

# **HILL COUNTY PERSONNEL MANUAL**

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## **SECTION ONE: INTRODUCTION**

### **1.1 Code of Ethics**

Hill County will comply with Article XIII, Section 4 of the Montana Constitution and state Standards of Conduct dealing with Public Officer and Employee Code of Ethics (See MONT. CODE ANN. §2-2-101, et.seq.)

### **1.2 Mission Statement**

To establish policies and procedures and provide for efficiency and accountability in the operation of county government and its delivery of services to the public.

### **1.3 Background**

Hill County was formed on February 28, 1912. The land area is 2,897 square miles (approximately 50x57 miles). Hill County includes two incorporated cities: Havre (county seat) and Hingham; and six unincorporated towns: Box Elder, Gildford, Kremlin, Inverness, Rocky Boy and Rudyard. Hill County has six high school districts and nine elementary districts. Hill County is governed by a three member County Commission.

## **SECTION TWO: EQUAL EMPLOYMENT OPPORTUNITY**

### **2.1 EEO Introduction**

Hill County is committed to providing equal employment opportunity to qualified persons without regard to race, color, creed, ancestry, religion, sex, age, national origin, disability, or veteran status. It is the county's policy, while striving for optimum utilization of ability and capability of all individuals, to base county employment on job-related standards of past performance, experience, education, training, and interpersonal strengths and abilities. Length of service may be a factor considered only when two or more applicants possess equal qualifications.

The Personnel Office is the coordinator of these programs. The Hill County Attorney is the Americans with Disabilities Act (ADA) Compliance Officer. Employees who believe they have been discriminated against should avail themselves of the county's problem solving procedure or contact the Personnel Officer.

### **2.2 EEO Affirmative Action**

While Hill County and the Personnel Office are committed to developing and implementing equal opportunity for employees and applicants, continuing positive actions must be taken by all levels of management to ensure successful fulfillment of this commitment. At Hill County, the work performance of each individual supervisor, department head and elected official will include an evaluation of equal employment opportunity efforts and results.

### **2.3 EEO Harassment**

Hill County is firmly committed to maintaining a positive working environment. Sexual, national origin, religious, age, disability, or racial harassment of any kind is not permitted. This refers to a workplace which is free of inappropriate conduct, including offensive verbal and written communication of a sexual nature.

Sexual harassment does not mean occasional compliments which are socially acceptable. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

### **2.4 The Way to Stop Harassment-The County's Complaint Procedure**

Employees are reminded that one way to stop harassment is to let the harasser know that the harasser's conduct is offensive, that the employee believes the harasser's behavior constitutes harassment, and that the employee wants the harasser to stop it. Even if the employee does not take this step, however, or if the employee does and the harassing behavior does not immediately cease, it is the employee's responsibility to promptly bring to the County's attention any incidents the employee believes amount to harassment against the employee or any other employee. Do not wait until the acts of harassment become so frequent or so offensive that they create a hostile working environment for the employee or other employees. The county wants employees to let the county know as soon as the employee has reason to believe that harassment is or may be occurring.

The employee who feels harassed should take the complaint to the Personnel Officer/EEO Coordinator in the Personnel Office. There will be no retaliation against an employee for reporting complaints of sexual harassment. Complaints will receive attention, and if the facts warrant it, appropriate discipline will be taken against the offender. The employee's concern will be handled discreetly.

### **2.5 EEO Personnel Records**

The employee's personnel record is owned by Hill County and is maintained by the Personnel Office and the Auditor's Office. It contains information on his/her employment and salary history prior to and since his/her arrival at Hill County. The county acknowledges and supports the employee's right to privacy. This is

why access to employee records is carefully protected and particular attention is paid to proper usage of the information.

If the employee wishes to review his/her file, contact the Personnel Office, make an appointment, and spend a few minutes checking the accuracy of information in the employee's record.

## **SECTION THREE: GETTING ACQUAINTED**

### **3.1 Confidential Information**

In the course of employment with Hill County, the employee may have access to confidential information relating to the operation of the county or to a fellow employee. Knowledge of confidential information is a trust to be honored. Divulging confidential information to anyone not involved with the situation is grounds for termination.

### **3.2 Exempt/Nonexempt Employees**

Employees are classified as exempt or nonexempt from overtime. The rules which determine exempt and nonexempt employee status are detailed and complex and are centered around job responsibilities. Exempt or nonexempt status is determined by the job, not the person performing the job.

Exempt employees are not paid for overtime worked. Nonexempt employees must always be compensated for overtime worked.

### **3.3 Full-Time/Regular Employees**

Employees are considered to be a Full-time/regular employee if the employee is regularly scheduled to work 40 or more hours a week. Full-time employees are eligible for all normal county benefits as outlined in the benefits policies.

### **3.4 Part-Time Employees**

A Part-time employee is hired to work less than 40 hours per week on a continuous basis. Part-time employees are entitled to normal employee benefits, prorated to hours worked. See Benefits for Part-Time, Temporary, Seasonal and Intermittent Employees for details.

### **3.5 Temporary Employees**

Temporary employees are hired full or part-time for a specific period of time, or a specific assignment, not exceeding twelve months. Temporary employees receive benefits, but are not eligible for health insurance. See Benefits for Part-Time, Temporary, Seasonal and Intermittent Employees for details.

### **3.6 Seasonal Employees**

Seasonal employees are assigned to a position designated as seasonal on the appropriate department's list of positions and for which the department has a permanent need, but which is interrupted by the seasonal nature of the assignment.

Seasonal employees shall earn vacation credits. However, such persons must be employed six (6) qualifying months or work 1040 hours before vacation credits may be used. Seasonal employees earn sick leave and must work 520 hours before sick leave can be used. In order to qualify, such employees must immediately report back for work when operations resume in order to avoid a break in service. See Benefits for Part-Time, Temporary, Seasonal and Intermittent Employees for details.

### **3.7 Short-Term Employees**

A Short-term employee is hired on an hourly wage. Short-term employees may not work for a county department for more than 90 days in a continuous 12-month period. Short-term employees are not eligible to become permanent employees without a competitive selection process. Short-term employees are not eligible for any benefits.

### **3.8 Intermittent Employees**

An Intermittent employee has no regularly scheduled hours of work, yet works for the county on an on-going basis. Such employees are on an "on-call" list and retain the option of accepting one-day work assignments. See Benefits for Part-Time, Temporary, Seasonal and Intermittent Employees for details.

### **3.9 County Employee by Virtue of Grant Monies**

Employees who are funded by State or Federal grant monies will remain a county employee only for the duration of the grant period. These employees shall earn and accrue all regular benefits.

### **3.10 Reinstated Employees**

Employees who have been reinstated shall not be credited with previous service time regardless of the length of the break in service.

### **3.11 Volunteer**

Volunteers are people volunteering their time but receiving only nominal fee, reimbursement for expenses or reasonable benefits from the county for services. Volunteers are not employees.

### **3.12 Deputies**

Deputies are appointed at the pleasure of the elected official. Their term of employment will run with the elected official's term of office.

### **3.13 Introductory Period**

All new (excluding employees re-employed and reinstated in their previous position) employees shall be required to serve an Introductory Period of six (6) calendar months. Law enforcement officers, dispatchers' and detention officers' Introductory Period will be as prescribed by state law. A law enforcement officer, dispatcher and detention officer should discuss the length of the Introductory Period with his/her supervisor. The Introductory Period shall be utilized for the most effective adjustment of a new employee whose performance does not, in the judgment of the supervisor, meet the required standard of performance. In some instances an employee's Introductory Period may be extended.

### **3.14 Hours of Work**

The normal work week consists of a period of 40 hours: eight hours a day (8 a.m. to 5 p.m.), five days a week (Monday through Friday). Some department may have different shifts/hours of operation. Further, the hours and days of work may vary according the needs of the county; see the supervisor with any questions.

### **3.15 Breaks and Lunch**

Full-time employees receive two paid 15-minute breaks a day and a one hour for lunch or dinner, unpaid. For the employee's benefit, employees are discouraged from making up time missed by working through breaks and lunch.

### **3.16 Overtime & Compensatory Time**

Employees may be required to work overtime. Supervisors will advise employees, when practical, at least 48 hours before the scheduled overtime. If an emergency or other condition should cause the employee a problem, contact the department supervisor. Failure to work scheduled overtime or call outs for overtime, or overtime worked without prior authorization from the supervisor may lead to disciplinary action, up to and including termination of employment.

Nonexempt employees are paid at the rate of one and one-half times their regular hourly rate for all hours worked in excess of the overtime standard. Hill County will conform to Montana state law in the payment of overtime to employees. If employees work on a holiday, they are paid their hourly rate for the holiday and, in addition, their hourly rate for the number of hours worked on that holiday. Exempt employees do not receive overtime pay. Each department will maintain complete and accurate overtime and compensatory time records.

Compensatory time shall be administered by your supervisor in accordance with the conditions below:

Supervisors have the option of either paying the employee overtime or allowing the employee to accumulate compensatory time;

Employees may not bank more than 40 hours of actual compensatory time hours at any given time during one calendar year, except Sheriff's Office employees who may not bank more than 240 hours of actual compensatory time hours;

Compensatory time may be transferred to another department provided the new department agrees. If not, the former department must pay the compensatory time prior to the transfer; and

Upon termination of employment, any unused compensatory time is to be paid at a rate equal to the employee's current rate of pay.

### **3.17 Emergency Situations**

Emergency situations may occur which require immediate attention by county employees. For such additional time worked, the employee will be paid overtime at a rate as set forth in Section 3.16. Employees should respond to the location within one (1) hour after receiving the call-out request.

### **3.18 Shift Differential and Work Hours**

Some departments may pay shift differentials. See the supervisor with any questions relating to shift differential pay and work hours.

### **3.19 Time Cards**

Time cards are maintained to ensure that all nonexempt employees are properly paid for time worked. The supervisor, department head or elected official will instruct the employee as to the method of completing employee's time cards. Exempt employees report the standard eight (8) hours a day, five (5) days a week, for a reported work week of forty (40) hours. Elected officials/department heads are responsible for the maintenance of daily records of employee attendance and hours of work.

### **3.20 Payday**

Employees are paid once per month on the last normal working day of the month. When a holiday falls on a regular payday, employees will be paid on the last working day prior to the holiday.

Automatic deductions for such items as additional tax withholding, contributions to voluntary benefit plans, health club memberships, United Way and individual savings plans may be arranged through the Auditor's Office.

### **3.21 Early Paychecks**

If the employee is going to be on vacation or out of town on county business on a payday, the employee may make arrangements with the supervisor to have



someone pick up the employee's paycheck. Early paychecks will not be authorized.

### **3.22 Employee Loans**

The county cannot become involved in the personal financial affairs of its employees. Accordingly, personal loans or advances in pay will not be extended. Employees should pursue these personal needs through commercial financial institutions.

### **3.23 Accepting Gifts**

On occasion, a person or company outside of Hill County may wish to provide employees with a gift or service. No employee of the county, regardless of his or her position, may solicit gifts, entertainment, or favors from suppliers, either directly or indirectly, and no employee may accept anything of that nature beyond an ordinary social amenity or one involving normal company sales promotion, advertising, or publicity.

### **3.24 Dress Code**

County policy regarding appropriate dress is based on the safety of employees and providing a business-like image. Please see the supervisor if you have any questions.

### **3.25 Non-smoking Areas**

Hill County offers a smoke-free environment for its employees. All county buildings and county vehicles are designed smoke-free. Smoking is only allowed outside of the buildings and vehicles.

### **3.26 Safety**

All supervisors and employees have the responsibility of maintaining safe and healthful working conditions wherever work is performed. All accidents must be reported to the appropriate authority as soon as reasonably possible. In addition to the safety training received during Orientation, supervisors shall assure new employees attend the county's safety awareness program within six (6) months of the employee's hire date. Records of attendance will be recorded in employee's file.

### **3.27 Open Door Policy**

It is the policy of Hill County to encourage communication throughout all levels of the county. To that end, the doors of supervisors, department heads and elected officials are open to all employees whether the situation is the resolution of a problem or a suggestion. The county suggests that employees begin with his/her supervisor, department head or elected official.

### **3.28 Political Activity**

Employees shall not engage in any form of political activity at employee's place of employment during working hours or while in county uniform. This policy includes all classifications of employees. This policy is not intended to discourage any employee from involvement in political activities as a private citizen.

### **3.29 Lawsuits**

Employees of the county are not authorized to accept any legal process served on the county except the County Commission, County Attorney or County Clerk and Recorder. If an employee is approached by a process server, the employee shall direct the server to the County Attorney without accepting or signing the process. No employee shall discuss any aspects of a lawsuit or hearing involving the county without approval from the County Attorney.

## **SECTION FOUR: EMPLOYEE RELATIONS**

### **4.1 Employment Policy**

Employees of Hill County are encouraged to seek information, advice and counseling from management and the department heads/elected officials, and to communicate freely with management regarding matters relating to employee's work including:

- Opinions
- Criticisms
- Complaints
- Suggestions

The county is committed to the policy of promoting and hiring qualified individuals without regard to age, race, color, creed, ancestry, religion, sex, national origin, disability, or veteran status.

### **4.2 Employment of Relatives**

Full-time employment of relatives at Hill County is generally permitted except in Supervisor-Subordinate relationships. The exceptions to this rule are set forth in the Procedural Manual.

A member of the Personnel Office staff is to be notified immediately when a conflict arises to the above exceptions, so that management can determine what action, if any, must be taken. Any interpretation of company policy will be made by Hill County Attorney.

### **4.3 Job Posting**

Hill County selects and hires employees based upon the county's hiring procedure set forth in the county's Procedural Manual.

#### **4.4 New Employee Orientation**

The employee's first few days on the job as a new employee are probably the most difficult. To make this transition easier, he/she will participate in an orientation program where he/she will be given a general overview of Hill County and county policies, procedures, employee benefits and operating conditions. The employee will be given time away from his/her duties to attend the orientation program. Employee's attendance is mandatory. Employee will learn, among other things, about job descriptions, performance standards, problem solving procedures, paychecks, safety programs and the procedures for using employee medical benefits. He/she will also be given forms for employee county benefits and will acknowledge receipt of this manual.

Equally important is getting to know his/her supervisor. Employees are encouraged to ask his/her supervisor any question the employee might have about pay, benefits, hours of work breaks, or anything else related to the employee's job.

#### **4.5 Resignation and Discharge**

The employee or the county may change or terminate the employment relationship. If the employee chooses to resign from Hill County, he/she is requested to give adequate notice to his/her supervisor. This notice should be in writing, usually two weeks prior to the anticipated date of leaving.

Failure to call in or report to work may result in discipline, including termination.

If the employee is terminated due to a staff reduction or the elimination of his/her position, he/she will be given thirty (30) days notice. See Reductions in Work Force in Procedural Manual.

The 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 the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Employee may be immediately terminated for violating county rules, policies or procedures.

Employees who resign and return to work will receive no credit on the salary matrix for previous years worked. However, any public state employee will receive credit for longevity for vacation.

An employee may remain on the county's medical plan indefinitely at his/her own expense: if the employee is age 50 or older with at least five years membership service in PERS; or if the employee is any age with at least 25 years membership service in PERS. An elected official may remain on the county's medical plan indefinitely at his/her own expense if the official is age 50 or older with at least four years membership in PERS. All other employees may remain on the county's medical plan at his/her expense for a period up to 18 months pursuant to COBRA.

#### **4.6 Exit Interview**

If the employee terminates for any reason, he/she may be requested to participate in an exit interview and sign an exit interview form at time of termination. During the interview, matters of final pay and benefits will be discussed, and he/she will need to return any county property the employee may have. The county would also like to discuss with the employee the reasons for his/her leaving, if appropriate, and how the employee felt about his/her job, the county and its policies.

#### **4.7 Discipline**

When people work together, a set of policies and guidelines helps create cooperation and coordination. The county will also, from time to time, issue new or updated policies. By following these policies, it is possible for everyone to work together.

However, some actions cannot be condoned and immediate discharge may occur.

Occasionally, performance or other problems fall short of county standards and/or expectations. When this occurs, the department head/elected official takes action which, in his/her opinion, seems appropriate.

Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case should not be assumed to establish a precedent in other circumstances. Employee should see his/her supervisor and the Procedural manual with questions relating to discipline.

#### **4.8 Problem Solving Procedure**

Hill County recognizes that from time to time the employee may be dissatisfied with some condition of his/her employment. The following procedure applies to all employee except employees who are subject to a union contract which sets forth another procedure:

Step 1: When a problem arises, first discuss it with employee's supervisor within five (5) working days of the occurrence and request a specific remedy. The

supervisor will respond within five (5) working days of employee's request, and will log the date of the grievance and the supervisor's response.

Step 2: If employee is not satisfied with the supervisor's informal response, within five (5) working days of receipt of the response, write a formal request for review and submit it to employee's department head/elected official. In some departments, this may be the same person as employee's direct supervisor. The written request must contain a complete statement of the grievance and the remedy being sought. The department head/elected official will make a written response within ten (10) working days.

Step 3: If the grievance is not settled at Step 2, the employee may, within five (5) working days of receipt of the written response, write a formal appeal to the Personnel Clerk. Upon receipt, the Personnel Clerk shall take steps to prevent the alleged conduct from continuing, pending completion of the investigation. The Personnel Clerk will investigate the grievance and render a decision within ten (10) working days setting forth the reasons for the decision therein. The decision will be confidential and will be disseminated only to persons having a right to know, which outweighs the privacy rights of the persons involved.

Step 4: If the grievance is not settled at Step 3, the employee may, within five (5) working days of receipt of the written response, write a formal appeal to the Commissioners. Upon receipt, the Commissioners shall take steps to prevent the alleged conduct from continuing, pending completion of the investigation. The Commissioners will investigate the grievance and render a decision within ten (10) working days setting forth the reasons for the decision therein. The decision will be confidential and will be disseminated only to persons having a right to know, which outweighs the privacy rights of the persons involved. The decision of the County Commission shall be final in all grievances.

If the problem involves employee's immediate supervisor, or if it is of a personal or sensitive nature, the grievance will be filed with the Personnel Clerk. A copy of the Problem Solving Procedure is available in the Procedural Manual in each department and can also be obtained in Personnel Office.

Neither the county nor any employee will retaliate against any employee for filing a grievance or for participating in any way in a grievance procedure.

#### **4.9 Attendance**

Good attendance by everyone is essential to the effective operation of Hill County. Employees are an integral part of the county, and other people depend on other employees. Many absences, such as regular doctor appointments, license renewals, etc., can be planned in advance. Giving the supervisor as much advance notice as

possible will help the supervisor meet employee's request and maintain a positive work relationship.

Excessive absences, falsification of reason for any absence, absences which form unacceptable patterns, failure to provide medical information, or unauthorized time away from the county during working hours will result in disciplinary action up to and including termination. Employees are required to call his/her supervisor within the first hour of their shift if he/she will be absent or late for work. Leaving a message with another employee will not be accepted. If the supervisor is not available, call the department head/elected official. If the supervisor and department head/elected official are one in the same, contact the Personnel Office. Failure to call in or report to work may result in termination.

#### **4.10 Professional Image**

Hill County prides itself on professionalism, quality and excellence. It is understandable that the county wishes to project that image to outside businesses and individuals in the community. When employees are attending functions such as meetings, seminars, dinners and other recreational functions, keep in mind that employees represent the county, and speak and act accordingly.

#### **4.11 Outside Employment**

The county considers the employee's county employment to be primary to any outside employment. Employee shall inform his/her supervisor of any outside employment that may directly or indirectly conflict with the interests of the county or interferes with the ability to meet the requirements of the county. An employee may be asked to terminate the outside employment if he/she wishes to remain with the county.

#### **4.12 Alcohol and Drugs**

Hill County certifies that it will comply with all provisions of the Drug-Free Workplace Act of 1988, the Workplace Drug and Alcohol Testing Act, and the Montana Department of Transportation Drug and Alcohol Testing Policy #3-0132, including the testing procedure provided in 49 CFR Parts 40, 382, 391, 392 and 395, as amended.

The use of, sale, possession, transfer, manufacture, distribution, dispensation, purchase, or reporting to work or working under the apparent influence or effects of non-medically prescribed controlled substances or alcohol on county property will not be tolerated. The penalty for violating the county's policy on alcohol and drugs may result in termination.

The county reserves the right to search employees' personal belongings and work area, as well as request medical verification through drug testing, where there is

reasonable suspicion that an employee may be violating the substance abuse policy.

## **SECTION FIVE: COUNTY BENEFITS**

### **Financial Programs**

#### **5.1 Flexible Spending Accounts**

Hill County offers employees the opportunity to pay for uninsured medical expenses and costs of dependent day care on a pre-tax basis through flexible spending accounts. In addition, any premiums employees pay for health-related coverage can be taken pre-tax. Deferrals under these plans must be made in advance of the beginning of the plan year (August 1), unless employee experiences a change in family status. Any funds in his/her Flexible Spending Account not used by the end of the plan year (July 31) are forfeited, due to IRS regulations.

#### **5.2 PERS**

Membership in the Public Employee Retirement System (PERS) is mandatory for all county employees, except employees not working the equivalent of 120 work days per year, new employees who were sixty (60) years of age before they were employed by the county, and other exclusions listed in Mont. Code Ann. Section 19, Chapter 3, and the amendments thereto. Information regarding PERS and other retirement programs can be obtained from the Auditor's office. Further information about the PERS benefits and regulations can be found in the Procedural Manual.

#### **5.3 Social Security**

All employees shall be covered by Social Security. The employee may withdraw funds for a disabling injury or illness, retirement or for benefits to survivors in the event of death. Further information may be obtained from the Auditor's Office.

#### **5.4 Unemployment Insurance**

Employees are covered by unemployment insurance and are eligible for compensation in the event of discharge from county employment.

#### **5.5 Clothing Allowance**

County departments may provide a clothing allowance for those positions requiring special uniforms.

#### **5.6 Travel**

Employees, elected officials and others representing the county on official county business shall receive expenses as established by MONT. CODE ANN. §§2-18-501,

2-18-502, and 2-18-503, and any amendments. Spouse and/or dependent expenses are not allowed. Refer to County Resolution No. 89-1370.

Actual registration fees for approved conferences, workshops and meetings shall first be approved and then either paid in advance or reimbursed to the person incurring them, provided a claim for reimbursement is supported by a receipt showing payment of the registration fee. All travel expenses shall be approved by the supervisor prior to submission of a claim to Auditor. Expense advances may be approved by the Commission to offset any undue financial hardships on employees traveling on behalf of the county. Transportation shall be the most economical in terms of direct costs to the county. County vehicles are available for use. An employee must use a county vehicle unless the Commissioners authorize the use of the employee's personal vehicle.

The willful misrepresentation or altering of claims is unlawful, may result in the filing of criminal charges, and may result in discipline which may include discharge.

Contact the Auditor's Office for current information of allowable travel expenses.

## **Health Coverages**

### **5.7 Medical**

Hill County may offer a medical plan dependant on employee's personnel classification. Hill County may pay all or a portion of the premium for employees for both single and family coverage. Employee's medical plan may include basic health, dental, visual, catastrophic illnesses, counseling, disability and/or life. A cafeteria plan may also be available. See the Auditor or the supervisor with questions concerning employee's medical plan.

An employee who is going on workers' compensation will continue receiving health insurance coverage through Hill County for a period of six months. An additional six months will be paid for each different claim incident for the employee. For part-time employees, the county will pay their portion and the employee will pay the remainder if applicable at a prorated rate based upon the previous year's work.

### **5.8 Workers' Compensation**

Montana has a Workers' Compensation law which provides benefits for persons who are injured during the course of his/her employment. Hill County provides every employee for work-related injury or disease covered under the Montana Workers' Compensation Act or the Occupational Disease Act. All injuries must be reported immediately to the supervisor, and by reported by Montana state law, within thirty (30) calendar days after the occurrence to the supervisor.



The amount of benefits the employee receives and what he/she must do to receive them are determined by state law. Wage loss benefits begin after a five-day waiting period. Employees may use accrued annual or sick leave benefits to cover wage loss during the five-day waiting period. For more information, contact the Auditor's Office or refer to Workers' Compensation in the Procedural Manual.

## **Time off Programs**

### **5.9 Sick Leave**

All permanent Full-time employees earn one day per calendar month of employment without restriction to the number of days that may be accumulated. Part-time employees, Temporary employees, Seasonal employees and Intermittent employees are entitled to prorated accumulation of sick leave. Sick leave benefits are calculated and leave granted pursuant to MONT. CODE ANN. §2-18-618. Eligible employees who terminate employment are entitled to a lump sum payment equal to  $\frac{1}{4}$  of the time attributed to the accumulated sick leave, based on the salary of the employee at termination.

Employees earn sick leave credits from the first day of employment, but are not entitled to take paid sick leave until they have been continuously employed for 520 hours. Sick leave cannot be earned while on leave-without-pay status. Sick leave will be earned while on leave for an injury or illness resulting from his/her county employment which is covered by the benefit plan. Any holiday which falls during a period that an employee is on sick leave will not be charged against sick leave credits.

Employees may take sick leave for the following reasons: personal illness; immediate family member's illness; immediate family member's death; or attendance at a funeral of a coworker, relative or personal friend.

In order to use sick leave for physician appointments and other foreseeable situations, employees should obtain prior approval from his/her supervisor at least 48 hours prior to absence. In order to be able to use sick leave for unforeseeable situations, employee must inform the supervisor of his/her absence within the first hour of his/her shift (see Attendance for further details). In addition, employee must contact his/her supervisor each additional day of absence within the first hour of his/her shift. If employee is absent due to illness, he/she may be asked to present verification of illness or injury and/or a medical certification of his/her release to return to work to his/her supervisor. Employee's receipt of sick leave benefits may be conditioned upon receipt of the verification or certification. Employee may also be eligible for FMLA leave (see Family Medical Leave Act, or contact the supervisor for details and application forms).

Employees may contribute a portion of their sick leave to a fellow employee. See the supervisor or refer to the Procedural Manual for more information.

**5.10 Disability**

An employee needing disability leave shall advise his/her supervisor of a disabling condition, as well in advance as possible, and the date the disability leave may need to begin. The employee shall estimate the duration of the leave realizing that the actual duration of the disability leave depends upon the extent and duration of the disability. The employee shall, as soon as is practical, submit a prescribed Request for Disability Leave form, stating the date he/she expects to leave the job and tentative date of return. (See Appendix Form #P in the Procedural Manual.) For further information, see the Auditor or refer to the Procedural Manual.

**5.11 Vacation**

After six months of eligible service, full-time employees, part-time employees, temporary employees, seasonal employees and intermittent employees earn annual vacation leave from the first day of employment. (See MONT. CODE ANN. §2-18-611.) Full-time employees accrue 1.25 vacation days each month, as shown in the following schedule:

<b>Years of Employment</b>	<b>Vacation Days Accrued per Year</b>	<b>Vacation Days Accrued per Month</b>
6 months thru 10 years	15	1.25
11 years thru 15 years	18	1.5
16 years thru 20 years	21	1.75
21 years or more	24	2.00

Part-time employees, temporary employees, seasonal employees and intermittent employees are entitled to prorated annual vacation benefits. Upon termination of employment, an eligible employee will be paid for unused vacation leave based on the employee's salary at the time of termination.

All employees are expected to take their vacation during the course of the vacation year. Annual vacation leave may be accumulated to a total not to exceed two times the maximum number of days earned annually, but annual leave time in excess of

the maximum is not forfeited if it is taken within 90 calendar days from the last day of the calendar year in which the excess was accrued. See MONT. CODE ANN. §2-18-617.

Please discuss the scheduling of employee's vacation with the supervisor so that it fits into the overall schedule of the department. Vacation time should be scheduled at least 48 hours in advance and must be approved by the supervisor before leave is taken. The county reserves the right to alter vacation schedules.

## **5.12 Holidays**

Hill County observes the following holidays each year:

January 1	New Year's Day
Third Monday in January	Martin Luther King, Jr. Day
Third Monday in February	Presidents' Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Second Monday in October	Columbus Day
November 11	Veteran's Day
Fourth Thursday in November	Thanksgiving Day
December 25	Christmas Day
State General Election every other year (Congressional, Gubernatorial or Presidential Elections)	

For more information regarding Holidays, see the supervisor or the Procedural Manual.

## **5.13 Benefits for Part-Time, Temporary, Seasonal and Intermittent Employees**

Holidays, vacation, sick leave, and disability benefits are based on the ratio of hours worked to a full-time schedule. PERS participation is dependent on the annual number of hours worked. Medical premiums are prorated based on scheduled work hours. Said employees shall receive the following county benefits:

Prorated vacation leave for each day of service for the county, pursuant to MONT. CODE ANN. §2-18-611, MCA;

Prorated sick leave for each day of service for the county, pursuant to MONT. CODE ANN. §2-18-618; and

Prorated holiday pay in months worked.

## **5.14 Family and Medical Leave Act (FMLA)**

After completion of 52 weeks of employment and a minimum of 1,250 hours worked, an employee has the right to apply for leave under the 1993 Family and Medical Leave Act,

consisting of twelve weeks. See Procedural Manual for Hill County Family and Medical Leave Policy and the applicable forms.

### **5.15 Personal Leave of Absence**

Personal leaves of absence are without pay. They are available to employees who obtain proper approval. Personal leaves of absence may be granted upon written request to the supervisor. The request shall be made at least seven days in advance when possible, and shall designate the beginning and ending date and purpose of the leave. In the case of an emergency or unforeseen circumstance, employees must notify his/her supervisor before the scheduled start of his/her workday or as soon as reasonably possible. Unless the supervisor has provided the employee written authorization otherwise, employees must contact his/her supervisor each additional day of absence.

Employees must use his/her available sick leave and may use vacation time before taking any unpaid leave during any period of family, medical or pregnancy disability leave. All time-off accruals cease.

If the leave is due to illness or accident, employees may be required to provide medical certification regarding their fitness to return to work prior to returning to work.

An employee failing to report for work on the first day following the expiration of such leave shall be considered absent without authorized leave and will be subject to discipline, including termination. Please be aware that the county may not be able to guarantee that a position will be available for him/her at the end of the leave.

### **5.16 Leave for Jury Duty**

Each employee scheduled for work and at the same time is summoned as a juror or subpoenaed to serve as a witness shall collect all fees and allowances payable as a result of the service and forward the fees to the county Auditor's Office. Juror and witness fees shall be applied against the amount due the employee from the county. If an employee charges juror or witness time off against annual leave, the employee shall not be required to remit fees to the county. Either way, the employee may keep any expense and mileage allowance paid by the court. See MONT. CODE ANN. §2-18-619.

### **5.17 Military Leave**

Employees who are members of the Montana National Guard or who are members of the reserve of the military forces of the United States, and who have been employed by the county for a period of six months, shall be given leave with pay for a period of time not to exceed fifteen days (120 hours) in a calendar year for attending regular encampments, training cruises and training programs. Such leave will not be charged against vacation or sick leave. See MONT. CODE ANN. §10-1-604. In addition, any federal and state laws requiring leave will be complied with pursuant to the policies set forth therein.

### **5.18 Parental Leave**

Hill County will comply with the state Parental Leave Act (SEE MONT. CODE ANN. §49-2-310-311.) An employee has the right to take a reasonable leave of absence for pregnancy.

### **5.19 Inclement Weather Leave**

If the county offices are open and an employee can not report for work due to inclement weather conditions, the employee has the option of taking vacation time or unpaid leave.

## **SECTION SIX: WAGE & SALARY ADMINISTRATION**

### **6.1 Performance Appraisal**

Performance appraisal measures employee performance. How well he/she meets his/her job goals is an important factor for his/her supervisor. The employee may also be evaluated on his/her participation in a work team.

### **6.2 Position Description**

The Position Description provides a means for the employee and the supervisor to reach an understanding of the employee's job responsibilities, and to plan for the future by setting performance objectives. It lists the job's duties, responsibilities and the minimum hiring qualifications.

The supervisor, with the help of the Personnel Office, is responsible for writing the employee's position description. The employee should obtain a copy of your Position Description from the supervisor.

## **SECTION SEVEN: USE OF COUNTY EQUIPMENT**

### **7.1 Personal Telephone Calls**

Telephones are for the conduct of county business. Under no circumstances are long distance or toll calls of a personal nature to be made on the county telephone system unless approved by the department head. Necessary local calls of a personal nature may be made during business hours on county phone equipment, provided that these are kept to a minimum in time and frequency. Incoming social calls are discouraged.

### **7.2 Company Property Removal**

No county equipment, writing papers, boxes or documents, may be removed from the premises unless authorized by the supervisor.

### **7.3 Computers**

Employees are indirectly responsible for the on-going integrity of Hill County's computer data and computer security system. Computers are purchased by and for the benefit of the county and are the property of Hill County. Access to computer files is restricted to job-related need, and access must be authorized by the appropriate department head.

Each employee who uses county computer resources assumes the responsibilities listed below:

Only software that has been authorized and purchased by Hill County should be loaded or used on any company computer. Freeware may be downloaded provided it does not conflict with the policies and procedures.

The county's software and software manuals should not be duplicated or reproduced in any manner. Such actions are in violation of license agreements the county and its employees are obligated to abide by.

The county's software is not to be altered in any manner, including but not limited to, decompiling, disassembling, cross-compiling, reverse engineering, or creating derivative works.

Computer equipment, software or documentation should not be removed from the premises without written approval from a department head.

#### **7.4 Electronic Mail**

Hill County utilizes a system where employees receive and send messages through a computer mail system. Computer mail is intended solely for business use. In keeping with this intention, the county maintains the ability to access any messages left on or transmitted over the system. Because of this fact, employees should not assume that such messages are confidential or that access by the employer or its designated representative will not occur. For more information, refer to Use of Computer and Internet, in the Procedural Manual.

#### **7.5 Vehicles**

The Commissioners shall designate those job positions that require the use of county-owned vehicles on a take home basis. County vehicles shall not be used by employees for personal use. When an employee is on county business, a county vehicle should be used whenever possible. The County Commission or the employee's supervisor may authorize an employee to use his/her private vehicle for official use only when a county vehicle is not available.

A valid and current operator's license must be in the possession of the operator and maintained at all times and the operator shall comply with state, tribal, and municipal vehicle operation laws. When operating a county vehicle, care of the vehicle will be exhibited at all times. If a vehicular accident or theft of the vehicle occurs, it must be immediately reported to police and to the supervisor. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic violations, can result in disciplinary action, up to and including termination of employment. For more information, refer to Use of County Vehicles in Procedural Manual.

## **SECTION EIGHT: OTHER**

### **8.1 Conflict**

The policies herein shall be followed unless they conflict with negotiated labor contracts or specific statutes, which shall take precedence.

### **8.2 Personnel Manual and Procedural Manual**

In addition to this Personnel Manual, employees are subject to all procedures set forth in the Procedural Manual. The Procedural Manual sets forth, in depth, the day-to-day procedural operations of the county.

The County Attorney's Office and Personnel Office shall maintain the Procedural Manual, shall make modifications as necessary and shall keep the county department heads/elected officials advised of the procedures set forth therein. The department heads/county officials shall keep their employees advised of the procedures set forth therein. All employees, supervisors, elected officials and department heads shall follow the procedures set forth herein and in the Procedural Manual.

All employees, supervisors, elected officials and department heads may make suggestions for modifications to the Procedural Manual to the Personnel Office, County Attorney's Office or the County Commission.

### **8.3 Policy Changes**

Hill County reserves the right to suspend, revise or revoke any of the policies contained in this Personnel Manual at any time.