

**FINNEY COUNTY
EMPLOYEE HANDBOOK**

**REVISED
January 1, 2026**

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INTRODUCTION

The Finney County Employee Handbook (the “**Handbook**”) has been established to provide employees of Finney County (the “**County**”) with consistent regulations and guidelines related to matters of general County operations, employee practices and procedures, employee responsibilities, and employee benefits. The Handbook provides information on the employment-at-will relationship, sets forth reasonable guidelines for employee conduct, establishes employee leave policies, and summarizes employee benefits. The policy has also been prepared in order to assist the County in complying with a number of federal and state laws governing public employment practices.

This Handbook provides a guide to employees and should not be construed to alter the employment-at-will relationship or to create an implied or express contract to apply the policies in all cases. Employees with questions regarding the Handbook are encouraged to contact the Human Resources Director for clarification.

SECTION I
PURPOSE AND APPLICATION

INTENT

The Board of County Commissioners has established the Handbook to guide the administration of all employee related matters. The Handbook includes provisions to assure that the County is in compliance with the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, and Workers' Compensation legislation.

APPLICATION

The Handbook applies to all employees of every department of the County except the elected officials listed below. Where Kansas statutes specifically exclude certain employees from provisions of County personnel policies, those employees will not be considered to be subject to this Handbook. However, as a general rule, the Handbook applies to all employees. The following elected officials are exempt from the Handbook:

- Board of County Commissioners
- County Attorney
- County Clerk
- County Treasurer
- Register of Deeds
- Sheriff

SUPPLEMENTAL POLICIES

It is an objective of the Handbook to establish consistency in dealing with personnel issues among the various departments of the County. It may be necessary for certain departments to develop additional policies affecting personnel because of the unique service orientation of the department. Copies of supplemental department policies shall be approved by County Administrator and the Human Resource Director and then provided to department employees.

HANDBOOK SUBJECT TO CHANGE

The County reserves the right, in its sole discretion, to alter, amend, modify, supplement, terminate, or delete any benefits, policies, or provisions contained in the Handbook at any time it chooses. Any such changes will be communicated to you in writing, via e-mail, a memorandum, posting on a bulletin board, or by other appropriate means. It is your responsibility to keep abreast of such changes.

EMPLOYEE CLASSIFICATIONS

Full-Time, Part-Time, Very Part-Time, and Short-Term Employees. For purposes of this Handbook, each employee is either classified as a Full-Time Employee, a Part-Time Employee, a Very-Part Time Employee, or a Short-Term Employee.

Important Note. The County's employee benefit plans have their own defined terms for purposes of those employee benefit plans. Therefore, the terms "Full-Time Employee," "Part-Time Employee," "Very Part-Time Employee," and "Short-Term Employee," as defined in this Handbook, have nothing to do with the benefits provided under those employee benefit plans.

Exempt and Non-Exempt Employees. In addition to the above classifications, all employees are also categorized as either "exempt" or "non-exempt" for purposes of federal and state wage and hour laws. Non-exempt employees are eligible for overtime pay and earn at least minimum wage.

Assignment to Classifications. Each employee will be informed of his/her classifications upon hire and informed of any subsequent changes to those classifications.

Definitions. Where the following words and phrases appear in the Handbook, they shall have the respective meanings as set forth below, unless the context clearly indicates otherwise. Where the defined meaning is intended, the term is capitalized.

Department Director: Elected officials and appointed Department Directors of the various departments of the County government.

Elected Official: Positions established by statute and filled by general election, are County Attorney, County Clerk, County Commissioner, County Treasurer, Register of Deeds and Sheriff.

Essential Personnel: Law enforcement personnel, emergency medical services (EMS) personnel, jail and detention facility personnel, and road maintenance personnel.

Full-time Employee: An employee who is regularly scheduled to work at least forty (40) hours per week and who is not a Short-Term Employee.

Part-Time Employee: An employee who is regularly scheduled to work at least thirty (30) hours per week but less than forty (40) hours per week and who is not a Short-Term Employee.

Short-Term Employee: An employee who was hired for a specific short-term project or on a short-term freelance, per diem, or temporary basis.

Supervisor: An employee who assigns and schedules the work of other employees, who reviews completed work and who participates in personnel action decisions. A Supervisor may also be a Department Director.

Very Part-Time Employee: An employee who is regularly scheduled to work less than thirty (30) hours per week and who is not a Short-Term Employee.

SECTION II EMPLOYMENT PROCEDURES

EMPLOYMENT-AT-WILL

THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD OF TIME. Nothing in this Handbook or any oral or written representation by any employee, elected official, or Supervisor of the County shall be construed as a contract of employment for any specified period of time or for other than “at-will” employment. Unless a written contract of employment that sets forth a specified period of time of employment or that is for other than “at-will” employment approval of the Board of County Commissioners. Employment at the County is terminable at the will of either the employee or the County, at any time, with or without cause, and with or without notice, for any reason not prohibited by law.

TRANSFER REQUEST

An existing employee wishing to transfer from one department to another must submit a complete application for the new position to Human Resources. A minimum of two weeks' notice will be given to the current Department Director in the event the employee transfer is approved. This time period may be lengthened or shortened by mutual agreement of the Department Directors involved.

MINIMUM QUALIFICATIONS

With exception to specific job-related requirements, to be considered for employment by the County, all applicants must be at least sixteen (16) years of age and must be a citizen of the United States or be authorized to work in the United States. If driving a vehicle is an essential job function, the applicant must have a valid drivers' license on the first day of employment and must obtain a Kansas license within 45 days of hiring if license is from another state. To comply with the Immigration Reform and Control Act of 1986, each employee, as a condition of employment, must complete the Form I-9 (Employment Eligibility Verification) and provide documented proof of identity and eligibility to work within three (3) business days after the date that his/her employment begins. A former employee who is rehired must also complete Form I-9 if he/she has not completed one with the County within the past three (3) years or if his/her previous Form I-9 was not retained or is no longer valid.

NEPOTISM

No elected official, Department Director, or Supervisor shall permit or cause to be placed or have under his/her employment/supervision in said office or department any member of his/her immediate family. For the purposes of this paragraph, “immediate family” means mother, father, daughter, son, sister, brother, step-mother, step-father, step-daughter, step-son, step-sister, step-brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, husband, wife, or anyone sharing a residence with the employee. If an employee becomes an immediate family member on account of marriage after his/her initial date of employment and if the County is unable to make an acceptable accommodation, then the two individuals will be notified by the Department Director or Supervisor that one of the employees must separate from the County’s employment within ninety (90) days. The choice of who shall separate from the County’s service shall be the employees’. In the event the employees do not agree with respect to which one shall resign, the employee with the least seniority shall be separated from employment.

EMPLOYEE PAY

- (1) The pay periods for the County are bi-weekly. The pay period begins at 12:01 A.M. on Monday and ends on the second Sunday at midnight, except that the pay period for employees in the Juvenile Detention Center, EMS, and Sheriff's Office begins at 7:01 A.M. on Monday and ends on the second Monday at 7:00 A.M.
- (2) An employee's pay will be distributed into his/her bank account or payroll card no later than the Friday following the end of the pay period.
- (3) The County pays wages by direct deposit and payroll card. The County views direct deposit as the most efficient method for paying employees but if an employee chooses not to be paid by direct deposit, (i.e., electronic transfer directly into an employee's designated bank account) then a payroll card will be issued to the employee. Once a direct deposit form is completed, the employee must submit it through UKG for processing.
- (4) If an employee needs to temporarily stop direct deposit (e.g., change of financial institutions, etc.) the employee must take all reasonable steps to re-establish direct deposit within two pay cycles. To enroll, cancel, or make a direct deposit or payroll card changes, the employee must submit a request through UKG.
- (5) County employees participating in direct deposit or the payroll card can review and/or print a check stub each pay period showing wage information from the UKG payroll system.
- (6) It is the policy and practice of the County to compensate employees accurately and to do so in compliance with all applicable state and federal laws. However, each employee is responsible for reviewing and submitting his/her timecards and reviewing his/her pay stubs bi-weekly. If an employee has a question about and/or problem with time submission or a paycheck, the employee should contact the Human Resources Office immediately.
- (7) The County is required by law to make certain deductions from every employee's paycheck, including federal, state, and local income taxes and the employee's share of Social Security and Medicare taxes. Eligible employees may authorize deductions from their paychecks as allowed by law. The County prohibits improper deductions. If an employee has a question about any deduction from his/her paycheck, the employee should contact Human Resources immediately.
- (8) If a non-exempt employee is on-call for his/her department, the employee will be paid a bonus of \$10 per day. If a non-exempt employee who is on-call is called back to work, the employee will be paid his/her regular wages for all time worked (with a minimum of one-hour paid).

TERMINATION/RESIGNATION

A. RESIGNATION IN GOOD STANDING.

- (1) An employee who desires to terminate employment in good standing must submit a written resignation notice at least 14 days before the final day of work. The purpose of requiring 14 days' notice is to provide the County with adequate time to deal with a change in work force. Once the written notice is submitted, an employee will not be permitted to use PTO during the 14 -day period; provided, however, if PTO during that period was approved prior to submission of the notice, the employee will be permitted to use up to 3 days of PTO during the 14-day period. Refer to the Paid Time Off (PTO) policy for information on payment of accrued but unused PTO upon termination of employment. At the discretion of the Department Director, an employee may be asked to vacate employment immediately. Any employee who resigns from employment without providing the required notice will be treated as having failed to resign in good standing for purposes of rehire.
- (2) If an employee did not resign in good standing, then the employee shall not be rehired without approval of the Department Director(s) in consultation with the Human Resources Director and the County Administrator.

B. TERMINATION.

- (1) It is the policy of the County that if an employee violates any of the County's standards of job performance and/or conduct, the County will use disciplinary action based on the nature of the violation and the Department Director's discretion in determining the best interests of the respective department and the County. The County retains the employment-at-will relationship and may terminate the employment of any employee violating standards of job performance and/or conduct if the Department Director determines such action to be for the good of the department and the County.
- (2) When a Department Director determines that the interests of the department and the County warrant termination of an employee because of a violation of standards of job performance and/or conduct, the employee to be terminated shall be immediately notified. Subject to the requirements of Kansas law, terminated employees will be given their final paycheck on the next regularly scheduled payday (for the pay period last worked).

- C. **RETIREMENT.** All employees participating in the Kansas Public Employees Retirement System (KPERS) will be eligible for retirement benefits. Employees planning to retire should notify their Department Director at least thirty (30) days prior to their planned retirement date to obtain information on benefits and time requirements for receipt of benefits. Retiring employees are encouraged to notify the Department Director well in advance so that options available can be considered and so that the employee will be aware of any recent benefit or rules changes, which may affect them. Human Resources will provide assistance with all filing requirements for retirement.
- D. **LAY-OFF.** A Department Director may lay-off an employee when it is deemed necessary because of a shortage of funds, shortage of work, the elimination of a position, or other material changes in duties or organization. The employee shall be notified at least 14 days prior to the effective date of the lay-off. Employees shall be selected for lay-off in the following order:
- (1) Short-Term Employees, Very Part-Time Employees, and Part-Time Employees shall be laid-off first;
 - (2) Full-time employees in their first 6 months of employment shall be laid-off next; and
 - (3) Full-time employees who have been employed more than 6 months shall be selected for lay-off based on their job performance, critical aspect of their job and duties, required training, and length of service, provided that the employees who are retained have the demonstrated ability and fitness to perform the available work.

Employees who are laid-off will be placed on a recall list for 6 months following lay-off. It is the responsibility of the laid-off employee to maintain a current home address on file with Human Resources. Employees will be recalled according to need, classification, and the ability to perform available work. Unless an employee responds to a recall notice within 7 days following the day on which a certified letter is sent, the employee's name will be removed from the recall list and employment with the County will be terminated.

Following 6 months from the date of lay-off, or after removal from the recall list, whichever occurs first, a laid-off employee will be considered terminated from employment. Employees may elect to use accrued PTO and compensatory time during the lay-off period. Longevity and leave benefits will not accrue during a lay-off period but will be reinstated upon return to work.

DISCIPLINE

A Department Director will take disciplinary action when any employee violates standards of job performance and/or conduct. Implementation of disciplinary action does not alter the employment-at-will relationship. The County may, at any time, terminate the employment of any individual violating standards of job performance and/or conduct. Disciplinary action may include, but is not limited to, one or more of the following, in any order: verbal and written warnings, suspension without pay, pay decrease, demotion, and termination.

OUTSIDE EMPLOYMENT

Employees of the County may hold a second job with an employer other than the County, provided that the responsibilities of the second job do not interfere with performance of County job responsibilities. Tardiness, absenteeism, or refusal to work overtime may result in termination from County employment. All employees are expressly prohibited from engaging in any work activity that conflicts with or compromises the interests of the County. This prohibition includes the use of any County-owned property and the use of paid working time or paid break periods to engage in any other work.

SOCIAL SECURITY NUMBER POLICY

Social Security Number Required. The IRS requires the County to report each employee's wages using a Social Security number. An employee who does not have a Social Security number is required to apply for one. Application forms for Social Security numbers can be obtained from any Social Security Office and can also be downloaded from the Social Security Administration website, www.ssa.gov.

Information to Provide if Social Security Number Applied For. If an employee has applied for a Social Security number and card but has not yet received it, the employee is required to provide Human Resources with a copy of the application and/or receipt. Upon receiving a Social Security card, an employee is required to show the Social Security card to Human Resources for the sole purpose of ensuring that the exact number and the exact name that are on the card are in the County's records.

RECORD KEEPING

The County maintains records on each employee that are directly related to employment with the County and/or required by Federal or State law. Personnel records shall be maintained by Human Resources. Department Directors may maintain supplemental records pursuant to the provisions set forth below. Employee records maintained may include the following:

- (a) Application form
- (b) Payroll information
- (c) Performance evaluations
- (d) Disciplinary records
- (e) Medical information

It is the employee's responsibility to assure that information on record is current and accurate. Employees should contact Human Resources in writing or by submitting a change request within UKG when there are any changes in name, address, telephone number, beneficiary designations, marital status, dependents, or persons to be notified in case of emergency.

The County shall keep personnel records as confidential as possible under the circumstances.

An employee's medical records are kept in a separate, confidential file from the personnel file. The County will only use and disclose health information as requested or permitted by law. All uses and disclosures of an employee's health information will be of the minimum necessary to accomplish the intended purpose of the use or disclosure.

Pursuant to the Kansas Open Records Act, any member of the public may request, and shall be provided, the names, positions, wages, and length of service of officers and employees of the County. No other information will be provided in response to such a request without the express permission of the subject employees or officers. The Board of County Commissioners and the County Administrator may inspect all personnel records. All personnel records of employees covered by this Handbook, and all other records and materials relating to the administration of the Handbook shall be considered confidential and the property of the County.

A current employee (but not a former employee) may review the employee's own personnel records maintained by Human Resources, subject to the following conditions:

- (a) The records must be reviewed in the presence of the Human Resources Director or his/her designee;
- (b) Requests to review personnel records must be made in writing and submitted to the Human Resources Director;

- (c) The employee will be allowed to review the personnel records within a reasonable period from the time of his/her request;
- (d) No material may be removed from the personnel records or duplicated by an employee, but an employee may take notes and provide written comments for inclusion in the employee's personnel records;
- (e) Employees may not assign or delegate their opportunity to review personnel files without the express, written consent of the County; and
- (f) The County does not have to allow an employee to review his/her personnel records more than twice during a calendar year.

An employee may request that his/her personnel records be updated. The request for updating of records shall be reviewed and may be changed as deemed appropriate. Any employee disagreeing with information in their own records may submit a written statement of disagreement, which shall be placed in the file.

LACTATION BREAKS POLICY

Purpose. The County recognizes the health benefits of breastfeeding to a mother and baby and supports mothers who wish to continue breastfeeding when they return to work. The County provides a supportive environment to enable nursing mothers to express their milk during work hours.

Reasonable Breaks. The Providing Urgent Maternal Protections for Nursing Mothers Act (“PUMP”) permits nursing mothers to take reasonable break periods during work hours to express breast milk for their nursing child for 1 year after their child’s birth. The County encourages nursing mothers to use their normal breaks and lunch period for this purpose. However, the County recognizes that the frequency of breaks needed as well as the duration of each break will vary for each nursing mother. Therefore, employees are permitted to take an additional, reasonable amount of unpaid time to express their milk. Such additional break time for non-exempt employees will be unpaid if the employee is completely relieved from duty during the break. It is the employee’s responsibility to record her work time accurately in accordance with the County’s timekeeping procedures.

Facilities. The County acknowledges the need for breastfeeding mothers to have privacy and time to express breast milk. Nursing mothers will, therefore, be provided a private area (other than a restroom) that is shielded from view and free from intrusion by coworkers and the public, in line with the PUMP requirements. The area will be sanitary, located near a sink with running water for washing hands and cleaning the breast pump, and equipped with an electrical outlet. In addition, nursing mothers may also express milk in their private offices or in another private location agreed upon with the employee’s Supervisor.

Supervisor Responsibilities. Supervisors must be supportive and flexible with respect to working patterns when a nursing mother returns to work. This may mean modifying working conditions and frequency of break periods. As explained above, additional break periods may be required that will allow a nursing mother time to express breast milk.

Employee Responsibilities.

- (a) **Communication with Supervisors.** Nursing mothers who wish to express milk during the workday must keep Supervisors informed of their needs so that Supervisors can make appropriate accommodations to satisfy the needs of both the nursing mother and the County.
- (b) **Facility Cleanliness.** Nursing mothers must leave the breastfeeding facility clean and tidy. This responsibility extends to designated facilities and other areas where expressing milk occurs.

- (c) **Milk Storage.** Each nursing mother is responsible for proper storage of her milk and is encouraged to label her milk so it is not inadvertently confused with another nursing mother's milk.

SECTION III EMPLOYEE CONDUCT

The Employee Conduct section of the Handbook outlines general rules of conduct for employees and discourages activities which may be construed to be unethical, illegal, or contrary to the positive image of the County and its employees.

ANTI-HARASSMENT POLICY

All Unlawful Harassment Prohibited. The County strictly prohibits and does not tolerate unlawful harassment against employees or any other covered persons because of race, religion, creed, national origin, ancestry, sex (including pregnancy), gender (including sexual orientation, gender identity and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, genetic information, past, current or prospective service in the uniformed services, or any other characteristic protected under applicable federal, state, or local law.

Sexual Harassment.

- (a) All County employees, other workers and representatives (including vendors and visitors) are prohibited from harassing employees and other covered persons based on that individual's sex or gender (including pregnancy, sexual orientation, gender identity, and status as a transgender or transsexual individual) and regardless of the harasser's sex or gender.
- (b) Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:
 - (1) Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment.
 - (2) Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions.
 - (3) Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile, or offensive work environment.
- (c) The County will not tolerate any form of sexual harassment, regardless of whether it is:
 - (1) Verbal (for example, epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances or requests for sexual favors).
 - (2) Physical (for example, assault or inappropriate physical contact).

- (3) Visual (for example, displaying sexually suggestive posters cartoons or drawings, sending inappropriate adult-themed gifts, leering or making sexual gestures).
- (4) Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only, and not exhaustive. No form of sexual harassment will be tolerated.

- (d) Sexual harassment is prohibited both at the workplace and at employer-sponsored events.

Other Types of Harassment.

- (a) The County's Anti-Harassment Policy applies equally to harassment based on an employee's race, religion, creed, national origin, ancestry, age, physical or mental disability, citizenship, genetic information, past, present or prospective service in the uniformed services, or any other characteristic protected under applicable federal, state, or local law.
- (b) Such harassment often takes a similar form to sexual harassment and includes harassment that is:
 - (1) Verbal (for example, epithets, derogatory statements, slurs, derogatory comments or jokes).
 - (2) Physical (for example, assault or inappropriate physical contact).
 - (3) Visual (for example, displaying derogatory posters, cartoons, drawings or making derogatory gestures).
 - (4) Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).
- (c) This list is illustrative only, and not exhaustive. No form of harassment will be tolerated.
- (d) Harassment based on the classes described above is prohibited both at the workplace and at employer-sponsored events.

Complaint Procedure.

- (a) If an employee is subjected to or witnesses any conduct that the employee believes violates this policy, the employee must promptly speak to, write, or otherwise contact his/her direct Supervisor or the Human Resources Director as soon as possible after the offending conduct. Nothing in this policy shall require making a complaint to the person allegedly violating the policy. Therefore, if the Human Resources Director is allegedly violating the policy, the complaint must be made to the County Administrator. If the employee does not receive a satisfactory response within 5 days after reporting any incident of what the employee perceives to be harassing conduct, the employee must immediately contact the County Administrator. These individuals will ensure that a prompt investigation is conducted.
- (b) The employee's complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The County will directly and thoroughly investigate the facts and circumstances of all claims of perceived harassment and will take prompt corrective action, if appropriate.
- (c) Additionally, any manager or Supervisor who observes harassing conduct must report the conduct to the Human Resources Director so that an investigation can be made, and corrective action taken, if appropriate.

No Retaliation.

- (a) No one will be subject to, and the County prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim or cooperating in related investigations. For more information on the County's policy prohibiting retaliation, please refer to the County's Anti-Retaliation Policy or contact Human Resources.
- (b) The County is committed to enforcing this policy against all forms of harassment. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they must report it pursuant to the County's Anti-Retaliation Policy. If employees do not report harassing conduct, the County may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Violations of This Policy. Any employee, regardless of position or title, whom the County determines has subjected an individual to harassment or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

Administration of This Policy. Human Resources is responsible for the administration of this policy. If an employee has any questions regarding this policy or questions about harassment that are not addressed in this policy, please contact Human Resources.

ANTI-RETALIATION POLICY

All Unlawful Retaliation Prohibited.

- (a) The County strictly prohibits and does not tolerate unlawful retaliation against any applicant or employee, by any employee. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in any activity protected by law.
- (b) Examples of protected activities include:
 - (1) Lodging a good faith internal complaint (written or oral) with human resources or management specifically opposing unlawful discrimination or harassment or complaining about violations of wage and hour law (for example, if an employee believes they have been sexually harassed or not paid overtime they are owed).
 - (2) Filing a good faith complaint of unlawful discrimination or harassment with the US Equal Employment Opportunity Commission (EEOC), Kansas Human Rights Commission (KHRC), or in court.
 - (3) Participating in the County's internal investigation into allegations of discrimination or harassment.
 - (4) Supporting another employee's internal or administrative complaint of unlawful discrimination (by, for example, testifying or providing an affidavit in support of a coworker who has filed a discrimination complaint with the EEOC or KHRC).
 - (5) Filing a good faith complaint with the US Department of Labor (DOL), Kansas Department of Labor (KDOL), or in court about wage and hour violations or unfair pay practices, or participating in a wage and hour investigation or audit conducted by the DOL or state or local administrative agency.
 - (6) Requesting an accommodation under the Americans with Disabilities Act or Kansas Act Against Discrimination (KAAD).
 - (7) Requesting or taking leave under the Family and Medical Leave Act.
 - (8) Filing a worker's compensation claim.

The examples above are illustrative only, and not exhaustive. No form of retaliation for any protected activity will be tolerated.

Complaint Procedure.

- (a) If an employee is subjected to or witnesses any conduct that the employee believes violates this policy, the employee must promptly speak to, write, or otherwise contact his/her direct Supervisor or the Human Resources Director as soon as possible after the offending conduct. Nothing in this policy shall require making a complaint to the person allegedly violating the policy. Therefore, if the Human Resources Director is allegedly violating the policy, the complaint must be made to the County Administrator. If the employee does not receive a satisfactory response within 5 days after reporting any incident of what the employee perceives to be retaliatory conduct, the employee must immediately contact the County Administrator. These individuals will ensure that a prompt investigation is conducted.
- (b) The employee's complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The County will directly and thoroughly investigate the facts and circumstances of all perceived retaliation and will take prompt corrective action, if appropriate.
- (c) Additionally, any manager or Supervisor who observes retaliatory conduct must report the conduct to the Human Resources Director so that an investigation can be made and corrective action taken, if appropriate.

Violations of this Policy. Any employee, regardless of position or title, whom the County determines has engaged in retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment.

Administration of this Policy. Human Resources is responsible for the administration of this policy. If the employee has any questions regarding this policy or questions about retaliation that are not addressed in this policy, please contact Human Resources.

EMPLOYEE CONDUCT

All employees of the County are expected to conduct themselves in a manner which is conducive to the efficient operation of the County and which promotes a positive image of the County and its employees.

Workplace Conduct. Employees are required to conduct themselves during working hours in accordance with the following:

- (1) Comply with all County safety and health regulations;
- (2) Wear clothing appropriate for the work being performed;
- (3) Perform assigned tasks efficiently;
- (4) Maintain workplace and work area cleanliness and orderliness;
- (5) Treat all citizens and visitors as guests of the County; and
- (6) Refrain from behavior or conduct deemed offensive or undesirable, or which is subject to disciplinary action.

Conduct Prohibited. The following conduct is prohibited and any conduct to the contrary will subject the employee to disciplinary action pursuant to the provisions of the Handbook. Prohibited conduct includes, but is not limited to:

- (1) Use, possession, or having under the employee's control any alcoholic beverage or drug prohibited by law while at work or being under the influence of any alcohol or prohibited drug on the job;
- (2) The use of profanity or abusive language;
- (3) Sexual harassment and discrimination;
- (4) Insubordination - the refusal by an employee to follow management's instructions concerning a job-related matter;
- (5) Assault and/or battery on a fellow employee or citizen;
- (6) Theft or misuse of County property or of another employee's property;
- (7) Gambling on County property or worksite or while on duty;
- (8) Falsifying any County record or report, such as an application for employment, a production record, a time record, or shipping or receiving records;

- (9) Being convicted of a felony;
- (10) Being convicted of a misdemeanor other than minor traffic offenses unless the same renders the employee uninsurable;
- (11) Being absent without leave;
- (12) Excessive tardiness;
- (13) Inefficiency or ineffectiveness;
- (14) Abuse of County property;
- (15) Intentionally giving a false statement to Supervisors, officials, the public, a citizen, or the County Commission;
- (16) Violation of County administrative regulations or departmental rules;
- (17) Acceptance of gratuities in conflict with the policy outlined in the Handbook;
- (18) Borrowing County property for personal use;
- (19) Conduct on or off the job unbecoming to a County employee or which brings discredit to the County;
- (20) Dishonesty; and
- (21) Any other violation of federal, state, County laws, statutes or ordinances.

DRUG FREE WORKPLACE

It is the policy of the County to establish and maintain a drug free workplace. In this regard, the County has established a drug-free awareness program informing employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The County's policy of maintaining a drug free workplace;
- (3) The County's policy to encourage employees to obtain drug counseling, assistance from available programs, and rehabilitation at available facilities; and
- (4) Penalties that may be imposed for drug abuse violations occurring in the workplace.

The County's Drug and Alcohol Testing Policy is attached as an Appendix to this Handbook. The County also maintains a separate Drug and Alcohol Testing Policy for employees who are subject to DOT and FMCSA regulation. That policy is also available from the Human Resources Department.

WORKPLACE ANTI-VIOLENCE POLICY

Purpose. The County is strongly committed to providing a safe workplace. The County has adopted this Workplace Anti-Violence Policy (the “**Policy**”) to minimize the risk of personal injury to employees and customers and damage to County and personal property.

Definitions. Where the following words and phrases appear in the Policy, they shall have the respective meanings as set forth in this Section, unless the context clearly indicates otherwise. Where the defined meaning is intended, the term is capitalized.

- (a) “**Threats**” include any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of Weapons, stalking, or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.
- (b) “**Violence**” includes physically harming, shoving, pushing, harassing, intimidating, or coercing another person, brandishing Weapons, and threatening or talking of engaging in those activities.
- (c) “**Weapon**” includes any firearm, any knife with a blade longer than four inches, any explosive materials, and any other objects with the potential to inflict harm that has no common purpose.

Prohibitions.

- (a) **Threats and Violence.** Threats or Violence by an employee toward any other person while the employee is working, on duty, on the premises of the County, or on County business are prohibited; and
- (b) **Weapons.** Possession of a Weapon, whether visible or concealed or with or without a license, by an employee who is working, on duty, on the premises of the County, or on County business is prohibited, except to the extent that such possession is permissible under Kansas law.

SMOKE-FREE WORKPLACE; RESOLUTION No. 07-2021

The County's Smoke-Free Workplace Policy, as adopted by Resolution No. 07-2021, is attached as Appendix A.

INTERNAL INVESTIGATIONS & SEARCHES POLICY

Purpose. The County has enacted this Internal Investigations & Searches Policy because, from time to time, the County may be required to conduct internal investigations, including those pertaining to security, auditing, or work-related matters.

Cooperation Required. Employees are expected to cooperate fully with, and assist in, an internal investigation if requested to do so by the County.

No Reasonable Expectation of Privacy. Employees do not have a reasonable expectation of privacy regarding any personal property or any of the County's property that is allowed to be searched pursuant to this Internal Investigations & Searches Policy.

Searches. All County e-mail accounts, voice mail, text messages, computers, instant messaging, electronic files, PDAs, mobile phones, tablets, and other County property may be searched from time to time at the discretion of the County, as part of an investigation. Searches may, with reasonable suspicion, also include an employee's personal property, including but not limited to the employee's vehicle, clothing, lunch box, cooler, purse, briefcase, parcels, electronic devices, and other similar items, except to the extent such searches are prohibited by applicable state law. An employee may be present during the search of the employee's office, workspace, or personal property, and all efforts will be taken to ensure that searches are conducted in the least intrusive manner possible. Employees are required to cooperate with searches.

Violations. Any violation of this policy may result in disciplinary action, up to and including termination of employment.

GRATUITIES

Employees shall not, for their personal benefit, solicit, accept, or take any fee, gift, service or valuable thing in the course of work or in connection with their employment.

USE OF COUNTY PROPERTY

Personal use of County property (other than limited personal use) is not permitted and may result in discipline, up to and including termination of employment. When an employee resigns, is laid off, is suspended, or is terminated, all County property under the employee's control shall be returned to the Department Director.

VALID INSURANCE FOR PERSONAL VEHICLES

Any employee who drives his/her personal vehicle while on County business must have automobile insurance in the minimum amount required by law or in such greater amount as is specified by the County. If the status of an employee's automobile insurance changes, he/she must notify his/her Department Director as soon as reasonably practicable.

USE OF COUNTY-OWNED VEHICLES

Vehicles owned by the County are to be used for official business only. Under normal circumstances, only employees of the County may operate County-owned vehicles. The Sheriff's Office shall establish appropriate vehicle use policies applicable to law enforcement personnel. Any employee driving a County vehicle must have a valid driver's license (which must be a Kansas license no later than 45 days after hire) and must observe all traffic laws. Employees operating vehicles or equipment that require a commercial driver license must have and maintain the proper license. No smoking will be permitted in County vehicles at any time. If an employee is caught smoking in a County-owned vehicle, disciplinary action will be taken.

Employees who retain County vehicles overnight or who use a County vehicle shall not use such vehicles for personal purposes, including transportation of friends or family members.

DRESS CODE AND UNIFORM POLICY

The County's policy is to present a professional image to the citizens of the County. Because every employee may encounter citizens and vendors, all employees must be dressed appropriately at work.

Rules for Office and Support Staff.

(a) **“Office and Support Staff”** means all employees within the following departments or division(s) within listed departments:

- Administration to include Human Resources;
- County Appraiser;
- County Attorney;
- County Treasurer;
- County Clerk;
- Register of Deeds;
- Information Technology;
- GIS;
- Public Works Administrative Division;
- Department of Corrections to include Juvenile Detention Administrative Division;
- Health Department Administrative Division; and
- Fairgrounds Administrative division.

(b) The professional business image of the Office and Support Staff will include the following appropriate attire:

- Business suits;
- Sport coats;
- Dresses (no shorter than 2 inches above the knee);
- Pants suits;
- Skirts;
- Dress slacks with a dress blouse or sweater;
- Dress shirt;
- Polo shirt;
- Collared sports shirt; and
- Appropriate business footwear.

(c) The following clothing is prohibited for Office and Support Staff:

- Casual clothing such as T-shirts;
- Jogging suits;
- Yoga or exercise pants;

- Scrub pants;
- Scrub tops;
- Jeans and jean style pants;
- Cargo pants;
- Recreational shorts;
- Casual shorts;
- Spandex;
- Slacks with paintings or writing;
- Shirts with paintings or writings;
- Sweatshirt clothing to include hooded sweatshirts;
- Spaghetti straps (unless a jacket is worn over);
- Crop tops;
- Backless dresses;
- Low cut, revealing, or off-the-shoulder tops;
- Flip flops;
- Beach shoes;
- Slides;
- Clogs;
- Slippers;
- Athletic shoes;
- Crocs;
- Combat style boots; and
- Any distracting or revealing clothing.

However, on Fridays, Office and Support staff can wear jeans with a dress shirt, sweater, polo shirt or collared sport shirt, and appropriate business footwear (see prohibited footwear above). Jeans are to be nice, clean, and free from any frays or holes.

Rules for Other Employees.

- (a) The employees listed below will be allowed to wear jeans each day, with a Finney County logo polo or Finney County logo button-down shirt. Jeans are to be nice, clean, and free from frays or holes; button-down shirts are to be buttoned.
- Building and Grounds Custodial and Maintenance staff
 - Fairgrounds Event Staff
 - Public Works Road and Bridge crew members
- (b) The employees listed below are permitted to wear their provided uniforms or follow the appropriate business attire and footwear as outlined above.
- Health Department staff
 - EMS
 - Emergency Management

- Sheriff
- Juvenile Detention

Variances.

- (a) Due to extreme heat, a variance to the dress code will be allowed beginning April 1 and ending October 31. During this time, dressy Capri/crop pants, dress shorts no higher than 2 inches above the knee, and dress sandals (i.e., not plastic or rubber, with a thong between the big and second toe) are permitted.
- (b) Extreme weather conditions may also allow for a variance to be made at the time of the incident. The County Administrator will communicate this variance.
- (c) Other occasional exceptions can be granted with prior approval by the County Administrator and Department Director.

Discipline. Employees who report for work in attire that violates this policy (i.e., inappropriate for the workplace) will be sent home, off the clock, and will not be permitted to work until they are appropriately attired.

SECTION IV OPERATING POLICIES

This section of the Handbook contains guidelines for general operation of the County departments and establishes County policy responsive to federal and state law.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Equal Opportunity Employer.

- (a) The County is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. The County strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including gender, pregnancy, sexual orientation, and gender identity), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law. All County employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.
- (b) The County complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state or local law. Consistent with those requirements, the County will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. If an employee believes he/she needs an accommodation, the employee should make a request under the County's Disability Accommodations Policy.
- (c) The County will also, where appropriate, provide reasonable accommodations for an employee's religious beliefs or practices. If an employee believes he/she needs an accommodation, the employee should make a request under the County's Religious Accommodations Policy.

Complaint Procedure.

- (a) If an employee is subjected to or witnesses any conduct that the employee believes violates this policy, the employee must promptly speak to, write, or otherwise contact his/her direct Supervisor or the Human Resources Director as soon as possible after the offending conduct. Nothing in this policy shall require making a complaint to the person allegedly violating the policy. Therefore, if the Human Resources Director is allegedly violating the policy, the complaint must be made to the County Administrator. If the employee does not receive a satisfactory response within five (5) days after reporting any incident of what the employee perceives to be discriminatory conduct, the employee must immediately contact the County Administrator. These individuals will ensure that a prompt investigation is conducted.

- (b) An employee's complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The County will directly and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate.
- (c) Additionally, any manager or Supervisor who observes discriminatory conduct must report the conduct to the Human Resources Director so that an investigation can be made, and corrective action taken, if appropriate.

No Retaliation.

- (a) No one will be subject to, and the County prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reports or complaints of incidents of discrimination of any kind, pursuing any discrimination claim, or cooperating in related investigations. For more information on the County's policy prohibiting retaliation, please refer to the County's Anti-Retaliation Policy or contact Human Resources.
- (b) The County is committed to enforcing this policy against all forms of discrimination. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they must report it pursuant to the County's Anti-Retaliation Policy. If employees do not report discriminatory conduct, the County may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Violations of this Policy. Any employee, regardless of position or title, whom the County determines has subjected an individual to discrimination or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

Administration of this Policy. Human Resources is responsible for the administration of this policy. If an employee has any questions regarding this policy or questions about discrimination, accommodations, or retaliation that are not addressed in this policy, please contact Human Resources.

DISABILITY ACCOMMODATIONS POLICY

Commitment to Equal Employment Opportunities. The County complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA), and all applicable state and local fair employment practices laws and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the County will provide a reasonable accommodation to disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

Requesting a Reasonable Accommodation.

- (a) If an employee believes he/she needs an accommodation because of the employee's disability, the employee is responsible for requesting a reasonable accommodation from Human Resources. The employee may make the request orally or in writing. The County encourages employees to make their request in writing and to include relevant information, such as:
 - (1) A description of the accommodation the employee is requesting.
 - (2) The reason the employee needs an accommodation.
 - (3) How the accommodation will help the employee perform the essential functions of the employee's job.
- (b) After receiving an employee's oral or written request for accommodation, the County will engage in an interactive dialogue with the employee to determine the precise limitations of the employee's disability and explore potential reasonable accommodations that could overcome those limitations. The County encourages an employee to suggest specific reasonable accommodations that the employee believes would allow the employee to perform the employee's job. However, the County is not required to make the specific accommodation requested by the employee and may provide an alternative effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the County.

Medical Information.

- (a) If the employee's disability or need for accommodation is not obvious, the County may ask the employee to provide supporting documents showing that an employee has a disability within the meaning of the ADA and applicable state or local laws, and that the employee's disability necessitates a reasonable accommodation. If the information provided in response to this request is insufficient, the County may require that the employee see a health care professional of the County's choosing, at the County's expense. In those cases, if the employee fails to provide the requested information or see the designated

health care professional, the employee's request for a reasonable accommodation may be denied.

- (b) The County will keep confidential any medical information obtained in connection with the employee's request for a reasonable accommodation.

Determinations.

- (a) The County makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation.
- (b) The County strives to make determinations on reasonable accommodation requests expeditiously, and will inform the individual once a determination has been made.
- (c) If an employee has any questions about a reasonable accommodation request the employee made, please contact Human Resources.

No Retaliation.

- (a) Individuals will not be retaliated against for requesting an accommodation in good faith. The County expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith. For more information on the County's policy prohibiting retaliation, please refer to the County's Anti-Retaliation Policy.
- (b) The County is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to retaliatory conduct, they must report it pursuant to the County 's Anti-Retaliation Policy. If employees do not report retaliatory conduct, the County may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Administration of This Policy. Human Resources is responsible for the administration of this policy. If an employee has any questions regarding this policy or questions about disability accommodations that are not addressed in this policy, please contact Human Resources.

PREGNANCY ACCOMMODATIONS POLICY

Policy Statement. The County is committed to complying with all applicable provisions of the Pregnant Workers Fairness Act (the “PWFA”), and applicable state laws that protect employees with known limitations related to pregnancy, childbirth, or related medical conditions. It is the County’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s known limitations so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the County will provide reasonable accommodations to any qualified individual with known limitations, as defined by the PWFA, who has requested an accommodation, provided that such accommodation does not constitute an undue hardship on the County.

Requesting an Accommodation.

- (a) Employees with a known limitation who believe they need a reasonable accommodation to perform the essential functions of their job should contact HR. The County encourages individuals with a known limitation to come forward and request reasonable accommodation.
- (b) After receiving an employee’s oral or written request for accommodation, the County will engage in an interactive process with the employee requesting an accommodation. The County may request and require relevant medical information related to the known limitation and to obtain suggestions on accommodation from an employee’s health care provider. An employee is required to cooperate fully in this process, including providing a HIPAA authorization if necessary in order to facilitate communications between the County and the health care provider.

Decisions on Accommodation Requests / Appeals of Decisions. The County will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of his/her right to appeal the decision by submitting a written statement to HR, explaining the reasons for the request. If the request on appeal is denied, that decision is final. The County will not require the employee to accept an accommodation other than any reasonable accommodation arrived at through the interactive process or require the employee to take leave if a reasonable accommodation can be provided.

Limitations on Accommodations. The PWFA and state law do not require the County to make the best possible accommodation. Nor do the PWFA and state law require the County to provide the accommodation requested by the employee.

No Retaliation.

- (a) Individuals will not be retaliated against for requesting an accommodation in good faith. The County expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an

accommodation in good faith. For more information on the County's policy prohibiting retaliation, please refer to the County's Anti-Retaliation Policy or contact Human Resources.

- (b) The County is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to retaliatory conduct, they must report it pursuant to the County's Anti-Retaliation Policy. If employees do not report retaliatory conduct, the County may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Administration of This Policy. Human Resources is responsible for the administration of this policy. If an employee has any questions regarding this policy or questions about disability accommodations that are not addressed in this policy, please contact Human Resources.

RELIGIOUS ACCOMMODATIONS POLICY

Commitment to Equal Employment Opportunities. The County complies with Title VII of the Civil Rights Act of 1964, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to all individuals, regardless of their religious beliefs and practices or lack thereof. Consistent with this commitment, the County will provide a reasonable accommodation of an applicant or employee's sincerely held religious belief if the accommodation would resolve a conflict between the individual's religious beliefs or practices and a work requirement, unless doing so would create an undue hardship for the County.

Requesting a Religious Accommodation.

- (a) If an employee believes he/she needs an accommodation because of the employee's religious beliefs or practices or lack thereof, the employee should request an accommodation from Human Resources. The employee may make the request orally or in writing. The County encourages employees to make their request in writing and to include relevant information, such as:
 - (1) A description of the accommodation the employee is requesting.
 - (2) The reason the employee needs an accommodation.
 - (3) How the accommodation will help resolve the conflict between the employee's religious beliefs or practices or lack thereof and one or more of the employee's work requirements.
- (b) After receiving the employee's oral or written request for accommodation, the County will engage in a dialogue with the employee to explore potential accommodations that could resolve the conflict between the employee's religious beliefs and practices and one or more of the employee's work requirements. The County encourages the employee to suggest specific reasonable accommodations that the employee believes would resolve any such conflict. However, the County is not required to make the specific accommodation requested by the employee and may provide an alternative, effective accommodation, to the extent any accommodation can be made without imposing an undue hardship on the County.

Supporting Information. The County may ask the employee to provide additional information about the employee's religious practices or beliefs and the accommodation requested. If the employee fails to provide the requested information, the employee's request for an accommodation may be denied.

Determinations.

- (a) The County makes determinations about religious accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation.
- (b) The County strives to make determinations on religious accommodation requests expeditiously and will inform the individual once a determination has been made.
- (c) If an employee has any questions about an accommodation request the employee made, please contact Human Resources.

No Retaliation.

- (a) Individuals will not be retaliated against for requesting an accommodation in good faith. The County expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith. For more information on the County's policy prohibiting retaliation, please refer to the County's Anti-Retaliation Policy or contact Human Resources.
- (b) The County is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they must report it pursuant to the County's Anti-Retaliation Policy. If employees do not report retaliatory conduct, the County may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Administration of this Policy. Human Resources is responsible for the administration of this policy. If an employee has any questions regarding this policy or questions about religious accommodations that are not addressed in this policy, please contact Human Resources.

FAIR LABOR STANDARDS ACT

The County shall comply with the provisions of the Fair Labor Standards Act (FLSA) as amended. Each Department Director shall establish operating procedures that ensure compliance with the FLSA and satisfy the practical aspects of departmental operations. Employment practices of the County shall comply with the following:

- A. **MINIMUM WAGE:** Each non-exempt employee of the County will be paid the FLSA minimum wage for all hours worked.
- B. **CHILD LABOR:** No person under the age of 16 years shall be employed by the County. Prior to employing a person 16 or 17 years of age, the Department Director, Human Resources, and the County Administrator shall determine that the safety aspects of the particular position comply with federal and Kansas child labor laws.
- C. **EQUAL PAY:** Male and female employees who perform jobs that require substantially equal skill, effort, effort, and responsibility and that are performed under similar working conditions within the same establishment shall receive equal pay; provided, however, pay differentials are permitted when based on seniority, merit, quantity or quality of production, or a factor other than sex or another protected job category.
- D. **EXEMPT EMPLOYEES:** Exempt employees are excluded from the minimum wage and overtime provisions of the Handbook. Generally, exempt employees include elected officials, executive positions, administrative positions, professional positions, and certain seasonal employees. The FLSA status for each position will be identified on a position job description. All positions classified as exempt shall be designated based on the exemption criteria established under the FLSA. All other positions shall be considered non-exempt.
- E. **OVERTIME AND COMPENSATORY TIME:**

Required Overtime. The County, in its sole discretion, may require an employee to work more than his/her normal or scheduled working hours. If asked to work additional hours, employees are expected to cooperate.

Overtime Wages and Workweek/Work Period.

- (a) **General Rule.** Except as set forth in paragraph (b), each non-exempt employee's workweek is a 7-day period, beginning at 12:01 A.M. on Monday and ending at midnight on the following Sunday, or beginning at 7:01 A.M. on Monday and ending at 7:00 A.M. on the following Monday. The County keeps track of the workweek for each such employee. Such employees will be paid overtime wages of time and one-half their regular

rates of pay for all hours worked in excess of 40 in a workweek or may be provided compensatory time off at a rate of one and one-half (1.5) hours of compensatory time off for every hour of overtime worked, up to a maximum of 80 hours.

- (b) **Exception - Law Enforcement Personnel.** Employees who are law enforcement personnel under federal wage and hour law may be paid overtime on a “work period” basis or on a 7-day workweek, as determined by the County. The “work period” is 14 consecutive days, starting at 7:01 A.M. on Monday and ending on the Monday 14 days later at 7:00 A.M. Employees who are paid overtime on a work period basis will be paid overtime wages of time and one-half their regular rates of pay, or may be provided compensatory time off at a rate of one and one-half (1.5) hours of compensatory time off (up to a maximum of 480 hours of compensatory time), for every hour of overtime worked in excess of 85 hours during the 14-day “work period.”

Approval of Overtime. All overtime worked by a non-exempt employee beyond his/her normal work schedule must be authorized and approved in advance by the employee’s Supervisor or Department Director.

Workflow Management. Employees are expected to accomplish their work within specified time requirements by managing their assigned workflow and working overtime. If workflow management is a problem, it is the responsibility of the employee to discuss this with the employee’s Department Director.

Compensatory Time.

- (a) In lieu of cash overtime compensation, non-exempt employees may receive compensatory time off at a rate of one and one-half hours for each hour of employment for which overtime compensation is required. If an employee is required or allowed to work overtime, the employee and his/her Supervisor must stipulate whether the overtime compensation will be paid as compensatory time off or cash payment by executing a Compensatory Time Agreement before the performance of the work. The employee’s Supervisor is responsible for verifying that the employee has signed a Compensatory Time Agreement prior to granting compensatory time. A Compensatory Time Agreement can be revoked by the County or the employee at any time, on a go-forward basis.
- (b) A non-exempt employee may accrue up to 80 hours of compensatory time. For all hours worked beyond the 80-hour maximum, the non-exempt employee will receive cash overtime compensation on the next pay date.
- (c) An employee may use compensatory time on the date the employee requests unless doing so would unduly disrupt the operations of the

County. If using compensatory time on the originally requested date would unduly disrupt the County's operations, the County will permit the employee to use his/her compensatory time as soon as practicable.

- (d) Cash overtime compensation that is paid to a non-exempt employee for accrued compensatory time off will be paid at the regular rate earned by the employee at the time the employee receives such payment.
- (e) Upon an employee's termination of employment, the employee will be paid for any accrued but unused compensatory time at a rate of the higher of (a) the average regular rate received by the employee during the last three (3) years immediately prior to termination of the employee's employment, or (b) the final regular rate received by the employee.
- (f) The County, in its sole discretion, may choose to substitute cash overtime compensation, in whole or in part, in lieu of providing compensatory time off. Such overtime payment in cash would not affect subsequent granting of compensatory time off in future workweeks or work periods.
- (g) The County must maintain and preserve records containing the basic information related to each employee's compensatory time, including the executed Compensatory Time Agreement, the number of hours of compensatory time an employee accrues and uses, whether the County compensated any of those hours in cash, the total amount paid, and the date of payment.

Hours Paid but Not Worked. Hours paid that are not worked (such as paid leave) are not counted as hours worked for purposes of determining whether an employee has worked overtime during the workweek or applicable work period.

F. **SALARY BASIS POLICY FOR EXEMPT EMPLOYEES:**

Salary Basis Requirement. This policy applies only to exempt employees. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work, except to the extent that they are taking approved paid leave.

Circumstances in Which the County May Make Deductions. The County, in its sole discretion, may make the following deductions from an exempt employee's pay, all of which are permissible under the Fair Labor Standards Act (the "FLSA"):

- (a) When the employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- (b) For absences by the employee of one or more full days due to sickness or disability (including work related accidents) if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for loss of salary due to sickness or disability (including the Paid Time Off (PTO) policy in this Handbook), a state disability insurance law, or a state workers' compensation law;
- (c) For weeks in which the employee takes unpaid FMLA Leave under the Family and Medical Leave Act;
- (d) To offset amounts that the employee receives as jury or witness fees or for military pay;
- (e) For unpaid disciplinary suspensions of one or more full days imposed on the employee by the County in good faith for workplace conduct rule infractions by the employee;
- (f) When the employee works a partial week in the initial or last week of employment; and/or
- (g) For partial or full-day penalties imposed on the employee by the Company in good faith for infractions of safety rules of major significance.

Improper Deductions Prohibited. It is the policy of the County to comply with the salary basis requirements of the FLSA. Therefore, the County prohibits making any improper deductions from the salaries of exempt employees. The County wants employees to be aware of this Salary Basis Policy for Exempt Employees and that the County does not allow deductions that violate the FLSA.

What To Do If An Improper Deduction Occurs. An employee who believes that an improper deduction has been made to his/her salary must immediately report this information to Human Resources.

Investigation and Reimbursement. Reports of improper deductions from an exempt employee's salary will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

WORKERS' COMPENSATION

Duty to Report Injury/Illness/Accident. It is the responsibility of each employee to report any work-related injury, illness, or accident to his/her Department Director or Supervisor as soon as practicable after the employee realizes that he/she has suffered such work-related injury, illness, or accident. The report must be made on a "Report of Injury, Accident and/or Exposure" form available from Human Resources, Supervisors, and Department Directors. Any Department Director or Supervisor who hears or knows of a work-related injury, illness, or accident is required to inquire directly of the employee and make the necessary report. Failure to report a work-related injury, illness, or accident in a timely manner (as described above) may lead to loss of worker's compensation protection and is also a violation of policy that may lead to discipline, up to and including termination of employment.

For the purposes of promoting on the job safety and reducing lost work time, a Worker's Safety Committee is established to promote worker safety. The Worker's Safety Committee shall have a representative from each department. The County Administrator, the Human Resource Director, and the Emergency Manager will approve members of the committee.

Notice to Insurance Company. Upon being notified of a work-related injury, illness, or accident the County will, if required under the County's workers' compensation insurance policy, notify the administering insurance company. The employee will be contacted by a representative of the administering insurance company. Information on the current company administering this plan will be provided to the employee by the County and is available on posters displayed in the work areas of the County

Medical Attention. The workers' compensation insurance carrier has the right to select the doctor who will treat the injury. The County encourages injured employees to seek medical attention as soon as appropriate.

Retaliation Prohibited. The County will not terminate from employment or in any manner discriminate against an employee for reporting work-related injuries, illnesses, or accidents or for filing or considering filing a workers' compensation claim. Reports of retaliation must be made pursuant to the Anti-Retaliation Policy.

GENERAL OPERATING POLICIES

A. HOURS OF WORK:

- (1) Although an individual employee's work schedule shall be determined by the Department Director, all County departments shall maintain regular office hours between 8:00 A.M. and 5:00 P.M. each weekday. If circumstances require, office hours may start earlier or end later, subject to approval from the Board of County Commissioners.
- (2) An employee may, with the prior approval of his/her Department Director, have flexible starting and quitting times. Department Directors are not required to permit flexible work arrangements.

B. LUNCH BREAKS:

- (1) All employees who are scheduled to work at least 6 hours on a particular day will receive a 30- to 60-minute lunch break each day. For non-exempt employees, the lunch break is unpaid.
- (2) An employee must have prior approval from his/her Department Director as to the time when a lunch break is taken.
- (3) Employees are not allowed to forfeit lunch breaks in order to come to work later or leave earlier than usual.
- (4) Occasionally, employees may shorten the lunch break in order to “make up” time missed within the same workweek, but only with prior approval from his/her Supervisor.
- (5) Break time may not be accumulated or used for time off from work or used in placement of being tardy to work.

- C. **REST BREAKS:** All employees may take one 15-minute rest break each morning and afternoon, subject to business needs and workflow. Rest breaks of less than thirty (30) minutes are paid. Break time may not be accumulated or used for time off from work or used in placement of being tardy to work.

D. HOLIDAYS:

- (1) Each year, prior to January 1st, the Board of County Commissioners will approve the holidays, day of observation, and building closures.
- (2) When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday.

- (3) Only Full-Time Employees and Part-Time Employees are eligible to receive holiday pay. Short-Term Employees and Very Part-Time Employees are not eligible to receive holiday pay. Non-exempt Full-Time Employees will be paid 8 hours of holiday pay for each designated holiday, at their regular rate of pay. Non-exempt Part-Time Employees will be paid the number of hours of holiday pay that they are normally scheduled to work on the date of the designated holiday, at their regular rate of pay. When non-exempt employees are required to work on a holiday and/or the day the holiday is observed, they will receive holiday pay plus 1.5 times their normal rate of pay for all hours worked on the holiday and/or the day the holiday is observed. Holidays that occur during approved leave shall not be charged against that leave time. Exempt employees do not receive any pay other than their normal salaries for holidays, whether or not they work on the holiday.
- (4) Any employee who has shown proof of being a military veteran or current member of the Reserves or National Guard receives a Veteran's Day holiday each year. There is strong emphasis to use this holiday during Veteran's Day, however the respective Department Director may agree to float the holiday within two weeks of the holiday due to staffing needs.

E. CANCELLATION OF WORK DUE TO WEATHER CONDITIONS:

- (1) When severe weather conditions are such that, in the opinion of the County Administrator, continued general operation of the County is impractical, work shall be cancelled. Whenever possible, the County Administrator shall post notice of work cancellation on the County's website before 6:30 A.M. If there is no notice of work cancellation on the County's website before regular starting time, employees should report to work. If it is necessary to cancel work during regular working hours, the County Administrator shall notify Department Directors to that effect. Essential Personnel should follow procedures established by their Department Director.
- (2) If work is cancelled because of severe weather conditions, all employees who are not Essential Personnel shall receive regular pay for the period not worked. Essential Personnel may be given compensatory time off in accordance with the policy of their department. Employees unable to report to work due to weather conditions will be required to use PTO. Persons on approved leave when a weather cancellation occurs will use PTO as previously approved.

F. MEETINGS WITH BENEFIT PROVIDERS:

- (1) Representatives of regular County employee benefit providers may meet with employees during regular working hours, but only after pre-arranging meeting times with Human Resources and the County Administrator. Human Resources will work with Department Directors to schedule the meetings. Representatives of KPERS, the employee health insurance provider, and the deferred compensation plan providers may meet with County employees during working hours. Department Directors shall encourage attendance at those meetings so that all employees understand the benefits provided by the County.
- (2) Representatives of providers of any other special insurance or other benefit programs that have been approved for payroll deduction by action of the Board of County Commissioners may make arrangements with Human Resources and the County Administrator to meet with interested County employees. Unless otherwise approved by Human Resources and the County Administrator, those meeting will occur after regular working hours. Individual solicitation of employees shall not be permitted.

G. CONFIDENTIAL INFORMATION POLICY: The County will comply with the Freedom of Information Act. The County Clerk is the Freedom of Information Officer. Some of the material and information handled throughout a normal workday is considered confidential. Information that is not available to the public should be held in confidence. Anyone responsible for distribution of this type of information to unauthorized sources may be terminated immediately.

H. TRAVEL:

- (1) When out of town travel is required for County business, employees shall use a County credit card. If a County credit card is not available to the employee, the employee can request reimbursement for reasonable travel expenses. Out of town travel must be approved by the Department Director and then the County Administrator. Employees shall be reimbursed for reasonable expenses for meals, lodging, commercial transportation tickets, conference fees, taxi and bus fares, parking fees, toll fees, and other reasonable expenses, provided that supporting receipts are submitted to document expenses. The County will not reimburse expenses for the purchase of alcoholic beverages. When purchasing items or services in Kansas, notify the vendor that the purchase is tax-exempt. Taxes paid for in-state purchases are not eligible for reimbursement. The Department Director, subject to vendor requirements, may make prearranged billing approval for commercial transportation and lodging costs. When out of town travel requires an employee to use a personal vehicle, the County shall reimburse approved mileage at the prevailing rate established by the Kansas Department of Administration.

- (2) It shall be the responsibility of Department Directors to review requests for travel reimbursements and to verify that all reported expenses are authorized and reasonable prior to sending for final approval from County Administrator.
- (3) See the Employee Training, Travel, and Reimbursement policy attached as Appendix B, for more information.

SECTION V

EMPLOYEE BENEFITS

The purpose of this section of the Handbook is to review the various benefits made available to regular County employees. Private companies provide some benefits and the specific details of benefit coverage may change from time to time.

EMPLOYEE WELFARE BENEFITS

Plans. The County offers a number of different welfare employee benefit plans to its employees. These benefits include the following:

- (a) Finney County Cafeteria Plan;
- (b) Finney County Medical Plan;
- (c) Finney County Dental Plan;
- (d) Finney County Vision Plan;
- (e) Finney County Health Flexible Spending Account;
- (f) Finney County Dependent Care Assistance Plan;
- (g) Finney County Identity Theft Plan;
- (h) Finney County Cancer Plan;
- (i) Finney County Hospital Plan; and
- (j) Finney County AFLAC Plan.

Plan Documents. The terms and conditions upon which the benefits listed above are being offered – including, but not limited to, eligibility conditions, plan entry dates, and the steps, if any, that an employee must take to become a participant in each plan – are set forth in the applicable plan document. These benefits, and the terms and conditions upon which they are being offered, are subject to change. Should a question arise concerning any of these benefits, the terms and conditions of the plan as set forth in the applicable plan document will control.

Summary Plan Descriptions. A Summary Plan Description (“SPD”) for each plan listed above is available upon request from the Human Resources Department. Each SPD summarizes the terms and conditions of each plan in more detail.

RETIREMENT

KPERS. All regular employees are enrolled in KPERS (Kansas Public Employee Retirement System) upon hire. New employees who were enrolled in KPERS through their previous employer will be enrolled in KPERS in accordance with applicable KPERS regulations. Both the employee and the County make contributions to KPERS at rates established by KPERS. Employees have 6% of their wages deducted. For more information on the KPERS benefit, contact Human Resources.

KP&F. Eligible employees who work for the Sheriff's Department or EMS are enrolled in KP&F (Kansas Police and Fire) retirement system upon hire. New employees who were enrolled in KPERS or KP&F through their previous employer will be enrolled in KP&F in accordance with applicable KP&F regulations. Both the employee and the County make contributions to KP&F at rates established by KPERS. Employees have 7.15% of their wages deducted. For more information on the KP&F benefit contact Human Resources.

Deferred Compensation. Employees may voluntarily enroll in a deferred compensation program, which allows pre-tax and after-tax dollars to be placed in a special retirement savings program. Human Resources will provide information on the deferred compensation programs available to County employees.

EMPLOYEE LEAVE

A. NOTIFICATION OF UNSCHEDULED ABSENCES

If an employee has an unscheduled absence from work:

1. The employee must make every effort to notify his/her direct Supervisor or another Supervisor in the employee's department, per departmental policy, before the start of the workday.
2. The employee must notify Human Resources of the absence and the reason for the absence by calling or texting the message line at:

620-805-4003

- B. RETURN TO WORK.** If an employee is absent for three or more consecutive days due to illness or injury, or absent the day before or after a holiday or scheduled leave, a physician's statement may be required verifying illness or injury and its beginning and expected ending dates. Similar verification may be requested for other absences as well and may be required as a condition to receiving leave benefits. Before returning to work from an absence due to an illness/injury lasting longer than three days and/or after any hospitalization, the employee may be required to provide a fitness for duty certification from a health care provider. Additionally, after such absences the employee will be required to follow up with Human Resources to determine if other benefits and/or FMLA, apply. Employees and Supervisors must still notify Human Resources if time off may qualify under FMLA or other leave policies.

C. PAID TIME OFF (PTO)

Paid Time Off

The County provides Full-Time Employees and Part-Time Employees with paid time off (PTO) from work. Short-Term Employees and Very Part-Time Employees are not eligible to receive PTO. PTO may be taken for any reason, including vacation days, sick time, or other personal time away from work.

Accrual of PTO

Full-Time Employees and Part-Time Employees accrue PTO each pay period based on their length of service and the number of hours regularly scheduled to work each pay period, as follows:

Years of Service	Multiplier (by hours regularly scheduled to work)	Maximum Possible Hours of PTO Accrued per Year		
		8 hr shift	12 hr shift	48 hr shift
0 – 4 years	0.0846	176	185	246
5 – 9 years	0.0974	202	213	284
10 – 14 years	0.1102	229	241	321
15 or more years	0.1231	256	269	358

Length of service is measured from the date of hire or the date of reclassification from Short-Term Employee or Very Part-Time Employee to Full-Time Employee or Part-Time Employee.

No Accrual of PTO During Certain Absences

Notwithstanding anything else in this policy:

1. If an employee is on leave without pay during a pay period for any reason other than FMLA leave, military leave, or workers' compensation, the hours of leave without pay will not be included in the "hours regularly scheduled to work" for purposes of PTO accrual.
2. If an employee is using PTO and/or ESL that was donated to the employee under the Shared Leave Program, those hours of paid leave will not be included in the "hours regularly scheduled to work" for purposes of PTO accrual.
3. An employee will not accrue PTO during any period of inactive service.

PTO Granted to Newly-Hired Employees

The County Administrator, in his/her discretion, may grant a newly-hired Full-Time Employee or Part-Time Employee a specified number of hours of PTO in addition to the PTO the employee will accrue under this policy. The amount granted shall be consistent with the employee's level of hire or classification, and shall not exceed the limits set forth in the chart below:

Non-exempt Personnel	40 hours
Exempt Personnel	80 hours
Department Director	160 hours

The granted PTO:

1. Does not affect or change the employee's normal PTO accrual under this policy; and
2. Is subject to all other rules in this policy unless expressly stated otherwise.

Requests for PTO/Vacation

Employees must take PTO in 15-minute increments. For example, if an employee is absent from work for 25 minutes, the employee will be charged for 30 minutes of PTO.

Employees must request PTO in accordance with their department's practices.

The County generally will grant requests for PTO when possible, taking business needs into consideration.

PTO cannot be used until it has accrued. Advance usage is not permitted.

Carryover of PTO / Conversion to Extended Sick Leave

Each November 1, employees may carry over accrued but unused PTO to the following 12-month period, up to the maximum number of hours set forth in the following table:

Years of Service (as of Nov. 1)	Maximum Hours to Carryover		
	8 hr shift	12 hr shift	48 hr shift
0 – 4 years	140	148	199
5 – 9 years	162	181	241
10 – 14 years	183	217	289
15 or more years	256	269	358

Any accrued but unused PTO that is not carried over will be converted to Extended Sick Leave (“ESL”) on the payroll date for the payroll period that includes November 1. See the Extended Sick Leave policy, below, for details. Once an employee ESL's balance is 1,040 hours, no more accrued but unused PTO will be converted to ESL until the employee uses some of their ESL, causing the ESL balance to decrease below the 1,040 hour limit. Any accrued but unused PTO that cannot be converted to ESL will be forfeited and not paid.

Termination of Employment

An employee who is involuntarily terminated will forfeit any accrued but unused PTO and will not be paid for it.

An employee who voluntarily terminates employment in good standing (such as, but not limited to, providing at least 2 weeks' advance written notice of resignation, working the entire notice period, and having no pending disciplinary action) will be paid for his/her accrued but unused PTO, up to a maximum of 240 hours. Payment shall be calculated on the employee's base rate of pay at the time of termination. Any accrued but unused PTO that is not paid upon termination of employment shall be forfeited and not paid.

Absences Not Covered by This Policy

This policy addresses absences for PTO. It does not cover other absences, such as unexcused absences or absences for family and medical leave, military service leave, military family leave, short- or long-term disability leave, workers' compensation leave, bereavement leave, Civil Leave, Extended Sick Leave, Employee Clinic Leave, Administrative Leave, or Professional Development Leave.

Concurrent Leave

The County requires that eligible leave taken under the Family and Medical Leave Act (FMLA) run concurrently with PTO for the same purposes as the employee's FMLA leave.

D. EXTENDED SICK LEAVE (ESL):

The only time when ESL may be used is when an employee uses FMLA leave for his/her own serious health condition, the serious health condition of a family member, or for Military Family Leave. See the Family and Medical Leave policy below for more details. ESL runs concurrently with FMLA leave.

Before using ESL for a particular absence, the employee must use the lesser of 3 days of PTO or the employee's PTO balance.

Upon termination of employment for any reason, any accrued but unused ESL will be forfeited and not paid.

E. SHARED LEAVE PROGRAM (DONATION OF PTO AND ESL):

The County recognizes that employees and their Immediate Family Members can have Medical Emergencies that severely impact the employee's ability to work, resulting in a need for time off in excess of their available PTO and ESL. To address this need, the County may allow employees to donate accrued but unused PTO and ESL to employees in need of additional paid time off.

Eligible employees will be allowed to donate accrued but unused PTO and ESL

to an eligible employee in need in accordance with the program outlined below. Participation in this program is voluntary. All aspects of the program will be kept confidential.

DEFINITIONS

Medical Emergency - "Medical Emergency" means a medical condition of the employee or his/her Immediate Family Member that would require the employee's prolonged absence from work and result in a substantial loss of income because the employee would have exhausted all the paid leave available to him/her apart from leave donated to the employee under this program.

Immediate Family Member – "Immediate Family Member" means an employee's spouse, parent, child (biological, adopted, foster), or other person for whom the employee is the legal guardian.

ELIGIBILITY

Recipient Eligibility

1. Is a Full-Time Employee or Part-Time Employee;
2. Has been an employee for at least one year;
3. Has used all accrued PTO and ESL;
4. Has not shown a pattern of excessive use or abuse of PTO or ESL;
5. Not receiving worker's compensation payments, short-term disability payments, and/or long-term disability payments;
6. Has suffered a Medical Emergency or has an Immediate Family Member who has suffered a Medical Emergency and the Immediate Family Member requires the employee's assistance for medical, emotional needs, personal needs, or transportation; and
7. Complies with the Guidelines below.

Donor Eligibility

1. Is Full-Time Employee or Part-Time Employee;
2. Has been an employee for at least one year;
3. Is not on a leave of absence; and
4. Complies with the Guidelines below.

GUIDELINES

Guidelines for Requesting, Approval, and Use

1. The only purpose for which an employee can use donated PTO or donated ESL (collectively, **“Donated Leave”**) is for a Medical Emergency.
2. An employee will not be granted the use of Donated Leave without a medical certification from the health care provider of the employee or his/her Immediate Family Member (as applicable) that states the nature of the employee or Immediate Family Member’s Medical Emergency and the approximate time the employee will be unable to work.
3. Donated Leave cannot be used for absences covered by workers’ compensation.
4. Requests for donation should be made well in advance of the exhaustion of the employee’s own PTO and ESL to ensure adequate time for processing the request. Pay will not be made retroactively.
5. An employee who wants to receive Donated Leave must submit a written request to the Human Resources Director. A Supervisor or Department Director may initiate the request for the employee.
6. It is the responsibility of the Human Resources Director and the County Administrator (or Assistant County Administrator, in the absence of the County Administrator) to determine if an employee qualifies to request and use Donated Leave.
7. No more than 4 weeks of Donated Leave (based on the work schedule of the employee receiving the Donated Leave) will be granted to an employee at any one time. If an employee needs additional Donated Leave, another request must be made and then approved. No more than 12 weeks of Donated Leave (based on the work schedule of the employee receiving the Donated Leave) will be granted to an employee during a rolling 12-month period. If an employee’s application to use Donated Leave is approved, all County employees with PTO and/or ESL will be notified so that they can decide whether to donate. The name of the requesting employee, and the reason for the request, will be kept confidential by the County, but the requesting employee is permitted to tell other employees that he/she has been approved to use Donated Leave.
8. If multiple employees have been approved to use Donated Leave at the same time, approved requests will be fulfilled in the order in which they were approved.
9. When Donated Leave is used, it will be paid at the rate of pay of the recipient, not of the donor.

10. If an employee who has been approved to use Donated Leave returns to work on their pre-Medical Emergency regularly scheduled basis, qualifies for workers' compensation or long-term disability payments, or terminates employment with the County:
 - a. That employee's ability to use Donated Leave will automatically be cancelled; and
 - b. Any Donated Leave that was previously approved for that employee will become available to be granted to other employees who have been (or will be) approved to use Donated Leave.

Guidelines for Donating

1. Employees wishing to donate PTO and/or ESL must contact the Human Resources Director and complete the necessary forms detailing the number of hours they wish to donate.
2. An employee can donate as much PTO and ESL as he/she desires, so long as, after the donation, the employee's combined hours of PTO and ESL is equal to or greater than the maximum hours of PTO the employee is eligible to accrue in a year.
3. PTO and ESL can be donated only in whole hour increments.
4. After an employee has donated PTO and/or ESL, the employee will not be eligible to withdraw his/her donation. The County encourages each employee to judge carefully the amount of PTO and ESL he/she can afford to donate based on his/her possible personal needs.
5. Donation of PTO and ESL will be donated by hours, without regard to the rate of pay of the donor.
6. Donations of PTO and ESL will be made anonymously and kept confidential.
7. Donations cannot be earmarked for use by a specific employee.

F. PERSONAL LEAVE:

All Full-Time Employees and Part-Time Employees will receive one day of paid personal leave, dependent on normal scheduled daily shift, per calendar year. There shall be no accumulation, carry-over, or payout of unused personal leave, and it can only be used on one (1) occasion and cannot be broken down into smaller increments. Scheduling of personal leave must be pre-approved by the Supervisor. Personal leave cannot be used in the last two weeks before the separation of employment.

G. EMPLOYEE CLINIC LEAVE:

All Full-Time Employees and Part-Time Employees who are enrolled in the Finney County Medical Plan may visit the Employee Clinic (i.e., Grow Well Clinic) without using PTO, so long as the clinic note provided by Grow Well staff is received in Human Resources. All non-exempt employees must clock out and clock back in from the appointment. Once the clinic note is received in Human Resources, the time will be credited back as regular time but classified as Clinic Leave. The clinic note must state the appointment time, time leaving the clinic to return to work, and then be forwarded to Human Resources immediately following the appointment.

H. FAMILY AND MEDICAL LEAVE:

Compliance with FMLA and Other Family Leave Laws. It is the intent of this Family and Medical Leave policy (the “**Policy**”) to comply with the FMLA and the U.S. Department of Labor’s FMLA regulations. In the case of a conflict with this Policy, the FMLA and the FMLA regulations control. Where state or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits provided by such laws will apply. This Policy is not to be construed to offer more benefits to employees than the FMLA and state or local family and medical leave laws require. Additional information regarding the FMLA is found on the Department of Labor’s FMLA poster. Copies of the English-language and Spanish-language posters are included as an Appendix to this Handbook. The posters can also be found in the areas of the County premises where employment law posters are posted.

Definitions. Most of the defined words and phrases used in this Policy are set forth later in this Policy, in a separate section.

Eligible Employees. An employee is eligible to take FMLA Leave and to be restored to the same position or to an equivalent position upon returning from FMLA Leave if the employee satisfies the following conditions:

- a. The employee has worked for the County for at least twelve (12) months, measured as of the date the requested FMLA Leave is to begin;
- b. The employee has worked for the County for at least one thousand two-hundred fifty (1,250) hours in the last twelve (12) months, measured as of the date the requested FMLA Leave is to begin; and
- c. The employee is employed at a County worksite that has fifty (50) or more employees within seventy-five (75) miles, measured as of the date FMLA Leave is requested.

Such an employee is referred to in this Policy as an “**Eligible Employee.**”

For purposes of determining whether the employee has worked for the County for at least twelve (12) months, employment periods prior to a break in service of at least seven (7) years are not counted, unless an exception in the FMLA regulations (such as for USERRA-covered service) requires some or all of that prior employment to be counted.

Notifications to Employees by County.

- a. **Notification of Eligibility.** When an employee files a request for FMLA Leave, the County will notify the employee as to whether he/she is an Eligible Employee within five (5) business days of the date of such request. If the requesting employee is an Eligible Employee, the notice from the County will notify him/her of any additional information that the FMLA requires to be provided to Eligible Employees, including written information regarding his/her rights and responsibilities under the FMLA. If the employee is not an Eligible Employee, the notice from the County will notify the employee of the reason(s) for ineligibility.
- b. **Status of Requested Leave.** The County will inform an Eligible Employee as to whether the requested leave is FMLA Leave and, if so, the amount of FMLA Leave that will be counted against the FMLA Leave entitlement. If the County determines that the requested leave is not FMLA Leave, it will notify the Eligible Employee that the request does not qualify as FMLA Leave.

Entitlement for 12-Week FMLA Leave. An Eligible Employee may take up to 12 weeks of unpaid FMLA Leave within any 12-month period (as that period is described below) and is entitled to be restored to the same position or to an equivalent position upon returning from FMLA Leave for any of the following reasons:

- a. **Birth.** For the birth of the Eligible Employee’s Son or Daughter and in order to care for such newborn Son or Daughter;
- b. **Adoption or Foster Care Placement.** For the placement of a Son or Daughter with the Eligible Employee for adoption or foster care;
- c. **Serious Health Condition of Family Member.** To care for the Eligible Employee’s Spouse, Son, Daughter, or Parent with a Serious Health Condition;
- d. **Employee’s Own Serious Health Condition.** Because of the Eligible Employee’s own Serious Health Condition which makes the Eligible Employee unable to perform the essential functions of the job; or

- e. **Qualifying Exigency.** Because of “any qualifying exigency” arising out of the fact that an Eligible Employee’s Spouse, Son, Daughter, or Parent is a Covered Servicemember on Covered Active Duty (or has been notified of an impending call or order to Covered Active Duty). Qualifying exigencies include attending military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Expiration of Entitlement for Birth, Adoption, or Foster Care Placement. Entitlement to FMLA Leave because of the reasons set forth above (i.e., birth, adoption, or foster care placement) expires twelve (12) months after the date of birth, adoption, or foster care placement.

Rule for Spouses who are Co-Workers. Spouses employed by the County who request FMLA Leave because of the reasons set forth above (i.e., birth, adoption, or foster care placement) or to care for a Parent due to the Parent’s Serious Health Condition may only take a combined total of 12 weeks of FMLA Leave during any 12-month period.

Rolling 12-Month Period for 12-Week FMLA Leave. The County will measure the 12-month period during which the 12 weeks of FMLA Leave may be taken as a rolling 12-month period measured backward from the date an Eligible Employee uses any 12-week FMLA Leave under this Policy. Each time an Eligible Employee takes 12-week FMLA Leave, the County will compute the amount of 12-week FMLA Leave the Eligible Employee has taken under this Policy and subtract it from the amount of available 12-week FMLA Leave. The balance of 12-week FMLA Leave remaining is the amount that the Eligible Employee is entitled to take at that time.

Entitlement for 26-Week Military Family Leave. An Eligible Employee who is the Spouse, Son, Daughter, Parent, or Next of Kin of a Covered Servicemember with a Serious Illness or Injury may take up to twenty-six (26) weeks of FMLA Leave during a single 12-month period (as that period is described below) to care for the Covered Servicemember. This type of FMLA Leave is referred to in this Policy as “Military Family Leave.”

12-Month Period for 26-Week Military Family Leave. The 12-month period during which the twenty-six (26) weeks of Military Family Leave may be taken begins on the first day the Eligible Employee takes Military Family Leave and ends twelve (12) months after that date.

Maximum Combined FMLA Leave. The maximum combined amount of FMLA Leave (including FMLA Leave subject to the 12-week limitation) that may be taken during a single 12-month period is twenty-six (26) weeks.

Notice of Leave to the County.

- a. **Notice for Foreseeable Need (but not Qualifying Exigency).** If an Eligible Employee's need for FMLA Leave (for reasons other than a qualifying exigency) is foreseeable, the Eligible Employee must give the County at least thirty (30) days' prior written notice.
- b. **Notice for Foreseeable Need (Qualifying Exigency).** For foreseeable FMLA Leave due to any qualifying exigency, the Eligible Employee must give the County written notice as soon as practicable, regardless of how far in advance such FMLA Leave is foreseeable.
- c. **Effect of Failure to Provide Notice.** Failure to provide the required notice for foreseeable FMLA Leave may be grounds for delay of FMLA Leave.
- d. **Notice for Unforeseeable Need.** Where the need for FMLA Leave is not foreseeable, the Eligible Employee is expected to notify the County as soon as practicable after learning of the need for the FMLA Leave.
- e. **FMLA Forms Required.** All requests for FMLA Leave must be made on forms approved by the County. Employees should contact Human Resources to obtain the forms.
- f. **Sufficiency of the Notice.** As part of the notice, Eligible Employees must provide sufficient information for the County to determine if the requested leave qualifies as FMLA Leave and as to the anticipated timing and duration of the FMLA Leave. Sufficient information may include that the Eligible Employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or Continuing Treatment by a Health Care Provider, or circumstances supporting the need for Military Family Leave. Employees must also inform the County if the requested leave is for a reason for which FMLA Leave was previously taken or certified.

Medical Certification.

- a. **When Medical Certification Required.** Subject to the Attendance and Punctuality policy in this Handbook, if an Eligible Employee is requesting FMLA Leave because of the Eligible Employee's own Serious Health Condition, because of a Serious Health Condition of the Eligible Employee's Spouse, Son, Daughter, or Parent, or because of Military Family Leave, the Eligible Employee and the relevant Health Care Provider must supply appropriate medical certification. If Military Family Leave is requested, the Health Care Provider must be provided through the

U.S. Department of Defense or the U.S. Department of Veteran Affairs or must be authorized through TRICARE.

- b. **Notice from the County of Need for Medical Certification.** Within five (5) business days after a request for FMLA Leave is made by an Eligible Employee, the County will notify him/her of (i) the requirement for medical certification and (ii) the date when the certification is due (which must be at least fifteen (15) days after the Eligible Employee receives the notice of the medical certification requirement).
- c. **Effect of Failure to Provide Medical Certification.** An employee's failure to provide requested medical certification in a timely manner may result in delay or denial of FMLA Leave or of a continuation of FMLA Leave until it is provided. It is an employee's responsibility to ensure that his/her Health Care Provider accurately, completely, and timely completes and returns to the County any medical certification requested by the County.
- d. **Second and Third Opinions.** For non-Military Family Leave, the County, at its expense, may require an examination by a second Health Care Provider designated by the County, if it has reason to doubt the medical certification initially provided by the Eligible Employee. If the second Health Care Provider's opinion conflicts with the original medical certification, the County, at its expense, may require a third, mutually agreeable, Health Care Provider to conduct an examination and provide a final and binding opinion. If the County decides not to require a third certification, the Eligible Employee is entitled to FMLA benefits. Pending receipt of the second or third medical certification, the Eligible Employee is provisionally entitled to FMLA benefits.
- e. **Recertification.** For non-Military Family Leave, the County may require subsequent medical recertification at the Eligible Employee's expense, but not more often than the FMLA allows.
- f. **Use County-approved Forms.** All medical certifications and recertifications required by this Policy must be submitted to the County by the Eligible Employee using the forms approved by the County. Employees should contact Human Resources to obtain the forms.

Certification for FMLA Leave Due to a Qualifying Exigency. An Eligible Employee requesting FMLA Leave due to a qualifying exigency must provide certification using the form available from Human Resources.

Reporting While on FMLA Leave. If an Eligible Employee takes FMLA Leave because of the Eligible Employee's own Serious Health Condition or because of the Serious Health Condition of the Eligible Employee's Spouse, Son, Daughter,

or Parent, the Eligible Employee must contact the County on the first and third Tuesday of each month regarding the status of the condition and the Eligible Employee's intention to return to work, unless he/she is notified by the County of a different reporting schedule.

Need for More or Less FMLA Leave. If the Eligible Employee needs to take more or less FMLA Leave than previously anticipated, he/she must notify Human Resources within two (2) business days after learning of the need for the change in the amount of FMLA Leave.

Paid and Unpaid Leave.

- a. **General Rule – Unpaid Leave.** FMLA Leave is unpaid, although an Eligible Employee may be eligible for disability payments and/or workers' compensation benefits under those insurance plans.
- b. **Exception if Accrued but Unused PTO and/or ESL.** If an Eligible Employee is on FMLA Leave and has any accrued but unused PTO and/or ESL, 3 days of PTO (if available) must be used first, followed by the ESL (but only if the reason for the FMLA Leave is one of the reasons for which ESL can be used), and then followed by PTO. Notwithstanding the previous sentence, PTO or ESL cannot be used at the same time that an Eligible Employee is receiving benefits from a disability insurance plan sponsored by the County, except that the County and Eligible Employee can agree (if permitted by state law) that PTO and/or ESL will be used to supplement the disability insurance payments, such as in the case where a plan provides replacement income for only two-thirds of an Eligible Employee's salary. The use of PTO and/or ESL during FMLA Leave does not extend the 12-week (or 26-week, if applicable) FMLA Leave period.

Medical and Other Benefits. During an approved FMLA Leave, the County will maintain the Eligible Employee's group health plan benefits, as if the Eligible Employee continued to work during the entire FMLA Leave period.

- a. **Payment for Group Health Plan Premiums While on PTO.** To the extent that PTO is used during FMLA Leave, the County will deduct the Eligible Employee's portion of the group health plan premiums as a regular payroll deduction.
- b. **Payment for Group Health Plan Premiums While on Unpaid Leave Pursuant to Payment Arrangements.** To the extent that PTO is not used during FMLA Leave, the Eligible Employee must make arrangements with the County for the Eligible Employee to pay the group health plan premiums when the premiums are due. The County may cancel an Eligible Employee's coverage under a group health plan if the Eligible Employee's premium payment is more than 30 days late, subject to the terms and conditions of the group health plan.

- c. **Reimbursement if No Return to Work.** If an Eligible Employee elects not to return to work at the end of the FMLA Leave period, the Eligible Employee will be required to reimburse the County for the cost of the group health insurance premiums paid by the County for maintaining coverage during the FMLA Leave, unless the reason the Eligible Employee does not return to work is one of the following:
1. The continuation, recurrence, or onset of a Serious Health Condition of his/her own or of a Spouse, Son, Daughter, or Parent or the Serious Illness or Injury of a Covered Servicemember that would otherwise entitle the Eligible Employee to FMLA Leave; or
 2. Other circumstances beyond his/her control.

In the event that the failure to return to work is due to a Serious Health Condition or the Serious Illness or Injury of a Covered Servicemember, the County may request medical certification of the Serious Health Condition. The Eligible Employee is required to provide medical certification to Human Resources within thirty (30) days from the date of the County's request. If the requested medical certification is not timely provided or does not establish a Serious Health Condition or a Serious Illness or Injury of a Covered Servicemember, the County may recover 100% of its portion of the group health plan premiums it paid during the period of unpaid FMLA Leave.

- d. **Payment of Premiums for Other Benefits.** If the Eligible Employee participates in any benefit program (other than a group health plan) that requires the Eligible Employee to make all or some contribution to the premium, the Eligible Employee must arrange with the County to make all payments from the Eligible Employee when due.

Exemption for Highly Compensated Employees. Highly compensated Eligible Employees (i.e., the highest paid 10% of employees at the Eligible Employee's worksite or within seventy-five (75) miles of that worksite) may not be returned to their former or equivalent positions following FMLA Leave if restoration of employment would cause substantial and grievous economic injury to the County. The County will notify an Eligible Employee if he/she qualifies as a "highly compensated" employee, if the County intends to deny reinstatement, and of the Eligible Employee's rights in such instances.

Intermittent and Reduced Schedule Leave. FMLA Leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours worked per workweek or workday), as follows:

- a. **By Agreement.** When FMLA Leave is taken because of the birth of a Son or Daughter or placement of a Son or Daughter for adoption or foster care, an Eligible Employee may take FMLA Leave intermittently or on a reduced leave schedule only if the County agrees.
- b. **Mandatory if Requested by Employee.** Military Family Leave and FMLA Leave because of a Serious Health Condition or a qualifying exigency may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours worked per workweek or workday) in the following circumstances:
 - 1. When medically necessary for planned and/or unanticipated medical treatment of a Serious Health Condition or a Serious Injury or Illness of a Covered Servicemember;
 - 2. When medically necessary for recovery from treatment or recovery from a Serious Health Condition or Serious Illness or Injury of a Covered Servicemember; or
 - 3. To provide care or psychological comfort to a Spouse, Son, Daughter, or Parent with a Serious Health Condition or to a Covered Servicemember with a Serious Illness or Injury.
- c. **Reduction of Salary for Exempt Employees.** If unpaid intermittent or reduced schedule FMLA is taken by an exempt employee, the County will reduce the Eligible Employee's salary based on the amount of time actually worked.
- d. **Alternative Position.** During intermittent or reduced schedule FMLA Leave, the County may temporarily transfer an Eligible Employee from his/her normal position to an alternative position for which he/she is qualified. However, as compared to the normal position, the alternative position must better accommodate the recurring FMLA Leave and have equivalent pay and benefits.
- e. **Usage.** When intermittent or reduced schedule FMLA Leave is used, the County will not require an Eligible Employee to take more FMLA Leave than necessary to address the circumstances that precipitated the need for the leave, and the County will not count any time actually worked by an Eligible Employee against his/her FMLA Leave allotment.

Fitness-for-Duty Certification Required. Before an Eligible Employee on FMLA Leave because of his/her own Serious Health Condition may return to work, a fitness-for-duty certification from his/her Health Care Provider is required, subject to the following:

- a. The County does not require that such certification be made on a particular form, but it must be in writing.
- b. The certification must certify that the employee is able to resume work.
- c. The County may require that the certification specifically address the Eligible Employee's ability to perform the essential functions of his/her job.

Definitions. In addition to the words and phrases defined earlier in the Policy, where the following words and phrases appear in the Policy, they shall have the respective meanings as set forth in this Section, unless the context clearly indicates otherwise. Where the defined meaning is intended, the term is capitalized. These definitions come from the Department of Labor's FMLA regulations. In the event that the definitions in those regulations are amended, these definitions shall automatically be amended.

- a. **"Chronic Serious Health Condition"** means a Serious Health Condition which (i) requires periodic visits (at least twice a year) for treatment by a Health Care Provider, or by a nurse under direct supervision of a Health Care Provider; (ii) continues over an extended period of time (including recurring episodes of a single underlying condition); and (iii) may cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- b. **"Continuing Treatment by a Health Care Provider"** means any one or more of the following: (i) a period of incapacity of more than three (3) consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves (a) treatment two (2) or more times, within thirty (30) days of the first day of incapacity (unless extenuating circumstances exist) by a Health Care Provider, a nurse under direct supervision of a Health Care Provider, or a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a Health Care Provider or (b) treatment by a Health Care Provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the Health Care Provider; (ii) any period of incapacity due to pregnancy or for prenatal care; (iii) any period of incapacity or treatment for such incapacity due to a Chronic Serious Health Condition; (iv) a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective and for which the Eligible Employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a Health Care Provider (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease); or (v) any period of absence to receive multiple treatments (including any period of recovery therefrom) by a Health Care

Provider or by a provider of health care services under orders of, or on referral by, a Health Care Provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

- c. **“Covered Active Duty”** means (i) 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 (ii) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
- d. **“Covered Servicemember”** means (i) 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 (ii) a Veteran who is undergoing medical treatment, recuperation, or therapy, for a Serious Illness or Injury 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.
- e. **“Health Care Provider”** means one of the following: (i) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; (ii) a podiatrist, dentist, clinical psychologist, optometrist, or chiropractor (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) who is authorized to practice in the state and performing within the scope of their practice as defined under state law; (iii) a nurse practitioner, nurse-midwife, clinical social worker, or physician assistant who is authorized to practice under state law and who is performing within the scope of their practice as defined under state law; (iv) a Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, Massachusetts; (v) a health care provider from whom the County or its group health plan’s benefits manager will accept certification of the existence of a Serious Health Condition to substantiate a claim for benefits; or (vi) a Health Care Provider as defined above in (i) through (v) who practices in a country other than the United States and is licensed to practice in accordance with the laws and regulations of that country.

- f. **“Next of Kin”** means, with respect to a Covered Servicemember, the nearest blood relative of that individual, other than the Covered Servicemember’s Spouse, Parent, Son, or Daughter, in the order of priority established by the FMLA regulations.
- g. **“Outpatient Status”** means, with respect to a Covered Servicemember, the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- h. **“Parent”** means the biological, adoptive, step, or foster father or mother of an Eligible Employee or any other individual who stands or stood in loco parentis to an Eligible Employee when the Eligible Employee was a Son or Daughter.
- i. **“Serious Health Condition”** means an illness, injury, impairment, or physical or mental condition that involves: (i) any incapacity or treatment in connection with inpatient care or (ii) Continuing Treatment by a Health Care Provider.
- j. **“Serious Illness or Injury”** means (i) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness incurred by a Covered Servicemember in the line of duty on active duty in the Armed Forces (or that 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) that may render him/her medically unfit to perform the duties of his/her office, grade, rank, or rating and (ii) 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 the 5-year period described in Subsection (d)(ii), a qualifying (as defined by the Secretary of Labor) 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 manifested itself before or after the member became a Veteran.
- k. **“Son” or “Daughter”** means the biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis, who is either under age 18 or is age 18 or older but incapable of self-care because of a mental or physical disability at the time that FMLA Leave is to commence. However, for purposes of determining whether a person is a Son or Daughter of a Covered Servicemember or is a Covered Servicemember, the age of the person is irrelevant.
- l. **“Spouse”** means the Eligible Employee’s spouse, as determined under the

Department of Labor's FMLA regulations.

- m. **"Unable to Perform the Functions of the Job"** means an Eligible Employee is: (i) unable to work at all; or (ii) unable to perform any of the essential functions of his/her position. The term "essential functions" is borrowed from the Americans with Disabilities Act to mean "the fundamental job duties of the employment position" and does not include the marginal functions of the position.
- n. **"Veteran"** means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

I. **CIVIL LEAVE:**

- a. **Civil Leave With Pay.** Regular employees shall be given necessary time off without loss of pay when performing jury duty, appearing in court as a witness in answer to a subpoena, in an official capacity in connection with the County, or as an expert witness, either because of professional or observed knowledge. Any compensation received for such service during regularly scheduled work hours shall be paid to the County Treasurer.
- b. **Civil Leave Without Pay.** If an employee is involved in court in a personal case, as either plaintiff or defendant in a suit not resulting from his duties with the County, the employee shall be granted leave without pay, unless the employee elects to utilize any available PTO.
- c. **Notification.** It is an employee's responsibility to notify his/her Supervisor as soon as he/she is summoned for jury duty or is required by court order or subpoena to appear as a witness in a court proceeding by providing a copy of the jury summons, court order, or subpoena to the Supervisor.
- d. **Discipline.** The County shall not terminate, threaten to terminate, intimidate, or coerce any employee by reason of such employee's jury duty or mandatory court appearances as a witness, or the attendance or scheduled attendance in court in connection with such duty. However, an employee's violation of this Policy may subject the employee to discipline, up to and including termination of employment.

- J. **BEREAVEMENT LEAVE:** All Full-Time Employees and Part-Time Employees shall receive three (3) working days of paid leave in a calendar year due to the deaths of one or more Immediate Family Members. “Immediate Family Member” means the employee’s biological, adoptive, step or foster parents, someone who stood in loco parentis to the employee, a husband or wife, biological, adoptive, step or foster child(ren), and child(ren) of legal guardianship, a biological, step or foster sibling, grandparents, and aunts and uncles. If an employee needs more than 3 days of bereavement leave in a calendar year, the employee should request PTO or unpaid leave (if PTO is exhausted).
- K. **MILITARY LEAVE:** The County will comply with the requirements of the Uniformed Services Employment Rights and Reemployment Act of 1994 (“USERRA”). For further information regarding USERRA, an employee may contact Human Resources. Where applicable state laws offer more protections or benefits to employees than USERRA, the protections or benefits provided by such state laws will apply.
- L. **LEAVE WITHOUT PAY:** An employee may request leave without pay from his/her Supervisor when other leave types are unavailable. The Department Director must approve all such requests and will only approve them if the Department Director is satisfied that the granting of such leave will not interfere with normal departmental operations. Excessive need for and use of leave without pay may be subject to disciplinary action; please see the Attendance and Punctuality policy, below.
- M. **ADMINISTRATIVE LEAVE:**
- A Department Director may place an employee on Administrative Leave when an employee has a disciplinary complaint or is charged with a criminal violation of law and the Department Director believes that the employee's continued presence on the job will be contrary to the best interests of the department. The County Administrator shall review the matter, shall decide that the Administrative Leave will be with or without pay, and shall determine the length of the Administrative Leave. During the Administrative Leave, an employee must make his/her Supervisor aware of the employee’s status by making contact every two (2) weeks.
- PTO will not accrue and cannot be used while an employee is on unpaid Administrative Leave.
- The criminal conviction of an employee that makes the employee unsuitable for continued employment will result in termination.
- N. **PROFESSIONAL DEVELOPMENT:** Employees will be permitted to attend professional conferences, meetings, or other official County business functions once a travel and training request form is submitted and approved by the

Department Director and the County Administrator. The County will compensate employees attending such events in accordance with the requirements of the Fair Labor Standards Act.

- O. **ATTENDANCE AND PUNCTUALITY:** It is the policy of the County that all employees report for work punctually, be at their workstation ready for work, and work all scheduled hours (from their assigned starting time and until the assigned ending time) and any required overtime. Time clock rounding will not be used or considered as assigned starting or ending time. Excessive tardiness and/or poor attendance disrupt workflow and customer service and are unacceptable and may result in disciplinary action up to and including termination.
- a. Supervisors will notify employees of their normal starting and ending times and any deviations or changes in such times. Employees are expected to be engaged in carrying out their duties during all scheduled work time and should be ready to begin working at their scheduled starting time.
 - b. Employees should notify their Supervisor as far in advance as possible, but at least one hour prior to the beginning of their shift, whenever they are unable to report for work, know they will be late, or must leave early. The notice shall include the reason for the absence or tardiness and an indication of when the employee can be expected to report for work. If the Supervisor is unavailable, notification should be made to the next person in the chain of command.
 - c. Employees who report for work in attire not appropriate for the workplace will be sent home and may not be permitted to work until they are properly attired. Employees who report for work in a condition considered not fit for work, whether from illness or for any other reason, will not be allowed to work.
 - d. Without preapproval from their Supervisor, non-exempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, authorized absence or any other reason, if the result will be that the employee works more than 40 hours during the workweek.
 - e. Employees must report immediately to their Supervisor after arriving late or being absent, explain the circumstances surrounding their tardiness or absence, and, when applicable, certify that they are fit to return to work. The Supervisor will record the information and send it to the Human Resources Department.

- f. Unexcused (unscheduled) absences or tardiness may result in disciplinary action, up to and including termination. An absence is considered to be unexcused (unscheduled) if the employee has not followed proper notification procedures or the absence has not been properly approved in accordance with the Leave Policy. Generally, tardiness more than three times in a three-month period is grounds for disciplinary action.
- g. Employees who are absent from work for three consecutive days without giving prior notice and/or permission for unpaid leave to the County will be considered as having voluntarily quit. At that time, the County will formally note the termination and advise the employee of the action by certified mail to the employee's last known address.

LONGEVITY

The County shall provide a longevity incentive payment to a Full-Time Employee or Part-Time Employee at the successful completion of every five-year increment of continuous employment with the County. The first five-year increment will begin on the initial date of employment and the five-year increment thereafter will be determined from the subsequent five-year anniversaries of the date of employment. The longevity incentive payment shall be a one-time payment equal to five percent (5%) of an employee's regular wages for the twelve-month period preceding the incremental anniversary date of employment. For this purpose, "regular wages" for salaried employee means the salary paid during the 12-month period, and "regular wages" for an hourly employee means gross pay (including overtime pay) minus any additional bonuses paid. Longevity incentive payments will be subject to all applicable withholding requirements for income tax, retirement, social security, etc.

TUITION ASSISTANCE

The County has established a tuition assistance reimbursement program, which may be used by employees to enhance and maintain job-related skills. Employees must submit a written request for tuition assistance to the Department Director. The Department Director shall determine that budget authority exists within the departmental budget and that the requested assistance is for the cost of educational coursework directly related to the employee's job responsibilities. Based upon the above determinations, the Department Director may authorize the requested tuition assistance subject to the conditions listed below.

- (a) The employee may not receive time off with pay to attend courses.
- (b) The employee must pay all enrollment fees at time of enrollment.
- (c) The employee must successfully complete the educational coursework and attain a grade equivalent to a "C" or receive a certificate of completion if the coursework does not have a grade scale.
- (d) Reimbursement for tuition will be provided after submission of documentation of successful completion of the coursework.

The above provisions will not apply to certification and training requirements, which are mandated by state or federal law. The cost of completing such requirements shall be provided through departmental budgets.

EMPLOYEE ASSISTANCE

County employees may seek assistance for problems in their off the job life from any number of health care facilities in Kansas or at any other approved facility that may accept the County's health insurance program. Employees may seek assistance on a self-referral basis. If job performance has declined, a Supervisor may suggest that the employee consider seeking assistance, which may be covered by health insurance. It will be up to the employee to determine whether to seek assistance. However, if job performance continues to decline, appropriate disciplinary action may be taken. The costs for assistance obtained through self- referral or suggested referral shall be the responsibility of the employee. Time off from work for such assistance shall be subject to the employee leave procedures in this Handbook.

**SECTION VI
OTHER POLICIES**

COMMUNITY AFFAIRS AND POLITICAL ACTIVITY

Finney County encourages its employees to participate in community service affairs of charitable, educational, political, and civic organizations, provided such participation does not adversely affect the employee's job performance, is not detrimental to the County's interests, or places the employee in the position of serving conflicting interests. Time spent on community affairs shall be outside the employee's regular working hours and will not be considered hours of work for pay purposes.

Restrictions on the political activity of County employees, in addition to securing compliance with federal law governing state and local governments, serves to promote public confidence in the integrity of County government by ensuring an absence of political motive and influence in the administration and execution of County responsibilities and services.

Memberships on Boards and Commissions. Employees are not permitted to be members of councils, boards, or commissions that are advisory or administrative to the County, except where such membership is specifically authorized by statute or resolution or specifically authorized by the County Administrator.

Employment Restrictions: Campaigns for, or Election to, Public Office. An employee may use a leave of absence during his/her campaign for office under the provisions of this policy. The employee's department head must approve such a leave of absence and the specifics and contingencies thereof. An employee who secures a leave of absence to run for public office cannot automatically be guaranteed reinstatement to his/her position.

Political Activity.

It is the general policy of the County to foster governmental efficiency and to ensure that employees are able to perform their duties without being pressured:

1. To support specific Federal, State or Local political candidates or,
2. To interpret regulations favorably for supporters of such candidates or,
3. To base employee's performances and advancement in regards to political activity.

Additionally, to promote public confidence in the integrity of Finney County government, the Board of County Commissioners and all other County elected positions shall refrain from making decisions on the basis of political loyalties.

Permitted Political Activity. Employees are encouraged to exercise their right to vote in all elections. Employees may campaign for and hold office in political clubs and organizations, and engage in activities of civic associations or special interest groups unless such actions would do the following:

1. Directly conflict with the employee's job;
2. Result in a conflict of interest; or
3. Result in the employee incurring personal gain because of his/her position with the County.

Employees are not constrained from stating opinions regarding political issues in ordinary conversation during working hours, providing that such a conversation does not interfere with the employee's assigned job duties.

Prohibited Political Activity. Employees shall be subject to disciplinary action up to and including immediate termination for violation of these provisions during working hours / on duty:

1. No officer or employee shall, while on duty or during an assigned work shift as an employee of Finney County, request or solicit contributions or anything of value for any political candidate or cause.
2. No officer or employee shall participate in any political campaign by:
 - a. Speaking in favor of any candidate or cause;
 - b. Distributing literature;
 - c. Picketing or demonstrating on behalf of or in opposition to any political candidate or cause; or
 - d. Organize, plan, or in any other way, participate in the administration of any political campaign.
3. No officer, employee, or volunteer shall, while on duty and/or in a uniform of Finney County or in a Finney County vehicle, display any badge, button, sign, sticker, or other items promoting or opposing any political cause or candidate.
4. No officer or employee of Finney County shall use public funds, property, or any instrumentality or item of value belonging to Finney County to promote or oppose any political cause or candidate.
5. No officer or employee shall use official authority or influence to interfere with or affect the results of an election or nomination.
6. No officer or employee shall participate in political activities involving the election of a candidate for County office during work hours.
7. No officer or employee shall solicit, sell, or handle contributions for any political cause, political party, or candidate for political office during any time at which an employee is performing paid services for the County.

Coercion, Intimidation of Public Employees. No officer or employee of Finney County shall use his/her public office or employment for the purpose, or with the effect of:

1. Coercing or intimidating any Finney County employee or employees with respect to contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.
2. Obtaining a benefit as a result of any political activity by:
 - a. Intentionally committing an unauthorized act under color of law.
 - b. Intentionally refraining from performing a duty imposed upon him/her by law.

Illegal Political Activities. No officer or employee of Finney County shall engage in any political activity which is prohibited by state or federal law. Any person engaging in such activity shall be subject to disciplinary action up to and including immediate termination. The following list of activities is included by way of example but not by way of limitation:

1. Engaging in any of the following activities within 250 feet of a polling place at the time of an election or advanced voting:
 - a. Electioneering;
 - b. Circulating cards or handbills;
 - c. Soliciting signatures;
 - d. Interfering with voting or the administration of the polling place; or
 - e. Conducting an exit or public opinion poll.
2. Obstructing or preventing access to a polling place.
3. Removing a ballot from a polling place or soliciting a voter to show his/her ballot.
4. Attempting to intimidate, influence, or bribe a voter by menace, force, threat, or corrupt means.
5. Directly or indirectly offering a bribe or reward to induce a voter to vote for or against a person or proposition.
6. Attempting to influence a voter to vote or not to vote, directly or indirectly, by menace or corrupt means.

7. Hindering, disturbing persuading, threatening, or intimidating any person from giving his/her vote.
8. Knowingly and willfully making a false assertion propagating a false report concerning a candidate who has a tendency to prevent his/her election.
9. Giving a bribe or thing of value to secure a vote or solicit or bribe, or offer any preference or other valuable consideration to give or refuse a vote.

Federally Funded Programs. Employees whose principal employment is connected with federally financed activities face further restrictions and rules as established by the U.S. Civil Service Commission and the Federal Office of Personnel Management, and should confer with legal counsel before involving themselves in political party activities.

Questions and Clarifications Regarding Political Activity. If an employee has a question as to whether a particular political activity is permitted or prohibited, he/she should contact the Department of Human Resources for clarification.

PERSONAL COMPUTER POLICY

Acquisition and Disposition

Personal Computers and/or Peripherals.

Information Technology shall assist with budgeting and acquisition prior to any personal computer (“PC”) or peripheral enhancement or new acquisition. Further, purchases shall be made pursuant to the Finney County Purchasing Policy.

Approval of purchases is necessary to ensure that new equipment is relevant to department operations and is compatible with the general direction of technological advances of the County.

It may also be necessary for Information Technology to make a preliminary disposition finding if the newly acquired equipment is to replace existing equipment and the Department Director does not have a use for the replaced equipment.

Disposition may be in the form of placement of the equipment with another department, placing it for sale at the next regularly scheduled County auction, or using it as trade-in on new equipment.

Software.

Information Technology shall review and make recommendations regarding the acquisition of any personal computer software enhancement or new acquisition. Further, purchases shall be made pursuant to the Finney County Purchasing Policy.

Approval of software purchases is necessary to ensure that new software is relevant to department operations and is compatible with the general direction of technological advances of the County. Further, it is necessary to ensure that the intended hardware is capable of running the software and that the software will not cause conflicts with other existing software or hardware configurations.

Purchase Denial. If Information Technology recommends against the budgeting or purchase of hardware or software, the Department Director may request approval from the County Administrator. The finding of Information Technology will be forwarded to the County Administrator for consideration of the request.

Usage

General. PC's are provided to enhance employees' ability to do their jobs. As such, the PC is County property and is to be treated in that manner. Whether the PC is assigned to an individual or located for use by various employees, the same rules of use apply. Employees will be subject to disciplinary actions in accordance with the Handbook for misuse of PCs.

Configuration.

Each PC will be setup and configured by Information Technology. Once the PC is configured to perform the designated task(s), an employee or other person shall not change that configuration. Configuration changes may only be made by Information Technology or by their direction or approval.

If an employee deliberately or intentionally changes or causes the configuration of a PC to be changed, the employee may be subject to disciplinary action. If the change causes other problems with the PC or its attached system, further disciplinary action may be taken.

If the change requires Information Technology to take corrective action, renders a device unusable, or requires third part correction, maintenance, or repair, the offending employee may be subject to further disciplinary action, be required to make monetary reimbursement, or both.

Software.

Software is loaded on PC's as deemed necessary by Information Technology and/or the respective Department Director so that PC's may perform the functions necessary for employees to complete their jobs.

The County has adopted a selection of software programs for use within the County to provide uniformity. This uniformity will enable Information Technology to offer the best available support on these selected products. It will also enable users to share data/files as necessary without the need of conversions to different formats.

Software may only be loaded on a PC by the Information Technology or by its direction or approval.

No employee may load or cause to be loaded any software or screen saver on a PC or run or cause to be run an unauthorized program on a PC.

Acquisition of new software is addressed above.

If an employee deliberately or intentionally loads or runs software or causes software to be loaded or run on a PC the employee may be subject to disciplinary action. If the software causes other problems with the PC or its attached system, further disciplinary action may be taken.

If the software requires Information Technology to take corrective action, renders a device unusable, or requires third party correction, maintenance, or repair, the offending employee may be subject to further disciplinary action, or be required to make monetary reimbursement, or both.

Internet

Downloading Files.

Caution must be exercised when files are downloaded from the Internet due to the possibility of the file being infected with a computer virus. While it may be necessary to download a file to facilitate a job function, it is recommended to keep these instances to a minimum.

Many PC's are loaded with virus detection software that may or may not catch and/or destroy a virus automatically. If an employee downloads a file and later suspects the computer may be infected with a virus, the employee must contact Information Technology immediately.

Account Management. Account setup, email addresses, or any other Internet account information shall be constructed through Information Technology.

E-MAIL AND INTERNET USAGE POLICY

The County Electronic Mail System (e-mail) has been developed to facilitate County business communication among departments, key employees, and other business associates for messages or memoranda.

The e-mail system is County property and is intended for County business. Use of the e-mail system is subject to the provisions of the Handbook. The Handbook addresses employee use of County property. The e-mail system is not to be used for personal gain or to support or advocate for non-County related business or purposes.

All data and other electronic messages within the e-mail system are the property of the County and therefore are not considered private. E-Mail messages may be County records depending on their content. E-Mail messages are similar to printed communication and should be written with the same care. The County, through its Department Directors and Supervisors, reserves the right to review the contents of employees' e-mail when necessary for County business purposes. Employees have no reasonable expectation of privacy in regard to their use of the County's computer system, including e-mail. Employee e-mail will be accessed only if there are reasonable grounds to do so. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other employees' e-mail messages without prior authorization. The misuse of e-mail privileges shall be disciplined in accordance with the Handbook, and/or other applicable rules or laws.

Department Directors are responsible for the implementation of and adherence to this policy within their departments. In the event any department or division policy contradicts this policy, this policy shall govern.

Passwords and E-Mail Addresses. Users should be aware that the assignment of passwords and/or e-mail addresses does not suggest that the system is for personal or business confidential communication, nor does it suggest that e-mail is the property right of the user. The e-mail system is for County business. Since the computer system is intended for business use, an employee, upon request, must inform the employee's Supervisor of any access codes or passwords used for business purposes on the computer system, including e-mail passwords and internet site passwords.

Internet. The Internet provides the County with significant access and dissemination of information to individuals outside of the County. The use of the County Internet system for access and dissemination is intended to serve County business. Like all e-mail messages, Internet messages are capable of being forwarded without the express permission of the original author. Therefore, users must use caution in the transmission and dissemination of messages outside of the County and must comply with all state and federal laws.

Prohibited Uses. Internet and e-mail access is intended for County business and is not to be used for personal gain. Solicitation of funds, political messages, harassing messages and other similar messages are specifically prohibited. All e-mail messages and all use of Internet and e-mail services are subject to the Handbook and all state and federal laws and rules.

Retention of E-Mail.

Generally, e-mail messages are temporary communications that are non-vital and may be discarded routinely. However, depending on the content and purpose of e-mail messages, some may be considered a more formal record and may need to be retained. It is the responsibility of the Department Director, when necessary, to develop and implement retention schedules for the information communicated through the e-mail system.

Employees should be aware that when they have deleted a message from their e-mail mailbox, it might not have been deleted from the e-mail system. E-Mail messages may be residing in recipient's mailbox or may have been forwarded to other recipients. Furthermore, e-mail messages may be stored on the computer's back-up system.

Applicability of Policy.

This policy applies to all employees and other individuals and organizations that are provided access to the County's Internet and e-mail system. Third parties should not be provided access to the County system. Users who are in violation of this policy may be removed from the e-mail system and/or have their access revoked. In addition, other legal remedies may be pursued.

Employees who are terminated or laid off have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Supervisors may access an employee's e-mail if employees are not at work for any reason or are transferred from one department to another department and it is necessary for the County's business purposes.

Penalties. The misuse of e-mail and Internet access privileges shall be disciplined in accordance with the Handbook and/or other applicable rules or laws. Violation(s) of this policy may be grounds for dismissal. In addition, violations of this policy or misuse of the e-mail system may be referred for criminal prosecution.

TIME-KEEPING POLICIES

Non-exempt hourly employees.

1. Each non-exempt employee must accurately record all time he/she works and all absences from work. It is County policy that all work by non-exempt employees is “on the clock” and that its employees are paid for all time that they work.
2. Employees are required to clock in no more than 6 minutes before their shift begins and clock out no more than 6 minutes after their shift ends unless their Supervisor or Department Director advises and approves the overtime. Clocking in and clocking out actions that occur within 6 minutes before or within six minutes after the assigned shift will be rounded to the actual shift starting and/or ending hours.
3. When an employee leaves the assigned work site for reasons unrelated to County business, the employee must clock out. The employee must clock in on return.
4. Employees must record their time only. Under no circumstances are employees to clock in or out for someone other than themselves. Employees clocking in or out for someone else are subject to disciplinary action up to and including the possibility of termination from employment.
5. Employees are required to request corrections for any clock in or clock out errors through UKG, which will then notify their Supervisor or Department Director of the requested change. Upon receipt of the notification, the Department Director (or designee) will be responsible for approving the corrections.
6. All employee leave information will be recorded by the employee or Department Directors (or designee) in the time and attendance system. This includes PTO, Extended Sick Leave and Leave Without Pay military leave, etc.
7. Employees will be allowed a 30-day adjustment period to become familiar with the use of the time system. After that time, employees who fail to properly clock in and/or clock out are subject to disciplinary action in accordance with the Handbook. This does not include missed punches due to employment related obligations or situations, such as meeting attendance, off-site job locations, and computer failures.
8. Any employee tampering with or defacing the time-keeping kiosk is subject to immediate termination.

Salary exempt employees. The time and attendance system will be used to track PTO and Extended Sick Leave. Appointed Department Directors will need to report these hours to Human Resources and the County Administrator for entry in the time and attendance system.

PROXIMITY CARD USE POLICY

In order to access most County buildings and departments, each employee of the County will be provided a proximity card to be used in accordance with the following:

1. Human Resources will provide the supply of proximity cards for all County employees. However, the Sheriff's Office will supply proximity cards for its employees.
2. The employee will be permitted to indicate preference for the first name to be used along with the surname (i.e. Pat Smith is acceptable vs. Patrick H. Smith or Howard Patrick Smith). However, no nicknames that are unrelated to the employee's legal name will be allowed.
3. An employee proximity card will include his/her position title, department, and identification number.
4. Proximity cards, whether or not used as name badges, are not to be altered in any way. For example, no stickers, embellishments or other markings will be permitted.
5. Upon employment, the first proximity card will be issued to new employees at no cost. If the card is lost, stolen, mutilated or destroyed, it is to be reported immediately to the employee's Supervisor and Human Resources. A replacement card will be issued to the employee at a cost of \$10.00. Normal wear and tear are not subject to replacement costs.
6. Upon termination of employment, proximity cards must be returned to the Supervisor or Human Resources prior to issuing a final paycheck.

SOCIAL MEDIA + WEBSITE POLICY

The County's Social Media + Website policy is attached as Appendix D.

APPENDIX A

ACKNOWLEDGMENT OF HANDBOOK

I, _____, the undersigned employee of Finney County (the “County”), hereby acknowledge receipt of the Finney County Handbook (the “**Handbook**”), amended and restated as of January 1, 2026.

I acknowledge that I have a responsibility to read the Handbook, including the Anti-Harassment Policy and Anti-Retaliation Policy. I agree to keep the Handbook for future reference and to observe present and future personnel policies, standards, and rules outlined in the Handbook.

I understand and acknowledge that the Handbook incorporates terms and conditions of my employment with the County and supersedes any and all past employee personnel policies, including the Finney County Personnel Policy dated December 1, 2024. I also understand and acknowledge that the Handbook supersedes any and all past policies, procedures, understandings and standards, written and verbal, express or implied, **to the extent the subject matters thereof are addressed in the Handbook.**

I understand and acknowledge that the County will review the Handbook periodically and that the County reserves the right to alter, amend, modify, or terminate any benefits, policies, or provisions contained in the Handbook at any time it chooses with or without prior notice to me. Any such changes shall be made in writing and distributed to me electronically or by other appropriate means. I understand that it is my responsibility to keep abreast of any changes to the Handbook.

I understand that employment with the County is “at-will,” unless a written contract of employment for a fixed duration or for other than “at-will” employment is signed by the County Administrator. I understand that “at-will” employment means that employment may be terminated either by the employee or the County at any time, with or without cause, and with or without notice, for any reason that is not prohibited by law. I understand that nothing in this Handbook nor any oral or written representation by any employee, elected official, or Supervisor of the County shall be construed as a contract of employment for any fixed duration of time or for other than “at-will” employment. I understand that the County may make changes to the position, title, job responsibilities, or compensation level of its “at-will” employees at any time, with or without cause, and with or without notice, for any reason that is not prohibited by law.

Anti-Harassment Policy and Anti-Retaliation Policy

By signing this Acknowledgement, I further acknowledge that I have received and read the Anti-Harassment Policy and Anti-Retaliation Policy in this Handbook and that I understand their contents. By signing this Acknowledgement, I agree to comply fully with the standards, policies and procedures contained in the Anti-Harassment Policy and Anti-Retaliation Policy. I understand that I have an obligation to report any suspected violations of the Anti-Harassment Policy and Anti-Retaliation Policy of which I am aware.

Drug & Alcohol Policy

By signing this Acknowledgement, I further acknowledge that I have received and read the Drug & Alcohol Policy, attached to this Handbook as an Appendix, and that I understand its contents. By signing this Acknowledgement, I agree to comply fully with the standards, policies and procedures contained in the Drug & Alcohol Policy.

Signature

Date

Name (please print)

APPENDIX B
RESOLUTION ADOPTING A SMOKE-FREE WORKPLACE

(Published in the Garden City Telegram this 23 day of July, 2021)

RESOLUTION No. 07-2021

A RESOLUTION ADOPTING A SMOKE-FREE WORKPLACE

WHEREAS, the County is committed to providing a safe and healthy workplace promoting the health and well-being of its employees.

WHEREAS, it has been well documented that tobacco smoke hurts both users and nonusers exposed to tobacco smoke;

WHEREAS, smokeless tobacco has a documented history of causing certain types of cancer in its users;

WHEREAS, numerous studies have shown that use of electronic cigarettes is harmful the user's health.

WHEREAS, the County Commission wishes to prohibit the use of cigarettes, tobacco products and electronic cigarettes in County owned, occupied or leased buildings and vehicles.

NOW, THEREFORE, BE IT RESOLVED by the governing body of Finney County, Kansas:

The County of Finney, State of Kansas, by the power vested in it by K.S.A. 19-101(a) hereby adopts a tobacco-free and smoke-free work policy.

SECTION 1. The term "electronic cigarette" refers to a battery-powered device, that can provide an inhaled dose of nicotine or other substance by delivering a vaporized solution by means of cartridges or other chemical delivery systems.

SECTION 2. Smoking, use of tobacco products and use of electronic cigarettes, also known as vaping, shall be prohibited within all of Finney County's owned or leased buildings including, but not limited to offices, hallways, waiting rooms, restrooms, lunch rooms, elevators, meeting rooms and all community areas. This ban shall extend to within fifty feet of any such property.

SECTION 2. Smoking, use of any tobacco product and use of electronic cigarettes shall be prohibited in all Finney County owned or leased vehicles.

SECTION 3. Smoking, use of any tobacco product, and use of electronic cigarettes, shall be prohibited in all Finney County jails, detention facilities and prisoner accommodations.

SECTION 4. This prohibition shall apply to, but not be limited to, all elected officials, employees, visitors, prisoners, and detainees alike.

SECTION 5. Employees of Finney County will be subject to the same disciplinary actions that accompany infractions of other Finney County rules

(Published in the Garden City Telegram this ____ day of July, 2021)

including written warning and possible discharge. All persons who violate portions of this policy may be subject to prosecution pursuant K.S.A. 21-4012.

SECTION 7. Finney County Resolution 1-95 is hereby revoked.

SECTION 6. This resolution shall take effect upon its publication in the Garden City Telegram, the official county newspaper.

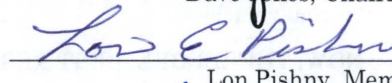
ADOPTED this 19th day of July, 2021

BY THE BOARD OF COUNTY COMMISSIONERS,

FINNEY COUNTY, KANSAS.



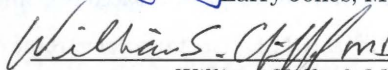
Dave Jones, Chairman



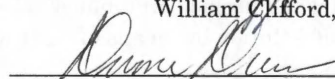
Lon Pishny, Member



Larry Jones, Member



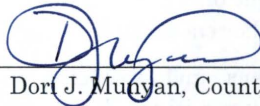
William Clifford, Member



Duane Drees, Member



ATTEST:



Dori J. Munyan, County Clerk

APPENDIX C
EMPLOYEE TRAINING, TRAVEL, AND REIMBURSEMENT
(REVISED DECEMBER 1, 2024)

Finney County is committed to a well-trained and educated workforce. This policy is set forth to establish consistent and predictable practices for authorizing training and processing reasonable and necessary expenses for employees who travel and/or attend functions on official County business. It is essential for this type of expenditure of public funds to be carefully regulated to assure that only authorized expenditures are reimbursed and/or paid by the County.

This policy applies to all Finney County employees. Proof of attendance will be required upon return and maintained in personnel files.

1. TRAINING:

Finney County encourages employees to maintain and improve their skill sets and stay informed on their rights and responsibilities as County employees. The County authorizes training opportunities to ensure employees have access to the educational materials necessary to provide high performance in a safe environment.

Department heads are responsible for recommending employees for specialized training programs, for providing on-the-job skills training, and for providing outside trainers where and when necessary.

Finney County will provide special on-site training programs for safety issues, health matters, and benefit or policy updates as necessary or when required by governmental authority or regulation.

2. REQUESTS/APPROVAL:

Prior to making training/travel plans or reservations your request must be approved by the County Administrator. Recommendations for training and associated expenses must be submitted on the Travel/Training Request Form, with supporting documentation, to the department head at least three weeks before the training or as soon as reasonably possible. If approved by the department head, the form must be forwarded to the County Administrator for review and approval at least two weeks before the scheduled training. Elected officials are asked to provide travel/training documents to the Administration and Human Resources for informational purposes and tracking of training in personnel files. Employees shall not begin business travel unless they have received prior approval from their department head and the County Administrator. Failure to get prior approval will result in disciplinary action, up to and including termination of employment.

Supporting documentation includes, but is not limited to:

- Printed conference information, including agenda, dates, and pricing information.
- Printed transportation information, if not using county vehicle.
- Printed lodging information if not using government per diem, conference rate for example.

- Detailed list of other incidental expenses and printed supporting documentation if possible.

3. TRAVEL:

Finney County strongly encourages the use of travel discounts when making travel arrangements. Employees should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety, whether for same day travel or travel that occurs overnight. The request for training/travel and associated expenses must be approved by the County Administrator before costs are incurred.

4. AUTHORIZED EXPENSES:

Payment of expenses by Finney County is allowed only when reimbursement has not been and will not be received from other sources. Necessary and reasonable expenses for authorized training/travel will be paid by the County. All expenses must be documented and accompanied by detailed receipts. The use of a County issued PurchaseCard (P-Card) is preferred; however, employees who choose to pay for authorized expenses are eligible for reimbursement as detailed below. When purchasing items or services in Kansas, notify the vendor that the purchase is tax-exempt. Taxes paid for in-state purchases are not eligible for reimbursement, except where it is unreasonable to obtain tax removal (e.g., fast food and gas stations). There will be limited exceptions.

(a) Registration Fees:

Registration fees charged for conventions, seminars, training events, meetings, etc., are payable by the County when the employee is approved to attend in his/her capacity as a County employee. Advanced registration shall be used when a cost-saving is provided.

(b) Meals and Incidentals:

Employees may be reimbursed for the cost of meals and incidentals when traveling for authorized County business. Incidental expenses are limited to taxi (Uber or Lyft), tolls, and parking type expenses. Reimbursement may include tips/gratuities up to 15%, exceptions may be made for large groups where the restaurant automatically adds gratuity. Expenses shall be itemized and supported by actual itemized receipts. The actual amount of reimbursement is capped at the established rate per host location, as published in 41CFR § 301, App. A. viewable at www.gsa.gov/perdiem. Meal expenses may not exceed the total allowable for each day of travel, but do not have to adhere to the per meal amount. Snacks and specialty drinks will be at the employee's expense.

Meals purchased in lieu of meals included in registration or conference fees are not eligible for reimbursement. Liquor and alcoholic beverages are not reimbursable.

Meal expenses for same-day travel are considered a taxable benefit, per IRC Section 162(a)(2); US vs Correll, 389 US 299, 302-303 (1967); Rev. Rul. 75-170, and will be processed through payroll on a quarterly basis. Meal expenses incurred during overnight travel will be processed through Accounts Payable (A/P) and are not taxable to the employee. Kansas tax exemption should be used at sit down restaurants, but not necessary at fast food restaurants.

5. NON-AUTHORIZED EXPENSES:

The following are examples of specific expenses considered personal and non-essential to the transaction of official County business and include but are not limited to:

- (a) Personal trip/flight/rental car insurance
- (b) Personal travel
- (c) Entertainment not related to the purpose of the travel: includes places of entertainment, movies, magazines, limousines, etc.
- (d) Alcohol
- (e) Tobacco, tobacco products, tobacco-like products, CBD products, or vaping products such as e-cigarettes
- (f) Barber/beauty parlor, spa, shoeshines, toiletries, etc.
- (g) Fines, forfeitures, penalties
- (h) Personal postage
- (i) Expenses incurred by non-employees traveling with employee
- (j) Expenses incurred by attendance at political rallies or events held for the specific purpose of promoting the candidacy of an individual for public office

6. MISCELLANEOUS EXPENSES:

(a) Taxi, Shuttle, Subway, etc.

Expenses for such transportation is allowed when reasonable and necessary to carry out County business. Expenses must be itemized, and receipts are required for individual items of \$7.50 or more.

(b) Parking

Reasonable parking costs are authorized. This includes parking meters and long-term parking while traveling. Parking charges associated with personal use are not authorized.

(c) Turnpike/bridge tolls

Tolls are authorized expenses when traveling on County business. Receipts are required. Penalties, late fees, and/or fines will be the employee's expense.

(d) Other

Other costs of travel on County business which are normal, reasonable, and relative to the purpose of the travel and nature of the expense may be authorized on a case-by-case basis by the department head and/or County Administrator.

7. MODES OF TRANSPORTATION:

(a) County-owned vehicles:

Employees required to travel on County business are encouraged to utilize a County-owned vehicle for such travel. A personal vehicle may be used if a county vehicle is not available. Mileage will be reimbursed at the IRS Standard Mileage Rate under § 274(d) of the Internal Revenue Code and § 1.274-5 of the Income Tax Regulations. An

employee who chooses to drive a personal vehicle when a county vehicle is available will not be eligible for mileage reimbursement.

Employees shall be particularly conscious of the public image conveyed during the use of a County-owned vehicle.

Only County employees may operate County-owned vehicles.

No employee shall operate, drive or cause to be operated or driven, any County-owned vehicle for private use, for private business, or for pleasure except as otherwise provided herein. Family members and pets may not ride as passengers in county vehicles. A County employee may, with the consent of the County Administrator, drive such county-owned vehicle to and from, and keep the same at their place of residence, if such place of residence is located within a reasonable distance of their office or duty station as an employee of County, and where such use and retention by the employee will be of benefit to the County.

All county-owned and operated vehicles shall be marked and identified as County property, with the exception of unmarked Sheriff's vehicles, in accordance with Kansas statutes.

Employees are required to utilize seat belts and follow all Federal and State transportation laws at all times while the vehicle is being operated. Employees utilizing a county vehicle for authorized travel may permit colleagues attending the same meeting, seminar, training sessions, etc., to travel in the same vehicle.

Abuse of the privileges herein set forth by an employee may result in disciplinary action, up to and including termination.

(b) Privately owned vehicles:

The use of a privately owned vehicle for County business shall be approved in advance.

The use of a privately owned vehicle will be reimbursed at the mileage reimbursement rate in place at the time of travel if a County vehicle is not available. Authorized mileage shall include only those miles necessary to reach one's destination by the shortest, safest route.

In the event of an accident involving a personal vehicle while on County business, the employee's automobile liability insurance will be primary coverage, and any deductibles applicable to the employee's personal insurance may be the employee's responsibility to pay.

The County is not responsible for theft, vandalism, or any other damage to an employee's private vehicle while it is parked at a county building or facility, or at a County-sponsored event or training.

(c) Commercial:

Other forms of transportation, such as bus, taxi, or rental vehicle, may be advantageous in certain situations. The use of commercial travel for local business may be authorized when no other mode of transportation is available and shall be authorized in advance.

8. LONG-DISTANCE TRAVEL:

(a) Commercial Air Travel:

The County will pay the actual airfare for round-trip coach or tourist-class accommodations, except where only first-class is available. Employees are encouraged to take advantage of fare-saver or similar reduced rates/discounts where applicable and economically advantageous for the County.

(b) Rental Vehicle:

When traveling from the airport to lodging quarters and returning employees should use the following:

- First Priority

Free or low-cost courtesy vehicles, bus, subway, or similar service.

- Second Priority

Taxicabs, Uber, Lyft, or other similar modes of transportation are authorized only when first priority vehicles are not reasonably available.

- Third Priority

The use of a rental car is permitted when it is in the interest of the County. Economy cars should be rented when available and feasible. Consideration of whether a rental car is to be used should take into account other forms of transportation available, and be used only when it is the most economical and practical form of transportation. As with other expenses, a receipt is required.

If the use of a rental car is approved, automobile liability insurance offered by car rental companies should be purchased. The employee should use “Finney County” as the name of the entity to be covered under car rental liability insurance, and a County P-card used as the method of payment.

If rental cars are used for transportation of a personal rather than work-related nature or retained over a weekend for sight-seeing, etc., (except when used to travel on the weekend to another location on County business), an employee should be aware that if an accident occurs involving the use of a rental car, expenses incurred as a result of the accident may be considered as personal, and the employee and/or the employee’s personal insurance carrier may ultimately be determined to be liable for such expenses due to the accident. Foray personal use, the employee should rent the car, and the County will reimburse the employee for the portions of use deemed to be for County business.

9. TRAVEL INSURANCE:

The County carries travel and accident insurance on employees traveling for County business. Any additional travel insurance purchased by the employee is at his/her own expense.

Medical expenses resulting from a compensable accident while performing County business within the scope and course of employee's position may be covered by Workers Compensation insurance.

If an employee traveling on County business is involved in an accident, he/she should notify his/her department head and Human Resources immediately, or as soon as practicable.

Accidents and moving traffic violations are subject to the Drug and Alcohol Testing Policy. Accidents require a police report, when available. Tickets and fines are the employee's responsibility.

10. PAYMENT FOR TRAVEL/TRAINING:

Employees who drive while traveling on County business will be paid for such time if it is for the benefit of the County. Generally, if an employee is required to drive, the employee will be compensated for the travel time. Employees who perform work while traveling will be compensated for work time.

11. SINGLE-DAY TRIPS:

Single-day trips include travel and/or training where no overnight expenses are authorized.

The time spent traveling between cities is counted as "hours worked" when an employee travels to another county on County business and does not require an overnight stay. In computing hours worked for non-exempt employees, the County may deduct the employee's normal commuting time—i.e., the time it normally takes the employee to get from home to work—from the paid travel time.

Time spent traveling as a passenger outside of normal work hours will be paid as compensable time. Drive time will be paid from point A to point B but not for shopping, eating, entertainment, etc.

Time spent in meetings or conferences during an employee's normal working hours will be paid at an employee's regular hourly rate.

Normal hours worked shall be based on the employee's regularly scheduled shift.

12. OVERNIGHT TRAVEL:

Overnight travel includes travel for training approved for at least one night away from home.

When a non-exempt employee travels overnight, any travel time that cuts across an employee's normal working hours, including non-working days, is considered hours worked and will be paid as travel time. Travel outside the employee's regular workday will be paid as compensable time, but not for shopping, eating or entertainment. Layover time on common carrier

transportation will be compensable time; however, commute to and from common carrier terminals will not be compensable time.

If an employee on an overnight trip is offered transportation on a common carrier—bus, train, plane, etc. — but requests and receives permission to drive their own car, the County will count as working time the time it would have taken had the employee used the common carrier transportation.

Time spent in meetings or conferences during an employee's normal working hours will be paid at an employee's regular hourly rate.

For exempt employees, partial or full days spent in travel and/or attendance at meetings or conferences will be paid as full days of work.

APPENDIX D

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit [dol.gov/fmla](https://www.dol.gov/fmla) to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



WH1420 REV 04/23

Sus derechos de personal según la Ley de Licencia Familiar y Médica

¿Qué es una licencia de FMLA?

La Ley de Licencia Familiar y Médica (FMLA, por sus siglas en inglés) es una ley federal que proporciona al personal elegible **licencias con protección del empleo** por razones familiares y médicas que califiquen. La División de Horas y Salarios (WHD, por sus siglas en inglés) del Departamento de Trabajo de EE. UU. hace cumplir la FMLA para la mayoría del personal.

El personal elegible puede tomarse licencias de FMLA de **hasta 12 semanas de trabajo** en un periodo de 12 meses por:

- El nacimiento, la adopción o la ubicación de hogar adoptivo de un niño o niña,
- Un problema grave de salud mental o físico que le impide trabajar,
- El cuidado de su cónyuge, hijos, hijas o padres con enfermedades mentales o físicas graves, y
- Ciertas razones que califican, relacionadas con la asignación de su cónyuge, hijo, hija, padre o madre en el servicio militar.

El personal que sea cónyuge, hijo, hija, padre, madre o familiar cercano de una persona cubierta en el servicio militar con una lesión o enfermedad grave, **puede tomarse una licencia de FMLA de hasta 26 semanas de trabajo** en un solo periodo de 12 meses para cuidar a la persona en servicio.

Puede que usted tenga derecho a usar la licencia de FMLA **en un bloque de tiempo**. Cuando haya una necesidad médica o se permita por otro motivo, puede tomar una licencia de FMLA **de forma intermitente en bloques separados, o con un horario reducido** trabajando menos horas al día o a la semana. Lea la hoja informativa #28M(c) para obtener más información.

La licencia de FMLA **no es una licencia paga**, pero usted puede elegir, o puede que su empresa lo exija, utilizar cualquier licencia paga proporcionada por la empresa si la política de licencias de su empresa cubre el motivo por el cual necesita una licencia de FMLA.

¿Soy elegible para tomar una licencia de FMLA?

Usted es **elegible** si aplican **todas** las siguientes condiciones:

- Trabaja para una empresa cubierta,
- Ha trabajado para su empresa durante al menos 12 meses,
- Tiene al menos 1250 horas de servicio para su empresa durante los 12 meses previos a su licencia, y
- Su empresa tiene al menos 50 integrantes del personal dentro de las 75 millas desde su lugar de trabajo.

El personal de tripulación de vuelo tiene requisitos de "horas de servicio" diferentes.

Trabaja para una **empresa cubierta** si aplica **una** de las siguientes condiciones:

- Trabaja para una empresa privada que tiene al menos 50 integrantes del personal durante al menos 20 semanas laborales en el año actual o anterior,
- Trabaja para una escuela primaria o secundaria pública o privada, o
- Trabaja para una agencia pública, como una agencia gubernamental local, estatal o federal. La mayoría del personal está cubierta por el Título II de la FMLA, administrada por la Oficina de Administración de Personal.

¿Cómo solicito una licencia de FMLA?

En general, **para solicitar una licencia de FMLA usted debe:**

- Seguir las políticas regulares de su empresa para solicitar licencias,
- Avisar con al menos 30 días de anticipación que necesita una licencia de FMLA, o
- Si no es posible avisar con anticipación, avisar tan pronto sea posible.

Usted **no tiene obligación de compartir un diagnóstico médico**, pero debe proporcionar información suficiente para que su empresa pueda determinar si la licencia califica para la protección de la FMLA. Usted también **debe informar a su empresa si se tomó una licencia de FMLA anteriormente** o se aprobó por el mismo motivo al solicitar una licencia adicional.

Su **empresa puede solicitar certificación** de un prestador de atención médica para verificar la licencia médica y puede solicitar certificación de una exigencia que califique.

La FMLA no afecta ninguna ley federal o estatal que prohíba la discriminación, ni invalida ninguna ley estatal o local o acuerdo colectivo que proporcione mayores derechos de licencia familiar o médica.

El personal estatal puede estar sujeto a ciertas limitaciones al buscar demandas directas con respecto a licencias por sus propias condiciones graves de salud. La mayor parte del personal federal y cierta parte del congresional también está cubierta por la ley, pero está sujeta a la jurisdicción de la Oficina de Administración de Personal de EE. UU. o al Congreso.

¿Qué debe hacer mi empresa?

Si usted es elegible para una licencia de FMLA, su **empresa debe:**

- Permitirle que se ausente del trabajo con su empleo protegido, por un motivo que califique,
- Continuar su plan de cobertura grupal de salud mientras se encuentra de licencia, de la misma forma que si no estuviera de licencia, y
- Permitirle regresar al mismo empleo, o a un empleo virtualmente igual con el mismo salario, los mismos beneficios y otras condiciones de trabajo, incluidos los turnos y la ubicación, al finalizar su licencia.

Su **empresa no puede interferir con sus derechos de la FMLA** ni amenazar ni castigarle por ejercer sus derechos en virtud de la ley. Por ejemplo, su empleador no puede tomar represalias contra usted por solicitar una licencia de FMLA o cooperar con una investigación de WHD.

Tras tomar conocimiento de que su necesidad de tomar una licencia es por un motivo que califica según la FMLA, su **empresa debe confirmar si usted es elegible** o no para la licencia de la FMLA. Si su empresa determina que usted es elegible, su **empresa debe notificarle por escrito:**

- Sobre sus derechos y responsabilidades en virtud de la FMLA, y
- Qué parte de su licencia solicitada, si la hubiera, será protegida por la FMLA.

¿Dónde puedo encontrar más información?

Llame al **1-866-487-9243** o visite **dol.gov/fmla** para conocer más.

Si cree que sus derechos según la FMLA han sido violados, puede presentar una denuncia ante la WHD o presentar una demanda privada contra su empresa en la corte. **Escanee el código QR para conocer más sobre el proceso de denuncias de la WHD.**



DIVISIÓN DE HORAS Y SALARIOS
DEPARTAMENTO DE TRABAJO DE LOS ESTADOS UNIDOS

APPENDIX E

Administrative Policies and Procedures	
Date Revised:	December 1, 2024
Authorization: Robert Reece, County Administrator	

SOCIAL MEDIA + WEBSITE

INTERNAL POLICY

Purpose

This document defines the social networking and social media policy for Finney County, Kansas (the “County”). To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, County departments utilize social media tools to reach a broader audience. The County encourages the use of social media to further the goals of the County and the missions, activities, and stories of its departments, where appropriate.

The County has an overriding interest and expectation in deciding what is “spoken” on its behalf on social media sites. This policy establishes guidelines for the use of social media. Social media includes all means of public, electronic communication or posting of information or content of any sort on any online platform.

Acceptable Use

Personal Use

All County employees may have personal web, social media, or social networking sites. These sites should remain personal in nature and be used to share personal opinions or non-work related information. Following this principle helps ensure a distinction between sharing personal and County views.

County employees must never use their County e-mail account in conjunction with a personal web, social media, or social networking site. Finney County encourages active employees to do the following on their personal web, social media, or social networking sites:

- State your name and, if relevant, role in the County;
- Use a disclaimer such as: “The postings on this site are my own and don’t reflect or represent the opinions of the County for which I work.”

Employees are encouraged to like, follow, and engage with County social media pages. This increases information sharing, education, and morale throughout our organization and service area.

The following guidance is for County employees who decide to post, comment, or share about County business, or where an employee’s comments can be reasonably inferred as implicating the County on their personal web, social media, or social networking site:

- Never disclose confidential County information on your personal web, social media, or social networking site.
- Do not initiate or engage in conversation that negatively reflects upon the County, its image, or its employees, current or former.
- Act in accordance with the County’s core values; Integrity, Resourcefulness, Customer Service, Collaboration, and Stewardship.

Employees should refrain from using social media while at work unless authorized to do so.

Whether at or away from work, while representing yourself as an employee of the County, all active employees are subject to the County's policy regarding at-will employment and for employee misconduct, as stated in the Finney County Employee Handbook.

Professional Use

All County communication through official County web, social media, and social networking outlets, regardless of any personal views, is subject to best practices guidelines and standards. Official communication should always be professional in nature and conducted in accordance with the County's communications policy, practices, and expectations.

Employees must not use official County web, social media, or social networking sites for political purposes, to conduct private commercial transactions, or to engage in private business activities.

Inappropriate use of official County web, social media, or social networking sites can be grounds for disciplinary action.

Oversight and Enforcement

Employees representing the County through social media outlets or participating in social media features on County sites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate in County social media sites, blogs, or other social media features.

Information must be presented following professional standards for good grammar, spelling, brevity, clarity, and accuracy; avoiding jargon, obscure terminology, or acronyms.

County employees recognize that the content and messages they post on social media sites are public and may be cited as official County statements. Social media should not be used to circumvent other County communication policies, including news media requirements.

County employees may not publish information on County social media sites that includes:

- Confidential information
- Copyright violations
- Profanity, racist, sexist, or derogatory content or comments
- Partisan political views
- Commercial endorsements or SPAM

Employee representatives of official County social media sites shall not delete or permanently remove any citizen comments, complaints, concerns, or questions. Any questionable comments made by citizens or other employees on official County sites must first be reviewed by the County Communications Specialist in order to determine appropriate response and action. Citizen complaints, concerns, questions, or comments warranting a response must first be reviewed by the County Communications Specialist to ensure appropriate official County response.

Media Contact

Generally, employees should not speak to the news media on the County's behalf. All media inquiries

should be directed to the County Administrator or the applicable Elected Official..

Records Retention

Social media sites contain communications sent to or received by the County and its employees, and such communications are therefore public records subject to Kansas Open Records Act. These retention requirements apply regardless of the form of the record (for example, digital text, photos, audio, and video). Furthermore, retention of social media records shall fulfill the following requirements:

- Social media records must be captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social networking site.
- Social media records must be maintained in an authentic format (i.e. ideally the native technical format provided by the social network, such as XML or JSON) along with complete metadata.
- Social media records must be archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed.
- Social media records must be indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g. PDF).
- The Freedom of Information Officer must have self-service access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed.

The County utilizes an automated archiving solution, to comply with applicable public records law and fulfill the above record retention requirements. The County archive is only accessible by the Freedom of Information Officer.

Applicant Screening

The Human Resources Department (HR) may use social media in accordance with this policy to screen applicants that have applied for employment opportunities with the County.

HR will maintain compliance with local, state, and federal laws throughout the screening process. Managers or employees involved in the hiring process must request applicant screening to be completed by HR once applicants have completed a first-round interview. Managers or employees will not be authorized to conduct applicant screening from County social media accounts, or from an employee's personal social media account without authorization from the HR Department.

HR will utilize social media screening to verify accurate information was provided by applicants in written material such as application forms or verbally in initial interviews, as well as to ensure that the applicant meets standards set forth by the organization through job descriptions, mission statement, or any other written documentation that describes the functions necessary for employment candidacy. HR will provide managers or employees with a report of information from the applicant screening to include job-related information only. Any information collected to include identifying information, such as race, color, religion, gender, age, genetics, national origin, ancestry, handicap, and veteran status will not be reported to managers or employees as part of the hiring process or in any hiring decisions.

Any reports and supporting documentation will be kept on file for one year from the date of screening.

EXTERNAL POLICY

The following guidelines must be displayed to users on all social media sites or made available by hyperlink:

Public Records Law

Finney County social media sites are subject to applicable public records laws. Any content maintained in a social media format related to Finney County business, including communication posted by Finney County and communication received from citizens, is a public record. The County Clerk is the Freedom of Information Officer and is responsible for responding completely and accurately to any public records request for social media content. You may find their contact information at www.finneycounty.org.

APPENDIX F

FINNEY COUNTY

10707697

Garden City, KS

Drug and Alcohol Testing Policy

**Policy Revised
December 1, 2024**

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EXHIBITS

- A. Personnel and Service Agents
- B. Substance Use and Alcohol Misuse Supplement

I. Purpose and Goal.

Finney County is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established this Drug and Alcohol Testing Policy (the “**Policy**”) to balance our respect for individuals with the need to maintain an alcohol and drug-free environment.

- This Policy recognizes that employee involvement with alcohol and drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale.
- As a condition of employment, Finney County requires that employees adhere to a strict policy regarding the use and possession of drugs and alcohol.
- An employee of Finney County has been named the Designated Employer Representative (DER) and is authorized to take immediate action(s) to remove employees from duties, or cause employees to be removed from their duties, and to make decisions in the testing and evaluation process. The DER also has the authority to receive test results and other communications for Finney County. The name, address, and telephone number of the Designated Employer Representative can be found in **Exhibit 1** Personnel and Service Agents.
- The Substance Use and Alcohol Misuse Supplement is included as **Exhibit 2** to this Policy.
- **This Policy does not create any contractual rights in favor of employees or in any way alter the at-will nature of employment or imply that termination will occur only “for cause”.**

II. Scope of Policy.

All Finney County employees (including elected officials) and applicants for employment are subject to the provisions of this Policy. Finney County also maintains a separate drug and alcohol testing policy (the “**DOT Policy**”) for employees who drive commercial motor vehicles and are regulated by the Federal Motor Carrier Safety Administration under 49 C.F.R. Part 382. When a specimen is collected for drug and/or alcohol testing from an employee who is covered by the DOT Policy, the employee will be informed at the time of collection whether the test is under this Policy or under the DOT Policy.

III. Prohibitions Regarding Drugs. Every employee is strictly prohibited from all of the following:

- Selling, purchasing, using, possessing, distributing, manufacturing, or dispensing any illegal drug at any time;
- Having an illegal drug in his/her system at any time;
- Possessing drug paraphernalia at any time;
- Being impaired by any drug (whether prescribed or nonprescribed, legal or illegal) while at work, on duty, on Finney County property, on Finney County business, while representing Finney County, while on-call, while on paid standby, and at events sponsored by Finney County; and
-

- Being arrested or convicted under any criminal drug statute under circumstances that adversely affect Finney County's regard and reputation in the community.

While the use of marijuana has been legalized under some state laws for medical and recreational uses, it remains an illegal drug under Kansas and federal law, and its use as it impacts the workplace is prohibited by Finney County.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription, to the extent that they do not impair an employee's job performance or safety or the safety of others. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

IV. Prohibitions Regarding Alcohol.

Every employee is strictly prohibited from possessing, consuming, distributing, or dispensing alcohol, having alcohol in his/her system, and/or being impaired by alcohol while the employee is working, on duty, on Finney County property, on Finney County business, while representing Finney County, while on-call, while on paid standby, and at events sponsored by Finney County.

V. Notification of Convictions.

Any employee who is convicted of a criminal drug violation must notify his/her Department Director in writing within five calendar days of the conviction. A conviction includes a finding of guilt, a plea of "no contest," and/or the imposition of a sentence by any judicial body responsible for determining violations of criminal drug statutes. Finney County will take appropriate action within 30 days of notification. An employee who fails to provide timely notification of such a conviction will be subject to disciplinary action up to and including termination of employment.

VI. Drug and Alcohol Testing.

Testing will be conducted for the following reasons:

Pre-employment (drug only)

Pre-duty

Periodic

Random

Reasonable Suspicion

Return-to-Duty

Follow-up

Post-Accident (is defined as any accident or incident that is OSHA reportable)

Other (Blanket Testing)

To ensure the accuracy and fairness of testing under this Policy, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample ***retest**; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

***I understand that if I receive a verified positive drug or alcohol test result at any time, and request a retest of the split sample, I agree to reimburse Finney County the \$150.00 cost of the retest unless the result of the retest is negative.**

All drug and alcohol testing information will be maintained in confidential records that are separate from personnel files.

Each employee, as a condition of employment, will be required to participate in pre-employment, pre-duty, periodic, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of management.

The substances that will be tested for are amphetamines/methamphetamines, cannabinoids, cocaine, opiates, phencyclidine (PCP) and alcohol.

Testing for the presence of alcohol will be conducted by analysis of breath and/or saliva. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

An alcohol test will be considered "positive" at a level of 0.02 and above. Levels from 0.02-0.039 will result in the employee being removed from duty for 24 hours. A level of 0.04 and above can result in termination from employment and, if termination from employment does not occur, will require an employee to see a substance abuse professional (SAP) and follow the recommendation of the SAP before returning to duty.

Any employee who tests positive for drugs will be immediately removed from duty, referred to an SAP for assessment and recommendations, required to successfully complete any rehabilitation recommended by the SAP, including continuing care, required to pass a Return-to-Duty test, required to sign a Last Chance Agreement, and subject to ongoing, unannounced, follow-up testing for a period of up to sixty months and immediate termination of employment if he/she tests positive a second time or otherwise violates the Last Chance Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates the specimen, substitutes the specimen with that from another person, sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Negative Dilute Specimen.

When Finney County receives a report of a negative dilute specimen for an individual; a new sample will be collected immediately.

VII. Consequences.

One of the goals of this Policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the Policy, the consequences are serious.

In the case of an applicant, if he/she violates the Policy, the offer of employment will be withdrawn. The applicant may not reapply.

If an employee violates the Policy, he/she will be subject to disciplinary action, up to and including termination of employment, and may be required to enter rehabilitation. An employee required to

enter rehabilitation that fails to successfully complete it and/or repeatedly violates the Policy will be terminated from employment. **Nothing in this Policy prohibits the employee from being discharged on the first violation of this Policy or disciplined or discharged for other violations and/or performance problems.**

VIII. Last Chance Agreements.

If the County decides not to terminate the employment of an employee who tests positive for drugs and/or alcohol, the employee must sign and abide by the terms set forth in a Last Chance Agreement as a condition of continued employment.

IX. Assistance.

Finney County recognizes that alcohol and drug addictions are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, Finney County encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.

However, the ultimate financial responsibility for recommended treatment belongs to the employee.

X. Confidentiality.

All information received by Finney County through this Policy is confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

XI. Shared Responsibility.

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of Policy violations.

XII. Communication.

Communicating this Policy to both supervisors and other employees is critical to our success. To ensure all supervisors and other employees are aware of their role in supporting our alcohol and drug-free workplace program:

- All supervisors and other employees will receive a written copy of the Policy.

EXHIBIT 1
PERSONNEL AND SERVICE AGENTS

FINNEY COUNTY

Acct. # 10707697

1. Designated Employer Representative (DER)

Primary

Kelly Munyan
311 N 9th St.
Garden City, KS 67846
P. 620-272-3542

Secondary

Tyler Waltz
311 N 9th St.
Garden City, KS 67846
P. 620-272-3542

2. Local Collection Site

Kansas Drug Testing Inc
TopekaKS66614
2707 SW 29th st
P. 785-266-5311
F. 785-266-6063

3. Medical Review Officer (MRO)

Janelle Jaworski MD
9501 Northfield Blvd
Denver, CO 80238
P. 877-585-7366
F. 855-253-5666

4. SAMHSA Certified Laboratory

Quest Diagnostics
800-877-7484

5. Referral for Substance Abuse Professional (SAP) Services

ASAP
888-792-2727

EXHIBIT 2

SUBSTANCE USE AND ALCOHOL MISUSE SUPPLEMENT

A. Why you should get involved:

1. Although Finney County has no history of substance abuse problems, we should recognize that substance abuse and alcohol misuse are problems throughout America.
2. There are three good reasons why you should be concerned if any of your co-workers are using drugs or alcohol on the job.
 - a. Your health and safety may be at risk.
 - b. Substance abuse and alcohol misuse costs you money.
 - c. Substance abuse and alcohol misuse creates a negative work environment.
3. According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated \$102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in higher consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.
4. Absenteeism among problem drinkers or alcoholics is 3.9 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.
5. Workers who use drugs and/or misuse alcohol don't function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity.
6. No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the company. Acceptance of any misuse puts you, this company, and the public at risk.
7. Workers who use drugs and/or misuse alcohol affect everyone. Studies show that compared to alcohol and drug free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers compensation claims.
8. The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage to company's public image, meant that workplace substance abuse can further cut profits and competitiveness.
9. Substance abuse and alcohol misuse can also destroy relationships, lead to serious problems with the law, and even cause harm to the people you love.
10. If drugs and drinking affects your work life, it could lead to job loss and all the financial problems that would follow.

B. Effects on an individual's health, work, and personal life:

Alcohol

1. Alcohol is a central nervous system depressant. Taken in large quantities, it causes not only the euphoria associated with being drunk, but also adversely affects your judgment, ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.
2. Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.
3. In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

Marijuana

1. Marijuana is a central nervous system depressant. It causes a feeling of euphoria, increased sense of well-being, lack of motivation, lowered inhibitions, talkativeness, dry mouth and throat, increased appetite, impaired coordination, concentration and memory, and increased heart rate.
2. Long term use may result in deteriorating work performance, "burn out" involving muddled thinking, acute frustration, depression, and isolation, impaired sexual development and fertility, including production of abnormal sperm and menstrual irregularities, damage to the lungs and pulmonary system, hallucinations and paranoia, increased risk to safety and health as a result of impaired judgment and motor abilities.
3. Prolonged use of marijuana often results in psychological dependence for the user. Moreover, marijuana is considered a "gateway" drug. Casual users of marijuana often become chronic users, or become abusers of "harder" drugs.

Cocaine

1. Cocaine is a central nervous system stimulant. It causes brief but intense feelings of euphoria and competence, increases pulse, blood pressure, body temperature, and respiratory rate. It dilates the pupils of the eyes, causes extreme excitability and anxiety, and produces sleeplessness and chronic fatigue.
2. Long-term use results in bleeding and other damage to nasal passages, paranoid psychosis, hallucinations, and other mental abnormalities. Use causes impaired driving ability and death caused by heart or respiratory failure.
3. Cocaine users often become psychologically and physically dependent on the drug after relatively short periods of use. In many cases, crack cocaine use leads to virtual immediate addiction.

Amphetamines

1. Amphetamine is a central nervous system stimulant. It causes feelings of alertness and euphoria, increases heart rate and blood pressure. It dilates the pupils of the eyes,

decreases appetite, enables the user to go without sleep for relatively long periods of time, and causes distorted thinking.

2. Use causes dizziness, headaches, blurred vision, sweating, and loss of coordination, tremors, convulsions, physical collapse, anorexia, and malnutrition resulting from decreased appetite. It causes sudden blood pressure increases from injections resulting in fever, stroke, or heart failure, nervousness, irritability, drastic mood swings, hallucinations, paranoia and brain deterioration; overdose or continued heavy use can be fatal.
3. Amphetamines are addictive both physically and psychologically. Following the use of amphetamines, many users experience a “crash” which is often counteracted by taking more of the drug, creating an increasingly difficult pattern to break.

Opiates

1. Opiates are central nervous system depressants. The physical effects of opiates depend on the opiate used, the dose, and how the drug is taken. Effects may include; short-lived state of euphoria, followed by drowsiness, slowed heart rate, breathing, and brain activity, depressed appetite, thirst, reflexes, and sexual desire, and increased tolerance for pain.
2. The most common dangers associated with opiate misuse are; AIDS, blood poisoning, and hepatitis as the result of drug injection and use of un-sterilized or “shared” needles, death resulting from the injection of impure heroin, death resulting from an unexpectedly high purity of the drug, convulsions, coma, or death from overdose.
3. Opiates, particularly heroin, have an unusually high potential for abuse and addiction. Heroin addiction often leads to malnutrition, infection and unattended injuries and diseases. Addicts tend to continue using the drug despite damaging physical and psychological consequences.

Phencyclidine (PCP)

1. PCP is a central nervous system stimulant. The physical effects of PCP include; altered states of consciousness, disorientation, confusion, and memory loss; highly unpredictable and sometimes bizarre or even violent behavior, extreme agitation, impaired driving ability and increased tolerance to pain.
2. The most common dangers of PCP use are mental changes resembling schizophrenia. These include severe depression, loss of learning abilities and violent and other “intoxicated” behaviors resulting in bodily harm or death.
3. Physical dependence on PCP has been documented and may be accompanied by memory loss, violence, weight loss, and paranoia. Symptoms of withdrawal include headaches, intense cravings for the drug, increased need for sleep, and “flashbacks” for a period of years.

C. Signs and symptoms of alcohol misuse – Any one or more of the following signs may indicate a drinking problem.

- Family or social problems caused by drinking

- Job or financial difficulties related to drinking
- Loss of a consistent ability to control drinking
- “Blackouts” or the inability to remember what happened while drinking
- Distressing physical and/or psychological reactions if you try to stop drinking
- A need to drink increasing amounts of alcohol to get the desired effect
- Marked changes in behavior or personality when drinking
- Getting drunk frequently
- Injuring yourself – or someone else while intoxicated
- Breaking the law while intoxicated
- Starting the day with a drink

D. Signs and symptoms of substance abuse – Any one or more of the following signs may indicate an abuse problem;

- Poor physical coordination/slow reactions and slurred speech
- The odor of marijuana smoke in the area
- Hand tremors or unsteady walking
- Dilated or constricted pupils
- Disorientation/unusual restlessness
- Combative behavior, loud arguing or fighting
- The presence of drug paraphernalia and/or observing the employee ingest, inject, smoke, or inhale (snort) a prohibited substance
- Work performance problems, including a deterioration in quality and/or quantity of work
- Problems with attendance such as tardiness and increasing absenteeism
- Increased accidents and injuries
- Poor judgment and difficulty in concentration
- Personality changes, including aggressiveness, mood changes, fearful or paranoid behavior
- Negligence in personal hygiene or pale or sickly complexion
- Social withdrawal, including isolation, overreaction to criticism, and lack of eye contact
- Emotional changes such as noticeable signs of anxiety or depression, paranoia, or excessive laughing

E. Available methods of evaluating and resolving problems associated with the misuse of alcohol.

1. Outpatient programs exist in a variety of settings.
 - a. Community mental health centers
 - b. Full service agencies
 - c. Private physicians’ and therapists’ offices
 - d. Occupational settings
 - e. Specialized alcoholism treatment facilities
2. Inpatient services, designed for those with more serious alcohol problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.
3. Your local telephone directory will list helpful referral organizations such as:

- a. Local council on alcoholism
 - b. Alcoholics Anonymous
 - c. Community alcoholism or mental health clinic
 - d. Social services or human resources department
 - e. County medical society
4. The SAP will perform an initial evaluation, recommend any additional treatment if necessary, and will refer employees needing assistance for treatment covered under our health insurance program.

F. Where to find help for you or a co-worker:

- ***Substance Abuse Treatment Locator***
Phone: 1-800-662-HELP www.findtreatment.gov This Substance Abuse and Mental Health Services Administration (SAMHSA) Web site and toll-free phone line help individuals locate drug- and alcohol-abuse treatment programs in their communities.

Al-Anon 1-800-356-9996

Narcotics Anonymous 1-818-773-9999