.