

employee handbook



A GUIDE TO
HENDERSON COUNTY'S
PERSONNEL POLICIES
AND
EMPLOYEE BENEFITS

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Chapter 1. Introduction

1.1. Summary

We are pleased to introduce the revised Henderson County employee handbook. This handbook has been designed to outline and summarize basic personnel policies, employee benefits, employee responsibilities, and employee privileges. This handbook is intended to be useful for all Henderson County employees.

Henderson County is committed to providing a quality workplace for employees. It is our goal to:

- Provide management that is skilled, fair, and concerned about the welfare of our employees.
- Equitably compensate each employee in accordance with our classification and compensation plan.
- Give fair opportunity to current employees for transfer or promotion from within the County.
- Discuss willingly and frankly any problems, complaints, or questions regarding County personnel policies.
- Provide information to employees regarding any changes that may affect them or their families.

The foundation of this handbook is the Personnel Resolution that was approved and put into effect by the Henderson County Board of Commissioners. This handbook revokes and supersedes all prior handbooks, amendments, and any policy or communication related to the employee handbook.

This handbook was developed to provide general guidelines about Henderson County Government's policies and procedures for employees; however, it does not contain promises to any employee about how any particular situation will be handled. It is a guide to assist employees in becoming familiar with some of the benefits and obligations of employment, including our policy that all employees of Henderson County are "at-will" employees. (see 1.2, below). None of the guidelines in this handbook are intended to give rise to contractual rights or obligations, nor are they to be construed as a guarantee of employment for any specific period of time or any specific type of work. These guidelines, except the policy of employment at-will, are subject to modification, amendment, or revocation by Henderson County Government at any time, without advance notice.

It is the intention of Henderson County Government to adhere to all State and Federal laws. Any personnel policy found to be in conflict with a State or Federal law will be changed to ensure compliance with the law.

Amendments may be made periodically in the following process:

- approved by the County Manager,
- reviewed by the Office of the County Attorney,
- approved by the County Commission (if required by Statute), and
- communicated to all Henderson County employees.

It is your responsibility to ensure that you have the most up-to-date version of the handbook. All questions pertaining to information found in this handbook should be referred to the Human Resources Director.

1.2. Policy of At-Will Employment

Henderson County does not offer tenured or guaranteed employment. Either the County or the employee can terminate the employment relationship at any time, with or without cause, with or without notice. This at-will employment relationship exists regardless of any other written statements or policies contained in this Handbook or any verbal statement to the contrary. No entity except the Board of Commissioners can enter into any kind of employment relationship or agreement that is contrary to the previous statement. To be enforceable, the arrangement reflecting such relationship or agreement must be in writing; having been first lawfully adopted by the Board, and is lawfully executed by the County.

1.3. Policies for Employees of Certain Officials

Certain officials have the jurisdiction under the North Carolina General Statutes to create, maintain, and administer separate personnel policies and procedures for their offices. These officials include the Clerk to the Board of Commissioners, the County Assessor, the County Attorney, the Register of Deeds, the Sheriff, and (until 1 October 2007) the Tax Collector and Delinquent Tax Collector. In most of these cases, these officials have adopted most or all of these procedures and policies as their own, and will have informed you of any deviation from this document.

Other offices – Travel and Tourism, Cooperative Extension, Soil and Water Conservation, and Elections – have agreed by contract to follow this manual to the same extent as for other Henderson County employees, except to the extent that their operation is controlled by North Carolina or Federal law.

Offices subject to the North Carolina State Personnel Act shall remain so subject to the extent of any conflict between the terms of this handbook and such Act. This handbook and the Resolution under which it is adopted shall not in any circumstances be deemed or interpreted to be a “substantially equivalent” policy pursuant to N.C. Gen. Stat. §126-11.

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Chapter 2. **State and Federal Policies**

2.1. Equal Employment Policy

Henderson County maintains an equal employment opportunity policy and does not discriminate in hiring practices or terms and conditions of employment. All applicants and employees receive equal employment opportunities and all personnel decisions, actions, and conditions affecting employees, including, but not limited to assignment, transfer, promotion, and compensation, will be governed by the principles of equal opportunity.

Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or discipline because of political or religious opinions or affiliations or because of race, religion, national origin, sex, age (as defined by Federal law), disability, veteran status or other non-employment related factor shall be prohibited.

The Human Resources Director has been designated as the Equal Employment Opportunity (EEO) Officer for Henderson County. The EEO Officer has overall responsibility for the implementation and monitoring of the County's Equal Employment Policy, as well as authority over the internal procedures employees use to settle EEO and harassment claims.

2.2. Equal Employment Opportunity Grievance Procedures

It is the policy of Henderson County to establish a procedure for employees to follow in order to bring grievances of discrimination or harassment to the attention of management.

Procedure:

1. If there is a question or complaint regarding employment practices that you are unable to resolve with your immediate supervisor, you are encouraged to make that question or complaint known to the Equal Employment Opportunity (EEO) Officer (who is the Human Resources Director), on a form supplied by the Henderson County Human Resources Department. You will be asked to state in writing the nature and detail of the complaint. Any employee filing a complaint will not be subject to retaliation.
2. The EEO Officer will investigate the complaint with your supervisor or department head and any other person with knowledge of the situation.
3. You will be advised in writing of the results of the investigation and Henderson County's decision regarding the complaint.
4. A record of the complaint and findings will become a part of the complaint investigation record, and the file will be maintained separately from your personnel file.

The Equal Employment policy stated herein may be more extensive than your rights under Federal or North Carolina law. No additional legal rights beyond those granted by Federal or North Carolina law are granted by this Policy.

2.3. Workplace Harassment / Sexual Harassment

Henderson County believes that you should be provided with a working environment free from unlawful harassment. It is the policy of Henderson County Government that verbal or physical conduct by any

employee that unlawfully harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment will not be tolerated.

If you believe you are being subjected to sexual, racial, religious, national origin, age, disability, or other illegal harassment, or believe you are being discriminated against, you must bring this to the County's attention. The nature of unlawful harassment often makes it impossible to detect unless the person being harassed registers his or her discontent with the appropriate authorities. **You** have the responsibility to report the unlawful harassment as soon as possible to the appropriate supervisor, or to your department head, or to the Human Resources Director. You may decide to which of these three persons the report will be made.

All complaints of unlawful harassment must be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible. In all cases, you will be advised of the findings following the investigation.

Any employee, supervisor, or department head that is found to have engaged in unlawful harassment of another employee will be subject to appropriate disciplinary action, up to and including discharge.

Sexual Harassment: Each department head, supervisor, and employee has a responsibility to maintain the workplace free of any form of sexual harassment. Sexually harassing conduct in the workplace, whether committed by supervisors or non-supervisory personnel, is prohibited. Such conduct includes, but is not limited to:

1. Unwanted flirtations, touching, advances, or propositions;
2. Verbal abuse of a sexual nature;
3. Graphic or suggestive comments about an individual's dress or body;
4. Sexually degrading words to describe an individual;
5. The display of sexually suggestive objects or pictures, including nude photographs.
6. The suggestion of some reward in return for sexual favors.

As with any form of unlawful harassment, you have the responsibility to report sexual harassment to an appropriate authority as soon as possible. You may report to either your supervisor, department head, or the Human Resources Director. Your complaint of sexual harassment must be investigated promptly and impartially, with confidentiality maintained to the greatest extent possible. You will be advised of the findings following the investigation.

Any employee, supervisor, or department head that is found to have engaged in sexual harassment of another employee will be subject to appropriate disciplinary action, up to and including discharge.

2.4. Americans with Disabilities Act (ADA)

Henderson County Government complies with the Americans with Disabilities Act of 1990, Public Law 101-336 (ADA), which prohibits discrimination on the basis of disability. The ADA prohibits employers with 15 or more employees from discriminating against qualified job applicants and employees who are or become disabled.

Henderson County Government is committed to providing reasonable accommodations to qualified individuals with disabilities, unless it would impose an undue hardship on the County. If you have a disability, you may request a reasonable accommodation at any time during the application process or during the period of employment. You, your health professional, or any other representative acting on

your behalf may request an accommodation. This may be done verbally or by completing a reasonable accommodation request form. This form may be obtained from your supervisor or the Henderson County Human Resources Department.

Reasonable documentation from an appropriate healthcare or rehabilitation professional will be required to establish that you have an ADA-qualified disability, and that the disability necessitates a reasonable accommodation.

Henderson County also has adopted an ADA grievance policy. A copy of this policy is available from the Henderson County Human Resources Department.

2.5. Title VI of the Civil Rights Act of 1964

Henderson County Government complies with Title VI of the Civil Rights Act of 1964. To report any complaints or to receive additional information about Title VI, contact the Human Resources Director.

2.6. HIPAA

Henderson County Government complies with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and has adopted and follows guidelines involving the protected health information of employees, dependents, and patients.

2.7. Small Pox Policy

Henderson County Government offers certain County employees the small pox vaccine in order that there are sufficient immunized personnel to assist the public in the event of an outbreak. For more detailed information, reference the Small Pox Policy in its entirety in the Henderson County Administrative Manual.

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Chapter 3. **Code of Ethics**

It is the policy of Henderson County Government to uphold, promote, and demand the highest standards of ethics from all employees and officials, whether elected or appointed. Accordingly, all county employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their county position or powers for improper personal gain.

3.1. Ethical Conduct

You are required to maintain the highest ethical standards in the conduct of your official duties. This also applies to non-work situations when you identify yourself as a County employee (i.e., wearing a County identification badge, distributing a County business card, wearing a County uniform, driving a County vehicle, etc.). In order to fulfill this requirement, the following points are made:

- Personal characteristics such as honesty, courtesy, dependability, sobriety, industry, and use of sound judgment are required for all employees in all classes of work in County government.
- There shall be no activity which is in conflict with the interest of your official duties.
- You cannot use your position with the County for private interest.

3.2. Conflict of Interest

Employment with Henderson County Government is a public trust. You must not have any financial interest in, or receive any financial benefit from, any acquisition or expenditure related to County activities that interferes or conflicts with the full discharge of your duties. Even if no interference or conflict with the full discharge of your duties would or may exist, you must make full disclosure to the County Manager of any financial interest you or any relative have in, or any financial benefit you or any relative receive, any acquisition or expenditure related to County activities. For the purpose of this policy, “relative” means parent, step-parent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, step-brother, sister, sister-in-law, foster sister, step-sister, grandparent, son-in-law, daughter-in-law, grandchild, or other person who resides in the same household. A court-appointed legal guardian or an individual who has acted as a parent substitute is also included within this definition.

3.3. Political Activity

You may join or affiliate with civic organizations of a partisan or a political nature, may attend political meetings, and may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and the laws of the United States of America.

However, you may not:

- Engage in any political activity while on duty;
- Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

- Be required as a duty of employment or as a condition of employment, promotion, or tenure of office to contribute resources or time for political or partisan purposes;
- Coerce or compel contributions of resources or time for political or partisan purposes from another employee of the County; or
- Use any supplies or equipment (including electronic communication) of the County for political or partisan purposes.

No employee may serve in an elected position or be a candidate for an elected position, in the Henderson County government. No elected official of Henderson County government, or candidate for elected position, of Henderson County government, may be employed by Henderson County or be considered for employment by Henderson County government. A person will be determined to be a “candidate for an elected position in the Henderson County government” when such person:

- Has taken some formal or public action that may lead to being elected to a political office in Henderson County government;
- Has formed any kind of fundraising or campaign committee;
- Announces through news media or mail that the employee intends to become a candidate;
- Files an official document regarding candidacy with any Board of Elections; or
- Have any of the foregoing actions performed on the employee’s behalf, and refuses to clearly disavow such actions and any intention of election to office in Henderson County government.

In the event any employee is elected to a position in Henderson County government, then any previous employment of such employee shall be automatically deemed terminated.

3.4. Secondary Employment

You shall not engage in any outside employment which adversely affects your work performance as an employee of the County or creates a conflict of interest.

If you engage in other employment, you must notify your supervisor in writing stating the name of the employer, the nature of work or business, specific duties, and hours worked per week. Your supervisor will send a copy of these statements to the Human Resources Director for placement in your personnel file. If your supervisor determines there may be a potential incompatibility between the outside employment and County employment due to either the number of work hours or nature of work or scheduling requirements, he/she shall submit appropriate recommendations to the Human Resources Director. The final decision will be made jointly by the Human Resources Director and your department head.

You shall at all times give first employment priority to the performance of your Henderson County job. County work schedules will not be adjusted to accommodate non-County work schedules.

3.5. Nepotism

You are not permitted to supervise, directly or indirectly, a relative. Supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, pay decision, disciplinary decision, or the evaluation process of another employee.

Violations of this policy occurring as a result of marriage, living arrangement, promotion, or reorganization shall be resolved by transfer of one of the employees to another department, where qualified (in the opinion of the County) for such transfer, or by resignation/termination of one of the employees to eliminate the violation.

For the purpose of this policy, “relative” means parent, step-parent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, step-brother, sister, sister-in-law, foster sister, step-sister, grandparent, son-in-law, daughter-in-law, grandchild, other person who resides in the same household, or the relative of another person residing in the same household. A court-appointed legal guardian or an individual who has acted as a parent substitute is also included within this definition.

For the purpose of this policy, “department” means the major departments of Henderson County Government as identified for the organization by the County Manager.

3.6. County Equipment

County equipment, materials, vehicles, and/or other resources (“County Equipment”) assigned to you shall be used with care and economy, and shall be used only for County purposes. You may only take a County vehicle home overnight or on weekends with the specific, written permission of your department head (on a form supplied by the Human Resources Department), and may only use the vehicle at any time for County purposes. A copy of the written permission will be placed in your personnel file by your supervisor. For more detailed information, reference the Vehicle Use Policy in its entirety in the Henderson County Administrative Manual. Waste or misuse of County resources may result in disciplinary action, up to and including discharge. When you are issued County Equipment, the County will require that you execute an agreement of responsibility for such Equipment. You must return all County Equipment issued to you upon the termination of your employment, or you will be held responsible for its value.

3.7. Gifts and Contributions

You may not solicit or accept, either directly or indirectly, for yourself or for any member of your household, any gift, gratuity, service, favor, entertainment, lodging, transportation, loan, loan guarantee, or anything of monetary value from any person who:

- has, or is seeking to obtain, contractual or other business or financial relations with the department or agency of Henderson County by which you are employed; or
- conducts operations or activities that are regulated by the department of Henderson County by which you are employed; or
- has interests that may be substantially affected by the performance or nonperformance of your official duties.

Exceptions

The prohibitions on accepting (but not solicitation) of gifts, entertainment, and favors do not apply to:

- Meals: You may accept meals in restaurants and at business organization meetings as long as they are of nominal value. This also applies to any favors that are provided at the event.
- Family members or friends of long standing: There is no prohibition if the circumstances make it clear that it is the relationship, rather than the business or the persons concerned, which is the motivating factor and where the value of the gift, entertainment, or favor is appropriate to the circumstance and consistent with the long-standing relationship. If such a gift, entertainment, or favor exceeds \$100 in value, you must disclose the nature and value of the gift, entertainment, or favor in a letter to the County Manager.
- Ordinary loans: There is no prohibition if the loan is from an established financial institution made in the course of business on usual and customary terms. However, there can be no guarantees or collateral provided by any person described in the first paragraph of this section.
- Unsolicited advertising material: You may keep and use gift items with advertising (calendars, pens, key chains, etc.) as long as you did not request the items and they are of nominal value.
- Participation in charitable events: You may participate in a bona fide charitable event as the guest of a sponsoring entity as long as the event promotes the good of the public at large and violates no County policies.

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Chapter 4. Classification and Compensation

4.1. Employment Definitions

Actual Hours Worked: Actual hours worked are those hours during which an employee performs job duties as required and/or authorized.

Assignment of Grades and Classes: The schedule of pay grades, wage ranges, and position classifications.

Auxiliary employee: An employee who is hired to work on an as-needed basis to provide coverage for a specific department. An auxiliary employee is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

Auxiliary position: A position that is approved by the County Manager or designee that is established to provide auxiliary coverage for a specific department. An auxiliary position is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

Benefit-eligible employee: An employee occupying a benefit-eligible regular or project position who is normally scheduled to work at least nineteen and one-half (19 ½) hours per work week.

Benefit-eligible position: A budgeted regular or project position as approved by the Board of Commissioners which is normally scheduled to work at least nineteen and one-half (19 ½) hours per work week.

Compensatory Time: The additional actual hours worked between thirty-seven and one-half (37 ½) and forty (40) hours in a designated seven (7) consecutive-day work week.

Exempt employee: An employee who is exempt from the overtime provisions of the Fair Labor Standards Act. An exempt employee is not eligible to receive overtime pay for hours worked in excess of forty (40) hours in a designated seven (7) consecutive-day work week.

Fair Labor Standards Act (FLSA): Federal law that mandates pay practices, including overtime and child labor regulations.

Full-time equivalency: Percent of full-time hours a position is regularly scheduled per work week.

Full-time position: A position which is scheduled to work a minimum of thirty-seven and one-half (37 ½) or forty (40) hours, depending upon the normal work schedule of the assigned department, within the designated seven (7) consecutive-day work week.

Fully Qualified: The requisite knowledge, skills, and abilities required to proficiently perform the essential functions of a position.

General County Employee: A Henderson County employee assigned to a department that is not subject to the State Personnel Act, and/or under the guidance of an elected official, appointed official, and/or board authority.

Job Rate of Pay: A competitive pay rate established for each job classification as an indicator of appropriate pay for a fully qualified individual in the specific job classification.

Maximum Rate of Pay: The upper limit of the wage range assigned to a pay grade.

Minimum Rate of Pay: The beginning of the wage range assigned to a pay grade.

Non-exempt employee: An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act. A non-exempt employee is eligible to receive overtime pay for hours worked in excess of forty (40) hours in a designated seven (7) consecutive-day work week (unless otherwise regulated by the FLSA).

Non-productive hours: Vacation, sick, compensatory, holiday, and administrative leave during which the employee does not work, and leave without pay. These hours do not count as actual hours worked for calculation of overtime.

Officials' Employees: An employee assigned to a department that is under the guidance of an elected official, appointed official, and/or board authority.

Overtime: Actual hours worked over forty (40) in a designated seven (7) consecutive day work week (unless otherwise regulated by the FLSA).

Part-time position: A position that is scheduled to work less than thirty-seven and one-half (37 ½) or forty (40) hours, depending upon the normal work schedule of the assigned department, within the designated seven (7) consecutive-day work week.

Pay Date: The Friday on which employees receive their bi-weekly pay.

Pay Grade: A level assigned to a classification corresponding to a wage range within the Henderson County Assignment of Grades and Classes.

Pay Period: Two (2) work weeks for which the employee is paid.

Pay Range: The wage spread from the minimum rate of pay to the maximum rate of pay that depicts the worth of the job in the market.

Personnel Action Form: Internal document to effect any change to the employment status of an employee.

Position Classification: Positions substantially similar with respect to the type, difficulty, and responsibility of work are included in the same class.

Probationary employee: An employee who occupies a regular or project position and has not successfully completed the probationary period.

Probationary period: The required period of time an employee who occupies a regular or project position serves before attaining regular status with Henderson County.

Project Employee: An employee occupying a project position. Such an employee is entitled to all benefits as set forth by Henderson County.

Project Position: A position approved by the Board of County Commissioners, subject to available funding, to work on a specific project for a specified duration of time of no less than one (1) year. A project position may be designated as a full-time or part-time position.

Reclassification: The reassignment of an existing position from one class to another based on changes in job content such as duty, difficulty, required skill, and responsibility of the work performed.

Regular Employee: An employee occupying a regular position and who has successfully completed the probationary period. Such an employee is entitled to all benefits as set forth by Henderson County.

Regular Position: A position approved by the Board of County Commissioners to perform duties and responsibilities for an indefinite duration and annually recurring basis. A regular position may be designated as a full-time or part-time position.

Regular Status: Employment status achieved by the successful completion of the initial probationary period.

SPA employee: An employee assigned to a department subject to the State Personnel Act.

Temporary employee: An employee who is hired to work for a specific period of time not to exceed one (1) year. A temporary employee is not eligible for benefits, including, but not limited to, leave accruals and holiday pay

Temporary position: A position approved by the County Manager or designee that is established for a specific period of time not to exceed one (1) year. A temporary position is not eligible for benefits, including, but not limited to, leave accruals and holiday pay.

Trainee: An employee who does not meet the full requirements of the position, but is able to obtain through further education and/or on-the-job training the necessary knowledge, skills, and abilities to perform the job.

Work week: A designated seven (7) consecutive-day period. The County's work week begins at midnight at 12:00 a.m. on Sundays, and end at 11:59 p.m. the following Saturday.

4.2. Establishment of the Pay Plan

4.2.1 Responsibility of the County Manager

The Board of County Commissioners has assigned the County Manager, or his/her designee(s), the sole authority for the administration of the compensation and classification plan. The County Manager shall (Reference – Responsibility of County Manager relative to position classification plan, N.C.G.S. 153A-92(e)):

- Develop and implement wage administration procedures in support of the compensation philosophy and classification plan.
- Revise the plan, as appropriate, during the fiscal year within the funds allocated in the budget.
- Shall report revisions to the plan to the Board of Commissioners no less than once annually.
- Administer and maintain the Henderson County’s Assignment of Grades and Classes and shall make changes in classifications and/or salary ranges as appear to be warranted.
- Approve salaries without prior approval of the Board of Commissioners.

New benefit-eligible positions shall only be established with the approval of the Board of Commissioners.

4.3. Compensation Philosophy

Henderson County seeks to establish a compensation system that is competitive in comparable labor markets and will attract and retain qualified employees to perform high quality public service. Henderson County conducts market surveys in order to establish and maintain appropriate salary grades and ranges for each job classification. Salary grades and ranges may be adjusted, within reasonable availability of resources, to reflect changes in cost of living or market values for specific job classifications. The Performance Management Program is mission-driven and allows employees to earn additional compensation based on successful performance of their duties. Henderson County recognizes the value of long service employees through its Retention Bonus Program.

4.4. Classification System

4.4.1 Job Classifications

Each job classification is assigned a pay grade and pay range consistent with internal job analysis and external market conditions. Each range includes a Minimum and four (4) steps up to the Job Rate, and a Maximum.

4.4.2 Job Rate

A competitive “job rate” is established for each job classification as an indicator of appropriate pay for a fully qualified individual in the specific job classification.

4.4.3 New Hire Rate

An employee may be offered the Minimum, Step 1, Step 2, Step 3 or Step 4 (the Job Rate) at the time of hire according to their level of qualification. Recommendations for the New Hire

Rate are submitted by the department head to the Human Resources Director for review and approval. Recommendations for a New Hire Rate above the Job Rate (Step 4) must be further reviewed and approved by the County Manager.

Employees at the Minimum of the pay range, Step 1, 2, or 3, who achieve a documented higher job qualification level, will be advanced to the next appropriate Step up to the Job Rate.

4.5. Performance Management and Appraisal

Henderson County has established a results oriented Performance Management program that is linked to the mission of the organization and the employee's department. It is intended to promote adherence to core values as well as establish measurable outcomes of performance resulting in improved levels of service to the public.

4.5.1 Performance Management

The Performance Management Tool is designed to align employee performance with the County's Mission Statement and also the Department's Mission Statement and has two major components:

4.5.1.1 Core Values

All employees are expected to exhibit successful Core Values to include Customer Service, Accountability, Attendance, Safety, Teamwork, and Communication. Supervisors shall list examples of successful Core Values. Sample behaviors may be obtained from the Performance Management Handbook.

4.5.1.2 Performance Results

Specific measurable tasks have been identified for each job classification that is directly related to the County's Mission and the overall Departmental Mission. Tasks are identified and measures set by the supervisor and the employee at the beginning of the appraisal year. The employee is given a rating of Successful or Needs Improvement on the basis of the results of the standard measure for each task. Based on the current performance results, the supervisor and employee set the tasks and standards for the upcoming year.

4.5.2 Performance Appraisal

4.5.2.1 Probationary Appraisal

The performance of all new employees is appraised at the completion of the initial six (6) month probationary period. The employee's immediate supervisor shall conduct a performance conference with the employee to discuss the employee's overall performance levels and determine whether or not the employee has successfully completed the initial probationary period. The supervisor may recommend the employee for regular employment status or that the initial probationary period is extended. There is no salary increase associated with successful completion of the initial probationary period.

4.5.2.2 Annual Performance Appraisal

Employees are appraised annually at his/her anniversary date of hire to recognize and reward achievement of job qualification and/or performance levels.

4.5.2.2.1 Employees below the Job Rate (Step 4)

Employees below the Job Rate (Step 4) who achieve an overall rating of Successful will be assessed for advancement to the next step for which they qualify. The Department Head must submit a recommendation for advancement to the Human Resources Director for review and approval.

The annual appraisal date shall remain the anniversary date of the employee regardless of transfer, promotion, or changes in supervision

4.5.2.2.2 Employees at the Job Rate (Step 4) or above

Employees at the Job Rate (Step 4) or above who achieve an overall rating of Successful will be awarded an increase to base pay as determined by the Commissioners within the County’s budgeting process, subject to availability of funds.

4.5.2.2.3 Employees with an Overall Rating of Needs Improvement

Employees with an overall rating of Needs Improvement will not receive a performance increase.

4.6. Retention Bonus Program

Henderson County recognizes the value of long term service employees and awards benefit-eligible employees who have served at least five (5) continuous benefit-eligible years an annual lump sum bonus according to the schedule below.

Years of Aggregate Service	Retention Bonus
Less than 5 years	0%
5 – 9 years	1 % annually
10 – 14 years	2% annually
15-19 years	3% annually
20 – 24 years	5% annually
25 + years	7.5% annually

4.6.1 Retention Bonus Process

- Retention bonuses are awarded annually as a lump sum calculated as a percentage of the employee’s annual rate of pay.
- Retention bonuses are based on the employee’s original date of hire. It does not include any adjusted service time in other public agencies that may be used to calculate vacation accruals. Retention bonuses are made in the pay period in which the employee’s anniversary date falls.

- Retention bonuses are not considered a part of the employee’s annual base pay for compensation and classification purposes. The lump sum bonus is made in the employee’s regular paycheck and all appropriate Federal, State, FICA and retirement contributions will be deducted.
- An employee must be currently employed in a benefit-eligible position on the day checks are distributed to be eligible for a retention bonus.

4.7. Outstanding Performance Award

The intent of the Outstanding Performance Award is to provide supervisors the opportunity to recognize and reward an employee or team who, through demonstrated outstanding accomplishments, exemplified a Core County Value or contributed significantly to one or more County goals. Outstanding Performance Awards are considered discretionary pay under the Fair Labor Standards Act.

4.7.1 Outstanding Performance Award Process

- Outstanding Performance Awards are a one-time non-recurring cash payment and are not added to the employee’s base rate of pay.
- The supervisor may nominate an individual or team according to established criteria and must describe at least one example of how an employee’s or team’s accomplishments or performance within the last year illustrates an outstanding commitment to the County’s Core Values or achieving a County goal.
- Nominations are submitted on the Outstanding Performance Award Nomination Form to the Department Head and the Human Resources Director for review and approval, and may be submitted any time during the appraisal year.
- The amount of the Outstanding Performance Award is based on the availability of funds and subject to the approval of the County Manager. Department Heads are expected to manage available approved funds within their departmental budget.

4.8. Cost of Living Adjustment

Each year the Board of County Commissioners may consider an overall cost of living adjustment to the pay plan in the yearly budget process. Any cost of living adjustment awarded will increase the base pay of all employees, including regular, project, and auxiliary employees. If such an adjustment is approved, the Assignment of Grades and Salaries will be revised to reflect the general wage increase as of July 1. Employees shall receive the increase at the beginning of the pay period which includes July 1, the beginning of the fiscal year.

4.9. Pay Practices

Henderson County assigns wages in accordance with the policy and practices stated below.

4.9.1 Re-Hires

A former Henderson County employee who is re-hired will be considered for a hiring rate based on qualifications for the position in accordance with Section 4.4.3 New Hire Rate of this handbook.

4.9.2 Promotions

An employee who is promoted into another classification that is at a higher pay grade shall be paid commensurate with the job duties and the employee's knowledge, skills, and abilities. In any case, the employee shall be paid no less than the minimum and no greater than the maximum of the established range. A Department Head shall provide in writing to the Human Resources Director a requested rate of pay and/or shall request a recommendation of appropriate pay from the Human Resources Director. If the recommended rate of pay is greater than established Job Rate of the classification, the Human Resources Director shall submit his/her recommendation to the County Manager for final approval.

4.9.3 Demotions

An employee, who is demoted, whether voluntarily or involuntarily, may be paid at a lower rate of pay.

4.9.4 Reclassifications

An employee whose position is reclassified to a class with a lower pay grade may continue to be paid at his/her current rate of pay. An employee whose position is reclassified to a class with a higher pay grade will have their pay adjusted in accordance with Section 4.9.2 Promotions of this handbook.

4.9.5 Lateral Transfer

An employee who is transferred to another position within the same pay grade may remain at the same pay rate.

4.9.6 Interim Assignments

An employee who serves in an interim assignment will be considered for additional pay commensurate with the assignment as approved by the County Manager.

4.9.7 Trainee Pay Rate

Trainees may be paid at a rate less than the Job Rate based on qualifications.

4.9.8 Temporary Employees

An employee who is hired into a temporary position shall be paid at a rate commensurate with the job duties performed. Upon establishing the need for temporary employment, a Department Head shall provide in writing to the Human Resources Director a list of job duties to be performed, along with a requested rate of pay. The Human Resources Director must approve all rates of pay for temporary employees.

4.9.9 Auxiliary Employees

An employee who is hired into an auxiliary position shall be paid at the minimum rate of pay for the established classification. Requests for payment above the minimum rate of pay shall be submitted in writing to the Human Resources Director for review and recommendation to the County Manager for approval.

4.10. Probationary Period of Employment

An employee appointed to a regular or project position shall serve a probationary period of at least six (6) months, except that law enforcement officers shall serve a twelve (12) month initial appointment probationary period. An employee serving a probationary period following initial appointment may be dismissed at any time during the probationary period with or without cause. The probationary period may be extended for an additional six (6) month period. No employee shall remain on probation for more than one (1) year.

4.11. Timekeeping Practices

It is the responsibility of each employee, supervisor, and department head to perform his/her job function/duties in accordance with the County's pay practice and within the regulations of the FLSA. Failure to adhere to County pay practices and applicable wage and hour law may result in disciplinary action up to and including dismissal.

To the extent that an individual situation is not covered under the terms of these practices, reference shall be made to the FLSA. To the extent a practice conflicts with the FLSA or other applicable state, federal, and local laws, the practice or law which provides the greater rights to the employee shall prevail.

4.11.1 Work Week and Time Records

The normal workweek consists of 37.5 hours or 40 hours depending on the job classification and work location. Core business hours vary according to the needs of your department. Some jobs may require other hours of service. Your immediate supervisor will inform you of your work hours.

Non-exempt employees are responsible for completing a Henderson County time sheet with actual beginning and ending work times, including lunch. This is necessary for payroll calculation of your earnings.

Exempt employees are responsible for reporting to their supervisor vacation and sick leave hours used each pay period. Vacation and sick leave hours used by exempt employees must be recorded on the departmental timesheet summary submitted to the Finance Department. Exempt employees on FMLA must record all hours worked, vacation and sick hours used, and hours not worked in order to comply with County policy.

Anyone who willfully falsifies a time record will be subject to immediate disciplinary action, up to and including dismissal.

You may not voluntarily begin work before or end work after your regularly scheduled hours for the purpose of accumulating compensatory time or receiving overtime pay. Every adjustment to the work schedule requires advance approval from your immediate supervisor.

4.11.2 Compensatory Time

Non-exempt employees may accrue compensatory time in lieu of monetary payment for actual hours worked between thirty-seven and one-half (37 ½) and forty (40) hours. Compensatory time does not accrue beyond forty (40) actual hours worked. Exempt employees do not accrue compensatory time.

Employees may only accrue up to two and one-half (2 ½) hours per work week. Accrued compensatory time may be used within the pay period in which it is accrued, but must be used no later than the pay period following that in which it is accrued.

If an employee's actual hours worked exceed forty (40) in any work week, no compensatory time is accrued. Employees are paid for all actual hours worked. An employee receives his/her regular hourly pay rate for hours below forty (40) and overtime pay for all hours over forty (40) per work week.

Employees may only accrue compensatory time with their supervisor's approval. Employees must exhaust all accumulated compensatory time before taking vacation leave.

4.11.3 Meal and Rest Breaks

Department heads may authorize rest breaks of less than twenty (20) minutes in duration based on departmental operations. Rest breaks are not guaranteed. Rest breaks are intended to provide a brief respite from work activities and may not be added to start time, lunch time, or ending time of the work day.

Meal breaks must be over twenty (20) minutes but no more than one (1) hour and are unpaid in accordance with the FLSA. Non-exempt employees must record time out and time in for meal and/or lunch breaks on their timesheet. Meal breaks are not guaranteed. Meal breaks are intended to provide a more extended respite from work activities that will allow ample time for a meal.

4.11.4 Travel Time

When a non-exempt employee is away on travel before or after their regular working hours, these hours are considered as work hours for payroll purposes. Travel time should be documented on time sheet. Regular meal periods, sleep time and hours outside regular work hours spent on non-work activities are not counted as work hours.

4.11.5 Overtime

Henderson County complies with all requirements of Chapter 8, Fair Labor Standards Act (FLSA), 29 USC Chapter 8 of the FLSA Regulations, Title 29, CFR.

4.11.5.1 Authorization

Each department head must obtain advance approval from the County Manager or designee prior to authorizing all overtime hours. The request must be in writing and include justification and affirmation of available funds in the departmental budget. The County Manager may approve budgeted overtime which occurs on a standard basis due to the nature of the department's services.

Employees may not work overtime without authorization from their supervisor. Employees who work unauthorized overtime may be subject to disciplinary action.

4.11.5.2 Calculation of Overtime Pay

Overtime hours are paid at one and one-half (1 ½) times the employee's regular hourly rate.

4.11.5.3 Law Enforcement Personnel

Law enforcement personnel accrue overtime hours as specified by the FLSA 7(k) exemption. Overtime hours shall be paid at the end of the designated twenty-eight (28) day work period in which the hours are worked. Law enforcement personnel do not accrue compensatory time.

4.11.5.4 Special Pay Practices

The County Manager may authorize additional pay to exempt employees for special projects and/or activities which require an extraordinary amount of additional hours. Such compensation shall be an additional amount over and above the exempt employee's guaranteed minimum salary. Department heads should submit requests for additional pay to the Human Resources Director for review and recommendation to the County Manager.

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Chapter 5. **General Personnel Policies**

5.1. Recruitment and Selection

Henderson County adheres to a uniform recruitment and selection policy. Applicants may review job postings on the central job posting bulletin board at the Human Resources Department, on the County telephone Job Line, and on the Henderson County web site. Selected openings may be advertised in the local newspaper. All applicants must complete a Henderson County Application for Employment. For more detailed information, reference the Recruitment and Selection Policy in its entirety in the Henderson County Administrative Manual.

5.2. Attendance

You are an important member of the Henderson County Government team. We are committed to providing the highest level of government services and functions to better serve the community. In order to accomplish this, your prompt and regular attendance is required.

In case of an illness or injury that would prevent you from reporting to work at the scheduled time, you are required to speak directly to your supervisor. If your supervisor is unavailable, you are required to speak directly to the next-level manager or department head, or to the person designated by your supervisor.

Failure to provide notification of absence for three (3) consecutive workdays may result in removal from the payroll as having resigned without notice. Employees who resign under such circumstances are not eligible for rehire.

5.3. Canvassing or Solicitation

Non-employees are not permitted to solicit verbally or by distribution of written material to Henderson County employees or the general public for commercial purposes during work hours in work areas.

Solicitations by Henderson County employees made to other Henderson County employees are permitted only in non-work areas and during non-work hours.

Non-work areas include lobbies, hallways, elevators, stairs, sidewalks, parking areas, patios, lunchrooms, or other areas not regularly scheduled for work activities. Non-work hours include before and after scheduled work hours, lunch periods, and approved breaks.

Employees or outside charitable organizations who wish to solicit Henderson County employees for charitable purposes or to schedule charitable activities in Henderson County offices, must submit a written request and must be approved by the County Manager or designee.

5.4. Inclement Weather

In the event it becomes necessary to open County Offices late or to close early due to severe inclement weather, it is the County's intent that the employees receive their regular pay for the day. For more detailed information, reference the Inclement Weather Policy in its entirety in the Henderson County Administrative Manual.

5.5. Central Personnel Files

The central personnel files are maintained in the Human Resources Department. To review your file, contact the Human Resources Department. Documentation will be completed showing who reviewed your file and the date. An employee of the Human Resources Department will remain in the room while the file is being reviewed.

It is important that you promptly report any change in your personal information to the Human Resources Department. Other records, such as educational accomplishments, should also be reported as they are factors in consideration for future promotional opportunity. Be sure that the Human Resources Department always has:

- your correct address, email address and contact numbers such as telephone, mobile phone, pager, etc.;
- your marital status;
- emergency contact information;
- any increase or decrease in number of dependents;
- any change affecting Social Security records; and
- your correct beneficiary.

Under Section 153A-98 of the General Statutes, the following information from your personnel record only is public record:

- name;
- age;
- date of original employment or appointment to county service;
- current position title;
- current salary;
- date and amount of the most recent increase or decrease in salary;
- date of the most recent promotion, demotion, transfer, suspension, separation or other change in position classification; and,
- the office to which the employee is currently assigned.

In certain circumstances, other information may be shared with specific persons or institutions.

5.6. Promotions, Transfers, and Reassignments

Promotions: Henderson County continually strives to promote employees and fill job vacancies on an equal opportunity basis. Promotions are based on an objective evaluation of each vacancy and the candidates involved. Vacancies will be advertised and Henderson County will give fair opportunity to current employees with the necessary qualifications and skills for vacant positions, unless outside recruitment is deemed to be in the best interest of the County.

Transfers and Reassignments: It is the policy of Henderson County Government that it may, at its discretion, initiate or approve employee job transfers.

You may request a voluntary job transfer by applying for a posted open position. However, to be eligible for a voluntary transfer, you must be able to meet the requirements of the vacant position, must complete a Henderson County application form supplied by the Human Resources Department, and must have no adverse disciplinary actions during the last twelve months.

5.7. Progressive Discipline Procedure

In cases where an employee displays inappropriate conduct or poor performance – and the activity does not call for automatic dismissal or other sanction – Henderson County follows a progressive discipline process. This is a system that consists of corrective action, documentation, and adverse action. The three steps of progressive discipline include:

- **Verbal** – The first step is usually a verbal warning from the supervisor to identify the problem and to state the corrective action needed. The supervisor documents this step on a Henderson County Disciplinary Action Form, including dates, times, and details of incidents of improper conduct or poor performance and the date the warning was given. The supervisor sends this documentation to the Human Resources Director who will review it and place it in the employee’s personnel file. The employee may submit a separate written statement for the file, if desired.
- **Written** – The second step in the process is a written warning with specific examples cited. The supervisor prepares a Henderson County Disciplinary Action Form that may state a specific time frame in which the employee must improve and gives the exact consequences of failure to improve or act in a different manner. Prior to issuing the form, the supervisor must review it with his/her department head. A copy of the form is forwarded by the supervisor to the Human Resources Director for review prior to issuance to the employee, and for placement in the employee’s personnel file. The employee has the option of submitting a written statement which may also be placed in the file.
- **Adverse Action** – If attempts at corrective action fail to produce satisfactory results, some form of adverse action may be taken. The term “adverse action” means actions involving suspension, loss of pay, or dismissal. Before any adverse action becomes effective, the supervisor must obtain the written approval from the County Manager’s designee.

5.8. Suspensions

You may be suspended without pay for matters of inappropriate conduct or violations of work-safety or other rules. You may not take vacation leave, sick leave, or compensatory leave while on suspension.

5.9. Demotions

A demotion is an assignment to a job at a lesser base pay rate. There are two kinds of demotions: (1) demotions for cause and (2) voluntary demotions. A demotion may be made for cause including, but not limited to, violations of rules, failure to perform job duties adequately, misconduct, or neglect of duty.

5.10. Immediate Discipline

Some acts may be so serious as to merit immediate disciplinary action, which may include dismissal.

5.11. Separation from Employment

You may separate from service with the County for reasons such as retirement, dismissal, resignation, reduction in force, death, and other. You must return all items of County property in your possession to

your immediate supervisor prior to your last day of employment. Items may include, but are not limited to: keys, computers, cell phones, credit cards, vehicles, and other equipment. Failure to return County property will result in the value of the unreturned items being deducted from your final pay.

5.11.1 Resignations

If you want to resign your position, you should notify your immediate supervisor or the department head in writing no less than ten (10) working days before your expected termination date. Failure to provide such a notice will be recorded in your personnel file and may constitute grounds for ineligibility for rehire. After you give notice, your department head may release you from the job in less than ten (10) working days provided that all state and federal legal requirements are met, and all County Equipment is returned.

5.11.2 Reduction in Force

A reduction in force is the release of an employee or group of employees due to lack of funds, curtailment of work, or reorganization. If you are discharged because of a reduction, you are considered terminated.

The County Manager will determine when a reduction in force is warranted and which employee(s) will be released. The decision about individual employees is made with consideration of job knowledge, skills, and work performance. If you lose your job through a reduction in force, you may apply for other posted positions, now or in the future.

The progressive discipline process is not followed when there is a reduction in force and the appeals process is not available.

5.12. Garnishments and Levies

In the event that garnishment, wage withholding or similar proceedings are instituted against an employee, Henderson County Government follows all Federal and North Carolina law, and will deduct the required amount from the employee's paycheck.

5.13. Safety

Henderson County is concerned for your health and safety in the performance of your job. You must observe all safety rules. Violation of a safety rule may result in disciplinary action, up to and including dismissal. Any workplace accidents, incidents, or injuries must be reported immediately to your direct supervisor and the Human Resources Department. For more detailed information, reference the Work-Related Injury and Illness Policy in its entirety in the Henderson County Administrative Manual.

The County also sponsors a Safety Committee which advises both management and employees on matters of safety and health.

For additional information about any safety concern, please consult the "Safety Policies and Procedures" manual or the Human Resources Department.

5.14. Drug Free Workplace Policy

Henderson County adopts this substance abuse policy in order to protect all employees' right to a workplace free of drugs. This policy requires all employees to be free from the effects of drugs, alcohol, and other job impairing substances. Henderson County adopts this substance abuse policy as required by The Drug-Free Workplace Act of 1988, 102 Stat. 4305-4308, Pub. L. No.100-690 (Nov. 18, 1988), pursuant to the authority granted it by N.C.G.S. Chapter 153A. For more detailed information, reference the Substance Abuse Policy in its entirety in the Henderson County Administrative Manual.

5.15. Tobacco Use

Tobacco products may not be used inside county buildings, and only outside county buildings on county property in a specific area designated by the County Manager. Additionally, tobacco products may not be used in any vehicle owned or leased by the County. For more detailed information, reference the Smoking Policy in its entirety in the Henderson County Administrative Manual.

5.16. Travel Policy

All County employees, except those who are paid an automobile allowance, will be paid a rate per mile reimbursement for any required work-related travel when using their private vehicle. The rate of reimbursement will be at the established IRS rate as notified by the Finance Director. Travel from home to work is not allowable mileage unless in a callback status. The County encourages meaningful out-of-county travel and pays for reasonable expenses for County Employees attending out-of-county training sessions, conferences, conventions, and other authorized meetings which will, through knowledge gained by those attending, benefit the County. For more detailed information, reference the Travel Policy in its entirety in the Henderson County Administrative Manual.

5.17. Business Credit Card Use

Henderson County issues a business credit card for Department Heads and authorized department employees to use when emergency and non-emergency travel, hotel accommodations and other expenditures occur that may require prepayment. For more detailed information, reference the Business Credit Card Use Policy in its entirety in the Henderson County Administrative Manual.

5.18. Information Technology

Internet services are provided by Henderson County to support open communications, the exchange of information and the opportunity for collaborative government-related work. Henderson County encourages the use of electronic communications by its agencies and employees. For more detailed information, reference the Information Technology Policy in its entirety in the Henderson County Administrative Manual.

5.19. Appeals Process

If you feel wronged by an employment action or decision, including disciplinary action, you may file an appeal on the Henderson County Employment Action Appeals Form ("Appeals Form"). Items for which an appeal may not be filed include salaries, benefits, hours of work, and reduction in force.

Probationary employees cannot file an appeal. All appeals will be granted a hearing within a reasonable amount of time.

There are three basic steps in the appeals process:

- Give a copy of the Appeals Form to your immediate supervisor, and the Human Resources Director. This must be done within ten (10) working days of the action or decision.

A meeting will be coordinated by the Human Resources Director between the employee and the supervisor, to attempt to mediate the matter.

If such a meeting is unable to resolve the matter, the Human Resources Director will coordinate a hearing before your department head. The supervisor and the employee will each be present, and will provide informal evidence to the department head. Neither the supervisor nor the employee will be represented by an attorney or other representative. The department head may seek additional information or may question other people involved in the case. The department head will send you a letter or memo within ten (10) working days to inform you of the department head's decision.

- If you are not satisfied with the decision of the department head, you may advance your appeal to the County Manager. This must be done no later than ten (10) working days from the date of the department head's written decision. You must make this request in writing on an Appeals Form (with the department head's written decision attached), and send it to the Human Resources Director.

The County Manager will meet to hear your appeal within thirty (30) days of your request unless all parties agree to a different date.

- At the hearing, you, your supervisor, and a representative of the Human Resources Department will be present. You will have the opportunity to present your side and offer evidence. Neither you nor the supervisor may be represented by an attorney at this hearing. The supervisor will also present evidence. The County Manager and the representative of the Human Resources Department may ask questions. The County Manager will uphold or change the original action or decision, but notify you, in writing, within ten (10) working days.

The decision of the County Manager is final.

If any step in the appeals process cannot be taken, as in the case of the absence of a person who is to consider an appeal, the appeal will be advanced to the next step.

5.20. Work Place Violence Prevention

Henderson County has a "zero-tolerance" position regarding any form of work place threat or violence that is directed at any employee in the performance of their job duties. This workplace violence prevention policy promotes a violence-free, safe work place for the employees. For more detailed information, reference the Work Place Violence Prevention Policy in its entirety in the Henderson County Administrative Manual.

5.21. Identification Badge

Henderson County recognizes the need to provide proper identification for its employees and other select individuals that represent the County to the public. For more detailed information, reference the Identification Badge Policy in its entirety in the Henderson County Administrative Manual.

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Chapter 6. Leave Policies

6.1. Vacation leave / Vacation

You accrue vacation leave if you occupy a regular or project employment position and are regularly scheduled to work at least 19.5 hours per work week. The following guidelines apply to vacation leave:

- You may take vacation leave anytime during the calendar year (with prior written approval of your supervisor on a Henderson County Vacation Leave Request Form). You are encouraged to submit a request at least two weeks in advance of the leave.
- You accrue leave based on the number of paid hours in a pay period up to your normally scheduled hours. Accrued vacation hours are prorated for benefit eligible part-time employees. If you have prior governmental agency work experience, you may be granted credit for up to fifty percent (50%) for the purpose of accruing vacation leave. You will be required to provide proof of prior creditable experience.
- Your accrual rate increases as shown on the table below, based on your leave accrual date.

YEARS OF AGGREGATE SERVICE TO THE COUNTY	Vacation hours earned, 75 hour regularly scheduled 2 workweeks	Vacation hours earned, 10.5 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 11 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 12 hour shifts per regularly scheduled 2 workweeks	Vacation hours earned, 80 hour regularly scheduled 2 workweeks	WORKDAYS of Vacation Accrued Annually
Less than 2 years	2.88 hours	4.04	4.23	4.62	3.12 hours	10
2 to 5 years	3.46 hours	4.85	5.08	5.54	3.69 hours	12
5 to 10 years	4.38 hours	6.06	6.35	6.92	4.62 hours	15
10 to 15 years	5.19 hours	7.27	7.62	8.31	5.54 hours	18
15 to 20 years	6.12 hours	8.48	8.88	9.69	6.46 hours	21
Over 20 years	6.92 hours	9.70	10.15	11.08	7.38 hours	24

- You may not take vacation leave before you have earned it. You may not convert vacation hours into cash.
- The maximum number of accrued leave hours to be used for one day of leave is equal to the number of scheduled paid hours of work for that day of leave.
- You may take vacation leave in the calendar year you earned it, or you may carry it over for use in later years. However, there is a limit to the amount of vacation leave you may carry over to the next calendar year. The limit is the number of hours equivalent to thirty (30) working days of your schedule. Any amount of vacation leave accrued at the end of the calendar year in excess of the number of hours equivalent to thirty (30) working days is converted to sick leave.
- Authorized days off for vacation leave will not be considered as working time for calculating weekly overtime.
- When you terminate employment, you are entitled to payment for any unused vacation leave that has accrued. Payment is based on the rate of compensation received at the time

of termination. Vacation checks are computed on the regular payroll day and are available at the normal time and place. No checks are issued in advance.

6.2. Sick Leave

You accrue sick leave if you occupy a regular or project employment position and are regularly scheduled to work at least 19.5 hours per work week. The following guidelines apply to sick leave:

- You may take sick leave anytime during the calendar year. To be eligible for sick leave with pay, you must give your supervisor as much advance notice of an absence as possible. Notification must be no later than thirty minutes after the scheduled start time of your work day, or earlier as required by your department and its needs. You must speak directly to your supervisor on each day of absence (unless a multi-day sick leave is approved in advance). If your supervisor is not available, you must speak directly to the manager or department head, or to the person designated by your supervisor.
- You may use accrued sick leave with pay for authorized absences due to your own illness or injury. With proper documentation, you may be permitted to use accrued sick leave to attend to, or provide care for, certain family members who are ill or injured for whom you are a primary caregiver. Those family members include your: spouse; parent; child; brother or sister; grandparent; grandchild; step-relatives of the above categories; in-laws of the above categories; and any person actually residing in your household.
- If you are absent for three (3) consecutive work days, you must provide a healthcare provider’s statement. Your supervisor has the discretion to require that you provide a healthcare provider’s statement at other times as they deem appropriate. Your supervisor must forward all medical certifications to the Human Resources Department.
- If you have been absent for more than three (3) consecutive work days due to your illness or injury or that of a family member’s and qualify for protection under the Family and Medical Leave Act (FMLA), you and your supervisor must notify the Human Resources Department. The Human Resources Department is responsible for ensuring all FMLA guidelines are followed.
- You accrue sick leave based on the number of paid hours in a pay period up to your normally scheduled hours. Accrued sick hours are pro-rated for benefit-eligible part-time employees.
- You will accrue sick leave on the basis of:

	Sick hours earned, 75 hour regularly scheduled 2 workweeks	Sick hours earned, 10.5 hour shifts per regularly scheduled 2 workweeks	Sick hours earned, 11 hour shifts per regularly scheduled 2 workweeks	Sick hours earned, 12 hour shifts per regularly scheduled 2 workweeks	Sick hours earned, 80 hour regularly scheduled 2 workweeks	WORKDAYS of Sick Accrued Annually
	3.46 hours	4.85	5.08	5.54	3.69 hours	12

- You may not take sick leave before you have earned it. You may not convert unused sick leave into cash, personal holidays, or vacation leave.
- Unused accumulated sick hours are not paid when employment terminates. If you retire from Henderson County Government, the North Carolina Local Governmental Employees’ Retirement System may use your accumulated unused sick hours to determine certain retirement benefits.
- You may receive credit for verified unused sick leave from another governmental agency which participates in one of the retirement systems administered by the North Carolina Department of State Treasurer. Sick leave transfers may not exceed the equivalent of thirty (30) working days. You will be required to provide official verification of unused sick leave.

- There is no “cap” or maximum on the amount of sick leave you can accrue.
- You may use accrued sick leave for medical appointments such as doctor, dental, or optical appointments, or for assessments or treatment prescribed by your healthcare provider. This includes medical appointments for your family members as described above.
- Authorized days off for sick leave will not be considered as working time for calculating weekly overtime.
- Sick leave may only be used to receive pay up to your regularly scheduled workweek.

6.3. Child School Leave

You are entitled to a minimum of four (4) hours of Child School Leave per calendar year. Child School Leave must be taken at a time mutually agreed upon by you and your department head. You must request this leave 48 hours in advance of leave commencement. Such request is subject to your department head's approval. It is within your department head's discretion to waive the 48-hour notice requirement in emergency situations.

When taking Child School Leave, Non-Exempt Employees must exhaust all accumulated Compensatory Time before taking vacation leave. In the absence of Compensatory Time, a Non-Exempt Employee must exhaust vacation leave in order to be paid for Child School Leave. If vacation leave has been exhausted, a Non-Exempt Employee may go on a leave-without-pay status up to the four (4) hour minimum allowance. Use of compensatory time, vacation leave, and/or leave without pay for Child School Leave purposes must be documented on the Non-Exempt Employee's Time Record/Sheet by making a "Child School Leave" notation. .

6.4. Bereavement Leave / Funeral Leave

You are entitled to a period of bereavement up to three (3) consecutive days at regular pay (not including overtime) with no deduction from your other leave balances due to the death of any of these relatives: parent, step-parent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, step-brother, sister, sister-in-law, foster sister, step-sister, grandparent, son-in-law, daughter-in-law, grandchild, or other person who resides in the same household.

In addition, subject to the approval of your supervisor, you may use up to three (3) additional consecutive work days of sick leave, totaling six (6) days of leave. If no sick leave remains, you must use compensatory time or take vacation leave. If no vacation leave remains, you must take unpaid leave for these additional days.

Any bereavement period that is expected to go over the six (6) work day limit requires approval from your supervisor and you must use your vacation leave.

Your supervisor will make the final decision on the number of approved days for bereavement leave based on factors such as required travel and level of involvement in funeral arrangements. Other factors may also be considered.

Death of any other person: You may use up to three (3) consecutive days of accrued sick leave for the bereavement of other persons significant in your life not listed above. If no sick leave remains, you must use compensatory time or take vacation leave. If no vacation leave remains, you must take unpaid leave. As stated above, your supervisor will make the final decision on the number of days approved for this leave.

Bereavement leave must be documented on your timesheet in the “holiday” column, with the notation of “bereavement leave” in the comments section.

6.5. Holidays

Henderson County observes holidays on a schedule set by the Board of Commissioners each year. You are eligible to be paid for these holidays if you occupy a regular or project employment position, and are regularly scheduled to work at least 19.5 hours per workweek.

If you are eligible for holidays, you will receive pay for each holiday – whether or not you are scheduled to work on those dates. Holiday pay will be limited to no more than 7.5 hours of pay for a position where a regular workweek is 37.5 hours, or 8 hours of pay for all other full-time positions. For part-time positions, the amount of pay is prorated to the number of hours you are regularly scheduled to work each week. This means you will receive the same amount of pay for each holiday. However, for part-time positions that are otherwise scheduled to work a full work-day on a holiday, or for alternate-scheduled positions, the employee may, with the approval of the employee's supervisor, use compensatory time or accrued vacation leave to receive their regular amount of pay for the week, or may work additional time in order to receive their regular amount of pay for the week. You will need to arrange any schedule changes with your supervisor and receive advance written approval.

If you wish to observe a religious holiday which is not a county holiday, contact your supervisor to make arrangements. Any accrued compensatory time must be used for time off taken for religious holidays, then accrued vacation leave. If you have no accrued vacation leave, you must use leave without pay.

6.6. General Leave of Absence

If you are not entitled to FMLA leave, or if all FMLA leave to which you are entitled has expired, and you still need time off for personal or health reasons, you may apply for a leave of absence for a period of up to three (3) months. The request for leave must be given to your supervisor on a Henderson County General Leave Request Form, and your department head at least thirty (30) days prior to the start of the requested leave unless the leave is an emergency.

Any payment for this leave of absence will be deducted first from your sick leave balance, if appropriate. If no sick leave remains, or if sick leave is not appropriate, you must use compensatory time or take vacation leave. If no vacation leave remains, you must take unpaid leave for any remaining portion of this leave.

Your supervisor (or department head) may or may not approve your request for a leave of absence. Some of the matters considered in approving the request are your length of service, employment record, and the reason for the absence. If your request is denied, you may appeal that decision.

While you might originally request a leave of absence for a period of up to three (3) months, it is possible that extensions may be granted. However, the total leave and extensions for any one cause cannot exceed one (1) year.

You do not accrue sick and vacation leave while you are on an unpaid approved leave of absence.

You must notify your supervisor of the anticipated date of your return to work prior to that date. Your supervisor is responsible for immediately notifying the Human Resources Department.

When you return from a leave of absence, you will be placed in your previous position or a similar position, if available. If the same or similar position is not available, you will receive preference for employment in any available position for which you are qualified.

If you fail to return to work at the conclusion of your leave of absence, you will be terminated from employment. If you are unable to return to work, you are responsible for requesting an extension (in advance) from your supervisor or department head.

There may be changes in your employee benefits during a leave of absence. You must contact the Human Resources Department to determine what changes you may experience.

6.7. Military Leave

Henderson County complies with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). It prohibits employers from discriminating against any employee or prospective employee because of past, present, or future application for, or membership in, a uniformed service. Uniformed services covered are: Army, Navy, Marine Corps, Air Force, or Coast Guard as well as Reserve units for these services; Army National Guard and Air National Guard; commissioned corps of the Public Health Service; North Carolina State Defense Militia; and any other category of persons designated by the President in time of war or an emergency.

Service may include active duty, active duty for training, initial active duty for training, inactive duty training, full time National Guard duty, and absence from work for an examination to determine a your fitness for any type of duty or to perform funeral honors duty.

If you have a need for military leave, you should:

- You must make the request to your department head on a Henderson County Special Leave Form, attaching a copy of your military orders, on your next scheduled work day after the receipt of your orders. The approximate beginning and end date should be clearly stated in the request. You should provide advance notice of the leave, unless circumstances make it impossible for you to do so.
- Military leave is unpaid unless you wish to use available leave time. The Act allows use of vacation, sick or other accrued leave for this purpose. You must tell your department head whether or not you wish to use accrued vacation and/or sick leave, and how much. You will not accrue additional vacation or sick leave during the period of military leave that is unpaid.
- Let your department head know how you would like to receive your paycheck, i.e. continue direct deposit, have it mailed to a specific address, or have a designated individual pick it up from the department. The designated person must provide adequate photo identification.
- Your department head will complete a Personnel Action Form (PAF), indicating in the comment section that the employee is on approved Military Leave and approximate dates. A copy of the orders will be attached to the PAF and sent to the Human Resources Department.
- In the comment section of your time sheet, your department head will indicate “Military Leave” for the period of service. Any sick, vacation or compensatory time used should be recorded in the appropriate columns.

If your military leave will be less than 31 days, you will continue to be covered for health benefits with no change to premium levels. This means Henderson County will continue to pay the County’s portion

of your individual health premium (pro-rated for part-time), and you will continue to pay for your portion of your individual and dependent health insurance premiums. If your military leave will extend beyond 31 days, you will be offered the opportunity to continue your current health benefits for up to 18 months and will be required to pay COBRA rates.

In general, you will be reinstated to your same position upon return. There are, however, specific time frames for certain instances and other details in the Act that may require case-by-case review. You and your department head should contact the Human Resources Department when you are aware of the need for military leave.

6.8. Civic Duty Leave

When you must miss work due to jury or subpoenaed witness duty, you will be excused from your job, but will be paid as civic duty leave. Notice must be given to your direct supervisor.

At any time during jury or witness duty if you complete your assignment during regular work hours, you are expected to return to work immediately.

6.9. Family and Medical Leave

The Family Medical Leave Policy grants eligible employees a maximum of twelve (12) weeks of paid and/or unpaid leave during any period of twelve (12) consecutive months for circumstances of medical need, the birth or adoption of a child, and the care of a child, spouse or parent who has a serious health condition, all in accordance with the Family Medical Leave Act of 1993 (Title 29, Part 825 of the Code of Federal Regulations). For more detailed information, reference the Family and Medical Leave Policy in its entirety in the Henderson County Administrative Manual.

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Chapter 7. **Employee Benefits**

7.1. Benefits Eligibility

You are eligible for benefits when you occupy a regular or project employment position and are regularly scheduled to work at least nineteen and one half (19½) hours per workweek. Some flexible benefit options may require a greater minimum number of hours for eligibility.

If your hours drop below nineteen and one half (19½) hours per week on a regular basis you will lose eligibility for health insurance and you and all covered dependents will be offered COBRA.

If you do not work your regularly scheduled hours, you must use available accrued leave hours (sick or vacation as appropriate for the circumstance). If you are paid for less than your scheduled hours for the pay period and are not on approved FMLA Leave, you will have your accruals and benefits premiums adjusted accordingly. You will accrue a pro-rated amount for sick and vacation leave and will be responsible for a portion of your health insurance premium for individual coverage that the County currently pays.

You are responsible to list only dependents that are eligible for coverage as defined by the plan rules. If a covered dependent becomes ineligible based on the plan rules, it is your responsibility to notify the Human Resources Department immediately. You must notify the Human Resources Department of any changes in status within thirty (30) days of the status change. This includes: dependent status change, address changes, divorce, marriage, birth, adoption, reduction in work hours, or any other change that could affect benefit plan eligibility.

7.2 Retirement Health Insurance Benefit

Henderson County provides health insurance, on the same terms for deductibles, co-pays, dependent eligibility, and cost as for regular employees, for certain retired employees (“eligible retirees”). For more detailed information, reference the Retiree Health Insurance Benefit Policy in its entirety in the Henderson County Administrative Manual.

7.3 Health Insurance Benefit

If you are benefit-eligible and wish to enroll for health benefits, you must enroll for health insurance coverage upon initial employment or within thirty (30) days of an eligible qualifying event. Information about current health care plans and premiums is available from the Human Resources Department. Part-time benefit-eligible employees pay a pro-rated portion of their individual health insurance premium.

Henderson County Human Resources Department will determine the effective date of coverage. Typically, for health insurance, it is the first of the calendar month following thirty (30) days of continuous benefit-eligible employment.

Generally, health insurance ends the last day of the month following the month in which your benefit-eligible employment ends. If you do not receive paychecks to cover the entire month (and have health insurance premiums deducted), your monthly premiums may be deducted from your last payroll check or you may be required to submit a personal check to cover your portion of benefit costs.

7.4 Benefit Premiums/Payroll Deductions

You are responsible to ensure the appropriate benefit deductions have been made from your pay, and must contact the Human Resources Department to correct any errors. Information on the timing of deductions and the beginning of coverage is available from the Human Resources Department.

If you miss a paycheck due to work absence or unpaid time, you are responsible to contact Human Resources Department to make payment arrangements.

7.5 COBRA

If you lose health insurance coverage and/or your flexible spending account benefit due to a termination of employment, a reduction in work hours, or other qualifying event, you and your covered dependents may be eligible to continue coverage through the Federal Comprehensive Omnibus Benefits Reconciliation Act (“COBRA”).

For a full explanation of COBRA terms and eligibility, contact the Human Resources Department or refer to the “General COBRA Notice” received at or near the time of enrollment.

7.6 Open Enrollment Period

Benefit plans and premiums are subject to change each plan year. Announcements concerning changes for the upcoming plan year are made during annual open enrollment period. You are required to review your notices, home mailings, and department memos for information about the benefits for the upcoming year.

7.7 Employee Assistance Program

Henderson County contracts to provide certain confidential and professional counseling assistance at no cost to you to help resolve difficult issues and problems that are affecting you or your family.

You or your family (immediate members of your household) may utilize the Employee Assistance Program (EAP) on a self-referral basis. You may also be referred by your supervisor when personal problems affect your job performance.

In addition, the EAP provides on-line internet resources to bring you 365/24/7 access to information that can help you every day to manage real work-life issues.

If you have questions about EAP or would like more information, contact the Human Resources Department.

7.8 Flexible Spending Accounts

Flexible spending accounts allow an employee’s medical out-of-pocket expenses and dependent care expenses to be paid with “before tax” dollars. Henderson County offers a benefit option that utilizes a debit-type card to access your medical plan dollars.

If you elect this benefit, you choose a dollar level based on your individual or family needs and a portion of this amount is deducted from each paycheck. There are maximum deduction limits to this benefit.

You do not have to be enrolled in Henderson County’s health plan in order to participate in a flexible spending account.

You may enroll at the time of initial employment and during the annual open enrollment period. Re-enrollment is required each year to continue participation.

7.9 Deferred Compensation

Henderson County offers you the opportunity to participate in two (2) deferred compensation plans to supplement your retirement income. You are eligible to enroll in a 401(k) and/or a 457(b) at any time during your employment.

You are eligible for a matching two percent (2%) contribution from Henderson County to one of these deferred compensation plans once you complete six (6) months of continuance service in a benefit-eligible position. You must be contributing at least two percent (2%) of your base pay to receive the County’s match.

For more information, contact the Human Resources Department.

7.10 Supplemental Benefits

Henderson County offers other supplemental voluntary insurance products through independent vendors. Premiums for these additional benefit options can be payroll deducted. Supplemental benefits are offered to benefit-eligible employees only.

Supplemental benefits are subject to change without notice. For more information, contact the Human Resources Department.

7.11 Workers’ Compensation

You are protected under the State of North Carolina’s Workers’ Compensation Law for injuries and occupational diseases that result out of and in the course of employment. This includes injuries that take place when you are performing tasks you were hired to perform at times and in places where you were hired to work. For more detailed information, reference the Work-Related Injury and Illness Policy in its entirety in the Henderson County Administrative Manual.

7.12 Shared Leave Pool

Henderson County allows employees to donate vacation hours to a Shared Leave Pool to assist fellow employees experiencing a major medical crisis. Benefits under this Policy are not a right of employment. Rather, it is intended by the County to allow employees to assist one another in truly extraordinary crises. Receipt of benefits under this policy is necessarily a subjective decision made by Henderson County employees on behalf of participating Henderson County employees. For more detailed information, reference the Shared Leave Pool Policy in its entirety in the Henderson County Administrative Manual.

7.13 Tuition Refund

An employee may receive reimbursement for one (1) course at a time taken outside of working hours which will better equip the employee to perform assigned duties, subject to the advance written approval of the Department Head and the County Manager. The County shall reimburse the employee for tuition, fees, and books for the course, provided the employee submits a receipt of course expenses and a notice of successful completion (passing grade or better) of the course.

7.14 Local Governmental Employees' Retirement System

Henderson County participates in the North Carolina Local Government Employee Retirement System and the North Carolina Local Government Law Enforcement Officer Retirement System. Each employee occupying a regular or project employment position who is scheduled to work at least 1,000 hours each calendar year is covered by this system, and must contribute six percent (6%) of their pre-tax earnings to this system. Further information on this system can be obtained from the Human Resources Department.

7.15 Credit Union

The Local Government Federal Credit Union (housed together with the North Carolina State Employees Credit Union) is open to most County employees and their immediate families. Further information can be obtained at <http://www.lgfcu.org>.

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