



Custer County
**COMPREHENSIVE
PERSONNEL POLICY
2017**

**INCLUDING TRAVEL GUIDELINES AND
DRUG AND ALCOHOL POLICY**

BOARD OF COUNTY COMMISSIONERS APPROVED JUNE 30, 2017

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Welcome to Custer County!

A rewarding and challenging experience awaits you as an employee of Custer County. This Employee Handbook has been written to answer some of the questions you may have concerning the County, as well as to provide a consistent framework for personnel management within the County. All employees should familiarize themselves with the contents of this handbook as soon as possible, for it may answer many questions about your employment with the County.

We believe that each employee contributes directly to the success of the organization, and we hope you will take pride in being a member of Custer County's team.

We hope that your experience here will be challenging and enjoyable.

Board of Custer County Commissioners



MISSION STATEMENT

“CUSTER COUNTY will continue to strengthen partnerships with our community through high standards of customer service, communication, and commitment; thus, striving to enhance the quality of life for everyone.”

INTRODUCTION

IMPORTANT INFORMATION

THIS HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE COUNTY'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS, LETTERS, MEMORANDA, AND/OR INDIVIDUAL UNDERSTANDINGS.

EMPLOYMENT WITH CUSTER COUNTY IS "AT-WILL." EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE COUNTY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE COUNTY HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF CUSTER COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, AN EMPLOYEE WHO HAS QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE COUNTY RESERVES THE RIGHT TO INTERPRET OR CHANGE ANY CONTENT IN THIS HANDBOOK WITHOUT PRIOR NOTICE.

CHAPTER I PURPOSE AND INTENT

101 PURPOSE/INTENT/COVERAGE

This handbook applies to all County employees including all Department Heads. All departments within the County shall be subject to the provisions as contained herein. Although this handbook is not applicable to Elected Officials, it is the expectation of Custer County that all Elected Officials will maintain the standard of conduct established by Custer County.

This handbook is not intended to override or supersede any state or federal regulations or statutes that may apply to various aspects of County governmental functions.

Individual departments may have additional policies due to unique statutory or operating requirements but these policies apply in addition to and do not replace or supersede the Custer County Employee Handbook unless exempted by the Board of County Commissioners by vote in a public meeting. Additional policies must be submitted to the Human Resources Department for review to ensure that a conflict with the County Handbook does not exist. In event of a conflict, the information set forth in this handbook shall control and take precedent.

102 MANAGEMENT RIGHTS

The County Commissioners and other Elected Officials have the authority to direct County operations of their respective offices as provided for by the statutes of the State of Colorado. Included in this authority is the power for the Board of County Commissioners to appoint and remove department heads and other individuals directly responsible to the Board of County Commissioners.

Each department or office of County Government is responsible for handling specific personnel matters in its area in accordance with this handbook. Further included is the authority for other Elected Officials to appoint and remove personnel in their departments in accordance with this handbook or state statutes. Terminations of employment may result from, but are not limited to, situations involving public or employee safety, situations involving employee conduct and/or violations of the Custer County Employee Handbook.

103 GENDER NEUTRALITY

Any statements of gender are intended as gender-neutral, male and/or female references are all-inclusive covering either gender.

104 COMMITMENT TO DIVERSITY

Custer County is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the County and are valued for their skills, experience, and unique perspectives.

105 ETHICAL BEHAVIOR

As stewards of the public trust, all employees must be responsible for the property and resources of Custer County. All employees must act in the best interest of Custer County, the citizens and taxpayers of the County and the communities we serve. All Custer County employees will strive to follow Colorado Revised Statutes Code of Ethics (C.R.S. 24-18-101 et seq.).

106 AMENDMENTS AND CHANGES

Any exceptions to the guidelines stated in this handbook must be submitted in writing to the Human Resources Department. The Human Resource Director will present suggested changes to the Board of County Commissioners and/or other Elected Officials as appropriate for their approval.

The need may arise to change the guidelines described in the handbook. Except for the at-will nature of employment, the County reserves the right to interpret and change any information in this handbook without prior notice.

107 EMPLOYEES OF THE SHERIFF'S DEPARTMENT

The Sheriff's Department policies and procedures will take precedent for their employees for any discrepancies between this handbook and their policies as cited in C.R.S.

CHAPTER II CORE POLICIES

201 EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

The County is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex (pregnancy, sexual orientation, and gender identity), color, religion, national origin, disability, genetic information, or any other applicable status protected by federal, state, or local law.

202 AMERICAN WITH DISABILITIES ACT (ADA) and RELIGIOUS ACCOMMODATION

The County will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the County or a direct threat. Employees needing such accommodation are instructed to contact Human Resources Department (HR) immediately.

203 EEO HARASSMENT

The County strives to maintain a work environment free of unlawful harassment. In doing so, the County prohibits unlawful harassment because of age (40 and over), race, sex (pregnancy, sexual orientation and gender identity), color, religion, national origin, disability, genetic information, or any other applicable status protected by federal, state or local law.

Unlawful harassment includes verbal or physical conduct that has the purpose of or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age (40 and over), race, sex (pregnancy, sexual orientation and gender identity), color, religion, national origin, disability, genetic information, or any other applicable status protected by federal, state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or restraining an individual's movements.
- Social Media harassment.

This policy applies to all employees including Department Heads, Supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, salespersons, etc.

204 SEXUAL HARASSMENT

The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature," when:

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

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to:

- Written form such as cartoons, e-mail, posters, calendars, notes, letters, etc.
- Social Media harassment.
- Verbal form such as comments, jokes, foul, or obscene language of a sexual nature, gossiping, or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcoming touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

205 COMPLAINT PROCEDURE – EEO/ADA/SEXUAL HARASSMENT

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The County expects employees to make a timely complaint to enable an investigation and to correct any behavior that may be in violation of this policy.

Report the incident to the Human Resources Department which will investigate the matter and take corrective action, as necessary. Your complaint will be kept as confidential as practicable. If you prefer not to go to this individual with your complaint, you should report the incident to the Board of County Commissioners.

The County prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the County determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination.

206 PROBLEM RESOLUTION - GENERAL

The provisions listed here are intended to provide a means for resolving problems arising from misconduct by an employee or from a disagreement between an employee and a Supervisor or Elected Official/Department Head of the County.

The employee has a right to communicate dissatisfaction with work-related matters over which Supervisors have control.

If problems and complaints arise in the workplace, we encourage you to use the following procedure:

1. Discuss the situation with your Supervisor within three (3) to five (5) working days, or at least on a timely basis. Discussions held in a timely manner will enhance our ability to resolve concerns while it's fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.
2. If a resolution is not reached with your Supervisor or if it is inappropriate to go to your Supervisor, discuss the situation with your Department Head.
3. If the situation is not resolved, communicate the problem directly to the Human Resources Department.

Should further resolution be required, the information will be given to the Board of County Commissioners for review and final determination. The Board's decision is final.

207 WORKPLACE SAFETY

We believe employees should work in an environment without intimidation, threats or violence. Any action which, in management's opinion, is inappropriate in the workplace may result in disciplinary action. Such behaviors may include, but are not limited to, physical and/or verbal intimidation, threatening or violent conduct, vandalism, sabotage, or arson. Employees should immediately report any such occurrences to a Supervisor or Human Resources.

For purposes of this policy, "weapons" refers to an instrument manufactured or commonly used for attack or defense with the intent to harm persons or property including but not limited to guns, explosives, and knives with a blade longer than three (3) inches.

Any firearm in the possession of an employee on County property (including vehicles), whether on duty or off duty, must be concealed unless such employee is law enforcement personnel. At no time shall an employee ever show their concealed firearm except in response to a life or death situation. In order to lawfully carry a firearm concealed the employee must apply for and be issued a Concealed Carry Permit by the Sheriff.

The possession of all other weapons on/in County Property (including vehicles) is prohibited.

The County will promptly investigate complaints regarding workplace safety. If it is determined that an employee's conduct is in violation of this policy, appropriate disciplinary action may be taken against the offending employee. Employees should directly contact law enforcement or emergency services if he/she believes there is an imminent threat to the safety and health of themselves, co-workers, customers, clients, vendors, consultants, etc.

208 DRUG FREE WORKPLACE

The goal of the County is to provide our employees with a workplace that promotes health and safety and is free from the behavior altering effects of drugs and alcoholic beverages. The County follows federal law on the designation of illegal substances and strictly prohibits the illegal use, possession, or sale of controlled substances or alcohol by its employees. Employees are also expected to follow all physician, manufacturer, or package insert directions when taking a prescription or OTC (over the counter) drug.

To support the County's safety and health program and to comply with minimum federal safety standards for drivers of commercial vehicles, the County has established a Drug and Alcohol Policy (see Section XI). Drug testing will be an integral part of maintaining a drug free workplace.

209 SEARCHES & INSPECTIONS

The County reserves the right to conduct inspections on County premises/property. Cooperation in the conduct of inspections is required as a condition of employment.

Employees on the County's premises are subject to questions and search at the County's discretion. County property such as, County vehicles, lockers, desks, filing cabinets, computer files, E-mail, voice-mail, etc., are designated as having very limited personal use, and may be searched at any time.

A County-initiated search does not necessarily imply an accusation of theft or that an employee has broken a rule. Employees refusing to cooperate with or submit to search will be subject to discipline, which may include termination.

210 NEPOTISM

Members of an Elected Official's or employee's immediate family or household will be considered for employment on the basis of their qualifications of merit and fitness. However, Custer County recognizes that a close familial relationship between an employee and a Supervisor creates an actual conflict of interest or the appearance of a conflict of interest that has the potential to create an adverse impact upon employee work performance and morale and relates to fitness for Employment. Therefore, immediate family members or household members of Elected Officials or existing employees may not be hired, if:

- Immediate family or household member would be in a position to directly supervise another immediate family or household member.
- Immediate family or household member may have access to confidential information including personnel records.

- Immediate family or household member would audit, verify, receive, or are entrusted with money handled by another immediate family or household member.

For Nepotism, immediate family or household member is defined as parent, spouse, domestic partner, child, grandchild, grandparent, sibling, step children, step-relatives, nephew, niece, aunt, and uncle, persons who maintain a mutual residence, and current in-laws of the same relationship.

Employees who become immediate family members or household members as defined herein (“creation of the familial relationship”) may continue employment as long as their employment does not violate the conditions set forth above. If one of the conditions set forth above does result from the creation of the familial relationship, Custer County will make an attempt to transfer one of the employees. If such transfer is not available, one of the employees must resign within ninety (90) days from the date of marriage or the date familial relationship began. The decision as to which one resigns will be left to the two employees.

These guidelines apply to all categories of employment. It is the employee’s responsibility to disclose such a relationship. Failure to do so may result in disciplinary action.

211 CONFLICT OF INTEREST

Employees and Elected Officials have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This also includes the perception of any conflict of interest. This guideline establishes only the framework within which the County wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Board of County Commissioners for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or client of the employee.

If an employee has any situation, which may be an actual or potential conflict of interest, the employee must disclose this to their immediate Supervisor as soon as possible.

212 OUTSIDE EMPLOYMENT

Paid Employment outside of a regular full-time employee’s positions with the County and volunteer work are acceptable if the outside employment or volunteer work adheres to the following standards.

- The outside employment or volunteer work must not interfere with the employee’s ability to satisfy the occupational requirements, specific activities or responsibilities of the particular position.
- The outside employment or volunteer work must not represent or result in a conflict of interest or appearance of a conflict of interest between the private interests of the outside employer or volunteer agency and the County’s interests or employee’s duties and responsibilities to the County.

- The outside employment or volunteer work must not represent a conflict of interest or abuse of public office or the appearance of such conflict or abuse, in violation of Colorado State Law.

213 CONFIDENTIAL INFORMATION

Employees handling confidential information are responsible for its security. Extreme care must be exercised to ensure that it is safeguarded to protect the County and its clients or customers. Confidential information includes, but is not limited to, information concerning case management files, personal financial information on application forms, legal issues, and similar subjects.

Misuse or disclosure of confidential information obtained in the course of County employment could result in personal legal liability and disciplinary action, up to and including termination from employment. Documents and copies of documents, generated in the course of County employment are the exclusive property of the County and are not to be used for personal use or retained in the possession of an employee.

In addition, no employee may use confidential information or permit others to use it in the pursuit of private interests. Such actions are expressly prohibited.

The County will also comply to the extent applicable with the provisions of the “Health Insurance Portability and Accountability Act of 1996 (HIPAA).” This federal policy establishes rules and regulations governing personal medical information privacy issues. For further information go to www.hhs.gov/hippa.

Specific departments may have a more stringent written Confidentiality Policy.

CHAPTER III HIRING

301 EMPLOYEE WORK CLASSIFICATION

301.1 FULL-TIME EMPLOYEE

An employee is classified as a full-time employee who is normally scheduled to work at least 30 hours per week (depends on department). Full-time employees are eligible for County benefits.

301.2 PART-TIME EMPLOYEE

An employee is classified as a part-time employee who is normally scheduled to work less than 30 hours per week (depends on department). Part-time employees may be eligible for certain County benefits. There may be different classifications for part-time to clarify accruals of leave and sick time. For more information see the Human Resources Department.

301.3 SEASONAL EMPLOYEE

An employee who is hired in a job established for a temporary period or for a specific assignment is classified as a seasonal employee. Seasonal employees receive no County benefits other than those required by law or regulation. This classification may only be used for employees working less than six consecutive months for the County.

301.4 CONTRACT EMPLOYEE

An employee who is hired under the terms and conditions of a contract is classified as a contract employee. This does not include “independent contractors.” Such employees may be part-time or full-time, and receive no compensation or benefits from the County other than those outlined in the terms and conditions of their specific contract. Such contracts shall be reviewed and authorized by the Board of County Commissioners. In the event of a conflict between this policy and the contract, the contract shall control.

302 EXEMPT OR NON-EXEMPT STATUS

All County Employees are classified as either exempt or non-exempt from overtime pay under the Fair Labor Standards Act (FLSA).

302.2 EXEMPT EMPLOYEE

Exempt employees are paid on a salary basis, and must meet certain criteria under the Fair Labor Standards Act (FLSA). Exempt employees are not eligible for overtime pay.

302.3 NON-EXEMPT EMPLOYEE

Non-exempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of 40.0 hours per workweek, or other specified work period per the Fair Labor Standards Act.

Certain law enforcement personnel (as defined under the FLSA) would receive overtime for hours worked in excess of a work period consisting of one-hundred seventy-one (171 hours) in a twenty-eight day (28) period. The County reserves the right to decide on procedures for overtime that best suit the County's needs and budget.

Please reference page 16, 409.3 & 409.4 for Compensatory time information.

303 AGE OF EMPLOYMENT

The minimum age of employment with Custer County shall be sixteen (16).

304 JOB POSTING

Recognizing the need to fill available positions with the best-qualified people, the County may recruit from outside as well as consider qualified candidates in the County.

Normally, job openings are posted on the County's website for a least five (5) working days. Employees may submit applications to the Human Resources Department, Sheriff's Department, Road & Bridge Office or Clerk, Treasurer & Assessor.

Internal job announcements may be sent via e-mail to all employees or posted on bulletin boards.

305 VETERAN'S PREFERENCE

In accordance with Article XII, Section 15 of the Constitution of the State of Colorado, applicants of the County who are military veterans shall be given consideration over non-veterans, provided they are otherwise equally qualified for the position vacancy.

306 BACKGROUND CHECKS

Custer County reserves the right to perform background checks and/or investigations on any or all-potential employees after a conditional offer of employment has been offered. A background check revealing any felony conviction within the past seven (7) years may result in the offer of employment being withdrawn.

307 PRE-EMPLOYMENT PHYSICALS

All potential employees with a conditional offer of employment may be required to take a pre-employment physical, as defined by job descriptions, departmental policies or local, state or federal laws, and paid for by the county. If the examination determines that the individual is unable to perform the essential functions of the job with or without reasonable accommodation, then the conditional employment offer will be retracted.

308 DRUG TESTING

Applicants agree to be tested as a condition of employment. A conditional offer will be withdrawn for a positive result for any illegal drug or controlled substance without a valid prescription or if applicant refuses to take the drug test. In addition, drug testing may be required due to state/federal regulations regarding certain job positions, e.g., safety sensitive positions (DOT regulations require drug testing). The County may request additional testing if there is reasonable suspicion that the employee is under the influence of either drugs or alcohol. See County Alcohol & Drug Policy in Section XI.

309 POSITIONS REQUIRING A COMMERCIAL DRIVER'S LICENSE

Custer County complies with all regulations of the Department of Transportation for all drivers required to hold a commercial driver's license (CDL) in order to perform their job. Employees with a CDL will abide by DOT Drug and Alcohol Policy.

310 ORIENTATION

New employees are oriented by Human Resources Department and by the Supervisor of the department the new employee is entering. The orientation will be on subjects necessary to enable them to understand general County organization, the compensation plan, employee benefits, overtime and leave policies, retirement benefits, continuation of health benefits, authority, safety, and other areas of general interest.

CHAPTER IV PAY PRACTICES AND WORK HOURS

401 WORK HOURS DEFINED

Normally, our workday begins at 8:00 a.m. in the morning and ends at 5:00 p.m. in the afternoon. It may be necessary for employees in certain departments to work at times other than the regularly scheduled hours, depending on the needs of the County, e.g., Road & Bridge and Public Safety. At the discretion of the Board of County Commissioners, the Sheriff and the Road & Bridge Supervisor these departments may have an option of a four (4) day work week.

From time to time, you may be required to work overtime. For the purposes of calculating overtime, the workweek begins Sunday at 12:01 a.m. and ends Saturday at midnight. Different workweeks may be designated to facilitate the operation of a specific department. Law Enforcement will comply with FLSA rules for Law Enforcement and Fire Protection Employees.

The County reserves the right to decide on procedure for overtime that best suit the County's needs and budget.

402 MEALS AND BREAKS

Meal and break times are offered to all eligible employees. Since each department's needs are different, ask your Supervisor for the meal and break schedules in your department.

Generally, meal periods are 30-60 minutes in duration and breaks are fifteen (15) minutes long. While meal periods are counted as unpaid time, break periods are included in your paid work time.

Two break periods, not to exceed fifteen (15) minutes each, may be provided during the workday. Break periods are to be scheduled with your Supervisor at their discretion so as to provide continuous coverage of the telephone and other services. Break periods should not be used to shorten the workday or to extend the lunch period. When breaks must be skipped because of workload, it does not mean that you can leave early.

403 ATTENDANCE & PUNCTUALITY

Employees are expected to be at work and on time as scheduled. It is recognized that occasional amounts of absence for bona fide sickness are often beyond the control of the employee.

If it is necessary for an employee to be absent from work due to illness, injury, or emergency situation, he/she must notify the County as soon as possible. Employees should contact their immediate Supervisor, or if unavailable, the Department Head or the Human Resources Department. Employees should notify the County regarding the specific reason for their absence and expected return date. The Supervisor will decide the acceptable means of communication that should be used to request time off.

Tardiness is defined as being late in your arrival at your work site, i.e., after your scheduled reporting time. Tardiness is not an employee trait that Elected officials/department heads are expected to tolerate. Absenteeism or tardiness that is excessive in the judgment of the County will not be tolerated. Continual absenteeism or tardiness may result in disciplinary action.

Employees who are absent for three (3) consecutive workdays without notifying their Supervisor will be terminated. See Sick Leave section 703.3 for further information.

404 CLOSURE OF COUNTY FACILITIES

The County rarely closes due to adverse weather conditions or other events. In the event of an extreme weather situation or a catastrophic event, it may be necessary to close County facilities. The Board of County Commissioners are the authority to announce such a closure. Each employee should decide whether it is safe to travel. We expect all employees to make a determined effort to report for work, if it is safe, even if they are late.

Employees who have not reported to work should check for closure announcements on local radio station KLZR 91.7 FM and local television broadcasts. Employees should also check the County website: www.custercountygov.com.

Please refer to Appendix A- Closure Policy Phone Chain

If the County does officially close as a result of weather conditions, the following criteria shall apply:

- If the closure is authorized before normal working hours, employees will be paid for a regular work day.
- If the closure is authorized during a regular business day, employees at work will be excused at that time, and paid for their regular work hours.
- Employees not at work when the closure is authorized because they are on leave will have the time charged against their leave accruals as though the office/department had remained open.
- Employees who, for personal reasons, wish to leave work early during severe weather conditions may do so with permission from their Supervisor, and may be charged leave time for the hours they are absent from work.
- Employees who do not come to work due to weather conditions when a closure has not been authorized shall be charged leave time for their regular workday, or if leave is not available, it will be charged as leave without pay.

Some County services are required regardless of the weather. Elected Officials/Department Heads responsible for providing these necessary services will specify which employees are to report to work, and make the proper notifications (if required).

405 COMPENSATION ADMINISTRATION

The County considers a number of factors including organizational effectiveness, our need for attracting/retaining qualified and talented employees, as well as our financial position in setting compensation. The main tools utilized to determine compensation are:

- Job Description – The majority of our jobs have been defined in a written job description. These typically identify the purpose, responsibilities, qualifications, and accountabilities of the job.
- Performance Evaluation– This process measures an employee’s demonstrated job performance and results achieved. How well a job is performed is one of the major factors that determine eligibility for a merit increase.

406 SALARY FOR EXEMPT EMPLOYEES

It is our guideline to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a pre-determined amount of compensation for each pay period. The County is committed to complying with salary basis requirements which allows properly authorized deductions.

Deductions from salaries that are permissible:

- *Personal absences.* Employers may deduct for full day absences for personal reasons other than sickness or disability.
- *Absences for illness or injury.* Employers may deduct for full day absences due to illness or injury if bona fide sick pay/disability plans are in place.
- *Absences for FMLA Leave.* Employers may deduct for full day absences taken as FMLA leave and partial day absences for hours taken as intermittent or reduced FMLA leave.
- *Infractions of workplace conduct rules.* Employers may suspend exempt employees without pay for full days for infractions of written workplace conduct rules, i.e., serious workplace misconduct such as sexual harassment, alcohol & drug violations, etc. Such action would be taken upon completion of an investigation of the situation by the County Administrator and/or designee. If the County determines that an employee’s behavior is in violation of its personnel guidelines, then such disciplinary action will be taken.
- *First or last weeks of employment.* Employers may make partial week payments during an employee’s first or last week of employment.

If you believe an improper deduction has been made to your salary, you should immediately report this information to the Human Resources Department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be reimbursed.

407 SALARY FOR NON-EXEMPT EMPLOYEES - TIME REPORTING

All non-exempt employees may be required to complete a daily time sheet. Time cards should be submitted to Supervisor, Department Head or Elected Official at the end of each week. Time tracking should be submitted to payroll in a timely manner so payroll can be finished on time.

Proper recording of time is important for both the employee and the County.

408 PAY-DAY

Paydays are on the last working day of each month and cover the immediately preceding payroll period.

No advance wages will be paid. Each department must submit all information in a timely manner to complete payroll.

The County strongly urges all employees to use direct deposit.

409 OVERTIME

409.1 OVERTIME CALCULATION

Non-exempt employees are paid at the rate of one and one-half (1½) times their regular hourly rate for hours worked in excess of 40 during their established work period.

Certain law enforcement personnel (Defined as employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property and to prevent and detect crimes; who have the power to arrest and who have undergone training in law enforcement) would receive overtime for hours worked in excess of 176 hours in a work period consisting of a calendar month. (see Section 408 Paragraph 1 for work period clarification if necessary.)

The County reserves the right to decide on procedure for overtime that best suits the county's need and budget.

For the purposes of calculating overtime, the workweek begins Sunday at 12:01 a.m. and ends Saturday at midnight. Law enforcement personnel will follow the rules as set for by the FLSA.

For purposes of calculating overtime payments, only hours actually worked are counted. Consequently, hours paid, but not worked, e.g., vacation, sick leave, holidays, etc. are not counted.

409.2 AUTHORIZATION FOR OVERTIME

All overtime must be authorized and approved in advance by Elected Official or Department Head.

409.3 OVERTIME PAY VERSUS COMPENSATORY TIME

In accordance with the Fair Labor Standards Act (FLSA), Custer County has a policy of granting FLSA non-exempt employees compensatory time off in lieu of compensation for hours worked in excess of forty (40) hours per week, or other permissible work schedules for law enforcement, seasonal and other employees. The compensatory time may be granted at the discretion of the Elected Official/Department Head.

409.4 COMPENSATORY TIME

An employee may, under Federal Labor Standards Act, accrue a maximum of two hundred forty (240) hours of compensatory time / four hundred eighty (480) hours if in applicable law enforcement position. Any accrual of Compensatory Time or Overtime Pay must be approved by their appropriate Elected Official/Department Head, and/or their designee. It is intended that employees who have earned compensatory time off will be granted use of that time as soon as practical after the time's accumulation; some departments have internal policies which pay down any comp time in excess of 80 hours quarterly. Compensatory time will also be paid out upon termination. Such payment will be made from the appropriate departmental budget.

410 GARNISHMENTS, CHILD SUPPORT ORDERS & WAGE ASSIGNMENTS

By court action, a creditor can require the County to withhold a certain percentage of your pay. If garnishments or similar proceedings are instituted against an employee, the County will deduct the required amount from the employee's paycheck. Garnishment actions are conducted in compliance with appropriate Federal and State laws.

CHAPTER V EMPLOYMENT PRACTICES

501 PERSONNEL/EMPLOYEE RECORDS

The County maintains personnel files on each employee. These files contain certain documentation regarding aspects of the employee's employment with the County, such as performance evaluation, beneficiary designation forms, certifications, letters of commendation, etc. If you want to look at your file or discuss it with someone, contact the Human Resources Department to schedule an appointment.

To ensure that your personnel file is up-to-date at all times, notify the Human Resources Department of any changes in the following: Your name, telephone number, home address, marital status, number of dependents, beneficiary designations, education and training, emergency contact names and telephone numbers, and any other relevant information.

Generally, the employees' official personnel files are kept in the Human Resources Department (unless statute or regulations require different location). In those situations, a comprehensive supplemental file will be submitted to the Human Resources Department. Access to all personnel files, regardless of where they are kept, is governed by C.R.S. 24-72-201 et seq., regarding allowances or denial of public records.

Copies of any personnel actions taken for or against an employee must be submitted to the Human Resources Department in order to maintain an accurate and current reporting of the employee's status.

502 COUNTY PROPERTY

Employees who are issued County property, e.g., identification card, handbooks, vehicles, keys, electronic devices, laptops, credit cards and other similar items, are responsible for this property. Damaged or lost property due to carelessness, negligence, or other such action, may result in disciplinary action or restitution of damages based on your employment status.

Office equipment such as copiers, fax machines, etc. are intended for conducting County business. These may not be used for any activity that could be construed as invasive, illegal or contrary to the best interests of the County.

Tools and equipment owned by the County or kept on County premises are the responsibility of the employee using them. Damage or loss due to carelessness, negligence or other such action may result in disciplinary action and restitution of damages.

503 MATERNAL NURTURING

The County recognizes the importance of nutrition and nurturing during an infant's early development, and it will work with employees to facilitate a breastfeeding/nursing situation that benefits both the County and the employee. The maternal nurturing program is implemented

pursuant to C.R.S. 8-13.5-104 and 25-6-301. For more information, please contact the Human Resources Office.

504 OUTSIDE EMPLOYMENT

Employees involved in or contemplating outside employment should discuss the issue with their Supervisor. Despite any outside employment or business venture, employees are still required to perform the duties with Custer County.

Any outside employment must not affect an employee's ability to meet job requirements, perform competently, or accept overtime hours.

Any outside employment must not create or appear to create a conflict with the County's interests. Employees are not permitted to use any of the County's equipment or supplies for purposes related to outside employment.

505 REFERENCES

Employees who are approached either formally or informally and asked to provide information about former employees of the County will refer such inquiries to the Human Resources Department.

506 SOLICITATION

The County prohibits solicitation of any type and for any purpose during scheduled working time without prior approval and check in with Court Security Personnel on its' premises. This applies to both employees and non-employees alike. Prohibited solicitations during scheduled working hours include: the general public selling retail goods to employees, any employee trying to sell any item to another employee, or any other solicitation determined to be inappropriate by Custer County. Regular vendors of the County will conduct their business through authorized County personnel.

Working time does not include break periods, mealtimes, or other specified periods during the workday when employees are not engaged in performing their work tasks. Distribution of circulars, handbills or literature of any kind during working time is not permitted. Literature may be placed on bulletin boards.

507 SMOKING & TOBACCO-FREE WORKPLACE

In order to maintain a safe and healthy working environment and to ensure compliance with applicable law C.R.S. 25-14-201 et seq., smoking and tobacco use is prohibited throughout all County offices, facilities, and vehicles.

Employees can smoke outdoors only during regularly scheduled breaks and lunch periods. The duration or number of breaks cannot be extended in order to smoke. Smoking is prohibited within fifteen (15) feet of any building entrance.

508 VISITORS

Visitors are welcome, but their presence may be a distraction to other employees. The presence of personal visitors may present safety and liability problems for the visitor, employees and the County. In consideration of fellow employees and their work, please limit the duration of personal visits.

Please refer any unauthorized person in the area to your Supervisor or the Court Security Officer.

509 WORK –RELATED INJURY & ILLNESS

The County's goal is to provide a safe and healthy work environment. The biggest factor in ensuring your safety on the job is YOU. It is YOUR responsibility, to both yourself and those working in your area, to practice safe work habits. Report any unsafe practices and conditions to your Supervisor so corrective action can be taken.

Report all accidents, no matter how minor, to your Supervisor and the Human Resources Department within two (2) working days. We want to provide you with prompt medical treatment from one of our designated physicians. Treatment for on-the-job injuries must be obtained from one of these designated physicians or else you may be responsible for medical treatment. If the injury requires emergent care, the employee should seek the nearest emergency care facility.

Prompt reporting of the accident will help us to take steps necessary to reduce the possibility of future accidents.

510 WORKPLACE VIOLENCE PREVENTION

Custer County is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner.

Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace at County-sponsored functions.

All Custer County employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their Supervisor, manager or the Human Resources Department. All

threats will be promptly investigated. The County will not tolerate retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against the County, its employees, or its property may be prosecuted to the full extent of the law. All actions will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action, up to, and including termination.

511 EVACUATION

Custer County has established evacuation plans to safely and efficiently evacuate employees and visitors from County buildings under emergency situations. The priority is life safety as well as protection of all assets. Employees should become familiar with their department evacuation plan, as well as the evacuation plan of any County building in which they frequently work.

The Office of Emergency Management, The Sheriff's Department, Court Security and Wet Mountain Fire Protection District will be vital in any County evacuation process.

CHAPTER VI STANDARDS OF CONDUCT

601 STANDARD OF CONDUCT

The County recognizes certain guidelines of conduct are necessary for the orderly operation of the business and the benefit and protection of the rights and safety of all employees.

Every employee is expected to have general knowledge of, and to adhere to, personnel rules, regulations and basic laws governing their employment.

When on duty and in the performance of their job duties, each employee is a representative of Custer County and is required at all times to use their best efforts to perform their assigned duties in a prompt, skilled, efficient, courteous, respectful and impartial manner.

Each employee will be required to comply with any other departmental and job specific rules of performance and in addition to these general rules.

1. Initiative. Every employee is required to engage in continuous learning about their employment duties, the future needs of departmental and county operations, and how to improve the County's service to the public. This results in enhanced value for the employee's own career prospects. Employees are expected to ask questions about situations that require unpracticed or unfamiliar skills.
2. Promptness and Reliability. Every employee is required to report for work promptly on each work day; attend to and perform their job duties in a prompt and reliable manner with a minimum of supervision, and report to their Supervisor regarding their whereabouts and activities on a reliable basis.
3. Efficiency. Every employee is required to perform their work in an efficient manner, to the best of their abilities, to use prudent judgment, and follow safe workmanlike practices in their use of County property.
4. Responsibility. Every County employee is required to act in a responsible manner, use prudent business judgment in the utilization of resources and time, and to understand how to apply a practical knowledge of task performance and legal constraints to the employee's job duties.
5. Honesty. Every employee is required to perform their job duties in an honest and ethical manner, and to volunteer information to supervision that is relevant and necessary for the County to operate legally and effectively.
6. Courteousness and Dignity. Every employee is required to interact with their fellow employees and the general public in a courteous manner, taking care to act respectfully toward the rights and opinions of others. Every employee has the right to be treated with dignity and respect by their fellow employees, Supervisors, and the general public.

7. Impartiality. Every employee is required to act equitably and with neutrality in the performance of their work and in all interactions with their fellow employees and the general public.

601.1 UNACCEPTABLE CONDUCT

To promote understanding of that which is considered unacceptable conduct, the County offers the examples listed below for the identification of improper conduct that may be the subject of immediate discharge. This list is a sample and should not be considered all inclusive. Custer County retains the right to identify conduct, which may not be listed below as improper and to treat the same as the subject of immediate discharge.

1. Theft, unauthorized removal from the premises, or conversion to personal uses of property and/or merchandise belonging to the County, another employee, or a member of the public.
2. Altering or falsifying County records including, but not limited to, reports, documents or other financial records.
3. Failure to properly record County business transactions and/or handling of cash in a manner inconsistent with department policies and procedures.
4. Any violation of Custer County's Drug and Alcohol Policy. Providing false information on employment application or other personnel records or failing to answer all questions fully and truthfully.
5. Willful actions resulting in injury to individuals or willful destruction/damage to County property, employee property or citizen.
6. Unauthorized intentional divulgence of any confidential County records.
7. Flagrant insubordination – refusal to follow reasonable supervisory instruction.
8. Leaving work during the standard work schedule without notifying a Supervisor or their designee as the case may require.
9. Failure to report a felony or other criminal act, which occurred within the past seven (7) years either on or off the job, which may result in negative consequences for the County, or which may have a negative impact on the working relationship of other employees.
10. The use of profane or vulgar language in the workplace, or language involving terms descriptors, or epithets focused negatively on any one person or group based on race, sex (pregnancy, sexual orientation and gender identity), color, religion, national origin, disability, genetic information, or any other applicable status protected by federal, state or local laws.
11. Engaging in political activities during business hours.

602 APPEARANCE, ATTIRE & HYGIENE

A clean, neat appearance is expected of you.

Custer County adopts a business casual dress code which may include jeans, polo shirts, etc. Shorts, midriffs, halter tops, and similar items of casual attire would not be appropriate. Casual never means sloppy. All clothes must be clean, wrinkle-free, and in good repair. Hats should not be worn indoors by office employees.

To create a favorable impression, one must be well groomed at all times. Body odor, bad breath, cigarette smoke and excessive use of perfume or cologne may be offensive to co-workers and to the public.

If employees report for work improperly dressed or groomed in the County's opinion, the Supervisor or Department Head may instruct them to return home to change clothes or clean up.

Department Head may utilize a higher standard of appearance, attire, or hygiene due to the nature of the department interaction with the public.

All law enforcement personnel will wear their Personal Protective Gear as required.

603 COMMITMENT TO SAFETY

Protecting the safety of our employees and visitors is one of the most important aspects of running our County.

All employees have the opportunity and responsibility to contribute to a safe work environment by using common sense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

604 GRATUITIES & GIFTS

Article 29 of the Colorado Constitution was approved by voters in 2006, and is applicable to all County employees and Elected Officials. It essentially established standards of ethical behavior that must be recognized by all levels of Colorado government. It "forbids the acceptance of any money, forbearance or forgiveness of debt, by any regulated person, unless that person provides equal consideration in return." This applies to the employee, their spouse and dependents. It also provides an exception for a "gift or gifts" that have a value as set forth in the Colorado Constitution.

605 POLITICAL ACTIVITY

The County encourages employees to participate in the political and governmental affairs of the community. Employees are encouraged to be informed about, work for, contribute to, and communicate with candidates and officeholders. The County encourages its employees to exercise responsible citizenship and does not intend to interfere with their conduct and

involvement with political activity, as long as those activities are pursued during hours when the employee is not on duty, and the activities do not reduce the employee's efficiency or disrupt fellow employees at their job.

If engaging in any political activity, the employee must do so as an individual and not as a representative of the County or on County property. Campaigning, fund raising, and other partisan political activities must be conducted on the employee's own time. The County may deny time off for political activity when the activities, in the opinion of the County, would unduly interfere with the employee's fulfillment of any obligations to the County.

606 DISCIPLINE/DISCHARGE

Employees must at all times comply with County expectations for work, performance, and conduct. Failure to do so may result in any or all of the following actions: counseling, verbal reprimand, written warning, written reprimand, demotion, suspension and/or termination.

Progressive discipline is not required under this policy. Utilization of any disciplinary process shall not create a precedent for any future corrective action.

Department Heads may decide in their judgment which of these actions would most effectively resolve the concern. Department Heads will assure any disciplinary action is documented and provide a copy to the Human Resources Department.

607 LEGAL DEFENSE OF CLAIM

Under C.R.S. 24-10-101 et seq., the County may be responsible for legal costs, judgments, settlements, etc., for claims or suits brought against its employees in the performance of their job duties, provided those actions were not willful or wanton. Employees need to immediately notify the Board of County Commissioners when any such legal action is brought against the employee. No private legal counsel arranged solely by the employee will be paid or reimbursed by the County. Any compromise or settlement of a claim by an employee without the approval of the County shall result in the County's refusal to pay such costs, judgment, or settlement.

608 SEPARATION FROM EMPLOYMENT

An employee who resigns or retires must notify his or her immediate Supervisor of their anticipated departure date and go over the required paperwork for separation (conversion of insurance, return of property, delivery of final paycheck, etc.) with the Human Resources Department.

"Last day worked" is defined as the last day the employee is physically on the job. Vacation and sick time may not be used to extend last day worked. The employee may receive more than one check through the last day actually worked to reconcile payouts for accrued leave. Employees do not accrue any additional leave nor are they eligible to use leave after their "last day worked."

609 EXIT INTERVIEWS

Exit interviews with the Human Resources Department are normally scheduled for outgoing employees. The purposes of this interview are to review eligibility for benefit continuation and conversion, to ensure that necessary forms are completed, to collect all County property that may be in the employee's possessions (e.g., County credit cards, keys, identification cards, etc.), and to provide employees with an opportunity to discuss their job-related experience.

610 REHIRE

Employees considered for rehire with the County will need to meet satisfactory performance and attendance standards. Employees separated from employment through no fault of their own in the judgment of the County may also be considered for rehire. Any person seeking rehire may do so by applying to the Human Resources Department. For purposes of benefits and accruals, hire date will be the first day of continuous employment.

Employees discharged for cause shall not be considered for rehire.

611 APPEAL PROCESS FOR TERMINATION

An employee or Department Head who is discharged from County employment may appeal the decision if applicable, to the Board of County Commissioners as set forth herein no later than three (3) working days after discharge occurs. Failure to appeal in a timely manner or failure to follow the procedures set forth herein shall bar any right of appeal.

- A. Appeal requests from employees other than Department Heads, must be in writing to the Human Resources office within three (3) working days of discharge. Appeal requests made by Department Heads must be in writing and provided to the Chairman of the Board of County Commissioners. Any request shall include the name, position, and address of the discharged employee; the action complained of; and shall specifically set forth each and every ground upon which the appeal is based.
- B. Upon receipt of a timely request, an informal hearing shall be held within five (5) working days with the discharged employee, the appropriate Department Head or Elected Official, and the Human Resource Director. This time may be extended by the County for good cause.
- C. The Discharged Employee shall have the burden of proof of showing by a preponderance of the evidence that the discharge was arbitrary and capricious and not supported by any competent evidence or that the discharge was based upon discriminatory practice, political opinion or affiliation, or violation of a protected constitutional right.

- D. The Discharged Employee and the Department Head or Elected Official have the right to present oral or documentary evidence. In the event the Discharged Employee is a Department Head, the Human Resource Director has the right to present oral or documentary evidence. Unless otherwise requested by the Discharged Employee at the time of filing the appeal, the hearing shall be closed to the public or held in executive session as necessary.
- E. The hearing shall be recorded and shall allow adequate time for the Discharged Employee and the Department Head or Elected Official to present their respective position, but, in no event shall the hearing last more than 2 hours, to be divided equitably between the parties.
- F. The Board of County Commissioners and the County Attorney, if applicable, shall render a final decision no later than five (5) working days after the date of the hearing. A copy of the request for a hearing, audio recording of the testimony, introduced exhibits and the final decision shall be sent to the Human Resources Director for filing. A copy of the final decision shall be sent to the Department Head or Elected Official and a copy of the decision shall be mailed, certified postage prepaid, to the Discharged Employee at the last known address on file.

EXCEPTION: Deputies of the Sheriff's Department shall comply with the disciplinary and due process procedure of the Sheriff's Policy and Procedure Manual, as adopted and amended from time to time by the Sheriff.

CHAPTER VII TIME OFF AND LEAVES OF ABSENCE

701 ELIGIBILITY FOR LEAVE

Paid leave is granted to employees on a pro-rated basis working more than 24 hours per week as set forth in Section 703.2. All leave is calculated on the number of hours for which the employee has been hired to work per week.

Employees working 25 to 32 hours per week are eligible for accruals of sick and vacation or annual leave on a prorated basis.

Employees classified as seasonal, on-call, intermittent, or part-time (23hours per week or less) are not eligible for paid leave.

702 GENERAL PROVISIONS FOR LEAVE

Paid leave will not be granted for scheduled days off or for hours greater than what the employee is normally scheduled to work in a shift. For the purpose of calculating overtime; annual, holiday and sick leave shall not be counted as hours worked within a work week.

When an employee is unable to report to work, he or she (or a family member if incapacitated) is responsible for personally notifying his or her Supervisor of the absence prior to the normal starting time or as soon thereafter as possible. An employee's failure to notify his or her Supervisor may cause the absence to be designated as unauthorized leave and/or leave without pay and the employee may be subject to disciplinary action. All other leave requests should be made according to the guidelines outlined for each leave type taken.

It is the responsibility of the individual employee to request leave through their Supervisor. Employees are responsible for monitoring his or her leave accruals and usage as it appears on their paychecks and for notifying Human Resources Department immediately of any discrepancies. All leave discrepancies should be resolved within 30 days of accrual.

All requests for leave shall be made in advance of the start date, except for requests of sick leave which shall be made as soon as possible.

Paid leave may be used upon accrual and may not be used in advance.

Official records for all leave types and compensatory time shall be maintained by the Custer County Finance Department.

703 PAID LEAVE

703.1 HOLIDAYS

In general, the following holidays are observed by the County:

New Year's Day Martin Luther King's Day President's Day Memorial Day Independence Day Labor Day	Columbus Day Veterans Day Thanksgiving Day Friday after Thanksgiving Christmas Eve or the day after Christmas and Christmas Day
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The list of authorized holidays is approved on an annual basis, and may be changed at the discretion of the Board of County Commissioners.

When a holiday falls on a Saturday, it is observed on the preceding Friday. When a holiday falls on a Sunday, the following Monday is observed.

Employees must either have worked or been on County paid leave the full working day before and the first full working day after the holiday in order to be granted holiday leave with pay.

Employees on a general leave of absence without pay or on work-related injury leave, and temporary/part-time employees are not eligible for holiday leave with pay.

Holiday hours will be calculated by weekly work schedule designated for each employee.

Holidays are not counted as hours worked in the computation of overtime.

703.2 VACATION LEAVE

Vacation leave is granted to eligible employees on a semi-monthly (pay period) basis. Currently, employees are granted vacation leave as set forth below:

	PAY PERIOD ACCRUAL RATES BASED ON ANNUAL BUDGETED HOURS (Calculation for work week different than those listed will be calculated on a percentage basis.) No accruals for employees working less than 24 hours per week.	
Length of Continuous Employment	Work week of 30 hours	Work week of 40 hours

At one year completed	4 days	5 days
2 years to 5 years completed	10 days	12 days
6 years & over completed	13 days	17 days

Employees are responsible for scheduling their vacation, in advance, with their Supervisor and must receive the Supervisor's approval. Vacations are scheduled in a manner that minimizes interruptions to County operations.

When a paid holiday falls within the employee's vacation period, holiday hours will be used in lieu of vacation hours.

The maximum vacation accrual for full-time employees shall be one year carry over accumulated leave which must be taken by the employee's anniversary date of the following year or it shall be forfeited.

Employees will be permitted to accrue vacation leave until they reach the annual accrual cap of 272.0 hours. Once an employee reaches the annual cap, no additional leave will be accrued.

Accruals will again start when the employee's accrued leave falls below the maximum accrual cap (272.0 hours). The County encourages its employees to take some time away from the job.

Employees must take vacation hours compatible with their weekly work schedule. Vacation is not used in the computation of overtime.

Upon separation of employment, employees are compensated for earned unused vacation leave. The vacation leave will be paid out at the pay rate in effect at the time of separation.

703.3 SICK LEAVE

If you become ill or injured and cannot come to work, you are eligible to use accrued sick leave. It is your responsibility to notify your Supervisor each day at the beginning of your shift when you cannot come to work because of an illness or injury. If you cannot reach your Supervisor, please contact the Department Head or Human Resources Department. You should notify the County of the specific reason for your absence and expected return date. Voicemail and text messages are acceptable for notification. Your manager may request medical certification for sick leave paid at any time. In the event an employee is absent for more than three (3) consecutive days, medical certification from a healthcare provider may be required.

Sick leave taken is calculated by the employee's work schedule.

Eligible employees will be granted sick leave as follows:

PAY PERIOD ACCRUAL RATES BASED ON ANNUAL BUDGETED HOURS	
(Calculation for work week different than those listed will be calculated on a percentage basis.) No accruals for employees working less than 24 hours per week.	
Work week of 30 hours	Work week of 40 hours
6 hours per month	8 hours per month

Employees will be permitted to accrue sick leave until they reach the accrual cap of 480.0 hours. Once an employee reaches the accrual cap, no additional leave will be accrued. Accruals will again start when the employee’s accrued leave falls below the maximum accrual cap (480.0 hours). Employees will be eligible for a pro-rated payout of unused sick leave at following rates:

- 0-5 years of employment – payout of up to 5 days
- 6-10 years of employment - payout of up to 10 days
- 11-15 years of employment- payout of up to 15 days
- 16 plus years of employment –payout of up to 20 days

This payout is only available to employees who voluntarily resign or retire. Any leave donated pursuant to 703.4 after an employee tenders their resignation shall be excluded from any pro-rated payout for which the employee may be eligible to receive.

Years of service will be calculated from anniversary date to anniversary date. Less than a full year will be moved back to last anniversary date worked.

Sick leave will not be paid to employees that are terminated for cause.

Sick leave is not used in the computation of overtime.

703.4 DONATE SICK LEAVE TO FMLA QUALIFIED EVENT

Employees may also voluntarily donate a portion of their sick leave to fellow employees. This donation will be limited to forty (40) hours per contributing employee per FMLA qualifying event.

The employee must be on FMLA leave and have exhausted all accrued sick leave and vacation leave before being eligible to utilize any donated leave from other employees. Employees may not directly solicit for donations of sick leave and may be disciplined if such occurs. All requests for donated leave shall be done through Human Resources. Any unused donated leave will be credited to the donating employee at the end of the FMLA event. Under no circumstances shall the donated leave carry past 12 weeks of FMLA time or extend the FMLA period. Tracking of donated sick leave will be done by the Department Admin and the Finance/HR Department.

703.5 BEREAVEMENT/FUNERAL LEAVE

In the event of a death in their immediate family, eligible employees are granted a paid leave of up to two (2) workdays. Bereavement leave must be used within six (6) months of event. For purposes of Bereavement/Funeral Leave, immediate family is defined as spouse, brothers, sisters, parents, children, grand-children and grandparents, and current in-laws of the same relationship. For funerals of other relatives or friends, employees may take personal time off or an unpaid leave upon the approval of their Supervisor.

703.6 JURY/WITNESS DUTY

703.6.1 Jury Duty

The County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. The employee must make sure that their Supervisor is notified of this selection for jury duty. If the employee is excused from jury duty during regular work hours, they are expected to report to work promptly.

Employees receive regular pay for the first three (3) days of jury duty if they were scheduled to work and a juror service certificate is submitted. No allowance shall be given for "overtime" in situations where the jury is required to stay past normal working hours. Beginning the fourth day and thereafter, employees serving as a juror are paid by the State of Colorado for state, district, or county courts. Employees may elect to receive paid time off during jury service by using the vacation leave.

703.6.2 Witness Duty

Employees who are required to appear as witnesses in cases that relate directly to their employment with the County will be granted court leave with pay on the condition that any compensation received for such services during working days shall be given to the County.

Employees who are required to appear in court on matters that do not relate directly to their duties (jury duty accepted), will not be granted court leave. Vacation, compensatory leave, or general leave without pay may be authorized.

703.7 VOTING

Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their Supervisor no later than the day prior to election. If requested, an employee may be eligible to receive up to two (2) hours of "voting time" pursuant to the conditions outlined in C.R.S. 1-7-102.

704 UNPAID LEAVE

704.1 FAMILY & MEDICAL LEAVE ACT (FMLA)

The County provides up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- Serious health condition that makes the employee unable to perform the employee's job.

704.1.1 Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current 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 (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".

704.1.2 Benefits & Protections

During FMLA leave, the County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave.

If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leave, vacation leave, sick leave and holiday hours may not accrue during the period of unpaid leave. Holidays, funeral leave, and other types of leave are not granted on unpaid leave. The County cannot guarantee reinstatement except as provided for by law concerning Military Leave and Family Medical Leave.

704.1.3 Eligibility Requirements

Employees are eligible if they have worked for the County for at least twelve (12) months, for 1,250 hours over the previous twelve (12) months, and if they work at a work site with at least fifty (50) employees within seventy-five (75) miles.

704.1.4 Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive full calendar days combined with at least two (2) visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

704.1.5 Use of Leave

The maximum time allowed for FMLA leave is either twelve (12) weeks in the twelve (12) month period as defined by the County, or twenty-six (26) weeks as explained above. The County currently uses a "rolling" twelve (12) month period measured backward from the date an employee uses any FMLA leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the County's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

704.1.6 Substitution of Paid Leave for Unpaid Leave

The County requires employees to use accrued paid leave while taking FMLA leave. Leave will be used as follows: accrued sick leave and then accrued vacation leave. Donated leave will be used as it is turned in to Human Resources. Any leave needed that is not covered by accrued leave or donated leave will be taken without pay. FMLA leave is without pay when paid leave benefits are exhausted.

704.1.7 Employee Responsibilities

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal-call in procedures.

Employees must provide sufficient information for the County to determine if the leave may qualify for the FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the 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.

Employees will be required to provide a certification and may be required to provide periodic recertification supporting the need for leave. The County may require second and third medical opinions at the County's expense. Documentation confirming family relationship, adoption or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the County's attendance guideline. Employees on leave must contact the Human Resources Department at least two (2) days before their first day of return.

704.1.8 County's Responsibilities

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the County will provide a reason for the ineligibility. The County will inform employees if leave will be designated as FMLA-protected

and the amount of leave counted against an employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

704.1.9 Unlawful Acts

FMLA makes it unlawful for the County to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or in relation to FMLA.

704.1.10 Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the County.

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

704.2 LEAVE WITHOUT PAY

Leave without pay may be available for employees facing a situation that requires time off in excess of their accruals. Requests for general leave without pay must be authorized by the Department Head. Employees need to state the reason for the leave request and time of duration. Failure to obtain authorization or other such types of abuse may result in disciplinary action. Employee requests for leave without pay in excess of ten (10) work days must be submitted to an Elected Official or the BOCC for review and authorization. A maximum of thirty (30) days may be authorized.

The County may continue to provide health insurance benefits until the end of the month in which the approved leave begins. At that time, the employee will be responsible for the full costs of their health insurance benefits if the employee wishes coverage to continue. The County will resume payment of its share of the costs of these benefits when the employee returns to active employment. Benefit accruals (e.g., vacation & sick leave, etc.) are suspended during the leave and may resume upon return to active employment.

When leave ends, the employee may return to the same position, if available, or to a similar one for which qualified, where practical. If the previous position or a comparable one is not available,

the employee may apply for another position that is available and suitable. The County cannot guarantee reinstatement.

If an employee fails to report to work promptly at the end of the approved leave period, the employee is terminated.

704.3 MILITARY LEAVE

Employees granted a military leave of absence are reinstated and paid in accordance with the laws governing veterans' re-employment rights. Currently, these requirements are defined in the Uniform Services employment and Re-employment Rights Act of 1994 (USERRA) and C.R.S. 28-3-601. The County cannot guarantee reinstatement except as provided for by law concerning Military Leave and Family Medical Leave.

704.4 WORKERS' COMPENSATION LEAVE

An employee who becomes incapable of performing their normal duties as the result of an injury or illness incurred as a result of activities performed within the scope of the employee's employment shall be deemed to be on workers' compensation leave.

Custer County will pay the employee their full day wages for the date of injury. The Workers' Compensation Act of Colorado requires a three (3) working day waiting period during which the injured employee receives no disability wage. Any employee on workers' compensation leave may be compensated for the three (3) working days waiting period if they choose to utilize sick leave. If the employee does not have sick leave available, the employee may then use vacation leave. If no sick leave or annual leave is available, the employee will be on leave without pay.

Workers' compensation leave will be authorized by the following steps:

1. First report of injury is initiated by the employee and submitted to Human Resources within 24 hours after the accident occurrence.
2. An employee has a written statement from the County's Designated Provider concerning the employee's treatment and their inability to return to work.

If the employee qualifies for FMLA, FMLA will run concurrent with workers' compensation leave. All contributions for health insurance and other benefits will follow FMLA guidelines.

An employee shall not accrue annual leave or sick leave while on workers' compensation leave if the employee is unable to return to work beyond the three (3) day waiting period. If the employee is released to work on a reduced-hour basis and is provided and performs employment on this basis, he/she will accrue their accruals on a prorated basis based on the actual hours worked.

The Human Resources Department may request the employee to be examined and treated by a physician selected by the County and/or its insurance carrier. If the employee attends the appointment arranged by the Human Resources Department, the time will be considered work time

and paid by the County. The cost of said examination and treatment shall be at the expense of the workers' compensation insurance carrier or the County. If the employee refuses treatment at the time of Human Resources' request, the employee's workers' compensation file will be noted "refused treatment," which may affect the workers' compensation benefits for their claim.

704.5 TIME FOR RELIGIOUS OBSERVANCE

Employees shall be allowed time off to attend religious observances where such accommodation to the employee does not constitute an undue hardship on the operation of County business. Such religious leave shall be charged as vacation leave or compensatory time.

CHAPTER VIII COMMUNICATIONS

801 COMPUTER SYSTEMS

The County's computer network, access to Internet, email, voicemail systems or devices to use such are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the County. All information regarding access to the County's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential County information and may not be disclosed to non-County personnel.

All computer files, documents, and software created or stored on the County's computer systems are subject to review and inspection at any time. Employees should not assume that any such information is confidential, including email either sent or received. Upon separation from employment, all business tools will be returned to the County.

802 PERSONAL USE OF THE INTERNET

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. No personal use of the County Internet is permitted.

The County prohibits the display, transmittal, or downloading of material that is in violation of County guidelines or otherwise offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time. As noted in Section 801, computer files, emails and voicemails have very limited personal use, and may be searched at any time.

Please see also: Appendix C: The Custer County Social Media Policy.

803 SOFTWARE AND COPYRIGHT

The County is a licensee, and does not own the software it utilizes. Therefore, use of the software must be in accordance with the applicable Software Agreements or as directed by Elected Official/Department Head.

Employees may not copy or use any software, images, music or other intellectual property (such as books or videos) in violation of state or federal law. Employees may not use unauthorized copies of software on personal computers housed in County facilities.

804 UNAUTHORIZED USE

Employees are not permitted to visit websites or send electronic mail that is deemed by the County as inappropriate or in violation of other County guidelines. We reserve the right to determine when an employee is using the County communication systems inappropriately.

805 EMAIL

Because the County provides the email system to employees to help them with the performance of their job, it should be used for official County business. Personal use of email is not permitted. Employees should be aware that personal messages may be treated the same as business messages, and may be subject to review at any time without notice. The County may monitor email from time to time. As noted in Section 801, computer files, emails and voicemails have very limited personal use, and may be searched at any time.

Employees should use discretion when sending emails. Do not write anything in an email message that is inappropriate to say to another face-to-face. Regardless, the County prohibits the display, transmittal, or downloading of material that in violation of County guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory or otherwise unlawful at any time.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's email messages.

806 VOICEMAIL

The County voicemail system is intended for transmitting business-related information. Although the County does not monitor voice messages as a routine matter, the County reserves the right to access and disclose all messages sent over the voicemail systems for any purpose. Employees must use judgment and discretion in their personal use of voicemail and must keep such use to a minimum.

807 SOCIAL MEDIA

Whenever an employee uses social media, the employee should use good judgment. The County requests that the employee be respectful of the County, our employees, our customers, our partners and affiliates, and others. Comments that are detrimental to the County should be avoided. Inappropriate remarks/comments may subject an employee to disciplinary action.

Nothing in this guideline is meant to interfere with the employee's right under federal law to engage in protected and concerted activity, including the employee's ability to discuss terms and conditions of their employment.

Please see also: Appendix C: The Custer County Social Media Policy.

808 TELEPHONES/CELL PHONES

In the interest of good business practice, personal telephone calls, including those made with cell phones, must be minimal and not interfere with employee's performance of their job. Personal use of the County telephones for long distance is not permitted.

Employees are expected to follow all state and federal regulations regarding the use of electronic equipment while operating a motor vehicle or heavy equipment.

CHAPTER IX BENEFITS

For more information about the following benefit plans, eligibility requirements, etc., please contact the Human Resources Department or refer to the various Summary Plan Descriptions. In the event the above information conflicts with the actual terms and conditions of coverage, the latter governs.

901 ELIGIBILITY

The County currently offers a full range of benefits to eligible employees. An eligible employee must work a minimum of 24 hours per week to qualify. Holidays pay, vacation and sick leave accruals begin on the first day of employment. All other benefits except for retirement will begin on the first of the month following an employee's thirty (30) calendar days on the job. (Example, start date 9/15 benefits will begin 11/1.) Retirement deduction and match will begin on the first of the month following employee's 6 month anniversary date.

902 INSURANCE BENEFIT PLANS

The County's comprehensive benefits package includes a number of different plans for employees.

The County currently offers these plans:

- Medical Insurance Plan – helps pay covered medical expenses for you and your dependents.
- Dental Insurance Plan – helps pay covered dental expenses for you and your dependents.
- Vision Insurance Plan – helps pay covered vision expenses for you and your dependents.
- Life Insurance Plan – provides term insurance coverage for you and your dependents. Supplemental life insurance coverage is also available.
- Other Insurance Plans – other types of employee sponsored insurance plans are also available.

903 RETIREMENT

The County currently provides a retirement program which is mandatory for all eligible employees after six (6) months of employment. The retirement program consists of a percentage taken from employee's wage pre-tax and matched by the County. These funds are deposited into a 401(a) plan in the employee's name. The percentage is set by the Board of County Commissioners. This is in addition to your Social Security coverage. Complete information on the Colorado County Officials and Employees Retirement Association "CCOERA" Program is available through the Human Resources Department.

904 OTHER BENEFITS

The employee has the option to participate in any of the following benefit programs:

- *Flexible Spending Account (Section 125)* - these plans allow employees to deduct childcare expense, medical expense, and medical insurance premiums from their “pre-tax” salary.
- *457 Deferred Compensation* – program allows an employee to defer compensation on a “pre-tax” or “post-tax” basis to save for retirement.
- Other programs authorized by the Board of Commissioners.

905 STATUTORY BENEFITS

Certain employee benefits are required by state or federal law. These include the following:

- Social Security (FICA) – program is intended to provide you and your family with security for retirement benefits, disability payments, financial assistance for dependents or disabled persons, lump sum death payments, Medicare, and survivor’s benefits. Specific information is available through your local office of the Social Security Administration.
- Workers’ Compensation Insurance – County carries insurance to cover the cost of a work-related injury or illness. Benefits help pay your medical treatment and may include some disability income while recovering. Detailed information is given to you if you are injured on the job, or suffer an occupational illness.
- Unemployment Insurance – County contributes a percentage of the employee’s wage to the State to provide unemployment benefits if an employee becomes unemployed through no fault of their own. Eligibility for benefits is an individual determination made by the appropriate State agency.

For more information about these benefits, please contact the Human Resources Department.

CHAPTER X TRAVEL GUIDELINES

Custer County (hereinafter referred to as “County”) provides opportunities for employee growth and development including seminars, professional organization meetings, continuing education and other learning opportunities. The County has developed guidelines that dictate official travel expenses, educational costs, employee reimbursement, and other such items.

Expenses reimbursed by the County must be pre-approved by your Elected Official/Department Head.

Employees request reimbursement by completing an expense report. Receipts supporting expenses for lodging, commercial transportation, auto rental, toll charges, etc., must be submitted with the report. Employees are not reimbursed for alcoholic beverages. Expense reports must be turned in within thirty (30) days from the time the expense is incurred.

Elected Official/Department Head or Supervisor will determine the mode of transportation that best suits the training and budget for that department.

1001 MILEAGE RATE

Employees authorized to travel by personal car for business purposes may be reimbursed for mileage. Due to certain state funding restrictions employees may be reimbursed at different rates.

The County’s standard rate shall follow the standard rate set forth by the IRS. However, if mileage reimbursement is provided through funds which are restricted to a lower rate of reimbursement, the lower amount shall be used.

1002 AIR TRAVEL

If the employee travels by air, the County will only pay the most economical fare. If for some reason this type of fare is not feasible, a more expensive fare may be authorized by the appropriate Elected Official/Department Head or the Board of County Commissioners. In no instance will first class airfare be paid by the County.

1003 CAR RENTAL

Car rental requires approval by the appropriate Elected Official/Department Head. Should circumstances necessitate a car rental while on County business, the following provisions apply:

- A. The car shall be rented in the County’s name.
- B. Economy or mid-size type of car will be selected, depending on availability and needs, with prior approval
- C. Only the drivers whose name appears on the rental car contract shall drive the vehicle. Under no circumstances shall another person, especially a non-employee of Custer County, drive the rental car.
- D. The employee is not authorized to accept the rental car company’s insurance.

E. The County insurance will provide adequate coverage with proper documents.

1004 TAXI/BUS FARES

Actual expenses for reimbursement is permitted for this category, for county business only and that are supported by receipts will be reimbursed.

1005 PARKING/TOLLS

Actual expenses for reimbursement are permitted for this category; for county business only and that are supported by receipts will be reimbursed.

1006 COUNTY VEHICLES

County vehicles are provided to certain departments in order to facilitate the workload. Those individuals utilizing these vehicles will be required to maintain them in proper working condition. Failure to do so shall result in disciplinary action, and may result in the forfeiture of the use of that vehicle. County vehicles are to be utilized for County business only. The use of County vehicles is a privilege and not a right.

Employees operating a County vehicle must have a valid Colorado Driver's license. The type of license (Commercial Driver's License or other category) must be appropriate for the type of vehicle you operate. It is the employee's responsibility to report to the Human Resources Department any changes in the status of your driver's license. Citations received as a result of operating a County Vehicle shall be reviewed. Financial penalties assessed for any moving violation shall be the responsibility of the employee. Other fines and/or penalties (such as parking tickets) shall be reviewed.

Seat belt use is mandatory in all County vehicles.

Cell phone usage while driving a County vehicle is prohibited.

A Mileage Journal will be required of all County Personnel using a County owned vehicle. These journals must be reconciled monthly to fuel usage charges.

1007 NON-COUNTY VEHICLES

Employees utilizing personal vehicles in the course of their job duties shall maintain a valid Colorado Driver's license, shall maintain insurance on the vehicle, and shall meet any other requirements as outlined in the Colorado Revised Statutes. The type of license (Commercial Driver's License or regular operator) must be appropriate for the type of vehicle you operate. Any violations that an employee receives as a result of the operation of the vehicle are the responsibility of the employee.

1008 MEALS

Employees on County business will be reimbursed on an actual expense basis and must be supported by receipts. Alcohol is not covered.

Employees are required to confirm meeting dates and times with their Elected Officials or Department Head, as well as to obtain authorization for expense reimbursements. Unauthorized meetings will not be reimbursed. Employees attending conferences shall not be reimbursed for a meal if a meal is included in the cost of the conference registration. Normally, local meals will not be reimbursed.

1009 LODGING

Employees must obtain a receipt for lodging expenses, and charges must be justifiable, i.e. movie charges are not an allowable expense. When possible, accommodations shall be the government rate or comparable.

Normally, a County check shall be issued to the appropriate vendor, e.g., the hotel/motel, and a copy of the County's tax exemption certificate will be attached. Employees should make the effort to follow this procedure to prevent sales tax being added to your lodging bill.

Reimbursement of lodging expenses will not be made for any non-County personnel traveling with the County employee if it is in excess of the single rate.

All requests shall be submitted within thirty (30) days of the date of travel to be eligible for reimbursement.

1010 OTHER TRAVEL EXPENSES

1010.1 REGISTRATION FEES

Fees for approved seminars, conferences, etc., are permitted. Registration fees do not include pre or post-conference activities or side events not considered a part of the main business conference.

1010.2 MILEAGE RATES

Mileage rate is per IRS standard rate or state mandated rate.

CHAPTER XI DRUG AND ALCOHOL POLICY

1101 PURPOSE

Custer County has a Zero Tolerance Drug & Alcohol Policy

Custer County (hereinafter identified as “County”) has a longstanding commitment to provide a safe, quality-oriented and productive work environment consistent with the standards of the community in which the County serves.

Alcohol and drug abuse and impairment pose a threat to the health and safety of the County’s employees and to the security of the County’s equipment and facilities. For these reasons, Custer County is committed to the elimination of drug and alcohol use and abuse in the workplace. By signing receipt of this policy the employee is agreeing to release to Custer County Human Resource Director all drug and alcohol test results requested by medical personnel or law enforcement.

1102 SCOPE

This policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace.

This policy applies to all employees in non-safety sensitive positions. Employees in safety sensitive positions are required to abide by the DOT Drug and Alcohol Policy.

This policy applies to all applicants for employment with Custer County. Applicants for safety sensitive positions will be required to abide by the DOT Drug and Alcohol Policy.

1103 DEFINITIONS

Driving while Ability Impaired means driving a motor vehicle or vehicle when a person has consumed alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, that affects the person to the slightest degree so that the person is less able than the person ordinarily would have been, either mentally or physical, or both mentally and physically, to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle.

County premises includes all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by the County or on any site on which the County is conducting business.

Diluted specimen means a sample that has a higher than average water content.

Illegal drug means controlled substances as set forth in Title 21 C.F.R. 1308, as amended.

Prescribed medications mean any medication which is prescribed by a licensed medical provider. Prescribed medication does not include marijuana or any derivative thereof.

Refuse to cooperate means to obstruct the collection or testing process; to submit an altered,

adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure.

Under the influence of alcohol means an alcohol concentration equal to or greater than that which causes you to be impaired or actions, appearance, speech or bodily odors that reasonably causes a Supervisor to conclude that an employee is impaired because of alcohol use.

Under the influence of drugs means a confirmed positive test result for illegal/unauthorized drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over the counter) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

1104 EMPLOYEE ASSISTANCE

The County may assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or other County policies. Such employees may be allowed to use accrued paid time off, placed on a leave of absence, and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests.

Employees must report to work fit for duty and free of any adverse effects of illegal/unauthorized drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their Supervisor. Employees should not, however, disclose to the County underlying medical conditions unless directed to do so by their medical provider.

1105 WORK RULES

Whenever an employee is on duty; or operating any County vehicle; or present on County premises, the employee is prohibited from:

Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of marijuana or of drug paraphernalia).

Being under the influence of alcohol or an illegal drug as defined in this policy.

Having the presence of any detectable amount of any illegal drug in the employee's body system.

Possessing an open container of alcohol or consuming alcohol.

Being under the influence of any prescription medication which materially affects the ability to perform work related duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist.

Employees shall not be permitted to perform job related duties while taking prescribed medications that adversely affect the employee's ability to safely and effectively perform said duties.

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

1106 REQUIRED TESTING

1106.1 PRE-EMPLOYMENT

All applicants may be required to pass a drug test after receiving an offer of employment but before beginning work. Refusal to submit to testing will result in a withdrawal of the job offer. A diluted specimen will be considered a positive test and may result in a withdrawal of the job offer.

1106.2 REASONABLE SUSPICION

Employees may be subject to testing based on (but not limited to) observations of apparent workplace use, possession or impairment. The Human Resources Department ("HR"), the Supervisor or the Elected Official/Department Head should be consulted before sending an employee for testing. Supervisors making this decision must use the Reasonable Suspicion Checklist to document specific observations and behaviors that create a reasonable suspicion that the employee is under the influence of illegal drugs or alcohol. If the results of the Reasonable Suspicion Checklist indicate further action is justified, the Elected Official/Department Head or Supervisor, along with another member of management or HR should present the documentation to the employee and request that the employee submit to testing. *Under no circumstances may the employee be allowed to drive him or herself to the testing facility. A member of Management or HR must escort the employee; HR or the member of Management will make arrangements for the employee to be transported home.*

1106.3 POST-ACCIDENT

Employees that cause or contribute to accidents which result in serious damage to a vehicle, machinery, equipment or property or result in an injury to themselves or another person while performing job duties must report the accident to their Supervisor as soon as possible. Under these circumstances the employee may be requested to submit to a drug and alcohol test which shall be arranged by their Supervisor. For purposes of this policy, the employee receiving a moving violation as a result of the accident shall be considered to have "cause[d] or contribute[d]" to the accident. *Under no circumstances may the employee be allowed to drive him or herself to the testing facility.*

1106.4 RANDOM

Employees required to have a commercial driver's license to perform job duties are required to participate in random drug and alcohol testing. If selected, employees must report for testing within 2 hours of notification.

1107 COLLECTION AND TESTING PROCEDURES

Employees subject to reasonable suspicion or post-accident drug and alcohol testing must be driven to a County-designated facility by the Elected Official/Department Head or their designee unless cleared by law enforcement. Refusal to submit a sample for testing shall result in termination. A diluted specimen will be considered positive result and may result in termination.

The Elected Official/Department Head or their designee may request a breath, saliva, urine, or blood sample or any combination thereof. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the County.

Applicants/Employees subject to pre-employment or random drug and alcohol testing will be sent to a County-designated medical facility and directed to provide urine specimens. Collected specimens may be tested for alcohol, illegal drugs and/or prescribed medications.

In the event the employee tests positive for alcohol, illegal drug(s), or prescribed medication(s) the employee has the right at their expense to request that the sample provided be retested within three (3) working days of notice of test results. If the retested sample is negative, the employee shall be reimbursed the cost of the test and any adverse action taken as a result of a violation of this policy shall be reviewed as funding will allow.

1108 CONSEQUENCES

Applicants who refuse to cooperate in a drug test or who test positive will have the offer of employment withdrawn and will not be allowed to reapply/retest for the position.

Employees who refuse to cooperate in required tests or who violate this policy shall be terminated. *If the employee refuses to be tested, yet the County believes he or she is impaired, under no circumstances will the employee be allowed to drive him or her home.*

Employees will be paid for time spent when required under this policy to submit to alcohol or drug testing. However, the Elected Official/Department Head reserves the right to suspend the employee pending the results of any post-accident or reasonable suspicion testing.

1109 CONFIDENTIALITY

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided by physicians should be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among Managers and Supervisors on a need-to-know basis and

may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

1110 INSPECTIONS

The County reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal drugs, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

1111 CRIMES INVOLVING DRUGS

The County prohibits all employees from manufacturing, distributing, dispensing, possessing or using illegal drug(s) in or on County premises or while conducting County business. County employees are also prohibited from misusing prescribed medication or over-the-counter (OTC) drugs. Law enforcement personnel should be notified, as appropriate, when criminal activity is suspected.

1112 REASONABLE SUSPICION AND POST ACCIDENT TESTING PROTOCOL

The employee will be advised that the County believes there is reasonable suspicion to believe he or she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this). The test is required to confirm or deny this suspicion.

The employee will be transported to the County's contracted testing facilities. HR or its designee will make arrangements for the testing and Elected Official/Department Head or their designee must accompany the employee. *Under no circumstances may the employee be allowed to drive him or herself to the testing facility.*

The employee to be tested must present a photo ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Supervisor should ensure that the employee brings the photo ID with him or her when leaving the County premises.

Upon completion of testing the Elected Official/Department Head or its designee shall assist the employee in obtaining safe transportation and under no circumstances may the tested employee be allowed to drive him or her home.

1113 REASONABLE SUSPICION CHECKLIST

The following checklist should be completed when a Manager or Supervisor suspects drug or alcohol use based on the physical appearance and behavior of the employee. Also completing the checklist should be all other Managers or Supervisors who witnessed the employee being unfit for duty. *Under no circumstances may the employee be allowed to drive him or herself to the testing facility.*

PART 1: EMPLOYEE INFORMATION

Employee Name: _____

Employee Job Title: _____

Observation Date: _____

Observation Time (indicate a.m. or p.m.): _____

Location: _____

PART2: OBSERVATIONS

(Place a checkmark next to any of the following observations exhibited by the employee.)

PHYSICAL

Walking:

holding on; stumbling; unable to walk; unsteady; staggering; swaying;
 falling; other (describe) _____

Standing:

swaying; feet wide apart; unable to stand; rigid; staggering; dizziness;
 sagging at knees; other (describe) _____

Movements:

fumbling; jerky; nervous; slow; normal; hyperactive; not following tasks;
 reduced reaction time; diminished coordination; tremors;
 others (describe) _____

Eyes:

bloodshot; watery; droopy; glassy; closed; dilated/constricted pupils;
 other (describe) _____

Face:

flushed; pale; sweaty; other (describe) _____

Breath:

alcoholic odor; chemical odor;
 sweet/pungent tobacco odor; heavy use of breath spray; marijuana odor;
 other (describe) _____

Speech:

whispering; slurred; shouting; incoherent; slobbering; silent;
 rambling; mute; slow; other (describe) _____

Appearance

unruly; messy; dirty; stains on clothes; Marijuana odor;
 partially dressed; bodily excrement stains; visible puncture marks or tracks;
 burnt rope smell on clothes, hair, body; excessive sweating in cool area;
 other (describe) _____

BEHAVIORAL

Demeanor:

Cooperative; calm; talkative/rapid speech; polite; sarcastic; sleepy;
 crying; sleeping on job; argumentative; paranoid; baseless panic;
 possessing, using or distributing an illegal substance;
 other (describe) _____

Actions:

hostile; fighting; profanity; drowsy; threatening; erratic; calm;
 hyperactive; resisting communication; paranoid; baseless panic;
 possessing, using or distributing an illegal substance;
 other (describe) _____

Appetite:

always munching on something; constantly chewing gum;
 frequently eating candy; popping mints often;
 other (describe) _____

Once the above parts of this Reasonable Suspicion Checklist are completed by you and a witness, you can proceed to an action plan in a meeting with the employee.

Place a checkmark next to the applicable action as agreed upon with the employee:

- Employee has agreed to testing
- Employee has not agreed to testing
- No further action at this time

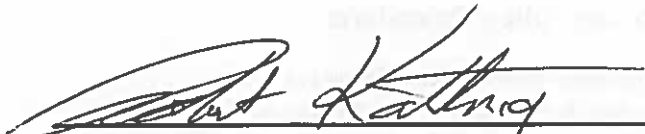
Supervisor/Manager Signature Date


Supervisor/Manager Signature Date


Witness Signature Date


CHAPTER XII ADOPTION

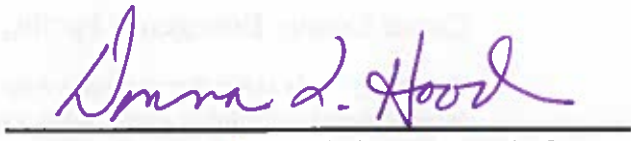
This personnel management handbook was adopted on the 30th day of June, A.D. 2017, by the following Elected Officials:

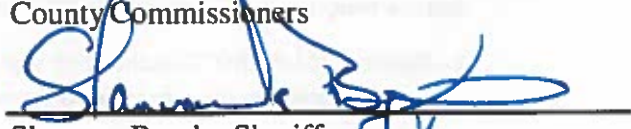

Robert Kattnig, Chairman-Board of County Commissioners


Jay D. Printz, Commissioner


Kelley S. Camper, Clerk & Recorder


James D. Henrich, Assessor


Donna L. Hood, Vice-Chairman-Board of County Commissioners


Shannon Byerly, Sheriff


Virginia Trujillo, Treasurer


Arthur Nordyke, Coroner

Christopher L. (Kit) Shy, Surveyor

CLOSURE POLICY PHONE CHAIN




Custer County Emergency Facility Closure Policy/Procedure:

The County rarely closes due to adverse weather conditions or other events. In the event of an extreme weather situation or a catastrophic event, it may be necessary to close County facilities. The Board of County Commissioners are the authority to announce such a closure with the decision being made outside a meeting of record.

- 1 – Before 6:AM the BOCC chairman or vice chairman, depending on availability will confer with any/all entities or officials to determine the scope and extent of the emergency.
- 2 – If a determination is made to close the facilities the OEM Director will be notified to use its resources to make public notification of the closure.
- 3 – The BOCC will then notify all department heads and county elected officials of the closure after 6:AM. It will then be the responsibility of department heads/elected officials to notify their staff.
- 4 – The BOCC will then make sure that the closure is posted with readymade signs at all entrances to the closed facilities when/if the event allows.
- 5 – Any extension of the closure will follow the same procedure for notification with initial contact by BOCC prior to 7:PM (see item 3) on the day preceding the closure extension.

This policy procedure approved and accepted this 2nd day of May 2017 by the Board of County Commissioners of Custer County.


Robert Kattnig, Chairman


Donna L. Hood, Vice-Chair


Jay D. Printz, Member

SOCIAL MEDIA POLICY



Social Media Policy

Standard Disclaimer

Custer County, a political subdivision of the State of Colorado, makes use of social media to engage residents to learn about needs and concerns, contribute to relevant conversations, and promote County programs and services. Despite efforts to keep the County-provided information timely and accurate, users should be aware that the information available through this social media tool may not be timely, accurate, or complete.

No communication to Custer County through this social media shall be deemed to constitute legal or official notice for any purpose. Users are encouraged to consult with appropriate non-County professional advisors for advice concerning specific matters before making any decision, and Custer County disclaims any responsibility or liability for positions taken by individuals or entities in their individual cases for any misstatement, misunderstanding and/or losses, directly or indirectly, on the part of the users.

Custer County's use of external social media tools is provided as a public service. Custer County expressly disclaims liability for ads, videos, promoted content or comments accessible from any external web page. The responsibility of external content or comments rests with the organizations or individuals providing them. Any inclusion of external content or comments on external social media web sites does not imply endorsement by the Custer County. The County reserves the right and may choose to reprint comments/materials placed on the social media web sites to other media.

We reserve the right and will remove comments/materials from County social media tools when those comments/materials, in the County's sole discretion, are:

- Potentially libelous;
- Obscene or sexually explicit;
- Hateful or mean-spirited;
- Personal attacks, insults, profane, name-calling, or threatening;
- Plagiarized material or material that potentially violates intellectual property rights;
- Private, personal information published without consent;
- Commercial promotions or spam;
- Off-topic or that link to material that is off-topic;
- Embedded images from external sources;
- Violate any law or promote the violation of any law;
- Encourage or constitute prohibited discriminatory or harassing conduct;
- Made by a person masquerading as someone else.

Additionally, the County reserves the right to terminate a person's ability to post comments/materials or otherwise participate in the County's social media tools when the person has repeatedly posted any of the above-listed inappropriate comments/materials.

**ACKNOWLEDGEMENT OF RECEIPT OF THE CUSTER COUNTY
COMPREHENSIVE PERSONNEL POLICY HANDBOOK**

I HAVE RECEIVED A COPY OF THE CUSTER COUNTY COMPREHENSIVE PERSONNEL POLICY HANDBOOK DATED JUNE 30, 2017. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH CUSTER COUNTY IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE COUNTY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE COUNTY'S GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE COUNTY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR CHANGE THEM WITHOUT PRIOR NOTICE.
- NO REPRESENTATIVE OF CUSTER COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE BOARD OF COUNTY COMMISSIONERS AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

Employee Printed Name

Employee Signature

Date

DRUG AND ALCOHOL POLICY

I HAVE RECEIVED A COPY OF CUSTER COUNTY'S DRUG AND ALCOHOL POLICY AND UNDERSTAND THAT IN ORDER TO CONTINUE MY EMPLOYMENT WITH THE COUNTY I MUST ABIDE BY THE TERMS OF THE POLICY. I AGREE TO NOTIFY THE EMPLOYER OF ANY DRUG VIOLATION OCCURING IN THE WORKPLACE.

I UNDERSTAND THAT THIS POLICY IN NO WAY MODIFIES MY STATUS AS AN AT-WILL EMPLOYEE AND IN NO WAY IMPLIES, INFERS, OR GUARANTEES MY CONTINUED EMPLOYMENT FOR ANY DEFINITE TERM.

Employee Printed Name

Employee Signature

Date

CONFIDENTIAL INFORMATION

Employees handling confidential information are responsible for its security. Extreme care must be exercised to ensure that it is safeguarded to protect the County and its clients or customers. Confidential information includes, but is not limited to, information concerning case management files, personal financial information on application forms, legal issues, and similar subjects.

Misuse or disclosure of confidential information obtained in the course of County employment could result in personal legal liability and disciplinary action, up to and including termination from employment. Documents and copies of documents, generated in the course of County employment are the exclusive property of the County and are not to be used for personal use or retained in the possession of an employee.

In addition, no employee may use confidential information or permit others to use it in the pursuit of private interests. Such actions are expressly prohibited.

The County will also comply to the extent applicable with the provisions of the “Health Insurance Portability and Accountability Act of 1996 (HIPAA).” This federal policy establishes rules and regulations governing personal medical information privacy issues. For further information go to www.hhs.gov/hippa.

Specific departments may have a more stringent written Confidentiality Policy.

I HAVE RECEIVED A COPY OF CUSTER COUNTY’S POLICY ON CONFIDENTIALITY AND UNDERSTAND ITS IMPORTANCE IN THE SCOPE OF EMPLOYMENT WITH CUSTER COUNTY.

Employee Printed Name

Employee Signature

Date

CONFLICT OF INTEREST

Employees and Elected Officials have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This also includes the **perception** of any conflict of interest. This guideline establishes only the framework within which the County wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Board of County Commissioners for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or client of the employee.

If an employee has any situation, which may be an actual or potential conflict of interest, the employee must disclose this to their immediate Supervisor as soon as possible.

OUTSIDE EMPLOYMENT

Paid Employment outside of a regular full-time employee's positions with the County and volunteer work are acceptable if the outside employment or volunteer work adheres to the following standards.

- The outside employment or volunteer work must not interfere with the employee's ability to satisfy the occupational requirements, specific activities or responsibilities of the particular position.
-
- The outside employment or volunteer work must not represent or result in a conflict of interest or appearance of a conflict of interest between the private interests of the outside employer or volunteer agency and the County's interests or employee's duties and responsibilities to the County.
-
- The outside employment or volunteer work must not represent a conflict of interest or abuse of public office or the appearance of such conflict or abuse, in violation of Colorado State Law.

I HAVE RECEIVED A COPY OF CUSTER COUNTY'S POLICY ON CONFLICTS OF INTEREST AND OUTSIDE EMPLOYMENT AND UNDERSTAND THEIR IMPORTANCE IN THE SCOPE OF EMPLOYMENT WITH CUSTER COUNTY

Employee Printed Name

Employee Signature

Date