

BOARD OF COMMISSIONERS
JENNINGS COUNTY, INDIANA

ORDINANCE # 2019-

AN ORDINANCE ADOPTING THE JENNINGS COUNTY
EMPLOYEE POLICY & PROCEDURE MANUAL
ADOPTED DECEMBER 17, 2015 TO TAKE
EFFECT JANUARY 1, 2016
REVISED: NOVEMBER 21, 2019

WHEREAS. the Board of Commissioners of Jennings County desires to adopt the Jennings County Employee Policy & Procedure Manual dated December 17, 2015, as revised November 21, 2019, to memorialize new or modified policies and procedures for Jennings County employees.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Jennings County, State of Indiana, as follows:

SECTION ONE: The Jennings County Employee Policy & Procedure Manual dated December 17, 2015, as revised October 10, 2019, which is attached hereto and made a part hereof is hereby adopted and replaced all previous versions of the same.

SECTION TWO: The Jennings County Board of Commissioners, together with all other appropriate officers and employees are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION THREE: All Ordinances or Resolutions of Jennings County which are inconsistent with the provision of the Employee Policy & Procedure Manual Adopted December 17, 2015, as revised November 21, 2019, are hereby repealed as to the extent of such inconsistency.

SECTION FOUR: If any section, subsection clause, or phrase of the Employee Policy & Procedure Manual Adopted December 17, 2015, as revised is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of the Employee Policy & Procedure Manual Adopted December 17, 2015, as revised November 21, 2019.

SECTION FIVE: This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

SECTION SIX: Contemporaneously adopted with the Employee Policy & Procedure Manual Adopted December 17, 2015, as revised November 21, 2019, are job

descriptions for all Jennings County employees. All Jennings County employees will be held accountable for the responsibilities and duties contained within their job description.

APPROVED AND ORDAINED by the Board of Commissioners of Jennings County, Indiana this _____ day of _____, 2019.

**BOARD OF COMMISSIONERS
JENNINGS COUNTY, INDIANA**

MATT SPORLEDER, President

ATTEST:

BOB WILLHITE, Commissioner

**TESSIA SALSMAN
AUDITOR, Jennings County**

DAVE LANE, Commissioner

JENNINGS COUNTY EMPLOYEE POLICIES & PROCEDURE MANUAL

**Adopted December 17, 2015, as revised November 21, 2019, by the
Jennings County Board of Commissioners.
Ordinance No. 2019-**



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SECTION ONE - INTRODUCTION

A. INTRODUCTORY STATEMENT

It is the intent of Jennings County Government to provide office holders and employees of the county a comprehensive employee policy handbook. The standardized policies and procedures that are contained in this handbook were developed to increase understanding, reduce the individual decision-making on matters of county policy, and to establish a consistent manner of enforcement and fair and equitable treatment of all Jennings County employees.

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

The contents of this handbook apply to all employees of Jennings County with the exception of Elected Officials. The Board of Commissioners of Jennings County, Indiana fully expects this employee handbook to be actively and consistently administered by all Elected Officials and Department Heads.

It is the responsibility of each supervisor to administer these policies in a consistent and impartial manner. "Supervisor" shall be the elected or appointed office holder, or someone appointed by them over an area of responsibility within a department.

It is the responsibility of each county employee to read and be aware of the policies and procedures of Jennings County outlined in this handbook. Each employee is requested and expected to abide and adhere to these rules and policies of Jennings County Government, failure to do so could result in termination of employment with Jennings County.

This Employee Policy Handbook supersedes all prior policies and previous manuals except as otherwise indicated.

Changes in circumstances and requirements may arise. The Board of Commissioners reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is the employment-at-will policy permitting an employee or Jennings County to end the employee/employer relationship for any reason at any time. Employees will be notified of such changes to the handbook as they occur.

B. SEVERABILITY

The policies and procedures contained in this handbook are subject to all applicable federal and state laws, County of Jennings, Indiana rules and regulations, and shall be interpreted wherever possible so as to comply fully with such laws, provisions or any judicial interpretations. If an article or section of this handbook shall be held invalid by operation of law or tribunal or competent jurisdiction, or compliance with or enforcement of any article or section of this handbook shall be restrained by such tribunal, the remainder of this and any amendments thereto shall not be affected and shall remain in full force and effect. The County of Jennings, Indiana, reserves the rights to delete, modify, or amend the policies contained herein or allocate new policies as needed.

C. INDEMNIFICATION

In the event an Elected Official or Department Head becomes a defendant, either in his/her representative capacity or individually in any litigation arising out of administration to this policy, Jennings County and/or its insurers shall defend the Elected Official or Department Head of that action and pay any judgment entered in the action provided by Jennings County, so long as the Elected Official or Department Head has made a good faith effort to comply with the terms and conditions set out in this handbook.

D. ENABLING ORDINANCE

This Jennings County Employee Policies & Procedure Manual is approved by Ordinance passed by the Board of Commissioners of Jennings County, Indiana. The terms and conditions of this handbook shall be incorporated by reference in the Salary Ordinance approved annually by the Jennings County Council and the terms and conditions set out herein shall be deemed a condition of compensation under that Ordinance.

E. AMENDMENTS

This Jennings County Employee Policies & Procedure Manual may be amended from time to time by an Ordinance in substantially the same form approved by the Board of Commissioners of Jennings County, Indiana. Any amendments shall be distributed to each department of Jennings County and shall be conspicuously posted for at least ninety (90) days throughout the offices of Jennings County after its passage.

SECTION TWO - EMPLOYMENT

A. EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Jennings County will be based on merit, qualifications, and abilities. Jennings County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, genetic disposition, or any other characteristic protected by law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, access to benefits and training.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of their Department Head or Elected Official. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

B. PERSONS WITH DISABILITIES

It is the policy of Jennings County to employ, advance and otherwise treat qualified individuals without regard to their disability in all employment practices in accordance with all state and federal laws, including the Americans with Disability Act. Jennings County will attempt to accommodate disabled employees and job applicants to enable them to perform the essential functions of their jobs in a safe and efficient manner.

Jennings County will afford reasonable accommodation to qualified applicants and employees with a known disability, provided that the accommodation does not cause undue hardship to Jennings County, or, irrespective of the accommodation, that such individuals do not pose a direct threat to the health and safety of themselves or others. Applicants may inform the Auditor's Payroll Clerk and employees may inform their Department Head or Elected Official of the disability and may suggest, on a confidential basis, how Jennings County may reasonably accommodate them.

The only animals that are to be in a County building is a service animal as it accompanies their master.

C. NATURE OF EMPLOYMENT

Employment with Jennings County is at will employment, and the employee is free to resign at will at any time, with or without cause. Similarly, Jennings County may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

The policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the County and any of its employees. The provisions of the handbook have been developed at the discretion of the Board of Commissioners and, except for its policy of employment-at-will, may be amended or canceled at any time, at the Board of Commissioners' sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to by any department or office of county government without the express written approval of the Board of Commissioners.

D. NEPOTISM

Employees who are relatives of an Elected Official or Department Head may not be employed by the County in a position that results in one (1) relative being in the direct line of supervision of the other relative (IC 36-1-20.2). See Jennings County Resolution 2014-18.

Direct line of supervision means an Elected Official or Department Head who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the County, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the County.

Employed means an individual who is employed by the County on a full-time, part-time, temporary, intermittent, or hourly basis. The term does not include an individual who holds only an elected office. The term includes an employee who is a party to an employment contract with the County, including independent contractors.

Relative means any of the following: (1) A spouse, (2) A parent or stepparent, (3) A child or stepchild, (4) A brother, sister, half-brother, half-sister, stepbrother, or stepsister, (5) A niece or nephew, (6) An aunt or uncle, (7) A daughter-in-law or son-in-law. An adopted child is considered the same as natural child of the individual.

This policy does not apply to employees in their current position as of June 30, 2012 unless the employee has a break in employment.

If, as a result of marriage, birth, adoption, the creation of other family relationships, election results, or hiring decisions, two or more relatives (who are current employees of any office or department in the County) are inadvertently placed into one of the two categories described in the paragraph above, then such relatives shall determine which of such relatives will seek to transfer to another job or otherwise take action to comply with this policy.

The County shall have no obligation to either: (1) create a new position or job opening for any current employee; or (2) transfer any current employee to a new or existing position or job opening if the individual does not meet all selection standards or fulfill all qualifications deemed to be required for the position by the County.

If the relatives are unable to determine which individuals will seek to transfer into another position or otherwise take action to comply with this policy, then the Board of Commissioners will make a determination to ensure the County's compliance with this policy. A determination of the Board of Commissioners may include a decision to transfer, reassign, terminate or otherwise take action regarding one of the employees to ensure compliance with this policy. A decision of the Board of Commissioners may be based upon a variety of factors and criteria, including, but not limited to: (i) staffing and other needs; (ii) the jobs being performed by the employees and the necessity of each such job relative to the continued operation of the County government, and (iii) each employee's skills, job knowledge, prior work history, job performance and abilities.

In the event that an individual is an existing employee of the County to whom the provisions of this policy apply on the date such individual's relative begins serving a term of an elected office of the County, the individual may not remain employed by the County and maintain the individual's position or rank if such circumstances result in the elected officer being in the direct line of supervision of such existing employee. In such event, the employee who is not an elected official will be required to take action to comply with this policy.

Notwithstanding the provisions of Indiana Code 36-1-20.2-13 to the contrary, the County Sheriffs spouse may not be employed as prison matron for the County under Indiana Code 36-8-10-5, and the spouse may not otherwise be in the County Sheriffs direct line of supervision.

Notwithstanding the provisions of Indiana Code 36-1-20.2-14 to the contrary, an individual: (1) who served as coroner; (2) who is currently ineligible to serve as coroner under Article 6, Section 2(b) of the Constitution of the State of Indiana; (3) who, as coroner, received certification under IC 36-2-14-22.3; and (4) whose

successor in the office of coroner is a relative of the individual; may not be hired in the position of deputy coroner of the County if that results in such individual being in the County Coroner's direct line of supervision.

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this policy or Indiana Code 36-1-20.2. Each officer shall submit the certification to the Board of Commissioners not later than December 31 of each year. (See Appendix A for Certification).

This policy is intended to implement the minimum requirements necessary to comply with Indiana Code 36-1-20.2, as the same may be amended from time to time. If and to the extent this policy is not in compliance with Indiana Code 36-1-20.2, this policy shall be deemed to include such terms not otherwise included herein, and to exclude such terms not otherwise excluded here from, as are necessary to cause this policy to implement the minimum requirements set forth in Indiana Code 36-1-20.2.

To the extent this policy is inconsistent with any provision of Indiana law, including, without limitation, Indiana Code 36-1-20.2., such other provisions of Indiana law shall control. If any portion of this policy is held or deemed to be, or is, invalid, illegal, inoperable or unenforceable, the validity, legality, operability and enforceability of the remaining portions of this policy shall not be affected, and this policy shall be construed as if it did not contain such invalid, illegal, inoperable or unenforceable portion. The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.2. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-20.2.

If an employee is absent from the workplace while on paid or unpaid leave, including vacation, sick or family medical leave, or worker's compensation or employment with the County is terminated followed by immediate reemployment by the County, without loss of payroll time then they are not considered to have a break in employment.

E. IMMIGRATION LAW COMPLIANCE

Jennings County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form, I-9, and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Auditor's office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

F. OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as the outside job does not hinder the performance standards of their job with the County. Employees must report any outside employment, regardless of the duration, to their Elected Official or Department Head.

All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If a Department Head or Elected Official determines that an employee's outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to retain employment with the County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the County for materials produced or services rendered while performing their jobs.

An employee shall be given two (2) weeks to resign from an outside job that is determined by the Elected Official or Department Head to interfere with the employee's duties for the County. Failure to resign from the outside job within this period could subject the employee to termination of employment with the county.

G. EMPLOYMENT CATEGORIES

It is the intent of the County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the Department Head or Elected Official.

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws as provided by the Fair Labor Standards Act (FLSA). Non-exempt employees are entitled to overtime compensation under the specific provisions of federal and state laws. This nonexempt designation also requires the employee to sign time sheet/card at the conclusion of the pay period and submit it to their Elected Official or Department Head for review and signature.

Time cards and sheets are official records and are to be recorded accurately at all times. Falsification of a time record is a breach of County policy and is considered grounds for disciplinary action, including termination.

Exempt employees are excluded from specific provisions of federal and state wage and hour laws, as provided by the FLSA.

EXEMPT EMPLOYEES: Exempt employees are not entitled to overtime pay. All elected officials are exempt employees.

NON-EXEMPT EMPLOYEES: Non-exempt employees are eligible to receive overtime overtime pay. Most county employees will be nonexempt employees. County employees who are paid a salary can still qualify as nonexempt employees. The employees may be appointed or designated as a first deputy.

In addition to the exempt/nonexempt categories, each employee will belong to one other employment category:

REGULAR FULL-TIME: employees who are not in a temporary or seasonal status and who are hired to work a regular schedule of at least thirty (30) hours per week for twenty-six (26) weeks consecutively. These employees are eligible for the County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary status and who and who are regularly scheduled to work less than thirty (30) hours per week and have a specific work schedule. Elected Officials and Department Heads must have prior approval of the Board of Commissioners to schedule a part time employee. While these employees are not eligible for the County's benefit package, they are eligible for Workers Compensation and other legally mandated benefits.

INTRODUCTORY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the County is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification if hired as a county employee.

TEMPORARY or **SEASONAL** employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change to another status.

While temporary and seasonal employees receive all legally mandated benefits (such as Workers' Compensation insurance and Social Security), they are not eligible for Jennings County's other benefit programs.

H. INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Department Heads and Elected Officials use this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the County may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first ninety (90) calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence.

If the Department Head or Elected Official determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a period of time, but not more than ninety (90) days, as specified by the Department Head or Elected Official.

Upon satisfactory completion of the initial introductory period, employees enter the Regular Full Time or Regular Part Time employment classification.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as Workers' Compensation insurance and Social Security. They may also be eligible for other County-provided benefits, subject to the terms and conditions of each benefits program.

Benefits eligibility and employment status is not changed during the secondary introductory period that result from a promotion or transfer within the County.

I. OPEN POSITIONS

Whenever vacancies occur or new positions are created, the County shall ensure that this information is distributed and made known to current employees and the general public. The County encourages internal promotions and transfers whenever possible and desirable.

The following procedures will be followed when a vacancy occurs:

1. Elected Officials and Department Heads will make their requests for approval to fill a vacant position to the Board of Commissioners. Requests for approval of a new position that is not in the salary ordinance must be approved by the County Council. The request should include the method for filling the position e.g. Full-time or part-time. Due to the necessity of staffing essential department, Elected Officials and Department Heads of essential departments (i.e. EMS, Dispatch, and Sheriff/Jail shall be allowed to hire for an already budgeted position without a request to the Board of Commissioners.
2. Job openings will be sent to all departments and employees that have an e-mail account with the county. Job openings are to also be posted on bulletin boards located in each County government building. At the discretion of the Elected Official or Department Head, newspaper advertising may be used to post job openings.
3. First preference for employment shall be given to internal candidates. Internal interviews, if applicable, will be conducted.
4. If an internal candidate is selected, the employee's Elected Official or Department Head should be notified and an offer extended to the employee by the hiring Department Head or Elected Official.
5. Upon acceptance of the offer, the Elected Officials or Department Heads should arrange for a transition period.
6. If no internal candidates apply or those who do apply are not considered qualified for the position, the Elected Official or Department Head shall fill the position from the outside.

J. EMPLOYMENT APPLICATIONS

Employment opportunities with the County shall be open and available to all citizens. Nothing in the employment procedure shall preclude consideration of an employment application because of the prospective employee's race, gender, sexual orientation, marital status, religion, disability or national origin. Only bonafide

occupational and objective measures such as fitness and qualifications shall be considered when making employment decisions.

Applications for employment with the County shall request only that information which is necessary for rational decision making. Only questions related to occupational standards shall be asked. Unless it is established beyond question that a certain job can only be performed by one gender, a person of a particular age or by a person with certain physical characteristics, questions regarding these personal attributes shall not be asked in the pre-employment process. Questions concerning race, gender, sexual orientation, marital status, religion, disability, family status or national origin have no bearing on an individual's ability to perform a given job and shall not be included on applications. However, after employment has been offered, there are specific reasons why such information may be legally gathered from County employees i.e. racial and ethnic background statistics for Equal Employment Opportunity Commission (EEOC) forms, dependent status for insurance purposes, etc.

Jennings County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. The original copy of the employment application will be kept in the employee's personnel file in the Auditor's office.

K. POSITION DESCRIPTIONS

For each County position, a job description, stating the essential job functions, position qualifications, educational requirements, and physical requirements will be established. This will be the responsibility of each Elected Official and Department Head. Position descriptions may be subject to approval by the Board of Commissioners. A copy of job descriptions for all county employees will be kept in the Auditor's Office. Each Elected Official or Department Head will keep job descriptions within their office or department for their specific office and department employees. Every county employee will be held to the requirements and duties of their job description.

L. RESIDENCY REQUIREMENTS

The County is committed to hiring residents of Jennings County whenever possible. Therefore, when applicants are similarly qualified and in keeping with the County's EEOC policy, Jennings County residents shall be given preference over non-residents at the time of employment. The County may also require certain employees, i.e. emergency responders and on-call employees within various departments to maintain their principal residence within the County pursuant to state law.

M. PRE-EMPLOYMENT INTERVIEWS

The questions asked in any given job interview shall be uniform, consistent and non-discriminatory and shall be asked only to collect legitimate job-related information. Questions asked of one job applicant shall be asked of any other subsequent applicant for that same job. Interviews will be systematic, fair, organized and conducted in any orderly fashion.

N. EMPLOYMENT REFERENCE AND BACKGROUND CHECKS

To ensure that individuals who join Jennings County are well qualified and have a strong potential to be productive and successful, it is the policy of Jennings County to conduct background checks and verify the employment references of those applicants who may be extended an offer of employment.

Every employee that receives or distributes money for the County as part of their job must have an extensive criminal background check completed at the expense of the prospective employee. If hired by the County, the employee will be reimbursed for the cost of background check. The employee must present the receipt for the background check to their Elected Official or Department Head. The cost of the background check will be taken from the Elected Office or Department Head's office budget.

Each potential employee will submit to a drug test prior to being hired for employment. The cost of the drug test will be taken from the Elected Official or Department Head's office budget.

Jennings County will not hire an individual that has been found guilty of a misdemeanor or felony of dishonesty, including but not limited to theft, fraud, forgery, perjury, false informing, and conversion. This includes admitting guilt or pleading no contest or nolo contendere.

Jennings County will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to inclusive dates of employment, positions held, and whether or not the employee's last Department Head or Elected Official would re-hire the employee under any circumstances. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

O. BONDING

Every employee that receives or distributes money for the County as part of their job is required to be bonded pursuant to IC 5-4-1 et seq. It is the responsibility of the Elected Official/Department Head to obtain the bond for the employees.

P. ACCESS TO PERSONNEL FILES

Jennings County maintains a personnel and medical file in the Auditor's office on each employee. All confidential information regarding the employee will be kept in these files.

Personnel files are the property of Jennings County, and access to the information they contain is restricted. Generally, only individual employees, the Auditor, the Auditor's Payroll Clerk, members of the County Council, and the Board of Commissioners have a legitimate reason to review information in a file.

Department Heads and Elected Officials may review the personnel files of employees under their direct supervision and employees who have posted for a position in their department or office.

With reasonable advance notice, employees may review their own personnel files in the Auditor's Office in the presence of the Auditor or Auditor's Payroll Clerk.

Each Elected Official and Department Head must submit a report to the Auditor's office of sick and vacation days used by each of their employees. This report must be submitted on General Payroll Form 99A (Rev. 1985) by December 31st of each year.

Q. PERSONNEL DATA CHANGES

It is the responsibility of each employee to notify their Elected Official or Department Head in writing of any changes in personal data, promptly. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, the Elected Official or Department Head must notify the Auditor's Office of the changes.

R. PERFORMANCE EVALUATIONS

Department Heads, Elected Officials and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations should be conducted at the end of an employee's introductory period in any new position. This allows the Department Head, Elected Official and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.

Additional formal performance evaluations should be conducted on an annual basis to provide Department Heads, Elected Officials and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

S. EMPLOYEE COMPENSATION AND PAY INCREASES

Wages are determined on an annual basis in accordance with the County's year. The fiscal year for Jennings County is from January 1 to December 31.

Wage is determined by salary ordinance (Form 144) as adopted by the County Council. The Salary Ordinance is to be e-mailed to all Elected Officials and Department Heads each year upon its adoption by the Jennings County Council.

T. VOLUNTEERS

Jennings County is fortunate to have the active support of volunteer staff. Volunteers perform many functions, depending on their role and position. Volunteers do not take the place of paid employees, but rather supplement their services. Volunteers contribute many hours of service. It is often their efforts that add to the accomplishment of an office or department. Employees who need the assistance of a volunteer, or who have suggestions regarding volunteer services, should direct their requests/comments to the supervisor.

Subject to the discretion of the Elected Official or Department Head, volunteers may be required to have a criminal background check completed prior to providing any volunteer services, if the area in which they are volunteering involves handling money or sensitive or confidential information.

SECTION THREE - PAY AND HOURS OF WORK

A. WORKING FROM HOME

Non Exempt employees are prohibited from performing county work at home or other outside location instead of the office or space provided the employee by Jennings County. Any exceptions to this policy shall require a written request by the affected office holder to the Jennings County Board of Commissioners for prior approval of any “off site” work. (See Appendix B for form).

Time worked at home is considered hours worked for payroll purposes.

B. TIMEKEEPING

Accurate recording of time worked is the responsibility of every employee. Federal and state laws require Jennings County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All exempt and non-exempt employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons (General Payroll Form No. 99A Rev. 1985). All hours over the employee's normal work schedule in a week must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to approve his or her time sheet to certify the accuracy of all time recorded. The Department Head or Elected Official will review and then sign the time record before submitting it to the Auditor's office for payroll processing.

In addition, if corrections or modifications are made to the time record, both the employee and the Department Head or Elected Official must verify the accuracy of the changes by initialing the time record.

Each office may utilize employees' time differently within the framework of the 40 hour workweek. For this reason, the Department Head or Elected Official will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through part of a lunch period and otherwise adjust their employees' schedules to meet demands of the office while adhering to the 40 hours workweek.

By the 1st pay day in January of every year, it is the responsibility of each Elected Official or Department Head to turn in a list of their department's employees with all eligible time that they have for the year. The report is then to be submitted to the Board of Commissioners for review. (See Appendix C for form).

In every case, however, it is a legal necessity and a requirement of continued employment that the employee's timesheet accurately reflect the beginning and ending time of each period of work and each day worked.

C. PAYROLL

All pay days are on Friday.

Payroll information must be submitted to the payroll department as per the posted schedule. A copy of this schedule is posted or may be obtained from the payroll department.

It is the responsibility of each Elected Official or Department Head to turn in the time sheets to the Auditor's Office no later than 5 workdays after payday. Failure to turn the time sheets in by the deadline may result in the employees not being paid on the next payday.

D. DIRECT DEPOSIT

Direct Deposit is a safe and convenient check handling system which automatically deposits your payroll check into your personal checking or savings account. The County has chosen to direct deposit all payroll checks.

To set up direct deposit: (1) obtain a Direct Deposit Authorization Form, (2) complete your portion of the form, (3) attach a voided check or take the authorization form to your financial institution and obtain from them the necessary authorization information, and finally, (4) return the completed Direct Deposit Authorization form to payroll.

Direct deposits should go into effect for the pay date following the date that the Auditor's Office receives the authorization form. On payday employees may access their check stub detailing all payroll information online. The Auditor's Office will provide all employees with the website information.

E. ADMINISTRATIVE PAY CORRECTIONS

The County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Auditor's Payroll Clerk so that corrections can be made.

F. PAY DEDUCTIONS

The law requires that Jennings County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes.

The County also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." County matches the amount of Social Security taxes paid by each employee.

Other taxes, such as property taxes, may be deducted from employee compensation. Under Indiana Code 6-1.1-22-14, the County's payroll list must be given to the County Treasurer bi-annually. The County Treasurer then certifies any delinquent property taxes owed by a County employee. The Indiana Code further instructs the Auditor's Office to make periodic deductions from money due the employee and direct payment to the Treasurer's Office.

Jennings County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs that have been authorized by the Board of Commissioners.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Auditor's Payroll Clerk can assist you.

G. WORK SCHEDULES

Generally, the working hours of County offices shall be from 8:00 am until 4:00 pm, Monday through Friday. The County Highway Department employee's regular work hours will be 7:00 a.m. to 5:00 p.m. Monday through Thursday. Certain offices may need to observe earlier opening hours and later closing hours in order to better serve the public. Elected Officials and Department Heads shall have the ability to modify the weekly work schedule to meet the needs of the department, including the need to work additional hours on a particular work day.

County offices and departments shall observe the hours of work designated by the Elected Official or Department Head. Work hours for every department should be established and understood by all affected employees. Office hours should be posted and all offices must be open during lunch when more than one staff member is assigned to that office.

All offices are to have at least one (1) full-time staff member or Department Head/Elected Official in the office during work hours. In the event that all staff members need to attend training, the Department Head/Elected Official must seek approval from the Board of Commissioners to allow a part-time employee cover the office during that time.

All warranted law enforcement personnel will be scheduled to work not more than eighty-six (86) hours in a fourteen (14) day time period. In the event that scheduled working hours exceed eighty-six (86) hours in a fourteen (14) day time period, those additional hours must have prior approval of the Sheriff.

H. REST AND MEAL PERIODS

All employees are entitled to two (2) fifteen (15) minute work breaks – one during each half of the employee’s seven (7) hour shift. A work break may not be taken if it will result in a disruption of work activity or will keep a coworker or citizen waiting on services.

All fulltime employees will be provided an opportunity for a meal period during their shift. This time will be considered as hours worked. Department Heads and Elected Officials will schedule meal periods to accommodate operating requirements. Employees should be relieved of all active responsibilities during meal periods. If an employee cannot take a lunch break for whatever reason, arrangements shall be made so that he or she can eat on the job.

An employee may not accrue unused meal periods for additional time off.

I. OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as over 40 hours/week for all County Employees who are not warranted law enforcement, or 86 hours in a 14-day period for warranted law enforcement. Time worked over 40 hours per week or 86 hours in a 14-day period as set forth above will be paid or granted compensatory off at time and one half.

All hours over the employee’s normal work schedule must have prior approval of the Department Head or Elected Official. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. An unencumbered balance must exist in the budget for that department for overtime purposes. When possible, advance notification of these mandatory assignments will be provided.

Elected Officials and Department Heads shall have the ability to modify the weekly work schedule to meet the needs of the department, including the need to work additional hours on a particular work day.

All overtime will be based upon actual hours worked. Time off for Jury Duty, Witness Duty, scheduled Holidays, vacation time, compensatory time off or other leave time will not be considered as hours worked for purposes of calculating overtime. In the event of an emergency, the Elected Official/Department Head may alter how the overtime (discussed in this paragraph) is calculated with approval of the Board of Commissioners.

Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head or Elected Official may result in disciplinary action, up to and including termination of employment.

J. COMPENSATORY TIME OFF

Effective January 1, 2016, compensatory time off (comp time) is available to non-exempt employees for work above their normal scheduled hours. Non-Exempt employees must complete a Compensatory Time Off Agreement prior to being granted comp time. (See Appendix D for form.) Time worked beyond standard work week hours but up to 40 hours a week, shall earn one hour of comp time. Time worked beyond 40 hours in the standard work week shall earn comp time at the rate of “time and a half”.

Effective January 1, 2016, Highway Department employees will not earn comp time until they have worked 40 hours that week. They will not earn comp time just because they are working outside of their normal work shift.

Employees can accumulate comp time in their personal “Compensatory Time Off Bank” and draw compensatory time from this “bank”, but only as approved by the Elected Official or Department Head.

The balance of comp time in the employee’s “bank” cannot exceed 80 hours. If an employee accumulates 80 hours in their “bank”, the Elected Official or Department Head may require the employee to schedule and take time off using compensatory time. If the employee does not schedule the time off, the Elected Official or Department Head may schedule the time off for them.

The scheduling and approval of compensatory time off shall be within the discretion of the employee’s department head. The employee’s preference will be given consideration if that time off will not adversely affect his or her department’s work activity.

If an employee resigns or is terminated from his or her job, the employee will be paid for any earned compensatory time off at the current rate the employee was earning for regular work hours.

All compensatory time will be managed and applied in compliance with the Fair Labor Standards Act (FLSA).

K. INCLEMENT WEATHER

Jennings County is committed to the safety of our employees as well as clients and visitors to our facilities during inclement weather. The purpose of this policy is to provide guidelines on weather-related schedule changes as well as employee compensation during episodes of inclement weather. This policy applies to all Jennings County government employees.

It is the intent of Jennings County to remain open and adhere to full business operations even in inclement weather conditions. Therefore, it should be assumed that county offices will be open and that operations will continue on a "business as usual" basis. In the event that severe weather-related schedule changes including closure become necessary, the following guidelines will apply.

When facilities are officially closed due to an emergency declared by the Board of Commissioners, the time off from scheduled work for non-essential employees will be paid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

When operations are not officially closed, but some employees are unable to report for work, employees may use annual leave days, vacation days, compensatory time, or unpaid time off.

SECTION FOUR - EMPLOYEE BENEFITS

A. EMPLOYEE BENEFITS

Employees of the County are entitled to take leave from their employment for various reasons. Most leaves provided by the County are with pay although exceptions are made under certain conditions – usually personal and extended in nature – for unpaid leaves from work. Public employers are limited as to the fringe benefits

they may offer. There obviously are no motivators for public employment such as profit sharing, stock options and similar incentive devices. Therefore, paid leave is an employment benefit.

Eligible employees of Jennings County are provided a wide range of benefits. A number of the programs (such as Social Security, Workers' Compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law. Benefits eligibility is dependent upon a variety of factors, including employee classification. Details of all benefit programs are available at the Auditor's office.

B. EMPLOYEE DEFERRED COMPENSATION / 457B PLAN

This Plan is designed to assist employees in their retirement years. All employees are eligible to participate in the State of Indiana 457B plan.

The County offers the plan to allow all employees the opportunity to help save additional dollars towards their retirement. The Auditor's office will provide the specifics of the plan to employees.

C. GROUP HEALTH AND LIFE INSURANCE

All regular full time employees and elected county officials are eligible to enroll in the group health and life insurance plan within the first thirty (30) days of employment.

Details of the health insurance coverage are available from the Auditor's office. A schedule of premiums is available in the Auditor's office. Premiums may be deducted pre-tax if you participate in the Flexible Compensation Plan.

Limitations may apply for health insurance coverage if enrolled after thirty days of employment.

D. OPTIONAL EMPLOYEE INSURANCE BENEFITS

There are a number of optional insurance benefits offered including coverage for additional life insurance, cancer, intensive care, and long term care.

Employees interested in enrolling in any of these plans will be required to pay the cost of the premium. Premiums are deducted through the Jennings County payroll and some of the premiums are eligible to be deducted pre-tax under the Flexible Compensation plan.

Information on these benefits may be obtained from the Auditor's office.

E. WORKERS COMPENSATION INSURANCE

Jennings County provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. Any work-related injury must be reported to the Auditor's office within seven (7) days of the occurrence. Claims submitted after seven (7) days are subject to denial by the insurance carrier.

Neither Jennings County nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the County.

Employees may supplement the amount of benefits received from Workers' Compensation with sick days or vacation days. The combination of any such disability payments, sick leave benefits and vacation days cannot exceed the employee's normal weekly earnings.

F. PERSONAL DAYS

Personal Days are based on a calendar year, i.e. January 1st thru December 31st.

An employee shall receive one (1) paid personal day for every four months worked in his or her first year of employment. Employees shall receive three (3) paid personal days per calendar year after his first year of employment. Personal days are based on the employees regular scheduled work day. However, the 24 hour shift employees will receive only one (1) 24 hour shift to use as a personal day.

Example: Employee starts full time employment with the County on May 1st. The employee will receive 2 personal days that year. Then on January 1st, that employee shall receive three (3) paid personal days per calendar year.

Paid personal days shall be granted only after the employee consults with the department head, and the personal day is approved by the Department Head.

G. VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Vacation time is earned on a calendar year basis. Regular Full-Time employees are eligible to earn and use vacation time as described in the table found in this section.

An employee's "Years of Service" is determined by their hire date. If an employee is hired January 1st thru June 30th, they have one year of service completed come January 1st of the following year. If the employee is hired July 1st thru December 31st, they will not have 1 year of service until the beginning of their second calendar year.

Department	Vacation Time*
Government Offices - 7 Hour Work Day	After 6 Months: 2 Hours, 55 Minutes per month until January 1 st After 2 Year of Employment: 70 Hours per year After 5 Years of Employment: 105 Hours per year After 12 Years of Employment: 140 Hours per year
County Highway - 10 Hour Work Day	After 6 Months: 3 Hours, 20 Minutes per month until January 1 st After 2 Year of Employment: 80 Hours per year

	After 5 Years of Employment: 120 Hours per year After 12 Years of Employment: 160 Hours per year
Dispatch/Sheriff's Dept. – 12 Hour Shift	After 6 Months: 3 Hours, 20 Minutes per month until January 1 st After 2 Year of Employment: 80 Hours per year After 5 Years of Employment: 120 Hours per year After 12 Years of Employment: 160 Hours per year
EMT/Paramedics – 24 Hour Shift	After 6 Months: 3 Hours, 20 Minutes per month until January 1 st After 2 Year of Employment: 80 Hours per year After 5 Years of Employment: 120 Hours per year After 12 Years of Employment: 160 Hours per year

*Regular, Full Time employees earn vacation time based on consecutive months/years of service.

A new employee does not receive vacation time until they have been employed for six (6) consecutive months. After the six (6) months, the employee will earn vacation time per month, as listed in the chart above, until the beginning of the next calendar year. Accrued vacation time cannot be carried over to the next calendar year. Employees may not receive pay in lieu of vacation work days off.

Example #1: A full-time employee starts employment in the Government Center on March 1, 2019. The employee would not start earning vacation time until September 1, 2019. The employee would have 11 hours, 40 minutes of vacation time to use before December 31, 2019. On January 1, 2020, said employee would then have 35 hours of vacation time in 2020. The employee in the example would receive 75 hours per year of vacation time on January 1, 2021.

Example #2: A full time employee starts employment in the Government Center on August 1, 2019. The employee would not start earning vacation time until February 1, 2020. The employee would have 32 hours and 5 minutes of vacation time to use before December 31, 2020. On January 1, 2021, said employee would then have 35 hours of vacation time in 2021. The employee in the example would receive 75 hours per year of vacation time on January 1, 2022.

Annual Vacation should be requested at least 30 days prior to leave. Requests are subject to Department Head or Elected Official approval. Seniority will be used in determining annual leaves in the event more than one employee is making a request for the same time and the office is unable to carry out its functions by allowing more than one leave at a time.

At the time an employee resigns from their position, any unused vacation time will be paid on the payroll schedule.

Current Jennings County employees, current is defined as being hired by Jennings County prior to January 1, 2016, who accumulate vacation time pursuant to an "anniversary hire date year," will begin accumulating vacation time pursuant to a calendar year beginning January 1, 2016. If an "anniversary hire date year" employee has remaining vacation time for the 2015-2016 anniversary year, that vacation time may be used at the discretion of the Elected Official or Department Head, subject to approval or denial, during the 2016 calendar year.

During the transitional year if a question arises on the calculation or use of vacation time, the Elected Official or Department Head can appear before the Board of Commissioners for clarification.

H. HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. All regular, full time employees receive the same number of holidays. Part time employees are not eligible for holiday pay.

Due to the necessity of maintaining operations of some departments in Jennings County, schedules are the responsibility of the supervisor, and they will determine those employees required to work. Non Exempt employees who are required to work on a scheduled holiday shall be compensated hour-for-hour up to a maximum of ten (10) hours. Example: If they work seven (7) hours, they will receive seven (7) hours and if they work a 12-hour shift on the holiday, they will receive ten (10) hours paid time off to use on another day. The following table applies to all county offices and positions.

Department	Holiday Comp Time*
Government Offices - 7 Hour Work Day	Earn 7 Hours
County Highway - 10 Hour Work Day	Earn 10 Hours
Dispatch/Sheriff's Dept. - 12 Hour Shift	Earn 10 Hours
EMT/Paramedics - 24 Hour shift	Earn 10 Hours

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless excused by the Department Head or Elected Official. Compensation days will count as days worked both before and after a holiday. Example: The employee will not be paid for the holiday if they call in the day before or day after the holiday without a doctors slip.

If a holiday falls within a vacation period, the day will be counted as a holiday and not as a vacation day, providing the employee was not absent on the last regular scheduled day prior to beginning the vacation period, or the first regular scheduled day following the vacation period.

If the holiday falls on an employees regular day off, the employee will receive seven (7) hours in holiday time to use at a later date.

An employee who is on Family/Medical Leave at the time a holiday occurs will not be eligible for holiday pay unless they are in a paid leave status (i.e. Using sick time).

I. SICK LEAVE BENEFITS

Jennings County provides paid sick leave benefits to all regular full time employees for periods of temporary absence due to illnesses or injuries. Regular full time employees will earn sick leave benefits on a calendar year basis, i.e. January 1st thru December 31st. Sick leave may be used in 30 minute increments.

Employees may use sick leave benefits for an absence due to personal illness or injury or for the illness or injury to an immediate family member which requires the assistance of the employee (subject to approval by the employee’s department head). Jennings County defines “immediate family” as the employee’s spouse, parent, child, or sibling; the employee’s spouse’s parent, child, or sibling; the employee’s child’s spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Department	Sick Leave During 1st Year	Sick Leave Received in January Each Year
Government Offices- 7 Hour Work Day Employees – 35 Hours per week	4 Sick Hours per month	48 Sick Hours per Year
Dispatch/Sheriff’s Dept. – 12 Hour Shift	4 Sick Hours per month	48 Sick Hours per Year
County Highway Department – 10 Hour Work Day	4 Sick Hours per month	48 Sick Hours per Year
EMT/Paramedics – 24 Hour Shift	4 Sick Hours per month	48 Sick Hours per Year

Sick leave benefits may also be used to avoid jeopardizing the health of other employees and absences in accordance with the Family and Medical Leave Act (FMLA).

Department Heads and Elected Officials are responsible for recording the use of sick leave benefits used by non-exempt employees in their department. Exempt employees are required to report the amount of sick leave benefits used to the Auditor’s Payroll Clerk upon returning to work.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 240 hours of sick leave benefits. If the employee’s benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Sick leave benefits will be calculated based on the employee’s base pay rate at the time of absence.

If an employee is absent for three (3) or more consecutive days due to injury or illness, a physician’s statement shall be provided by the employee in order to verify the injury or illness. A Department Head or Elected Official may request a physician’s statement for absences of less than three (3) consecutive days if they feel the sick leave benefits are being abused. If a physician’s statement is requested but is not provided to a department head, the employee shall not receive compensation for the missed work days, regardless of how many days have been allowed for sick leave.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees upon termination of employment.

Sick Leave Exchange

Jennings County shall not utilize a sick bank for the benefit of its employees. However, Jennings County employees may be able to engage in a sick leave exchange, subject to the following conditions:

1. Any Jennings County employee shall be able to "donate" up to five (5) days of their accumulated sick leave, vacation time, or personal days per calendar year.
 - (a) For the purpose of this subsection, "day shall be defined as a seven (7) hour work day. However, if a donating employee's work day is in excess of seven (7) hours, their entire day, regardless of number of hours, shall be considered exhausted by the donation to another employee.
 - (b) If the receiving employee's work day is in excess of seven (7) hours, they shall be entitled to use a full day, regardless of number of hours, so long as the sick leave, vacation time, or personal day is directly donated to them by another employee.
2. The allotted five (5) days of donated sick leave, vacation time, or personal days can be used by one of more than one fellow Jennings County employee. However, any Jennings County employee who donates sick leave, vacation time, or personal days must designate to which other employee the sick leave, vacation time, or personal days is to be donated and how many days the employee is donating to another employee. (See Appendix F for form.)
3. Any Jennings County Employee receiving sick leave, vacation time, or personal leave from another employee shall be entitled to use **no more** than thirty (30) days of donated sick leave, vacation time, or personal days in a calendar year, so long as the employee provides proof of the employee or employee's immediate family being under the care of a doctor. The thirty (30) days of sick leave, vacation time, or personal days may be used for any unforeseen injury or illness for an employee or employee's immediate family as defined in Subsection I of this Section.
4. Any Jennings County Employee receiving sick leave, vacation time, or personal days from another employee may be entitled to use such donated sick leave, vacation time, or personal days for maternity leave, so long as the receiving employee provides proof of remaining under a doctor's care beyond the typical six (6) week postpartum period. If such donated sick leave, vacation time, or personal days is used for maternity leave, no more than fifteen (15) days of donated sick leave, vacation time, or personal days may be applied towards one individual maternity leave.
5. Jennings County Employees utilizing donated sick leave, vacation time, or personal days may only use donated sick leave, vacation time, or personal days after exhausting all of their own accumulated sick leave (accumulated in current calendar year or any previous calendar year), vacation time, and personal days. No donated sick leave, vacation time, or personal days may be used prior to exhaustion of the receiving employee's own sick leave, vacation time, and personal days.
6. All sick leave, vacation time, or personal day donations and receipts must be approved by the employees' department head and Human Resources. If the employee's work in different department, both department heads must approve the donation and receipt in addition to Human Resources.
7. No employee shall solicit sick leave, vacation time, or personal days donation from other employees. Employees for which solicitation of sick leave, vacation time, or personal days is proven, will be ineligible to receive donated sick leave, vacation time, or personal days.

8. All forms for donation and receipt of sick leave, vacation time, and personal days shall be submitted to the Human Resources Department no less than thirty (30) days prior to the date of sick leave, vacation time, or personal days being taken. In the case of accidents or emergencies, special circumstances may be considered.

J. MATERNITY LEAVE

Full time employees shall be provided with two (2) weeks of paid maternity leave and up to ten (10) weeks of unpaid maternity leave, not to exceed twelve (12) total weeks of maternity leave. Maternity leave shall be granted when an employee is unable to work due to a related pregnancy, childbirth, legal adoption of a child or related medical condition. Employees are eligible to request leave only after having completed one (1) year of employment with the county. A statement from a healthcare provider must also be submitted verifying the need for maternity leave as priding the expected beginning and ending dates.

Employees may substitute any accumulated paid leave for unpaid maternity leave, any period beyond two (2) weeks and up to twelve (12) weeks, as part of the maternity leave period. Employees shall only be eligible for one maternity leave period (up to twelve (12) weeks) in a twelve (12) month period.

K. TRAINING

Employees may be provided leave with pay for approved, job-related training. Training leave must be approved by the Department Head or Elected Official. Training leave may be up to ten (10) days per year. All training expenses for employees shall be paid from the department's budget.

L. FAMILY MEDICAL LEAVE

Jennings County will comply with the Family and Medical Leave Act and implement regulations as revised effective February 6, 2013. The County posts the mandatory FMLA Notice of Employee Rights and Responsibilities under the Family and Medical Leave Act on the County's bulletin boards. At the time of hire, new employees will be provided with this notice as part of their employee orientation.

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If employees have any questions, concerns, or disputes with this policy, they should contact the Auditor's Payroll Clerk.

A. General Provisions

Under this policy, the County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

B. Eligibility

To qualify for leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment

will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, stating the County's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

C. Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and in order to care for that child.
2. The placement of a child due to adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three (3) consecutive days of incapacity with the first visit to the health care provider within seven (7) days of the onset of the incapacity and a second visit within thirty (30) days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment,

such visits must take place at least twice a year.

Employees with questions about what illnesses are covered under this FMLA policy or under the County's Sick Leave Benefits policy are encouraged to consult with the Auditor's Payroll Clerk.

If an employee takes sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5. Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the

family member's call-up or service. The qualifying exigency must be one of the following:

- a. short-notice deployment.
- b. military events and activities,
- c. child care and school activities,
- d. financial and legal arrangements,
- e. counseling,
- f. rest and recuperation,
- g. post-deployment activities and
- h. additional activities that arise out of active duty, provided that the County and employee agree, including agreement on timing and duration of the leave.

Eligible employees are entitled to FMLA leave to care for a current member of the Armed Forces, including a member of the National Guard or Reserves, or a member of the Armed Forces, the National Guard or Reserves who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or otherwise on the temporary disability retired list. Eligible employees may not take leave under this provision to care for former members of the Armed Forces, former members of the National Guard and Reserves, and members on the permanent disability retired list.

In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

- a. A "son or daughter of a covered service member" means the covered service

- member's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.
- b. A “parent of a covered service member” means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents “in law.”
 - c. Under the FMLA, a “spouse” means a husband or wife as defined under the law in the state where the employee resides.
 - d. The “next of kin of a covered service member” is the nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member's next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously.

When such designation has been made, the designated individual shall be deemed to be the covered service member's only next of kin. For example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member's next of kin.

Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member's next of kin. The County is permitted to require an employee to provide confirmation of covered family relationship to the covered service member pursuant to § 825.122(j).

“Covered active duty” means:

- a. “Covered active duty” for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- b. “Covered active duty” for members of the reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. (a) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and

The leave may commence as soon as the individual receives the call-up notice. (son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

6. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.

An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.

Next of kin is defined as the closest blood relative of the injured or recovering service member.

The term "covered service member" means:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- b. A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The term "serious injury or illness means:

- a. In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.
- c. Outpatient status, with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

D. Amount of Leave

An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The County will measure the 12-month period as a rolling 12-month period measured forward from the date an employee uses any leave under this policy. Each time an employee takes leave, the County will compute the amount of leave the employee has taken under this policy in the preceding months starting with the initial date of leave and subtract it from the 12 weeks of available leave. The balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the County will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

E. Employee Status and Benefits during Leave

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under current County policy, the employee pays a portion of the health care premium. While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium.

While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Auditor's office by the 20th day of each month.

If the employee is unable to pay their portion of benefit costs, the employee will be required to reimburse the County for all payments made on the employee's behalf either through payroll deduction or direct payment.

If the employee fails to return to work, the County will recover from the employee its share of all premiums paid on the employee's behalf during the leave. Arrangements for repayment can be made with the approval of the Board of Commissioners.

If the employee contributes to any other benefit plans, the County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the County may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the County may discontinue coverage during the leave. If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

F. Employee Status after Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the County's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

G. Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all unused sick days and compensatory time prior to being eligible for unpaid leave.

Workers' compensation leave, to the extent that it qualifies, will be designated as FMLA leave and will run concurrently with FMLA.

An employee who is using military FMLA leave for a qualifying exigency member must use all unused sick days and compensatory time prior to being eligible for unpaid leave.

An employee using FMLA military caregiver leave must use all unused sick days and compensatory time prior to being eligible for unpaid leave.

H. Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hours schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour's schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working a reduced hours' schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

I. Certification for the Employee's Serious Health Condition

The County will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition.

The County may directly contact the employee's health care provider for verification or clarification purposes using the designated leave administrator. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

J. Certification for the Family Member's Serious Health Condition

The County will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition.

The County may directly contact the employee's family member's health care provider for verification or clarification purposes using the designated leave administrator. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's family member's permission for clarification of individually identifiable health information.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion.

If it is necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

K. Certification of Qualifying Exigency for Military Family Leave

The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave.

L. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave

The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

M. Recertification

The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

N. Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Auditor's Payroll Clerk. Within five business days after the employee has provided this notice, the Auditor's Payroll Clerk will complete and provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the County with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

O. Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Auditor's Payroll Clerk will complete and provide the employee with a written response to the employee's request for FMLA leave using the DOL Designation Notice.

P. Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. Employees who do not return to work following the use of all paid and unpaid leave as described above may, subject to approval by the Board of Commissioners, be terminated as an active employee.

M. SHORT TERM AND LONG TERM LEAVE OF ABSENCE

All employees with six (6) months of employment with Jennings County or more are eligible for an unpaid leave-of-absence. An employee desiring to take a leave-of-absence shall provide a written request to their supervisor detailing the grounds and the expected duration of the leave. Preference granting such a leave of absence shall be based upon seniority, performance and conduct history and the purpose for which the leave of absence is being requested.

Short Term Leave: A leave-of-absence less than 30 days.

Long Term Leave: A leave-of-absence more than 30 days.

Employees will not be granted a leave-of-absence for any duration exceeding 180 days. Re-employment is guaranteed only if the leave of absence is approved, but re-employment will not necessarily be to the same position that was vacated. The employee will be placed in a position as close to the one that was vacated if the previous position held by the employee had to be filled during the employee's absence.

The following reasons are adequate grounds to request a leave-of-absence:

- Non-job related disability
- Illness after sick leave has been fully utilized
- Training and educational purposes
- Personal business beyond the scope of personal leaves

Employees who elect to take an unpaid leave-of-absence will not receive compensation. However, those employees who take a short term leave-of-absence of 30 days or less will receive all fringe benefits at no additional charge or cost to the employee. This includes the accrual of all benefits.

Employees who receive a long term leave-of-absence will only receive those benefits described and approved by the Board of Commissioners and County Council at the time leave is requested. Although, the employee may continue any benefit which will not be offered during the leave-of-absence at their own expense. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Auditor's office by the 20th day of each month. If the employee is unable to pay their portion of benefit costs, the employee will be required to reimburse the County for all payments made on the employee's behalf either through payroll deduction or direct payment.

If the employee fails to return to work, the County will recover from the employee its share of all premiums paid on the employee's behalf during the leave. Arrangements for repayment can be made with the approval of the Board of Commissioners.

N. MILITARY LEAVE

Regular full-time and regular part-time employees are eligible for a leave of absence from their respective positions without loss of pay for the time they are performing military service for a period not to exceed fifteen calendar days within one calendar year. Pay received for military service shall be deducted from regular Jennings County compensation (i.e., the sum of the two shall not be greater than regular Jennings County compensation afforded the employee).

In order for an employee to receive military leave, the employee shall first bring his or her notification paperwork upon receipt to his or her Elected Official or Department Head. Military leave up to fifteen (15) days shall not be charged against other leave time.

Uniformed services means the Armed Forces of the United States, a ready reserve component of the Armed Forces, Indiana National Guard Units, the commissioned core of the public health service, and any other service designated by the President of the United States in time of war or emergency.

If an employee is served with a notice of military draft, the employee shall be given a leave of absence without pay after notifying the Jennings County Board of Commissioners. The employee shall provide notification to the Board of Commissioners forty-five (45) days prior to his or her anticipated return from military service.

The employee shall be placed in a position similar in classification and pay to the position he or she vacated when drafted.

An employee on leave under this provision shall suffer no loss of seniority or benefits during the fifteen day leave period.

An employee on military leave for a period in excess of fifteen calendar days in one calendar year shall receive all benefits provided under the Uniform Services and Reemployment Act of 1994 (38 U.S.C. Chapter 43).

Employees absent from their respective positions because due to military service are, if honorably discharged, entitled to reinstatement, provided that the period of absence does not exceed five (5) years.

If an absence exceeds five (5) years, reinstatement shall be available only under the exceptions set forth in 38 U.S.C. §4312(c). An employee is entitled to reinstatement only if the employee had, prior to the time of commencing uniformed service, given notice to the County of the anticipated service, and has at the conclusion of the military service reported for work, or made application for reinstatement as follows:

1. If uniformed service is for thirty (30) days or less the employee must report for work by the next regularly scheduled workday after allowing eight (8) hours for travel;
2. If uniformed service is for more than thirty (3) days but less than 180 days, the employee must submit an application for reinstatement not later than 14 days after completion of uniformed service.
3. If uniformed service is for more than 180 days, the employee must submit an application for reinstatement within the ninety (90) day period following completion of uniformed service.

Exceptions to these reinstatement time periods will be made when, because of a disability or hospitalization caused by uniformed service, or because of events beyond the control of the employee, the employee was unable to report or make application within the prescribed period of time.

Reinstatement shall be to the position last held by the employee, unless such position no longer exists, or the requirements of such position has so substantially changed that reasonable training will not qualify the employee for such position. In such circumstances, reinstatement shall be to a position similar in pay and duties.

Reinstatement shall not be available, if during the period of military service, the employee would have been laid off from such position had the employee remained in public employment, and recall has not yet occurred.

An employee reinstated pursuant to these provisions shall be entitled to placement on the salary schedule at the level the employee would have attained had the employee not been absent for uniformed service. Reinstated employees shall be entitled to benefit levels that escalate with length of service as if there had been no absence for uniformed service.

If an employee is absent from work due to military service, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee.
2. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate. Refer to Benefits Continuation.
3. Employees do not accrue vacation or sick leave while on military leave of absence status.

O. MILITARY FAMILY LEAVE (STATE)

County employees who are the spouse, parent, grandparent, or sibling of an individual who is called to full time active duty in the military or the National Guard are eligible for up to ten (10) days of leave. To be eligible for this leave the employee must have been employed by the County for at least one year and have worked 1500 hours during this period.

Employees should notify their Elected Official or Department Head, in writing, at least thirty (30) days in advance or as soon as orders are received. A copy of the orders must be given to the Elected Official or Department Head. The leave may occur within thirty (30) days prior to active duty, during the period of active duty or within thirty (30) days after the conclusion of active duty.

Employees will be required to first use one half of their vacation time and compensatory time before taking unpaid leave.

During the leave the employee will retain all benefits. When the leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified.

If the employee is not receiving a paycheck, the employee must pay the employee's portion of all benefits to the Jennings County Auditor in advance on or before the first day of each month.

P. BEREAVEMENT LEAVE

Jennings County is committed to a sensitive and compassionate approach to employee needs at the time of a death in the family. However, bereavement leave is not an accrued benefit and must be used immediately prior to or following the funeral and in contiguous (business) days (weekends and Holidays excluded). If circumstances require that you are absent you must report this to your Elected Official or Department Head and obtain approval. Jennings County may require proof of relationship with the deceased.

Documentation of the appropriate circumstances may be required of the employee, e.g. death certificate or obituary. Misuse of the bereavement leave can result in disciplinary action up to and including termination of employment. Part time employees are not eligible for bereavement leave.

A full time employee will be granted time off to attend the funeral service or visitation based on the time allowed in the table found in this section. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Up to one (1) additional day of funeral leave may be granted to attend funeral services for a member of the family which is conducted outside a 150-mile radius of Jennings County. Up to two (2) additional days funeral leave may be granted to attend funeral services for a family member conducted outside a 500-mile radius of Jennings County.

If the deceased is not a relative as outlined in the table or additional time off is needed, the employee's Elected Official or Department Head may grant additional leave with the additional leave charged against the employee's accrued compensatory time, vacation leave, sick leave or personal leave.

Up to five (5) days for the death of employee's:	Up to three (3) days for the death of employee's:	Up to one (1) day for the death of employee's:	Up to ½ day for the death of employee's friend
Spouse, child, or step-child	Son-in-law; Daughter-in-law	Aunt or Uncle	
Parent or step-parent	Brother-in-law; Sister-in-law	Niece or Nephew	
Mother-in-law and father-in-law		Spouse's aunt or uncle, niece or nephew or any great extension of a family member	
Brother or step-brother; Sister or step-sister			
Grandparent, step-grandparent, grandchild, spouse's grandparent or grandchild or any other relative living in the employee's household for whom the employee is the sole provider			
Domestic Partner (Registered), some type of proof must be provided			

Q. JURY DUTY

Jennings County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees must show the jury duty summons to their Department Head or Elected Official as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Full time employees shall receive leave without loss of pay to serve on a jury in any State or Federal Court. If an employee is required to serve on a jury or appear in court during a regularly scheduled day off or beyond regularly scheduled working hours, the employee shall receive compensatory time off. Compensation from a court for serving jury duty will be deducted from regular Jennings County compensation (i.e. the sum of the two shall not be greater than the regular Jennings County compensation afforded the employee.)

Either Jennings County or the employee may request an excuse from jury duty, if in the County's judgment, the employee's absence would create serious operational difficulties. It will be the responsibility of the County Attorney to seek an exemption from such duty.

Jennings County will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits, will continue to accrue during paid jury duty leave.

R. WITNESS DUTY

Jennings County encourages employees to appear in court for witness duty when subpoenaed to do so. Regular, full time and introductory employees are eligible for paid witness duty leave.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the County, they will receive paid time off for the entire period of witness duty.

Employees will be granted a maximum of a full work day of paid time off to appear in court as a witness at the request of a party other than the County.

Employees will be paid at their base pay rate and are free to use any remaining paid leave benefits (e.g. vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the Department Head or Elected Official immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

S. BENEFITS CONTINUATION (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at County's group rates plus an administration fee. The County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under County's health insurance plan. The notice contains important information about the employee's rights and obligations.

T. BUSINESS TRAVEL EXPENSES

Jennings County will reimburse employees for expenses incurred while traveling on official county business. See Ordinance #2019- 8.

A. POLICY: All official travel must be properly authorized, reported and reimbursed in accordance with this Travel Policy Document. In all instances, the travel must be approved in advance by the County Commissioners; and if the travel is for someone other than a department head, by that department head as well. **No department head shall be authorized travel funds within that department budget to travel without prior approval of the County Commissioners; and, if the Commissioners deem it appropriate, from the County Council as well.**

B. DEFINITION: All travel expenses must be for "authorized travel". "Authorized travel" means any travel by a County employee or County public official for the purpose of official County business which is approved by the County Commissioners, and if travel is by an employee or public official who is not a department head, by that person's department head as well.

C. ADMINISTRATION:

1. It is recognized that the County payment for authorized travel includes direct travel expenses, which may include food, beverage and lodging incurred by County employees and public officials, wherein reimbursement will be provided.
2. Claimants for reimbursement have the responsibility of becoming knowledgeable about authorized travel expenditures and the documentation requirements. Care must be taken to avoid unnecessary or excessive expenditures , and those not direct and reasonably related to the conduct of County business.
3. It should be the responsibility of the County Auditor, to adopt, publish, and enforce rules and procedures consistent with this Policy for the purpose of carrying out the provisions thereof; and to provide forms accompanied by instructions for their implementation.

D. SUBMISSION OF CLAIMS

1. Reimbursement: Reimbursement shall be made for actual expenses incurred for convention, seminar, or other registration fees; reasonable expenses incurred at meetings related to official County business; transportation to destination and return or mileage as set forth herein; single occupancy lodging where overnight lodging is required; and incidentals, all as set forth below. JENNINGS COUNTY RESERVES THE RIGHT TO PERMIT AND CONTROL COUNTY

CREDIT CARD USAGE. SEE JENNINGS COUNTY ORDINANCE #2018-13 AND CHECK FOR UPDATES WITH THE COUNTY AUDITOR.

2. Documentation: No claim for reimbursement shall be paid unless it is accompanied by a vendor's receipt. Should a receipt be lost or not obtainable, an employee certification, signed by his/her department head or by a Commissioner if the employee is a department head, may serve as a substitute for a receipt at the sole discretion of the Commissioners. Such receipt or certification should show the date, a description of the purchase, vendor identification, amount paid, and an explanation for the lack of a receipt should that be the case. Restaurant meal "stubs" will be accepted as receipt where a more detailed vendor receipt cannot be reasonably obtained. However, the stub must have the amount completed and initialed by restaurant staff, though the tip can be added by the employee if not included.
3. Information: Claims for reimbursement shall contain the following:
 - a. The name of the person who consumed the goods or used the service for which reimbursement is requested.
 - b. A description of the event, occasion or circumstance related to the claim and the public policy or public purpose served.
 - c. The required receipts (or certifications where they are allowed).
4. Meals: Reimbursement shall be made for expenses incurred for meals as follows:
 - a. Meals costs must be incurred directly by the claimant, and do not cover meals served without cost incurred by the claimant at authorized meetings, conventions, or conferences. Direct billing to the County by a food provider is prohibited unless included in prepaid costs approved by the Commissioners.
 - b. All County employees and public officials claiming reimbursement for meals consumed while on County business shall be entitled to reimbursement not to exceed \$45.00 per day, including tax and tip, based on vendor receipts. If the employee's attendance does not necessitate overnight travel, or travel more than fifty (50) miles from Vernon, meals shall be reimbursed at an amount not to exceed \$20.00 per meal, including tax and tip, and no reimbursement shall be made for a morning meal or an evening meal unless it is an afternoon and evening meeting.
 - c. The Commissioners may approve exceptions to the authorized meal allowance schedule when the Commissioner determine that either the region of the country is recognized as a high cost area, or that the event's location requires a greater cost. To claim a meal schedule cost exception, the employee or public official must prepare a written request for such exception treatment, have it approved by his or her department head, if applicable, and submit it to the Commissioners for a final determination.

- d. If the costs of meals for persons other than the claimant are included, those persons must be entitled to meal reimbursement by their own right and they shall be listed by name and title in claim documentation, or that portion of the claim will be disallowed.
 - e. Specifically excluded from reimbursement for meals are any beverages containing alcohol, meal expenses incurred where the meals are covered by the meeting, conference or seminar, meals between home and the official workplace, and tobacco products. Payments for table service at a food establishment, commonly referred to as a tip, in excess of 15% on the submitted receipt, shall be disallowed.
5. **Travel:** Reimbursement for reasonable cost of business travel must be authorized by the Commissioners in advance. The use of a County vehicle rather than a personal car is encouraged, where one is readily available and approved by the department head and the Commissioners. General guidelines are as follows:
- a. County vehicle - out of area cost of vehicle operation are authorized for fuel, oil, tires and necessary repairs.
 - b. Personal vehicle - expenses shall be reimbursed for travel within a three hundred (300) mile radius of the County at the then current mileage rate allowed by the Commissioners for such expense. The current established rate is \$0.38 per mile. Trips beyond this distance will be reimbursed at the lower of the (1) established rate per mile, or (2) the lowest available airfare obtainable by the County Auditor or department head, plus mileage reimbursement at the then current County rate, based upon the estimated distance between the airport and the destination.
 - c. County employees who receive a motor vehicle allowance in lieu of County provided transportation shall not be entitled to further reimbursement for surface transportation costs within a fifty (50) mile radius of the County. Incidental travel costs such as parking, ferry or bridge tolls, are reimbursable as they would be if a County vehicle was provided.
6. **Rental Vehicle:** The cost of vehicle rental when on out-of-town business is considered an exception to this Policy and must be approved in advance by the Commissioners. Vehicle rental authorization must be separately set out in any request for approval of travel expenses. Approval of vehicle rental as an item on a Travel Advance Request will not be considered sufficient authorization without a separate statement presenting the reason such an expenditure is required.
7. **Air Travel:** Arrangement for air travel on County related business shall be made by the department whose employee is involved in the travel, or as may otherwise be designated by the County Auditor, but always subject to prior approval by the Commissioners, and must follow the following Policy:

- a. Whenever feasible, the need for air travel arrangements should be provided by way of the normal purchase order process at least five (5) weeks in advance of the departure date.
- b. The authorized procurer will arrange for air travel based on the lowest available airfare for a regularly scheduled flight which reasonable accommodates the time of travel requested, and the destination as specified by the requested department. A travel agency may be used, but any fee for that travel agency, including Internet travel services, must be approved in advance.
- c. The authorized procurer will purchase the tickets at the time the rate is quoted and the employee will be advised of the arrangements for acquiring the tickets.
- d. If personal travel is combined with business travel, the traveling employee shall be responsible for paying the increase in airfare necessary to accommodate the personal part of the flight. The County shall only pay the lowest available airfare for the round trip between Jennings County and the business-related destination. Such payment for personal travel shall accompany the County's payment to the vendor for the tickets.
- e. If changes in travel plans occur that are the result of county business requirements (that is, delays and departures, cancellations, extended stays ,or revised itinerary), any associated costs shall be paid by the County. However, any increase in the cost of travel due to changes for personal convenience, will be borne by the employee.
- f. Employees who obtain airline tickets on their own will be reimbursed based on the "lower" of (1) actual out-of-pocket costs paid by for the airline tickets or alternate means of transportation (substantiated by receipt)l or (2) the lowest airfare available for their time of travel, unless an exception is granted in writing by the Commissioners. When purchased by the employee, he or she must pay the costs of the travel and seek reimbursement along with all other travel expenses. Direct billing of airfare to the County is allowed only if arranged for or approved by the Commissioners in advance.
- g. Only coach air travel is authorized, unless this requirement is specifically waived in advance by the Commissioners.

8. **Other Miscellaneous Travel Expenses:**

- a. Miscellaneous travel costs such as bus, taxi, bridge tolls, or other tolls, and parking are authorized by the listing of the same on the reimbursement form. Payment for personal services such as porter, bellman, maid service, and the like are not considered reimbursable miscellaneous travel costs.
- b. A vendor's receipt will be required for all such miscellaneous travel costs.

9. **Mileage and/or Overnight Travel:**

- a. Employees driving personal vehicles on County business outside the County shall be entitled to reimbursement for mileage at the established rate per mile.
- b. Overnight accommodations (hotel/motel) for a one-day meeting, conference, or seminar (collectively called "such programs") shall not be approved unless the distance exceeds 120 miles one way from Jennings County to the location of such program.
- c. Overnight accommodations for such programs lasting more than one day shall be considered as follows:
 - (1) If the one-way distance is 50 miles or less, no overnight accommodations shall be approved.
 - (2) If the one-way distance exceeds 50 miles but does not exceed 120 miles, there shall be no overnight accommodations either the night before such program begins or the night such program ends.
 - (3) If the one-way distance exceeds 120 miles, there may be overnight accommodations either the night before such program begins or the night such program ends (but not both), and all nights in between.
- d. The County shall have the sole discretion to vary from these rules for extenuating circumstances, but any claim of extenuating circumstances must be brought before the Commissioners sufficiently in advance and with sufficient details to enable the Commissioners to make such a decision in advance of the travel, or it will be automatically denied.
- e. Reasonable overnight (hotel/motel) accommodations for County employees and public officials are acceptable and will be reimbursed at a maximum of the best available single room rate. Exceptions may be authorized by the Commissioners should a single room rate not be available, but evidence of this must be received from the hotel/motel/ A vendor's receipt for this category is required for all claims. Direct billing of hotel/motel charges is not allowed unless approved in advance by the Commissioners.

10. **Expenses for Which Reimbursement is Not Available:** In addition to those items specifically excluded for reimbursement as identified in 4(d) and 8(b), there shall be no reimbursement for the following: beverages with any alcoholic content; expenses of a spouse or other persons not authorized to receive reimbursement under this Policy; laundry; entertainment; personal telephone calls; early departure or late return for personal reasons; TV/movie rental; personal sundries; clothing; entertainment and travel to places of entertainment; room service; valet service; personal "trip insurance"; damage costs caused by the County employee or public official actions; fines, penalties and/or forfeiture expenses incurred; theft; loss or damage to personal property; limousine services; expenses paid by others; personal postage or reading

materials; health care expenses, except as covered by the County health plan; and child care expenses unless specifically authorized in advance.

11. **Time Limit for Submission:** Claims for reimbursement of travel expenses must be submitted to the County Auditor in the manner set forth above, upon completion of the trip. Such claim for reimbursement becomes delinquent if not submitted within thirty (30) days, and may result in denial of the claim. If any travel advance exceeds the reimbursable expenses, the County employee or public official must submit a payment for the excess amount immediately upon completion of the trip. The County has the right to require, in addition to the documentation and information requirements set forth above, to require that a County employee or public official sign a report certifying that the amounts claimed are: (1) true statement of the expenses incurred on official County business, and (2) not being reimbursed by another person or organization.

SECTION FIVE - STANDARDS OF CONDUCT

A. ANTI-HARASSMENT

It is the policy of Jennings County to provide a productive work environment and to prohibit all verbal or physical conduct by any employee, visitor or vendor that improperly harasses, disrupts or interferes with another's work performance or creates an intimidating, offensive or hostile work environment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated.

While all forms of improper harassment are prohibited, special attention should be paid to the meaning of and prohibition of sexual harassment. This zero tolerance policy prohibits not only conduct and language that constitute unlawful sexual harassment as defined by the law and the courts, but all inappropriate behavior having sexual content.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that has the purpose or effect of creating a hostile, intimidating or offensive work environment is prohibited and will not be tolerated.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her Department Head or Elected Official.

If the Department Head or Elected Official is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Auditor's office, the Board of Commissioners or any other Elected Official or Department Head. Employees can raise concerns and make reports without fear of reprisal. Any Department Head or Elected Official who becomes aware of possible sexual or other unlawful harassment should promptly advise the Board of Commissioners.

All complaints of violations of this policy will be promptly referred to an Investigation Team appointed by the Board of Commissioners for investigation, findings and recommendation of sanctions, whenever warranted.

All complaints under this policy will be handled as discretely as possible. However, due to the fact that employers are required by law to thoroughly investigate all complaints of harassment, anonymity and secrecy cannot be guaranteed to any party or witness in the course of an investigation. The law requires, and Jennings County does reserve the right to investigate complaints as appropriate and to inform individuals who have a legitimate right to know.

Employees engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment, and counseling may be required in addition to or in lieu of other disciplinary action. Vendors will be subject to contractual remedies up to and including forfeiture.

B. WORKPLACE VIOLENCE

The safety and security of Jennings County employees and customers is very important. It is the intent of the County to provide a workplace for all employees which is free of violence. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated. Workplace violence includes, but is not limited to, intimidation, threats, physical attack or property damage. These terms are defined as follows:

"Intimidation" includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress.

"Threat" is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the person communicating the threat has presented the ability to carry it out and without regard to whether expression is contingent, conditional, or future.

"Physical attack" is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, throwing objects, firing a weapon, causing an explosion of hazardous materials, or discharge of hazardous substances.

"Property damage" is intentional damage to property which includes property owned or leased by the County, employees, visitors, or vendors.

Any person who makes threats, exhibits threatening behavior, or engages in violent act on County-owned or leased property may be removed from the premises.

Threats, threatening behavior, or acts of violence executed off County-owned or leased property but directed at County employees or members of the public while conducting official County business, is a violation of this policy.

Off-site threats include threats made via the telephone, fax or electronic or conventional mail, or any other communication medium.

Violations of this policy may lead to disciplinary action that may include termination of

employment, and may also result in arrest and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from County-owned or leased premises, termination of business relationships with the individual(s), arrest, and prosecution of the person(s) involved.

Employees are responsible for notifying their Department Head or Elected Official of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when the behavior is job related or might be carried out on County-owned or leased property or in connection with County employment.

Any employee who receives a protective or restraining order which lists County-owned or leased premises as a protected area is required to provide their Department Head or Elected Official with a copy of such order.

If an emergency exists, contact the police department at 911 and notify your Department Head or Elected Official.

If not an emergency, employees should inform their Elected Official or Department Head. If the Elected Official or Department Head is unavailable or if the nature of the complaint is such that the employee does not believe he/she can discuss it with the Department Head or Elected Official, the employee may bring concerns to the Board of Commissioners.

Employees who act in good faith by reporting real or implied violent behavior violations of this policy need not fear retaliation.

C. CONFIDENTIAL RECORDS

All records of Jennings County and its agencies and departments are public records with the exception of the following:

1. Records declared confidential by state statute.
2. Records required to be kept confidential by Federal Law.
3. Records containing trade secrets.
4. Records declared confidential under rules of the Supreme Court of Indiana.
5. Patient medical records and patient health information, unless written consent is given by the patient or the patient's authorized representative.
6. Investigatory records of a law enforcement agency or officer of the Courts.
7. Work product of an attorney representing Jennings County, its governing bodies, agencies, departments or officers in their official capacity.
8. Records which are identified by governing bodies, agencies or departments of Jennings County as confidential under the Indiana Access to Public Records statutes.
9. Computer programs, computer codes, computer filing systems, and other software owned by Jennings County, its agencies or departments, or entrusted to any of them by their owners.
10. (a) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of

- the agency;
- (b) information relating to the status of any formal charges against the employee; and
- (c) information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged.

However, all personnel file information shall be made available to the affected employee or his representative. The limitations upon disclosure of personnel file information do not apply to disclosure of personnel information generally on all employees or for groups of employees so long as information on a particular employee has not been requested.

No Jennings County or Jennings County employee related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials, except in the ordinary course of performing duties on behalf of Jennings County may be removed from the courthouse without permission from the Department Head or Elected Official.

Employees who are unsure about the confidential nature of any particular record or information should ask their Department Head or Elected Official for clarification, who may refer the applicability of any of the foregoing exceptions to the attorney representing Jennings County. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly divulging or releasing information or records of a confidential nature.

D. CONFLICTS OF INTEREST

In order to comply with Indiana law and in order to avoid potential conflicts of interests, misunderstandings and appearances of favoritism, impropriety or bias, the Board of Commissioners have adopted the following policy to establish certain minimum requirements regarding contracts between (i) any department, office or elected official of Jennings County, Indiana (the "County"), and (ii) "relatives" (or businesses wholly or partially owned by relatives) of "elected officials" of the County.

Except as otherwise provided herein, the County may enter into or renew a contract for the procurement of goods and services or a contract for public works with either: (i) an individual who is a relative of an elected official, or (ii) a business entity that is wholly or partially owned by a relative of an elected official; only if the requirements of this policy are satisfied and such contract would not result in a violation of Indiana Code 35-44-1-3 by the elected official.

Notwithstanding any provisions of this policy and Indiana Code 36-1-21, the County may enter into or renew a contract with an individual or business entity described in the paragraph above only if the following conditions are met:

1. The elected official shall file with the Board of Commissioners of Jennings County, Indiana (the "Board of Commissioners") a full disclosure statement, which must: (a) be in writing; (b) describe the contract or purchase to be made by the County; (c) describe the relationship that the elected official has to the individual or business entity with whom the County seeks to contract or from whom the County seeks to purchase; (d) be affirmed under penalty of perjury; (e) be submitted to the legislative body of the County and be accepted by the legislative body of the County in a public meeting of the legislative body prior to final action on the contract or purchase; and (f) be filed, not

later than fifteen (15) days after final action on the contract or purchase, with (i) the State board of accounts, and (ii) the clerk of the circuit court of the County.

2. The appropriate agency of the County shall file a certified statement with the Board of Commissioners: (a) that the contract amount or purchase price was the lowest amount or price bid or offered; or (b) setting forth the reasons why the vendor or contractor was selected.
3. The County satisfies any other contracting requirements under Indiana Code 5-22 (concerning the purchase of goods or services) or Indiana Code 36-1-12 (concerning public works).
4. The elected official also complies with the disclosure provisions required by Indiana Code 35-44-1-3, if applicable.

Each elected officer of the County shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this policy or Indiana Code 36-1-21. Each officer shall submit the certification to the Board of Commissioners not later than December 31 of each year.

This policy is intended to implement the minimum requirements necessary to comply with Indiana Code 36-1-21, as the same may be amended from time to time. If and to the extent this policy is not in compliance with Indiana Code 36-1-21, this policy shall be deemed to include such terms not otherwise included herein, and to exclude such terms not otherwise excluded here from, as are necessary to cause this policy to implement the minimum requirements set forth in Indiana Code 36-1-21.

To the extent this policy is inconsistent with any provision of Indiana law, including, without limitation, Indiana Code 36-1-21, such other provisions of Indiana law shall control. If any portion of this policy is held or deemed to be, or is, invalid, illegal, inoperable or unenforceable, the validity, legality, operability and enforceability of the remaining portions of this policy shall not be affected, and this policy shall be construed as if it did not contain such invalid, illegal, inoperable or unenforceable portion.

The County reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21. Furthermore, the County reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of the provisions of Indiana law, including, without limitation, the provisions of Indiana Code 36-1-21.

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Conflicts of interest are defined by Indiana law (IC 36-1-20.2) which may, under some circumstances, prohibit a transaction or require written disclosure and approval before a contract or transaction is entered. Employees may refer questions about actual or potential conflicts of interest to the Auditor.

The County may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with: (1) an individual who is a relative of an elected official or; (2) a business entity that is wholly or partially owned by a relative of an elected official only if the elected official files a full disclosure which must:

1. be in writing
2. describes the contract or purchase

3. describes the relationship of the official to the business
4. affirmed under penalty of perjury
5. submitted to the legislative body prior to final action
6. filed (within 15 days of final action) with the State Board of Accounts (SBOA) and the County Clerk.

Each elected official shall, by December 31 of each year, certify in writing subject to the penalties of perjury, on forms provided by the County that the official is in compliance with the provisions of this policy.

E. BUSINESS ETHICS AND CONDUCT

The successful operation and reputation of the Jennings County government is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Our continued success is dependent upon our citizens' trust and we are dedicated to preserving that trust. Employees owe a duty to Jennings County government, its customers, and citizens to act in a way that will merit the continued trust and confidence of the public.

Jennings County will comply with all applicable laws and regulations and expects its Department Heads, Elected Officials and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Department Head or Elected Official.

Compliance with this policy of business ethics and conduct is the responsibility of every Jennings County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

F. STANDARDS OF PERFORMANCE

Jennings County expects its employees to perform their duties at a consistently high level of productivity and quality.

At a minimum, Jennings County requires its employees to perform a job as efficiently and as safely as possible while maintaining established quality standards. If there is a question regarding either a safe place or quality, the employee is expected to ask their supervisor for clarification.

After an employee finishes one job, they are expected to move on to another job as quickly as is reasonably possible.

If an employee finds that they do not have anything to do during work hours, they are expected to report to a supervisor for another assignment.

G. WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of Jennings County who reports an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. The Board of Commissioners is charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should submit those concerns in writing to the Human Resources Director appointed by the Board of Commissioners or any member of the Board of Commissioners.

The individual should exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing shall be subject to disciplinary action up to and including termination of employment.

Whistleblower protections are provided in two important areas -- confidentiality and no retaliatory actions. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. Jennings County will not retaliate against a whistleblower. This includes protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against should submit their concerns in writing to the Compliance Officer immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Compliance Officer who will be responsible for investigating and coordinating corrective action.

The Compliance Officer will be appointed by the Board of Commissioners and the name posted with the County's legal postings.

H. USE OF ELECTRONIC EQUIPMENT

All County electronic equipment is intended to be used for official County business only. Personal use of any item of County electronic equipment is not permitted, except in emergencies or with specific permission of the employee's Department Head or Elected Official. It shall be the responsibility of each Department Head, Elected Official and each person in a supervisory capacity to monitor compliance with this policy and to determine when exceptions shall be permitted.

Employees shall not use County electronic equipment to use the internet for purposes other than official County business without the authorization of the employee's Department Head or Elected Official. "Use of the internet" includes logging on, viewing, uploading or downloading material to or from the internet.

Employees are strictly prohibited from using the County's electronic equipment, e-mail, system or internet access for any of the following:

1. Viewing, transmitting, retrieving or storing material which may in any way be

considered abusive, obscene or offensive.

2. Transmitting any messages containing derogatory, harassing or inflammatory remarks about an ethnic group or an individual's race, color, religion, national origin, sex, age or disability.
3. Any use of the County's electronic equipment, e-mail system or internet access that violates County policies against harassment or discrimination.
 4. Transmitting any information which the employee knows or has reason to believe may be false, misleading or libelous.
 5. Sending or posting any chain letters, jokes, cartoons, or any advertisements not necessary for official business.
 6. Using the County's e-mail system or internet access for personal or political gain, including, but not limited to, the solicitation of, or engagement in, any business, political activity or any other enterprise other than official business of Jennings County.
 7. Transmitting, retrieving or storing any information that may violate applicable copyright laws, specifically including installing or downloading any software without prior approval of the County's Information Technology Administrator ("IT Administrator").

Employees utilizing County electronic equipment must be aware that communications that they believe to be private are not necessarily so and may be viewed by Elected Officials or Department Heads if performed on County electronic equipment or while during course of County employment.

To ensure compliance with policies or as part of a specific investigation, employee electronic communications may be monitored and/or recorded by the County's IT Administrator upon written specific authorization of a majority of the Board of Commissioners, or by law enforcement personnel upon a court warrant, or upon the request of the Judge of the Circuit or Superior Courts. Department Head's and Elected Officials' communications shall be subject to monitoring only by properly authorized law enforcement personnel.

Employees are cautioned as follows:

- Cellular phones use radio frequencies that can be intercepted by others.
- Computer entries can be retrieved or "undeleted" in some instances, even if the employee believes the entries have been deleted.
- Computer files that an employee believes to be secure could be accessed by others if the employee's password is disclosed to another, or system security is otherwise breached.
- Faxes and e-mail messages intended for a particular recipient may be seen by others without your knowledge.
- Communications may be subject to the Public Records Law even if the only record of communication is in a computer file.

Employees should have no expectation of privacy in the use of County electronic equipment. The use of County electronic equipment by an employee constitutes consent by the employee to have such use monitored, and is a waiver by the employee of all privacy expectations in such use.

Employees may be authorized to use passwords to access certain electronic media, such as the computer network, voice mail, or internet. Department Heads and Elected Officials shall be allowed access to employees' passwords. Employees should never give their passwords or codes to other employees or any other person except to the County's IT Administrator, Department Head, or Elected Official or law enforcement personnel upon proper authority.

The County's IT Administrator shall not divulge employees', Department Head's or Elected Officials' codes to anyone except law enforcement, to the head of the employee's particular department or the Board of Commissioners.

Computer viruses pose a serious threat to the integrity of the County's computer software and electronic files. Strict precautions must be observed, including:

- Only software obtained from or approved by the County's IT Administrator may be used.
- Each new piece of software shall be tested for virus contamination at installation and periodically thereafter. The County's IT Administrator will assist all departments with virus detection procedures.
- All signs or suspicions of virus contamination shall be immediately reported to the County's IT Administrator to isolate and control any contamination.

No employee-owned or non-County purchased software is to be installed on County-owned equipment, whether intended for legitimate business matters or for personal purposes or amusement. At no time should a new County software program be loaded on the County's network, file server, or on an individual computer without the prior approval of the County's IT Administrator. Any new programs that are loaded and detected without such approval may be deleted without prior notice.

No Social Network sites such as Facebook, Utube, MySpace, Twitter, etc. are to be accessed by any County employee on County equipment, including an employee's personal cell phone or PDA during working hours, except Law Enforcement, EMA, 911, Court Systems, Probation, Prosecutor or offices that are required to do so in the performance of County business and/or duties. The Elected Official/Department Head may block Facebook or any social media sites on individual computers within their office.

Violation of software licensing agreements is a serious matter which places the violator and the County at risk of copyright infringement claims. It is County policy to pay all proper software licensing fees and to prohibit the use of copies of "bootlegged" software. Unauthorized software will be deleted upon discovery by the County IT Administrator and reported to the employee's Department Head or Elected Official and to the Board of Commissioners.

Each software product purchased has a license agreement that:

- a. Gives the buyer the legal permission to use the software package, and
- b. Specifies the conditions under which the program can be used.

Software license agreements generally prohibit users from “sharing” software. Giving copies of software that the County has purchased, or that one has purchased personally, to others would be in violation of most software licenses. Because the County’s software has been transferred onto the Network File Server, taking the original disks or copies of the software, home for private use would be in violation of most license agreements.

The Recorder and Assessor offices are responsible for the safekeeping, maintenance, purchase, and backup operations of the systems located in their offices.

Employees in violation of this policy shall be subject to appropriate disciplinary action up to and including termination.

I. USE OF PHONE AND MAIL

Employees should practice discretion in using County telephones when making local personal calls and will be required to reimburse the County for any charges resulting from their personal use of the telephone. The use of County-paid postage equipment for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use the appropriate greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

Excessive complaints from the public or other departments against an employee will be investigated and may result in disciplinary action up to and including termination of employment.

Employees are requested to discourage all but emergency incoming personal calls. Outgoing personal calls should be made through a cell phone during 15 minute breaks or lunch. Employees should check with their supervisor for variance of this policy. Elected Officials and Department Heads are responsible for their office and staffs use of county phones of personal calls.

A telephone directory of all extensions are provided to each office. Employees need not access an outside line to call most county offices. Please use the intercom line.

J. VOICE MAIL

Security codes are to be supplied to access the Voice Mail System. These codes are confidential and must not be shared with others or the public. Depending on your position, you may be assigned a voicemail mailbox.

New employees must contact their Elected Official or Department Head to obtain security access to the phone systems. Elected Officials or Department Heads can assist you with the information needed to obtain security access.

Voicemail is not afforded to all employees. Access can be allowed from outside our facilities only with Elected Official or Department Head authorization.

K. CELLULAR TELEPHONE POLICY

The purpose of this policy is to establish administrative regulations that standardize the procedures utilized by employees in the acquisition and use of County-owned, rented or leased cellular telephones, and cellular services. The basic guideline of this policy shall be to provide employees with efficient, cost-effective cellular telephone equipment and services. These policies shall be subject to revision or termination by the Jennings County Technology Committee at its discretion. The regulations and procedures outlined in this policy statement are to apply to all County-owned, rented and leased cellular telephones.

The authority to assign equipment, authorize use of and the administration of this policy is the responsibility of the Elected Official or Department Head with final approval resting with the Jennings County Technology Committee/Board of Commissioners.

The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business, to improve safety, increase productivity, or increase service to the public.

The use of a County owned, rented or leased cellular telephone by an employee will be used for Official County business only or as permitted by the provisions detailed in this policy or in case of emergency.

The purchase of Jennings County cellular telephones, services, and other equipment must follow all procedures promulgated by the Board of Commissioners.

Before purchasing, renting, leasing equipment, or contracting cellular service, each department will determine:

1. The number of items needed.
2. Assignments of cellular equipment and services will be based on the following criteria:
 - a. The responsibility of the position requires the routine and regular conduct of County business before or after normal hours.
 - b. The responsibilities of the position are such that it is to the convenience of the County to assign cellular telephones.
 - c. A demonstrated security risk warrants such assignment to protect County property.
 - d. A demonstrated need for a County cellular telephone to ensure a quick response to an emergency or after-hour call has been verified and approved by the Elected Official or Department Head and/or Board of Commissioners.
 - e. Employee is designated to be "on call" for a specific function or purpose.

The Elected Official or Department Head shall be responsible for contracting with a cellular service. Any and all contracts shall be subject to approval by that Elected Official or Department Head. Such service contracts shall be appropriate for the conducting of County business. The Elected Official or Department Head shall contract with a Company or Agency approved by the Board of Commissioners. The Board of Commissioners shall approve additional requests.

All cellular telephones purchased, rented or leased by the County will be repaired under a maintenance contract by vendor.

Replacement of any cellular telephones resulting from damage, loss or thefts is the responsibility of the department to which the equipment was assigned.

When an employee transfers to another Jennings County department, exits Jennings County employment, or no longer requires use of such equipment, it is the responsibility of the Elected Official or Department Head to retrieve cellular phone equipment assigned to that employee.

Departments are required to report any theft or loss of cellular phones to the Elected Official or Department Head immediately so that cellular service can be deactivated.

Each Elected Official or Department Head will develop and maintain records sufficient to ensure proper utilization of County equipment. These records should include cellular telephone assignment, cellular telephone use and other information warranted to ensure accountability of equipment and use.

The following rules and regulations are established as a supplement to all rules and regulations contained in this policy. The rules and regulations contained herein apply to all County employees.

The primary purpose of cellular equipment and service is to conduct County business, as outlined above. Any employee using equipment for personal business beyond the contracted number of minutes will reimburse the County for the cost of using such equipment.

All employees must obey all applicable laws and ordinances while operating County owned equipment.

All employees must have use approved as required by all sections of this policy.

The following practices are prohibited:

- The operation of a cellular telephone for any illegal act.
- The operation of any equipment, in the conduct of County business, which results in the violation of any applicable federal, state or local law, rules or ordinances.
- The operation of any equipment in such a manner that could result in property or bodily damage either to the County or the public due to careless or negligent operation on the part of the employee.

The responsibility for monitoring the compliance of this policy has been assigned to the Elected Official or Department Head. Disciplining for any non-compliance with this policy shall be left to the discretion of the Elected Official or Department Head.

Any exceptions or unusual circumstances not provided for in this policy must have specific prior approval from the Elected Official or Department Head. All excess invoices will be questioned by the Auditor and/or Board of Commissioners.

The Board of Commissioners reserve the right to limit use of any such county owned cellular equipment and contracted services when the Board of Commissioners makes a determination, after investigation that the use is not in compliance with this Policy.

L. USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

County employees who are required to operate a motor vehicle for the County shall have the appropriate valid license as required by state or federal regulations or laws.

Any employee who is required to operate vehicles or equipment, whether or not a Commercial Drivers License (CDL) is required, are not permitted to use hand-held cellular telephones including making or receiving telephone calls, use of text message features, use of internet applications or any other option available on a cellular telephone while operating a County vehicle or equipment.

Employees are not restricted from pressing a single button to initiate or terminate a hands free voice communication using a cellular telephone.

Employees are required to wear seat belts while operating or riding in any County owned or leased vehicle.

Employees should notify the Department Head or Elected Official if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department Head or Elected Official can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Employees will also submit to a drug and alcohol test by **blood draw** immediately following an accident involving a County-Owned or Leased vehicle/equipment that result(s) in (a) death, (b) injury that requires medical treatment, or (c) damage to public/private property or to equipment in an amount greater than \$2,500.00. A drug and alcohol test by **urinalysis** will be required for incidents that result in damage to public/private property or to equipment in an amount lesser than \$2,500.00. A supervisor will accompany the driver to the hospital/occupational health clinic for the blood draw/urinalysis within three (3) hours of the accident. Failure to report such incidents must be explained or supported by facts and may result in disciplinary action up to and including termination.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Employees operating County vehicles shall maintain the ability to legally operate assigned vehicles. Employees who operate County vehicles are required to notify their elected officials/department head in the event that their driver's license is suspended or revoked.

Employees who operate a County vehicle or operate a personal vehicle for County business, such as driving to a conference in Indianapolis, are required to keep a copy of their valid driver's license, and proof of insurance liability for personal vehicle, on file with the Auditor's office.

M. PERSONAL USE OF COUNTY VEHICLES

Employees assigned or using County-owned or County-leased vehicles will be subject to the following regulations.

Vehicle assignments will be reviewed on an annual basis by the Board of Commissioners and the appropriate Department Head or Elected Official as part of the budget process.

Vehicles titled to, or insured by or through, or leased by the County, and privately owned vehicles operated on the County's behalf, will be subject to the regulations of the Board of Commissioners. Employees operating vehicles on the County's behalf are also subject to the regulations of the County. "Operated on the County's behalf" means operated by County employees in the course of their County employment.

Employees who use privately owned vehicles will usually be reimbursed on a mileage basis at an authorized rate set by the County Council or other form of stipend.

Any employee driving a County owned or leased vehicle or any other vehicle for County business will be subject to having his or her license and driving record checked for accidents, violations, suspension, revocation, assignment points, and any other job related information deemed necessary by the County.

Each driver must have a current, valid Indiana's driver's license that covers the type of vehicles to be operated. A copy of the employee's license must be on file with the Auditor's office. Loss or suspension of "Driving Privileges" shall be reported to the Department Head immediately. All traffic laws of the State of Indiana will be adhered to including child restraint.

All applicants applying for a position in which driving is a duty must have a valid Indiana driver's license that covers the type of vehicle to be operated. A copy of the license must be presented to the Auditor's office, at the time of hire, who will then forward on to the liability insurance carrier for verification.

Effective January 19, 2015, Law Enforcement Officers may use County-owned or County-leased vehicles for official County business, emergency runs, and off duty personal use. Personal use may include traffic control for schools and county functions (e.g. 4-H Fair), and funerals within the County. Personal use includes transportation of their immediate family during off duty hours.

Law Enforcement Officers and jailers are prohibited from using or allowing the use of Sheriff's Department property of any kind for other than official duties. Law Enforcement Officers and jailers are responsible for all property, materials, or written information issued to them or in their possession or control. All property must be returned by Law Enforcement Officers and/or jailers on or before the last day of work.

County vehicles will not be used in any capacity of second employment unless authorized by the Board of Commissioners.

N. SAFETY

Jennings County provides information to employees about workplace safety and health issues through regular internal communication channels such as Department Head or Elected Official meetings with employees, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate Elected Official or Department Head.

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

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should notify their Department Head or Elected Official within 24 hours. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures. Accident and injury reports are reported monthly to the Building Inspector for reporting to OSHA.

Each employee should become personally aware of the quickest and safest route of escape in the event of disaster or emergency.

O. WEAPONS

Under no circumstances are weapons permitted on the premises owned or occupied by Jennings County Government. Weapons include but are not limited to firearms, knives, tasers, and explosive devices. Only those individuals appointed by the court, with express permission from the Board of Commissioners, or law enforcement agency are authorized to carry weapons. No employees, with the exception of law enforcement, EMS and 911 employees (as adopted by EMS and 911 department policy), shall carry "dangerous" weapons during work hours.

JENNINGS COUNTY EMPLOYEE FIREARM POLICY FOR NON-LAW ENFORCEMENT EMPLOYEES

FIREARMS POLICY

General Policy: Due to the nature of the employees' duties, a firearms policy is necessary. Compliance with this policy is an absolute requirement of all Jennings County employees who carry a firearm in their course of employment for Jennings County.

Requirements: All employees who carry a firearms in their course of employment for Jennings County:

1. Attend an authorized shooting range and fire the prescribed courses established by the department firearms instructor.
2. Qualify with the firearms they carry.

Note: Employees who fail to qualify during their probation period will not be able to carry a firearm in the course of their employment for Jennings County.

Operations: The range officer is authorized to:

1. Post and enforce such requirements and orders that are pertinent to range operations and safety.
2. Periodically inspect each employee's firearm.
3. Make such recommendations as to place all firearms in proper order and condition.
4. Prohibit the use of unauthorized or unsafe firearms and ammunition.

Purpose: This order provides a reference to departmental policies concerning firearms.

These policies have been drafted to conform to the limits provided by the law.

Concerning the use of firearms the following definitions apply:

1. **Deadly Force:** The force that creates a substantial risk of serious bodily harm.
2. **Forcible Felony:** Involves the use of a threat of force where imminent danger of bodily injury to a person exists.
3. **Firearms:** Shall mean any handgun, shotgun or rifle authorized for use by a Jennings County employee.

Policy: Jennings County employees shall exhaust every reasonable means before resorting to the use of a firearm. The safety of the public and fellow employees shall always be a consideration in making any decision to use a firearm.

Employees are permitted to draw and/or display firearms under circumstances which cause the employee to believe the use of the firearm may become necessary. Employees are justified in the use of firearms/deadly force by law when it is necessary to prevent serious bodily injury to him or another.

Prohibited use of firearms:

1. Firing into crowds.
2. Firing into buildings, doors, windows or openings when the intended target is not clearly visible.
3. To affect an arrest when the use of deadly force would not otherwise be justified.
4. Warning shots.
5. Firing at or from a moving vehicle unless the occupants present a threat to the life of the officer or another.
6. In areas heavily populated, unless there is a threat to the life of the officer or another.
7. The drawing, flaunting or otherwise displaying a firearm except in compliance with policy.

Animals: Employees shall not destroy any animal unless that animal presents a threat to the employee or another. An employee may destroy an animal to prevent unnecessary suffering.

Internal investigations:

Any shots fired by a Jennings County employee who carries a firearm in course of their employment, except those fired for training or qualification, is subject to investigation by the Sheriff or the Sheriffs agent.

1. An incident report shall be completed by the employee concerning any use of force involving firearms. That report will be forwarded to the Sheriff.
2. In all fatal, injury or property damage shooting incidents the firearms review board shall convene.
3. The Sheriff shall complete all pertinent information for presentation to the firearms review board.
4. For shooting incidents that do not call for the firearms review board to

convene, the Sheriff may appoint an agent to compile information and make a recommendation as follows:

- a. No further action required.
- b. Written reprimand.
- c. Up to 15 days suspension.
- d. Convene a firearms review board.

Responsibility: Employees are responsible for:

1. The safe and secure retention of all firearms in their use.
2. The safe and secure retention of firearms not in use.
3. Being armed while operating any department owned patrol vehicle.
4. Completing an incident report for any lost or stolen firearm to include make, model, serial number, and description of the weapon and a summary of the incident.
5. Making an immediate report of any lost or stolen firearm to the Sheriff.

Note: Officers found to be negligent in the loss of a department owned firearm might be subject to disciplinary action, reimbursement of the cost of the firearm or both.

Altering Firearms:

1. The sheriff and/or the firearms instructor must approve any modification to an issued firearm.
2. Malfunction or the need for adjustments must be reported to the firearms instructor.
3. Only the firearms instructor or a qualified armor shall be authorized to work on issued firearms.

Shotguns and Rifles:

1. Employees shall not carry any shotgun or rifle until the firearms instructor has qualified them.
2. Issued shotguns and rifles in need of repair shall be taken to the firearms instructor.
3. Any shotgun or rifle is subject to approval by the firearms instructor and the sheriff.

Authorized Firearms and Ammunition:

1. Duty handguns shall be in caliber of .40 Smith and Wesson. All are subject to inspection and approval by the firearms instructor and the sheriff.
2. Any weapon carried for service on duty should be secured in a holster unless in use.
3. Employee may carry approved or issued ammunition on their person. While on duty this will consist of at least 3 full loads for their duty weapon.
4. Employees must use approved ammunition for shotguns and rifles.
5. Issued ammunition/approved ammunition type, brand, caliber, etc. will

be at the discretion of the firearms instructor and the sheriff.

Qualifications and Training:

1. Initial Training (Qualification Requirements)
 - Eight (8) hours for Firearms Training (**Must pass a handgun qualification shoot**)
 - Four (4) hours of **Use of Force Training**
 - Two (2) hours of **Firearms Scenario Based Training**
2. Bi Annual Training- Each employee is required to fire two qualifying Scores each year with their on duty weapon.
 - Handgun training and Recertification (**Must pass a handgun qualification shoot**)
 - Other handgun training scenarios and use of force scenarios.
2. Minimum qualification requirements will be 80% to 100% for handguns.
3. All employees will report to the range for firearms training and qualifications as assigned. Only the firearms instructor or the sheriff may grant an excused absence. Absences will be made up at a later date. Failure to fire the required number of times may result in disciplinary action.
4. Employees who display a continued failure to qualify are subject to:
 - a. The firearms instructor giving notice to the sheriff in writing along with recommendation.
 - b. Appearance before the sheriff board to show cause, if any, for their failure to comply.
 - c. Action by the sheriff, which he deems necessary, and in the best interest of the department and community.

P. NO SMOKING

State law (HEA #1149) prohibits smoking in any of the County's places of employment and within eight feet of any public entrance to the County's places of employment.

Employees have a responsibility to report violations by a member of the public or other employees to their Elected Official or Department Head. An employee may do so without fear of reprisal or retaliation. Employees who violate this policy are subject to disciplinary action up to and including termination. In addition, any person who smokes in a non smoking area commits a Class B infraction and a Class A infraction if they have at least three (3) prior violations.

This policy applies to all Department Heads, Elected Officials, employees, visitors and the general public.

Each County owned building will have a designated smoking area for the employees. These areas will be decided upon by the Board of Commissioners and posted as such. If an employee chooses not to smoke in the

designated area, they may smoke in their personal vehicle. The use of electronic cigarettes is to be done within the designated smoking area also.

In addition to the potential infraction penalties applicable to violations of Indiana law on smoking, violation of this policy by an employee is subject to disciplinary action up to and including termination. Violations of this policy by others in the presence of employees shall be handled in accordance with the policies and procedures adopted by the Board of Commissioners for all premises under the control of the County.

Q. VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the County, only authorized visitors are allowed in the County's working areas. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

The County recognizes that under certain circumstances a child may be in the working area. These instances should be kept to a minimum to prevent any disruption.

If an unauthorized individual is observed on the County's working areas, employees should immediately notify their Department Head or Elected Official.

R. DRUG AND ALCOHOL USE

Definitions

Substance Abuse shall mean the abuse of either alcohol or any drug, or both.

Drug shall mean any substance other than alcohol which is capable of altering an individual's mood, perception, pain level or judgment. A prescribed drug is any drug or controlled substance prescribed for individual consumption by a licensed medical practitioner. An illegal drug is any drug or controlled substance the sale or consumption of which is illegal.

Controlled Substance shall include, without limitation, narcotics, marijuana, hashish, heroin, hallucinogens, depressants, cocaine or other substances or medication, other than those legally sold to the general public on a non-prescription basis or those prescribed by a duly licensed physician.

Alcohol or Alcoholic Beverages shall mean any beverage that may be legally sold and consumed which has an alcohol content in excess of three (3) percent (%) by volume.

Policy

Jennings County has established the following policy in accordance with the Drug-Free Workplace Act of 1988. This policy is intended to establish a drug free workplace and will be considered as a condition of employment.

Jennings County is committed to providing a drug free workplace and expects the cooperation of all employees and a similar commitment from them.

Pursuant to the Drug-Free Workplace Act of 1988, Jennings County is required to notify employees that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances (as defined in Schedule I-V of Section 202 of the Controlled Substance Act—21 U.S.C. 812) by any employee is prohibited whether or not the employee is on duty.

Any employee convicted of any federal or state criminal drug statute arising out of conduct occurring in the workplace must notify the employer in writing of the fact within five calendar days of the conviction.

Any employer receiving federal funds, who is notified by an employee of a workplace-related drug conviction must report it to the contracting agency within ten calendar days of learning of such convictions. Any conviction not reported may result in the loss of federal funds.

The employer must within thirty days after receiving notice of conviction from an employee: take appropriate personnel action against such employee up to and including termination or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, local health, law enforcement, or other appropriate agency.

An employee who fails to report a workplace related drug conviction will be terminated from employment and may be held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

Any employee who is referred to a drug rehabilitation program and fails to satisfactorily participate in the program will be terminated from employment.

Where permitted by law, an employee may be required to submit to mandatory drug screening.

It is Jennings County's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Jennings County premises and while conducting business-related activities off Jennings County premises during normal working hours, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. No prescription drug is to be brought onto County property by any individual other than the individual for whom it is prescribed or for whom the employee is authorized to handle the prescription for. The legal use of prescribed drugs are permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Prescription drugs are to be used only in the manner, combination and quantity prescribed.

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

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of disciplinary action, may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the County's health insurance benefit coverage.

Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all County policies, rules and prohibitions relating to conduct in the workplace; and if granting the leave will not cause Jennings County any undue hardship.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Department Head or Elected Official without fear of reprisal.

Rehabilitation Leave

Any employee who feels that he or she has developed an addiction to, or dependence on, alcohol and/or drugs is encouraged to seek assistance. Substance abuse is a health problem that is treatable.

Rehabilitation itself is the responsibility of the employee. If the employee seeks medical treatment and successfully completes a rehabilitation program, the County shall make a good faith effort to re-employ the employee in the same or a comparable job, consistent with the needs of the County and the positions available at the time. Re-employment is an option only if the employee is able to return to work and maintain the required behavior and work performance and does not violate any other section of this policy or any other County rules or regulations. The employee will not be compensated for lost time.

Rehabilitation leave shall not be available to any employee who violates the policy prohibiting the use or sale of illegal drugs during working hours or while on County property.

Any information regarding rehabilitation leave will be considered personal medical information and will be held in the strictest confidence.

S. DRUG TESTING

Jennings County is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks.

To help ensure a safe and healthful working environment, all employees may be subject to random drug testing and asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

Employees will also submit to a drug and alcohol test by **blood draw** immediately following an accident involving a County-Owned or Leased vehicle/equipment that results in (a) death, (b) injury that requires medical treatment, or (c) damage to public/private property or to equipment greater than \$2,500.00. A drug and alcohol test by **urinalysis** will be required for incidents that result in damage to public/private property or to equipment in an amount lesser than \$2,500.00. A supervisor will accompany the driver to the hospital/occupational health clinic for the blood draw/urinalysis within three (3) hours of the accident. Failure to report such incidents must be explained or supported by facts and may result in disciplinary action up to an including termination.

The costs of such drug testing shall be paid by the department in which the individual is employed.

T. ATTENDANCE AND PUNCTUALITY

Each employee of Jennings County is expected to be available to work as scheduled, to be at work at the beginning of their assigned shift, and to work until the end of their assigned shift unless prior approval has been received to do otherwise.

If you are unable to report to work as scheduled, or if you will be late, or need to leave early, you must report this information to your supervisor as soon as possible.

To maintain a productive work environment, Jennings County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the county. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, they should notify their Elected Official or Department Head as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness, as determined by the Elected Official or Department Head, are disruptive. Either may lead to disciplinary action, including termination of employment.

Elected Officials and Department Heads are responsible for maintaining accurate records of absenteeism and tardiness for their respective employees. Copies of time sheets and attendance records shall be provided to the Human Resources Department and Payroll Clerk each time a Payroll Claim is submitted.

An employee shall not report to work if his or her health and/or physical condition will jeopardize other individuals. All employees will report to their job fit, alert and able to work.

U. PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Jennings County presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Each County employee receiving a uniform or uniform allowance is required to wear their uniform while on duty. If safety equipment is issued, employees are required to utilize this equipment when necessary.

Employees should consult with their Department Head or Elected Official if there is a question as to what constitutes appropriate attire and appearance. Department may have employees with different dress codes depending on their job duties.

Personal grooming and hygiene, while personal matters, shall be regulated to the extent that neither causes embarrassment to, or jeopardizes the safety of, other individuals.

V. KEYS

The Auditor's Office of Jennings County issues all keys for the Courthouse and Government Center. Keys are not to be duplicated by any employee. If duplicates are needed, you must make this request to the Auditor's Office. Keys are not to be loaned to other employees. In case of emergency, employees who need access to

another department must contact the Department Head for approval and entry. Any violation of this policy may result in disciplinary action up to and including termination

W. SECURITY INSPECTIONS

Jennings County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, Jennings County prohibits the possession, transfer, sale, or use of such materials on premises owned or leased by Jennings County or while engaged in County business.

The County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the County. Accordingly, the County can inspect and search them, as well as any articles found within them, at any time, either with or without prior notice. County employees consent to the inspection and search of such property upon acceptance of the Policies & Procedures Handbook.

X. NO SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by Jennings County may not solicit or distribute literature in the workplace at any time for any purpose.

Jennings County recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

Y. LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Jennings County supports these endeavors as long as employees are able to meet acceptable performance standards.

Medical information on all employees is treated confidentially. Jennings County will take reasonable precautions to protect such information from inappropriate disclosure. All employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Z. GIFTS AND GRATUITIES

Employees are encouraged to maintain good relations with suppliers and others with whom Jennings County may have business dealings. However, the practice of accepting gifts or gratuities is not only unnecessary and undesirable, but also contrary to the public interest.

Employees should not accept gifts or gratuities from firms, organizations, agents, or other individuals who may or do conduct business with Jennings County in furnishing materials, goods, and services.

AA. POLITICAL ACTIVITY

County employees shall not use either their County position or time to assist in political campaigns. This includes time during the lunch period. No employee that is paid either wholly or partially from Federal Funds is eligible to run for office in a partisan election.

SECTION SIX - EMPLOYEE AND PROBLEM RESOLUTION

A. EMPLOYEE CONDUCT

In regulating the behavior of its employees, Jennings County has classified offenses as first, second, and third level offenses based upon the seriousness. These classifications are provided only to illustrate the procedures that will generally be followed in respect to such conduct. This classification system would not be construed to in any way limit Jennings County's discretion in exercising discipline as it finds appropriate based on severity of the misconduct or the totality of the circumstances. This system of guidelines shall in no way diminish Jennings County's authority to discipline including termination as an at-will employer.

The following conduct is prohibited and will subject the employee involved to disciplinary action up to and including termination. The list of examples is merely illustrative of the kinds of conduct that will not be permitted. It is not intended to be all-inclusive or to in any way limit rules, guidelines, and restrictions set out elsewhere in this manual.

B. DISCIPLINARY ACTION

The Jennings County Board of Commissioners recognizes the need for a common policy regarding employee discipline. Said policy must be uniform and indiscriminate. The purpose of discipline is not to punish, but rather to improve employee performance.

Disciplinary action shall be applied progressively except when it is determined that immediate termination is required.

Any disciplinary action shall be thoroughly and accurately documented in writing at the time the discipline occurs by the Elected Official or Department Head. The documentation will serve to protect the County against charges of unfair or discretionary application of this policy.

Any and all disciplinary action shall be documented in writing and both the employee and Elected Official or Department Head must sign the reprimand. (See Appendix E for Disciplinary Action Form.) If the employee refuses to sign the reprimand the President of the Board of Commissioners is to review the reprimand with the employee and Elected Official or Department Head, and the President of the Board of Commissioners will sign in place of the employee.

GROUP 1 OFFENSES - Examples of but not limited to the following:

- Tardiness and late call-ins (moderate period of time).
- Reporting to work clothed or groomed in an unclean or inappropriate manner.
- Discourteous treatment to the public.
- Neglect or carelessness in clocking in or out.
- Failure to cooperate with other employees as required by job duties.
- Distracting the attention of others, unnecessarily shouting, demonstrating, or otherwise causing a disruption on the job.
- Wasting productive work time, e.g., reading, screening material for personal use, conversing while not working, etc.
- Malicious mischief, horseplay, wrestling, or other undesirable conduct, including use of profane or abusive language.
- Unauthorized use of telephone or mail for personal use
- Failure to report accidents, injury, or equipment damage
- Unsatisfactory work or failure to maintain required standard of performance
- Unauthorized breaks
- Failure to follow safety rules

GROUP 1 DISCIPLINE

First Offense: Verbal warning (must still be documented in writing)
Second Offense: First written warning
Third Offense: Second written warning and three-day suspension without pay
Fourth Offense: Termination of employment

GROUP 2 OFFENSES - Examples of but not limited to the following:

- Failure to report to work on an assigned day
- Extremely late tardiness or late call-ins
- Leaving the job or work area during the regular working hours without authorizations
- Threatening, intimidating, coercing, or interfering with subordinates or other employees
- Obligating Jennings County for any expense, service, or performance without authorization
- Sleeping during working hours, which does not include lunch and authorized break periods
- Reporting for work or working while unfit for duty
- Conduct violating morality or common decency, e.g., sexual harassment
- Performing private work on Jennings County time
- Failure to report for overtime without good reason after being requested to work
- Willful failure to make required reports

- Solicitation on Jennings County premises without authorization
- The making or publishing of false, vicious, or malicious statements concerning employees, supervisors, Jennings County, or its operations.
- Making threatening remarks to supervisors or others.
- Refusing to provide testimony in court during an accident investigation or during any type of public hearing.
- Giving false testimony during a complaint or grievance investigation or hearing.
- Unauthorized posting, removal, or alteration of notices or signs on bulletin boards.
- Distributing or posting written or printed matter of any description on Jennings County premises unless authorized.
- Unauthorized presence on or use of Jennings County property
- Willful disregard of Jennings County rules
- Use of abusive or threatening language toward supervisors or others

GROUP 2 DISCIPLINE

First Offense:	First written warning
Second Offense:	Second written warning and three-day suspension without pay
Third Offense:	Termination of employment

GROUP 3 OFFENSES - Examples of but not limited to the following:

- Being in possession of or consuming alcohol on County property.
- Wanton or willful neglect in the performance of assigned duties or in the care, use, or custody of any Jennings County property or equipment.
- Abuse or deliberate destruction in any manner of Jennings County property, tools, equipment, or the property of employees.
- Punching, signing, or altering other employees' time cards, time sheet, or unauthorized altering of own time card or sheet.
- Falsifying testimony when accidents are being investigated; falsifying or assisting in falsifying or destroying any Jennings County records including work performance reports; or giving false information or withholding pertinent information called for in making application for employment.
- Making false claims or misrepresentations in an attempt to obtain any Jennings County benefit.
- Stealing or similar conduct, including destroying, damaging, or concealing any property of Jennings County or of other employees.
- The use of controlled substances or the sale of controlled substances.
- Fighting or attempting to injure other employees, supervisors, or persons.
- Carrying or possession of firearms or ammunition in violation of ICC 34-28-8 in Jennings County offices.
- Knowingly concealing a communicable disease that may endanger other employees.
- Misuse or removal without prior authorization of Jennings County records of information.
- Instigating, leading, or participating in any illegal walkout, strike, sit-down, stand-in, refusal to return to work at the scheduled time for the scheduled shift or other concerted curtailment, restriction, or interference with work in or about Jennings County's work stations.
- Dishonesty or any dishonest action. Some examples of what is meant by "dishonesty" or "dishonest action" are: theft, pilfering, opening desks assigned to other employees without authorization, theft and pilfering through lunch boxes, tool kits, or other property of Jennings County or other employees without authorization, inserting slugs in vending machines without paying the proper change therein, making false

statements to secure an excused absence or to justify an absence or tardiness, making or causing to be made inaccurate or false reports concerning any absence from work. The foregoing are examples only and do not limit the terms “dishonesty” or “dishonest action”.

- Insubordination by refusing to perform assigned work or to comply with written or verbal instruction of the supervisors.
- An absence of more than one (1) workday without notification of absence.

GROUP 3 DISCIPLINE

First Offense Termination of employment

TERMINATION OF EMPLOYMENT

Termination of Employment is the ultimate form of disciplinary action. All other avenues for corrective measure should be explored and/or exhausted before resorting to permanent removal. There are offenses which are serious enough to warrant immediate termination.

C. COMMISSION OF A FELONY OR UNLAWFUL ACT

Jennings County is committed to providing its citizens with qualified staff who possess good character and standards. This policy provides basic safeguards in maintaining a safe working environment for employees and citizens and in fulfilling this commitment.

Whenever an employee is cited for an offense while on duty or arrested for any misdemeanor or felony while on duty, the employee shall report this matter, in writing, to their elected official or department head within twenty-four (24) hours of the arrest or citation. Failure to report in accordance with this policy shall be considered a violation of the personnel policies subject to disciplinary actions up to and including termination. Citations for moving traffic violations or arrests for misdemeanors or felonies which occur during an employee’s off-duty hours must be reported to the elected official or department head in writing within five (5) calendar days of receiving the citation or the arrest.

Unauthorized time away from work shall be subject to the County’s attendance and wage policies. Time spent under arrest or in jail is not considered a valid excuse for missing work.

An employee who is cited for an infraction or arrested for any misdemeanor or felony, whether the citation or arrest happened while the employee was on duty or not, may be suspended without pay pending an administrative investigation and/or the disposition of any charges filed against the employee. The investigation will be used to determine if the accused employee is in violation of the personnel policies and to determine if disciplinary action is warranted, up to and including termination. The determination as to whether an employee is suspended shall be based upon the nature and circumstances of the alleged offense and the impact the charges may have on the employee’s ability to adequately perform their job duties and/or remain in compliance with the County’s personnel policies.

It is the responsibility of any employee with pending criminal charges to provide to their Elected Official or Department Head written documentation such as a court record of the disposition of the charges within five (5) calendar days after such disposition. Failure to do so will be considered a violation of this policy and may subject the employee to discipline, up to an including termination.

If the employee is on a leave of absence pending administrative investigation and/or the disposition of any charges, and the employee is not found to have been in violation of the personnel policies, he/she shall be returned from suspension.

Factors to be used in determining appropriate discipline, which may range from no disciplinary action up to termination of employment, will include the employee's assigned duties and responsibilities, the nature of the offense, sentences imposed, other convictions/offenses, relevant provisions of Indiana statutes, licensing requirements, risk of recidivism, reasonable inferences about problems with self-control, propensity for violence, honesty, and damage to the reputation of the employee, the employee's department, and/or Jennings County government.

Any employee found guilty, admitting guilt, or pleading no contest or nolo contendere of/to a felony will be subject to immediate dismissal.

Any employee found guilty of a misdemeanor may be subject to suspension or discharge including not being legally qualified to operate assigned vehicles or equipment.

Misdemeanors that involve County vehicles/property, or in which the associate behavior reflects poorly upon the employee and/or the County, will be treated similarly.

D. GRIEVANCES

Any County employee who feels that a job action was unfairly taken against him or her, or who feels otherwise aggrieved, shall have the right to submit a grievance to their Elected Official or Department Head for a hearing and resolution. The County has the right, as an employer, to make decisions regarding employment practices and these decisions may affect those who are employed by the County. Thus, a grievance procedure is hereby established. This procedure ensures that job actions are not taken arbitrarily or selectively. No employee need fear reprisal in any form for filing a grievance.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment.

STEP ONE

All grievances are to be resolved at the lowest possible organizational level. The employee who feels aggrieved shall schedule an appointment to discuss the matter with his or her Elected Official or Department Head within five (5) working days of the date on which the employee contends that he or she was aggrieved. The employee may have a representative of his or her choice accompany him or her to the appointment. Every good faith effort shall be made to resolve the matter at the appointment.

STEP TWO

If the matter is not resolved satisfactorily during the appointment between the employee and his or her Elected Official or Department Head, the grievance shall be put in writing by the employee. The written grievance and notes from the appointment with the immediate supervisor shall be submitted to the employee's Elected Official or Department Head within two (2) working days of said appointment. The employee may also submit in writing his or her analysis of the appointment with the written grievance and appointment notes. The employee's department head shall release a written finding containing a decision as to how the matter will be resolved within five (5) working days of receiving the employee's written grievance.

STEP THREE

If the employee remains unsatisfied with the conclusion reached by his or her department head regarding the written grievance, the employee shall submit the written grievance to the Jennings County Board of Commissioners. All observations, findings and decisions from prior grievance resolution procedures shall be forwarded to the Board of Commissioners. The Board of Commissioners, at their next scheduled meeting, shall then schedule grievance hearing within fifteen (15) calendar days. A decision will be rendered within (5) working days of the grievance hearing.

Step three does not apply to the 911 Department. Their grievance procedure is laid out by the 911 board, and step 3 in the grievance procedure involves the board.

STEP FOUR

If the employee remains aggrieved, his or her next course of action is to seek satisfaction through arbitration and/or civil law proceedings.

SECTION SEVEN - SEPARATION FROM EMPLOYMENT

A. EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. **Since employment with Jennings County is based on mutual consent, both the employee and the County have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination in the following manner: all accrued, vested benefits that are due and payable at termination will be paid.** Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION – voluntary employment termination initiated by an employee. The employee will be required to complete a Resignation Form, which can be obtained from the Auditor's office. Although advance notice is not required, Jennings County requests at least two (2) weeks written notice of resignation from non-exempt

employees and four (4) weeks notice from exempt employees. If an employee does not provide advance notice as requested above, the employee will be considered ineligible for rehire.

DISCHARGE – involuntary employment termination initiated by the County.

Employees that have been terminated from Jennings County employment for cause cannot be rehired by Jennings County.

REDUCTION IN WORK FORCE/LAYOFF - Involuntary employment termination initiated on behalf of the County by the Elected Official or Department Head due to lack of work, lack of funds or projected lack of funds, job elimination, or reorganization.

Whenever a reduction is necessary, the County will determine the classification(s) in which the layoff(s) will occur and the number of employees to be laid off in each department.

Employees will be laid off with consideration of length of continuous service and the operational needs of the County. Employees may displace less senior employees in other departments provided they possess the minimum qualifications and licenses required for the position. Length of service is only one factor in the layoff/displacement decision.

The operational needs of the County may require the retention of less senior employees over a more senior employee. Attendance and punctuality may also be a factor in determining who shall be retained and who shall be laid off.

A recall list will be established for each classification affected by the layoff listing each laid off employee in order of layoff.

A laid off employee will be eligible for recall for a period of one (1) year following the date of layoff. An employee who is laid off retains reinstatement rights in the agency from which he or she was laid off. Reinstatement rights continue for one (1) years from the date of layoff.

During this one (1) year period, the County will not hire or promote anyone into that classification until all persons on a layoff list for that classification are reinstated or decline the position when it is offered. The employee will be responsible for keeping a current address on file with the Auditor's Office. Failure to do so may result in the inability to notify the employee of his or her eligibility for reinstatement.

Each recalled employee will be allowed fourteen (14) calendar days from the date of receipt of the certified letter to return to work. The County will consider extenuating circumstances submitted in writing by the laid off employee.

Any employee who declines reinstatement to the same classification from which the lay off occurred will no longer be eligible for recall and will be considered terminated from employment.

RETIREMENT – voluntary employment termination initiated by the employee, meeting age, length of service, and any other criteria for retirement from the County. .

B. EXIT INTERVIEWS

Department Heads and Elected Officials will schedule exit interviews, whenever possible, for their employees with the Auditor's office at the time of employment termination.

The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the County, or return of County-owned property. Suggestions, complaints, and questions can also be voiced.

C. PAYROLL NOTIFICATION

Department Heads and Elected Officials must notify the Auditor's Payroll Clerk that an employee is terminating employment as soon as notice is given by the employee. This includes part time and seasonal employees. This will facilitate the proper payment of time worked in compliance with state law.

D. RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees, on or before their last day of work, must return all Jennings County property in good working condition to their Elected Official or Department Head.

EMPLOYEE ACKNOWLEDGEMENT FORM

I acknowledge that I have received, read, and understand the policies outlined in the Jennings County Employee Policy Handbook. I agree to conform to the rules and regulations of Jennings County as described in the handbook which is intended as a guide to human resource policies and procedures. I understand that the County has the right to change the handbook without notice. It is understood that future changes in policies and procedures will supersede or eliminate those found in this book, and that employees will be notified of such changes through normal communication channels.

I also understand and agree that the information contained in these materials does not constitute an employment contract between Jennings County and me, and that either I or Jennings County may terminate our employment relationship at any time, with or without cause. I understand that no Elected Official or Department Head of Jennings County, other than the Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing.

Employee Signature

Date

Employee Name (please print)

County Representative

****THE AUDITOR’S OFFICE RETAINS ORIGINAL FOR EACH EMPLOYEE****

APPENDIX A

ANNUAL CERTIFICATION OF ELECTED OFFICIAL TO THE EXECUTIVE OF JENNINGS COUNTY ON COMPLIANCE WITH COUNTY NEPOTISM POLICY

I, _____, the elected _____ of Jennings County certify that I have not violated the Jennings County Policy Prohibiting Nepotism in hiring and supervision of IC 36-1-20.2, as amended or supplemented, relating to my relatives' employment with Jennings County as further described in Resolution to Amend Resolution Establishing Policy Prohibiting Nepotism (2012-4) in Order to Add Resolution Prohibiting Nepotism in Contracting. I understand that Relative means my spouse, parent or stepparent, child or stepchild, brother, sister, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law (including half-bloods and adopted children). I intend for this to be submitted to the Jennings County Board of Commissioners prior to the end of this calendar year.

I hereby verify under the penalty of perjury that the foregoing statements are true.

Dated this _____ day of _____, 20____.

(signature)

(printed name and title)

APPENDIX B

WORK AT HOME REQUEST FORM

EMPLOYEE'S NAME: _____

DATE OF REQUEST: _____

DEPARTMENT: _____

POSITION: _____

PURPOSE FOR REQUEST TO WORK AT HOME: _____

EMPLOYEE'S SIGNATURE

DATE

DEPARTMENT HEAD'S SIGNATURE

DATE

DECISION MADE BY THE BOARD OF COMMISSIONERS

APPROVED _____

DENIED _____

DATE OF DECISION

SPECIAL RESTRICTIONS OR GUIDELINES: _____

DISTRICT 1 COMMISSIONER

DISTRICT 2 COMMISSIONER

DISTRICT 3 COMMISSIONER

APPENDIX C

Employee Yearly Paid Time Off Form

January 1, _____ to December 31, _____

Department: _____

This form is to be completed and turned in to the Jennings County Board of Commissioners by the first payday of the year. Every department employee that is eligible for paid time off needs to be listed on this form. Please list the amount of vacation, personal and sick time that each employee has available for the year. If the employee has compensatory time that is being carried over from the previous year, it must be listed on this form.

Employee	Hire Date	Years of Service Completed	Vacation Time	Sick Time	Personal Time	Comp. Time

Form completed by: _____

Date completed: _____

APPENDIX D

JENNINGS COUNTY EMPLOYEE COMPENSATORY TIME OFF AGREEMENT

The _____ utilizes compensatory time off in lieu of overtime compensation for departmental employees. Employees who work beyond standard work week hours but up to 40 hours a week, shall earn one hour of comp time. The employee will earn one and one-half (1 ½) hours of compensatory time for each hour worked above 40 hours in the week. An employee may accumulate comp time in their personal “Compensatory Time Off Bank” and draw compensatory time from this “bank”, but only as approved by the Elected Official or Department Head.

The balance of comp time in the employee’s “bank” cannot exceed 80 hours. If an employee accumulates 80 hours in their “bank”, the Elected Official or Department Head may require the employee to schedule and take time off using compensatory time. If the employee does not schedule the time off, the Elected Official or Department Head may schedule the time off for them.

The scheduling and approval of compensatory time off shall be within the discretion of the employee’s department head. The employee’s preference will be given consideration, if that time off will not adversely affect his or her department’s work activity.

If an employee resigns or is terminated from his or her job, the employee will be paid for any earned compensatory time off at the current rate the employee was earning for regular work hours. All compensatory time will be managed and applied in compliance with the Fair Labor Standards Act (FLSA).

Employee’s Printed Name

Date

Employee’s Signature

Elected Official/Department Head’s Printed Name

Date

Elected Official/Department Head’s Signature

APPENDIX E

JENNINGS COUNTY EMPLOYEE DISCIPLINARY ACTION FORM

Employee: _____ Date of Warning: _____

Department: _____ Elected Official or Dept. Head: _____

TYPE OF VIOLATION: WARNING 1st 2nd VERBAL WRITTEN

Attendance Carelessness Disobedience Violation Date: _____

Safety Tardiness Work Quality Violation Time: (a.m./p.m.) _____

EMPLOYER STATEMENT

List All Previous Warnings (when warned and by whom) I have read this "warning decision". I

EMPLOYEE STATEMENT

understand it and have received a copy

WARNING DECISION
Approved by: _____ <div style="display: flex; justify-content: space-between; margin-top: 10px;"> _____ Name _____ Title </div>

of the same.
Previous Warning: 1st Warning

Date _____
Verbal _____

Written _____ Employee Signature _____ Date _____

Previous Warning: 2nd Warning
Date _____

Verbal _____ Signature of person who prepared warning _____ Date _____

Written _____

Previous Warning: 3rd Warning
Date _____

Verbal _____ Supervisor's Signature _____ Date _____

Written _____

COPY DISTRIBUTION Employee HR Dept Elected Official/Dept. Head

APPENDIX F

JENNINGS COUNTY EMPLOYEE

VOLUNTARY DONATION OF TIME

DONATION FROM: _____

DONATION TO: _____

NUMBER OF DAYS TO DONATE: _____
(Maximum of 5 Days)

VACATION: _____ SICK: _____ PERSONAL: _____

Signature of Personal Donating Time

Date

ANONYMOUS DONATION () YES () NO

Signature of Department Head

Date

RETURN FORM TO HUMAN RESOURCES

Signature of Human Resources

**ALL PAYROLL DEDUCTION AND PAYROLL DIRECT DEPOSIT CHANGES HAVE
TO BE DONE IN PERSON IN THE AUDITOR'S OFFICE**

APPENDIX G Employee Change Form

Employee Name: _____

Address: _____

Phone: _____ Effective Date: _____

Full-time: Part-time:

<u>Address Change</u> <u>New Address:</u> 	<u>Phone Number Change</u> <u>New Phone Number:</u>
<u>Payroll Adjustment</u> <u>How Many Hours:</u> <u>How Much Per Hour:</u>	<u>Termination:</u> <u>Last Day Worked:</u> (Fill out bottom section if payout is necessary)
<u>Promotion/Demotion</u> <u>New Position:</u> <u>Date to Take Effect:</u>	<u>Old Distribution Line:</u> <u>New Distribution Line:</u>
<u>Other Changes (be specific):</u> 	

Termination Pay-out: (We need specific hours and hourly pay-out rate.)

Vacation: _____ Personal Days: _____

Comp Time: _____ Holiday: _____

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

HR Signature: _____ Date: _____

Payroll Signature: _____ Date: _____

APPENDIX H

Jennings County Travel Request

Name: _____ Department: _____

Event: _____ Event Location: _____

State Called: _____ Yes _____ No Event Date(s): _____

Travel Expenses to be paid out of: _____

Other Co-workers Attending Event: _____

YOU MUST SUBMIT YOUR ACTUAL EXPENSES UPON YOUR RETURN

Estimated	Details	Estimated Amt.	Actual Amt.
Travel	Round Trip Mileage: _____ miles x \$0.38		
Lodging	Location:		
	Number of Rooms Required:		
	Room Rate		
	Number of Nights:		
	Request Pre-cut Hotel Check: _____ Yes _____ No		
	**If yes, you must have claim written with Hotel		
	Confirmation Sheet (or a copy) Attached**		
Meals			
Registration Fee			
Parking			
Other			
TOTAL		\$	\$

Signature: _____

Date: _____

PER JENNINGS COUNTY COMMISSIONERS: MILEAGE IS CONSIDERED FROM YOUR EMPLOYMENT BASE TO DESTINATION/RETURN

***Amount should not include tax. Please get a signed form from the Auditor's Office for tax exemption.

Please attach receipts for all listed expenses and an itemized food bill when submitting Claim Form.