

RESOLUTION #98-6

A RESOLUTION ESTABLISHING THE BOISE COUNTY PERSONNEL POLICY FOR BOISE COUNTY EMPLOYEES, WITH AN EFFECTIVE DATE

WHEREAS, the Boise County Board of Commissioners has drafted an updated version of the Boise County Personnel Policy known as Resolution #19-93; and

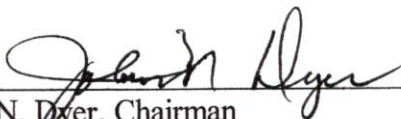
WHEREAS, diligent review and discussion of the new policy has been held by the Board;

NOW THEREFORE BE IT RESOLVED, that Boise County Resolution #19-93 is hereby rescinded; and

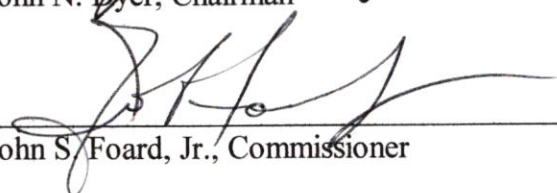
BE IT FURTHER RESOLVED, that Resolution #98-6, to be known as the Boise County Personnel Policy Handbook, be adopted with an effective date of January 1, 1998.

PASSED and ADOPTED this 26th day of January, 1998.

BOISE COUNTY BOARD OF COMMISSIONERS



John N. Dyer, Chairman



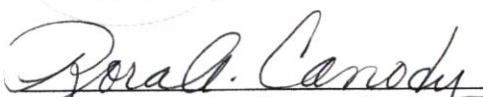
John S. Foard, Jr., Commissioner



Harold E. Raper, Commissioner



Attest:



Rora A. Canody, Clerk to the Board

BOISE COUNTY
PERSONNEL MANUAL

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BOISE COUNTY PERSONNEL POLICY

I. GENERAL POLICIES

A. INTRODUCTION TO PUBLIC EMPLOYMENT.

Working for Boise County may be somewhat different from any employer for which 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, carrying out local legislative duties and fulfilling other obligations as required by law. The Board establishes general policy 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.

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 qualifies for preference pursuant to Idaho Code § 65-502 or its successor will be employed.

D. NEPOTISM PROHIBITION.

No person shall be employed by Boise County when said employment would result in a violation of the anti-nepotism provisions found in Idaho Code § 59-701 or its successor. This will include department heads as well as elected officials. Any such appointment may be voided by the Board if not done voluntarily by the appointing official.

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 only with the approval of both department heads.

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.

Employment application will be accepted in the office of the county clerk, and/or in the office of the elected official or department head who may place a newspaper advertisement or otherwise solicit application at 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 county 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 newspaper of general circulation, and/or;
3. Posting on a bulletin board at the county office, post office and/or city halls throughout the county.

The employment applications 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 county commissioners and subject to policies and procedures for employee selection established for the county by the county commissioners. 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 county commissioners.

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 county commissioners.

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.

4. Final responsibilities for the employment decision.

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

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 personnel officer. Each report of employee time must be signed by both the supervisor and by 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 driver's licenses will be placed in the employee's permanent personnel file located in the clerk's office.

E. PROBATIONARY PERIOD

Boise County recognizes a six (6) month probationary period that each employee must complete when hired or transferred from one department to another. At the end of the probationary period, the employee shall be evaluated. The employee may gain permanent status at that time or the probationary period may be extended for a period not to exceed three (3) months.

F. BOISE COUNTY DRUG AND ALCOHOL POLICY

Boise County Board of Commissioners has implemented the drug/alcohol policy presented here for prospective and present employees who engage in safety sensitive areas such as the transportation industry and law enforcement:

**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 engaged in safety sensitive areas such as the transportation industry and law enforcement, **Boise County** has a responsibility to its employees and reserves, and the public at large, to see that its employees and volunteers 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** is implementing 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.

Implementation Schedule

This policy will become effective January 26, 1998, and will apply to all prospective and current employees and sheriff reserves of this County who operate county vehicles and/or are employed in safety sensitive positions, (hereafter referred to as employees).

Questions Regarding This Policy

The County hereby designates the Risk Manager as the person responsible for answering employees questions relating to the provisions of this policy.

Employees Use Of Alcohol

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

Employees' Use Of Illegal Drugs

This County has an absolute prohibition against an employee's use of illegal drugs, or the illegal use or misuse of prescription medication. Evidence that an employee 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 violation of this provision.

DRUG AND ALCOHOL TESTING OF PROSPECTIVE AND CURRENT DRIVERS EMPLOYEES

Pre-Employment Testing

All prospective employees in safety sensitive areas will be tested for the presence of illegal drugs, as well as evidence of alcohol intoxication prior to employment for this County. Furthermore, all prospective employees must disclose to the County all previous employers for whom they have worked in similar positions within the past two (2) years. The 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 the 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 the 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.

Reasonable Cause

The 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.

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. Random testing for alcohol will take place just prior to, during, or just after an employee's duty time.

Post-Accident

An employee operating a vehicle for the 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 requires 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 32 hours of the accident.

Any employee required to be tested under this section must remain readily available for such testing and such an employee may not consume alcohol within eight (8) hours of the accident. An employee who is involved in an accident requiring a drug and alcohol test must notify the 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 to adulterate or substitute a specimen, a second specimen will be immediately requested. 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 the County contact of the employee's refusal to submit a true specimen. Such conduct by the employee will be considered as a refusal to provide a true specimen for testing.

In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the County will advise the employee of that result and request that employee submit a second specimen. Such donors will be advised by the County not to drink any fluids prior to the test.

Drug/Alcohol Specimen Collection Procedures

All testing for illegal drugs will be done by the testing of an employee's urine specimen. All such testing will utilize the split specimen collection procedure. Under that procedure, each employee 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 first specimen tests positive, that employee 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 expense unless the second test comes back negative. During the time the second specimen is being tested, that employee will be suspended without pay. Any employee 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

This County has arranged that all test results, both drug and alcohol, will be forwarded to the County through the current company approved by the Board, as the representative of the County, and the Medical Review Officer (MRO). Prior to the 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 the County contact, as well as the identity of the drug.

If the employee cannot be located, the MRO, or his representative, may request that the 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 the 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 the County to contact the MRO but fails to do so within 24 hours.

Refusal

An employee or volunteer in a safety sensitive position for 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 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 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 that tests positive for the presence of illegal drugs or alcohol will not be hired. Any current employee that tests positive for the presence of illegal drugs or alcohol will immediately be terminated from employment with the 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 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 comport 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 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. Dress standards shall be set by the managing official, 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