

SCOTTS BLUFF COUNTY PERSONNEL MANUAL

(August 8, 2003)

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Personnel Office
Administration Building
1825 10th Street
Gering, Ne 69341
308-436-6718

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PREAMBLE

1000.100

The Scotts Bluff County Board of Commissioners has created a Personnel Board by resolution pursuant to the authority granted by sections 23-2534 to 23-2544 of the Revised Statutes of the State of Nebraska. The following Scotts Bluff County Elected Officials and County Board Personnel Handbook has been adopted to help fulfill the informational needs of the employees of Scotts Bluff County. Explanations as to matters related to employment with Scotts Bluff County can be found in this handbook. This handbook was adopted on the 9th day of June 1997 and became effective on the 1st day of July 1997 and shall replace all prior Scotts Bluff County personnel manuals.

The Personnel Board shall adopt proposed personnel rules and regulations for the classified service and provide reasonable notice of proposed rules and regulations to the heads of all agencies, departments, county employee associations, and institutions affected thereby. The Personnel Board shall submit proposed rules and regulations or amendments for adoption by the County Board.

The Employer and Employee relationship is for the mutual benefit of both parties.

No individual Elected/Appointed Official, Department Supervisor, individual County Commissioner or other employee has the authority to modify any provision of this handbook or to promise any term, condition or benefit of employment and any such modifications or promises should in all events be disregarded.

The information contained in this manual will answer most of the questions you have about your employment with the County. Please read it thoroughly and save it for future reference. If you have any questions about areas not covered in the manual or interpretation of the manual, you should direct your questions to the Elected/Appointed Official, Department Supervisor for whom you work, or the Human Resources Director.

While this manual attempts to create a uniform policy for County employees, there are such policies as are determined by various departments and/or including union contracts. But because all county offices, in some manner, must function with other county offices, there must be some uniformity among and between all offices in the following, most basic aspects of county employment.

All employees of Scotts Bluff County will have access to a copy of this personnel manual. Copies shall be available in each department and in the Personnel Office. It will also be available on the Scotts Bluff County web site at www.scottsbluffcounty.org. Each copy shall be kept current with changes and amendments. It should be understood that employment is terminable at the will of the employer or employee at anytime and for any reason. This handbook shall not be construed as a contract of employment between Scotts Bluff County and its employees. (Adopted 6/9/97) (Revised 2/20/01)

CLASSIFIED SERVICE AND EXCEPTIONS THEREFROM

1000.200

All classified officials and employees of the County shall be in the classified service unless specifically designated as being in the unclassified service. The unclassified service shall include the following:

- I. Officials elected by popular vote of the people or a person appointed to a countywide office;
- II. The County Human Resources Director and the Administrative Assistant to the County Board;
- III. Bailiffs;
- IV. Department Heads and one (1) principal assistant or deputy for each County department;
- V. Members of Boards and Commissions appointed by the County Board;
- VI. Persons employed in a professional or scientific capacity to make or conduct a temporary and special investigation or examination on behalf of the County Board;
- VII. Attorneys, including Deputy County Attorneys;
- VIII. Employees who are covered by the State Personnel System; (Adopted 6/9/97)

EQUAL EMPLOYMENT OPPORTUNITY

1100.000

Scotts Bluff County is an equal opportunity employer and complies with all applicable laws and executive orders prohibiting discrimination. Employees and applicants shall be assured fair and equal treatment in all aspects of recruitment, hiring, training, promotions and discipline without regard to sex, race, color, pregnancy, genetic information, religion, national origin, age, marital status, disability, military status or political affiliation and any other characteristics protected by law. (Revised 5/20/24)

ANTI-DRUG AND ALCOHOL POLICY

1200.000

I. POLICY OVERVIEW.

Pursuant to §§ 48-1901 et seq., Scotts Bluff County (COUNTY), has a vital interest in maintaining safe, healthful, and efficient working conditions for all of its employees. Being under the influence of a drug or alcohol on the job poses serious health risks, not only to the user, but to all those who work with or otherwise come into contact with the user. The possession, use, or sale of an illegal drug or alcohol on the job also may pose unacceptable risks for safe, healthful, and efficient operations.

The COUNTY recognizes that its own health and future are dependent upon the physical and psychological well being of its employees. The COUNTY stance against alcohol and drug use in the workplace is not a "moral" issue; rather, it is an issue that affects our health, our safety, our families, and our pocketbooks. Studies show that drug and alcohol use in the workplace may be the single greatest factor responsible for industrial accidents and injuries, declining productivity, employee theft, and low employee morale.

The Drug-Free Workplace Act of 1988 requires federal contractors and recipients of federal grants to publish and implement a drug-free workplace program. In addition, the U.S. Department of Transportation and Federal Highway Administration have issued regulations that require drug testing for truck drivers under circumstances not required for other employees.

Accordingly, it is the right, obligation, and intent of the COUNTY to maintain a safe, healthful, and efficient working environment for all of its employees and to protect COUNTY property, equipment, and operations from the risks associated with drug and alcohol use in the workplace.

Employees will be provided with informational literature regarding the dangers of drug and/or alcohol use in the workplace.

II. POLICY APPLICATIONS.

The provisions of this Policy apply to all COUNTY employees, including all required testing for controlled substances.

III. OVER-THE-COUNTER" AND PRESCRIPTION MEDICATION

An employee is to use common sense about performing COUNTY business, or while in or about a COUNTY facility or work site when using and under the influence of a legal drug (such as "over-the-counter" and prescription drugs) if such use may affect the safety of the employee or others. If the employee is in doubt about the effects of a certain drug, he/she should consult a physician and let the elected/appointed official or supervisor know if there may be or are any adverse side effects. The offending employee will be subject to disciplinary action, up to, and including discharge, if a workplace problem results from the employee's use of "over-the-counter" and/or prescription drugs

IV. AVAILABLE TREATMENT AND COUNSELING.

In an effort to assist employees in overcoming drug and alcohol dependency, the COUNTY will refer interested employees to counseling and treatment for chemical dependency. The employee will submit claims to the insurance carrier for partial payment of any required treatment; however, the COUNTY will not pay for any cost of treatment that is not covered by the employee's health insurance plan.

The COUNTY will pay the cost of any drug and/or alcohol testing that it requires of employees. Any additional tests that the employee requests, will be paid for by the employee.

While the COUNTY strongly encourages voluntary referrals for drug and/or alcohol counseling and treatment, voluntary requests for assistance will not prevent disciplinary action for violations of the County's Drug-Free Workplace Policy. In addition, employees who undergo voluntary counseling or treatment must continue to meet all established standards of conduct and job performance.

V. PROHIBITED CONDUCT.

- A. The employee is not to use or is not to be under the influence of, or possession of alcohol or any illegal controlled substance while performing COUNTY business or while in or about a COUNTY facility or work site. The offending employee will be subject to disciplinary action, up to, and including discharge.
- B. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee is strictly prohibited while performing COUNTY business, or while in or about a COUNTY facility or work site. The offending employee will be subject to disciplinary action, up to, and including discharge.

VI. TESTING FOR CONTROLLED SUBSTANCE.

All tests shall be conducted pursuant to requirements set forth in § 48-1903, § 48-1904, and § 48-1905.

A. Pre-Employment Testing.

The COUNTY will require all applicants the COUNTY intends to hire to be willing to be tested for the use of controlled substances as a pre-qualification condition to employment. Applicants who refuse to submit to such testing upon request by COUNTY, will be disqualified from further hiring consideration.

B. "Reasonable Cause" Testing.

The COUNTY will require current employees to submit to testing for controlled substances when the elected/appointed official or supervisor of employee believes it has "reasonable cause" to suspect a violation of this Policy. While "reasonable cause" cannot be defined with precision, it certainly includes, but is not limited to, irrational or unusual behavior, or reporting to work in an apparent unfit condition.

Employees who are requested to undergo "reasonable cause" testing will be transported by a COUNTY representative to a designated clinic or laboratory. The employee will be required to sign a consent form authorizing the testing. Refusal to sign the form or submit to the drug test, as well as any attempt to invalidate or tamper with the test, will subject the employee to disciplinary action, up to and including discharge.

All "reasonable cause testing requested by the employee's supervisor or COUNTY elected/appointed official, must be approved in advance, when possible, by the COUNTY Human Resources Director or his/her designee, or, when the Human Resources Director or his/her designee is not available, the County Health Officer may approve for the Human Resources Director.

C. Post-Accident/Injury Testing.

After a "reportable accident" involving the driver of a COUNTY vehicle, the driver is required to have a urine sample taken and a drug test performed, and the results of the test communicated to the COUNTY. A "reportable accident" is defined as an accident which results in the death of a human being or bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or an accident which resulted in one or more vehicles being towed, or which results in damage to property. (Revised 11/06/23)

D. Random Testing.

Some departments are under Federal regulations, which require random testing. Random testing in these departments will be carried out per Federal regulation for their employees.

VII. REVIEW OF AND ACCESS TO TEST RESULTS.

Any employee who tests positive for a controlled substance under this Policy will be provided a copy of his/her test results. Any applicant, upon written request within sixty (60) days of his/her rejection for employment, will also be provided a copy of his/her test results. If the employee receives notice that the employee's test results were confirmed positive, the employee will be given the opportunity to explain the positive result following the employee's receipt of the test result. In addition, the employee may have the same sample retested at his/her expense.

VIII. ADVERSE EMPLOYMENT ACTION.

If there is reason to suspect that the employee is working while under the influence of an illegal drug or alcohol, the employee will be suspended with or without pay at the supervisor's or elected/appointed official's discretion until results of a drug and/or alcohol test are made available to the COUNTY by the testing laboratory.

IX. CONFIDENTIALITY.

The COUNTY will make every effort to keep the results of drug and alcohol tests confidential. Only persons with a need to know the results will have access to them. The employee will be asked for the employee's consent before test results are released to anyone else. Be advised, however, that test results may be used in arbitration, administrative hearings and court cases arising as a result of the employee's drug testing. Also, results will be sent to federal agencies as required by federal law. The results of drug testing in the workplace may not be used against the employee in any criminal prosecution.

X. POSTING.

Besides being outlined here, the County's Anti-Drug/Alcohol Policy may be obtained in the office of the Human Resources Director for Scotts Bluff County, Administration Building, 1825 10th Street, Gering Nebraska 69341. (Adopted 6/9/97) (Revised 5/6/02)

XI. CONSENT.

I have read and understand the above Anti-Drug/Alcohol Policy, and I understand that compliance with the COUNTY Anti-Drug/Alcohol Policy is a term and condition of employment. I understand that failure or refusal to cooperate fully, sign any required documents, submit to any requested tests, or follow any prescribed course of treatment for chemical dependency, will constitute grounds for immediate termination. I agree, without reservation, to follow and abide by the COUNTY Anti-Drug and Alcohol Policy.

Dated: _____

Employee's Signature

Employee's Name (printed or typed)

NO SMOKING AND VAPING POLICY

1210.000

Scotts County supports the Nebraska Clean Indoor Air Act effective June 1, 2009 by LB395 (statutes 71-5717 to 71-5734). In doing so, the County will enforce the Act by banning smoking and vaping from all County buildings. Any person who smokes and vapes in any public building is in violation of the Act and is guilty of a Class V misdemeanor with a fine of up to \$100 for the first offense and a Class IV misdemeanor with a maximum fine of \$500 for the second and subsequent offenses. Charges could be dismissed after completion of a smoking cessation program. Employees of Scotts Bluff County will be disciplined by corrective action write-ups and possible dismissal for continued offenses of the Act. The County further restricts smoking and vaping within a 25-foot perimeter of all entrances to all County buildings. (Adopted 6/9/97) (Revised 7/6/09) (Revised 7/6/21)



(Revised 2/3/25)

PERSONNEL MANUAL CHANGES

1250.000

Changes in the Personnel Manual will be accomplished in this manner so there is consistency and to allow all employees time to read, to discuss, and to express their solutions in writing to the Human Resources Director. These are the steps to be followed:

1. At least 15 calendar days prior to the Personnel Board meeting where these changes will be presented, the Human Resources Director will cause to be listed on the Personnel web page the changes being proposed for the Personnel Manual.
2. At least 15 calendar days prior to the Personnel Board meeting where Policy Manual changes will be presented, the Human Resources Director will cause to be published an agenda listing these items for change. This agenda will be sent to all county officials who are to post the changes and otherwise let their employees know, to the members of the Personnel Board, and to all County employees with a County web address.
3. After the agenda is sent with the Policy Manual changes listed, any official or employee may contact the Personnel Office about the proposed changes. If the official or employee wishes to amend the proposed changes, they must submit their amendment(s) in writing to the Personnel Office prior to the day of the Personnel Board meeting. The proposals may be incorporated into the proposed changes presented to the Personnel board.
4. The Human Resources Director will address the proposed changes and will provide a copy of any amendments to the Personnel Board at their meeting. The Personnel Board will then decide the wording for the proposed changes and vote to approve or disapprove.
5. The proposed changes or amendments will go to the Commissioners for final approval. For any change in the Policy Manual to be effective, it must be first approved by the Commissioners.

(Approved 6/4/01) (Revised 8/21/06)

OUTSIDE EMPLOYMENT

1300.000

Employees may engage in outside employment provided that the duties of the outside employment do not constitute a conflict of interest nor conflict with an employee's job performance with the County. Prior to engaging in outside employment, an employee must submit a request outlining the place of employment, the duties required and the hours of work.

- A. Employees of the County may not engage in outside business activities while on duty, nor may any governmental property be used at any time for anything but government or community functions which are approved by the Department Head.

(Adopted 5/6/19)

REASONABLE ACCOMMODATION

1350.00

Scotts Bluff County will make reasonable accommodations for individuals with disabilities, bona fide religious beliefs, or limitations related to pregnancy, childbirth, or related medical conditions to the extent required by law, unless undue hardship to the County would result. If any applicant or employee believes in good faith that he/she needs a reasonable accommodation, discussions begin with their supervisor and human resources. If any supervisor receives what he/she believes may be a request for an accommodation, he/she should work together with the employee and Human Resources to determine feasible options.

The County is committed to participating in an interactive accommodation process with the employee. An individual who requests a reasonable accommodation will normally be required to meet with the **Human Resource Department** to discuss the need for accommodation and to complete a written request for accommodation. The written request for accommodation will include information regarding the nature of the employee's limitation or religious belief, how it

affects the employee's ability to perform all essential job duties or access to benefits, the employee's suggestions for reasonable accommodation, and other relevant information. For example, the County may require information regarding medical treatment of a disability or impairment and information regarding the health care provider who has provided such treatment. The County may also contact the individual's health care provider or other third parties (such as rehabilitation counselors) to verify the existence of the disability or impairment, obtain relevant medical information and/or records, and suggestions for accommodation.

Requests for accommodation will be processed as quickly as reasonably practicable under the circumstances. Any individual who requests an accommodation is required to fully cooperate in the process, including providing relevant information and providing any required HIPAA consent in order for the County to contact and obtain information from the employee's health care provider. If the individual fails or refuses to provide any needed HIPAA consent, the County will terminate its processing of the individual's request for accommodation. If the individual is an employee, he/she will be expected to fully perform all essential functions of his/her job without accommodation and may be subject to disciplinary or performance-related actions, up to and including discharge, if he/she is unable to perform all essential functions of the job. If the individual is an applicant, his or her application for employment will be withdrawn from consideration.

While a request for accommodation is being processed, an employee may be placed on paid or unpaid leave of absence, assigned to a different job, or provided with light or modified duty, as determined by the County. An employee's base rate of pay will not normally be changed while the employee's request for accommodation is being processed.

Although it is not possible to make a comprehensive list of all possible accommodations that might be reasonable, the following are among the accommodations that might be reasonable (depending on the circumstances): modifications to the job application process, modifications to the work environment, modifications to the methods by which a job is performed, providing special equipment or devices to perform a job, reassignment to an open job for which an employee is qualified and for which the employee can perform the essential job duties, providing a part-time or modified work schedule, modifying training methods and/or materials, providing readers or interpreters, and/or placing an employee on short-term leave of absence.

Employees should understand that not all possible accommodations are reasonable in nature. For example, the County is not required to lower its performance or behavior standards, eliminate essential job duties, bump another employee from a job, maintain an employee's compensation rate, or permit unscheduled (or erratic, unpredictable, intermittent) or excessive absenteeism or tardiness as a reasonable accommodation. In addition, working from home, obtaining regular assistance from another employee to perform essential job duties, and eliminating certain duties in a job rotation are generally not reasonable accommodations except in extraordinary circumstances. The ability of an employee to perform essential duties with the use of mitigating measures or devices (such as medication or special equipment) may be taken into account if determining whether an accommodation is needed or reasonable. For example, if an employee can control an impairment with medication or assistive devices and thereby perform essential job duties, no reasonable accommodation would normally be needed or reasonable.

The County will determine if a reasonable accommodation is available. If more than one reasonable accommodation is available, the County may take into account the employee's preference of accommodation, but the County has the right to make the final selection of the accommodation to offer to the employee. An employee has the right to refuse any accommodation that is offered by the County under this policy. However, the employee will be expected to fully perform all essential functions of the job without accommodation and may be subject to disciplinary and/or performance-related actions, up to and including discharge, if the employee is not able to perform all essential functions in a manner acceptable to the County and as expected from other employees who hold the same job.

(Adopted 6/5/23)

POLITICAL ACTIVITY

1400.000

- XII. No employee shall use his official authority or influence to further the cause of any political party, or candidate for nomination or election to public office.
- XIII. No employee shall participate in political activities while engaged in the performance of his/her official (work) duties.

- XIV. If an employee wishes to take part in political activities (other than voting or assisting at the polls) during normally scheduled work hours, he/she must use vacation leave or leave without pay to cover this period of absence.
- XV. All employees have the right of protection from political coercion of any type from any person. Employees may not be interrupted during duty hours by political activities.
- XVI. Employers are prohibited from penalizing an employee who serves as an election official in any way. Specifically, employers may not discharge, deduct pay, or reduce the sick leave or vacation time of any employee whose absence is due to service as an election official, except that an employer may reduce the pay of an employee for each hour of work missed by an amount equal to the hourly compensation other than expenses paid to the employee by the county for such service. (Adopted 4/27/98) Violation of these prohibitions is a Class III felony. NEB. REV. STAT. 32-241 and 32-1517 (Cum. Supp. 1994).
- XVII. All employees shall have the right to vote as they choose and to express their opinions on political subjects and candidates.

(Adopted 6/9/97) (Revised 9/3/02)

SAFETY

1500.000

Safety is important to the County and to you. It is the County's intent to provide a safe workplace for your personal protection. Accidents cost the County money through property loss, lost time from work and increased insurance costs. All employees are expected to participate in safety programs and meetings, promote safety awareness, bring forth safety suggestions, wear protective equipment as provided and follow safety rules. Safe work practices protect you, your family, fellow employees and the County.

Scotts Bluff County has adopted a comprehensive County Safety Manual. In addition, each office or department has specific safety policies and standard operating procedures designed to protect employees. It is your responsibility to become familiar with, and abide by, all County and specific department or office safety procedures. Your supervisor will provide you with all necessary safety manuals and training, and will either provide you with or inform you of any specific safety related protective clothing or equipment required to do your job.

I. SAFETY BELTS

It is the policy of Scotts Bluff County that all employees who operate a County-owned vehicle or use a personal vehicle for County use, are required to wear a safety belt when operating such vehicles. All passengers in County-owned vehicles are required to wear a safety belt. It is the responsibility of the person operating the vehicle to ensure all passengers wear safety belts. If you refuse to wear the safety belt, standard disciplinary procedures will be invoked.

II. REPORTING OF ACCIDENTS AND INJURIES

Employees shall report all accidents and injuries to the Elected/Appointed Official or Department Supervisor as soon as possible after the accident.

All accidents involving a County owned motor vehicle while at work shall be reported to a law enforcement agency as well as the vehicle operator's Elected/Appointed Official or Department Supervisor. The report shall be made immediately. The operator who is involved in the accident should not make any statement regarding the accident to any person other than the investigating law enforcement officer without the authorization of the Elected/Appointed Official or Department Supervisor.

All accidents involving county property other than vehicles shall be reported to the Elected/Appointed Official or Department Supervisor and report of the damage shall be made promptly to the County's insurance contact who will report it to the County's insurance carrier.

Any employee who is injured on the job, however slight, MUST report that fact immediately to the Elected/Appointed Official or Department Supervisor. The Elected/Appointed Official or Department Supervisor shall be responsible for obtaining the necessary information regarding the circumstances of the accident and shall prepare the proper paperwork and forward to the County's insurance contact, who shall notify the Worker's Compensation insurer.

An Accident Investigation Form shall be completed and forwarded to the Safety Committee for evaluation.

III. **ALERTS, EVACUATIONS, ETC.**

Each office or department has specific safety policies and standard operating procedures; it is your responsibility to become familiar with the policy and procedure for the following situations:

- A. Tornado Alert
- B. Fire Evacuation
- C. Bomb Threat
- D. Floods
- E. Chemical Spill
- F. Violent Customers
- G. Civil Unrest or Riots

(Adopted 6/9/97)

Please review the County Safety Manual and department evacuation plan, which is posted by each exit door for additional information regarding these situations.

MANDATORY TRAINING POLICY

1525.00

Purpose:

The purpose of this Policy is to set out the training employees are required to complete and the time frame associated with such training.

Ongoing Training for Employee:

All employees are required to complete mandatory compliance training and, as determined by the needs of Scotts Bluff County Human Resources Department. New employees will complete initial training during the onboarding process.

Employees that are assigned training, or training is not yet complete, must complete prior to their anniversary date. This will be a consideration and reviewed during the employee's annual evaluation.

Failure to complete training required under this Policy within established time periods may result in discipline up to and including suspension, demotion and termination. (Approved 6/5/23)

ACTIVE SHOOTER EMERGENCY RESPONSE POLICY

1550.000

PURPOSE: This policy is intended to provide guidance in the event an individual is actively shooting persons at the workplace.

POLICY It is the policy of the County to provide an active shooter emergency response plan to alert employees that an active shooter appears to be actively engaged in killing or attempting to kill people at the workplace.

DEFINITIONS: For purposes of this Policy: An **active shooter** is defined as a person or persons who appear to be actively engaged in killing or attempting to kill people at the County's premises. In most cases active shooters use a firearm(s) and display no pattern or method for selection of their victims. In some cases active shooters use other weapons and/or improvised explosive devices to cause additional victims and act as an impediment to police and

emergency responders. These improvised explosive devices may detonate immediately, have delayed detonation fuses, or detonate on contact.

PROCEDURES:

1. The first employee to identify an active shooter situation, as soon as possible, should engage panic button, or call 911.
2. The emergency operator upon notification will alert response from Sheriff's Department

POTENTIAL RESPONSES

In response to an active shooter event, there will be three potential courses of action

- 1) Avoid
- 2) Deny
- 3) Defend

AVOID

If there is an accessible escape path, attempt to evacuate the premises, following these recommendations:

- Have an escape route and plan in mind
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be located
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

DENY - Hideout

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you, with these recommendations:

The hiding place should:

- Be inconspicuous
- Be out of the active shooter's view
- Provide physical protection if shots are fired in your direction (*e.g., locating into a bathroom and locking the door.*)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering the hiding place:

- Lock the door
- Blockade the door with heavy furniture

If the active shooter is nearby:

- Lock the door
- Silence cell phones and/or pagers
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet and motionless

DEFEND

If it is not possible to evacuate or hide, then consider self-defense, with these recommendations:

- Remain calm
- Dial 9-911 on a county phone or 911 on a cell phone, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the 911 dispatcher to listen

Take action against the active shooter and only when you believe your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter as follows:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Commit yourself to defensive physical actions

PRE-DETERMINE A MEETING SPOT:

Elected/Appointed Officials shall pre-determine a safe place where their staff will report. The importance of this step is not only for safety of staff, but to gather and get a headcount of who may still need to be located.

DUTY TO REPORT: Employees should feel empowered to report threatening conversations or situations to Department Head, Sheriff Department, or Human Resources Department.

On-site staff training should be held annually. Virtual training available for new employees. (Adopted 12/5/22)

HARASSMENT

1600.000

HARASSMENT IN EMPLOYMENT

- I. **Policy Statement.** It is the policy of Scotts Bluff County that all employees are entitled to a workplace free of harassment and that all employees will treat each other with courtesy, dignity and respect. Harassment in the workplace is a form of discrimination and is prohibited by state and federal law. This policy addresses harassment based upon race, color, national origin, religion, age, disability, genetic information, pregnancy and gender, as well as harassment resulting from an individual's opposition to discrimination or participation in complaint proceedings. All harassment complaints will be taken seriously and will be investigated appropriately. Corrective action will be taken as warranted by the facts.
- II. **Scope.** This policy applies to all County employees, including Elected and Appointed Officials and those in a voluntary capacity serving Scotts Bluff County, hereinafter referred to as 'County Employee'. (Revised 9/16/24)
- III. **Harassment Defined.** Harassment is conduct towards another person or identifiable group of persons including, but not limited to, unwelcome comments or other conduct that unreasonably interferes with an individual's work or creates an intimidating, hostile, or offensive working environment.
 - A. **Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct of a sexual nature constitute sexual harassment when:
 1. Submission to such conduct is either an explicit or implicit term or condition of employment; or
 2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the person involved; or
 3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Hostile environment sexual harassment is defined as unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of employment and creates an environment that a reasonable person would find intimidating, hostile, offensive, or humiliating. This definition goes beyond casual, infrequent, or isolated instances.
 4. Such conduct does not have to be addressed toward the complaining party, in third party situations; the victim does not have to be the person harassed but could be anyone affected by the offensive conduct of others.

Examples of sexual harassment or behavior that constitutes a hostile working environment include, but are not limited to the following: verbal harassment, abuse or teasing of a sexual nature, including the use of sexually offensive language, characterizations or humor; subtle pressure or requests for sexual activity; unnecessary touching of an individual, e.g., patting, pinching, hugging, repeated brushing up against another employee's body; leering or ogling at an individual; requesting or demanding sexual favors accompanied by implied or overt threats concerning an individual's employment status; or requesting or demanding sexual favors accompanied by implied or overt promise of preferential treatment with regard to an individual's employment status.

- B. Harassment Based on National Origin, Race, Color, Religion, Disability, Sexual Orientation, Gender, or Age. This type of harassment consists of conduct that creates or perpetuates a hostile working environment based on national origin, race, color, religion, disability, gender, or age. A hostile working environment is defined as vicious, offensive, frequent and reprehensible instances of harassment constituting a concerted pattern of harassment; this definition goes beyond casual, infrequent or isolated instances. Examples of conduct, which may create a hostile working environment, may include such actions as verbal harassment or abuse, posting or distributing derogatory bulletins, pictures, or cartoons, or offensive language, characterizations or humor.

- IV. **Harassment Prohibited.** Any conduct which constitutes harassment in the workplace or which contributes to the existence of a hostile working environment as defined herein is hereby expressly prohibited. Any County employee who engages in such conduct shall be subject to disciplinary action including, but not limited to, suspension, demotion, or termination of employment.

- V. **Reporting.** Individuals who believe they have experienced or witnessed harassment should report it to his/her supervisor or department head or another department head immediately. Individuals who do not feel comfortable reporting harassment to their supervisors or department heads should report the harassment to the County Human Resources Director. Complaints may be either written or verbal. All allegations of harassment reported to supervisors or department heads shall be reported to the County Human Resources Director immediately. The Human Resources Director and the County Attorney provided neither they nor anyone in their office is the object of the complaint or charge, will immediately investigate any complaint or charge. However, if they or someone in their department is the object of the complaint or charge, the other office will do the investigation.

If the complaint is found to be invalid, all involved parties will be so notified. If the complaint is found to have merit, corrective action will be implemented. Such action shall include, but is not limited to, eliminating any prohibited conduct or conditions, and imposing appropriate disciplinary sanctions up to and including suspension, demotion, or termination of employment.

- VI. **Duty to Report.** Supervisors and administrators who knowingly condone, fail to report, or fail to take action to remedy incidents of harassment or retaliation may themselves be subject to discipline.
- VII. **Confidentiality.** Confidentiality is required so individuals feel free to come forward and so that reputations may be protected. Confidentiality is important to the fair investigation of a harassment complaint and all parties to the complaint are encouraged to maintain confidentiality at all times. However, complete confidentiality cannot be guaranteed in all instances. In order to conduct an effective investigation and, when necessary, to impose appropriate sanctions, it may be necessary to reveal information regarding the complaint to the alleged harasser and potential witnesses. Appropriate supervisors will be informed about the progress of the complaint and/or investigation strictly on a need to know basis.
- VIII. **Retaliation Prohibited.** This policy is intended to encourage individuals to report incidents of harassment. Retaliation against an individual for reporting or complaining of harassment or enforcing this policy is strictly prohibited. For purposes of this policy, retaliation means adverse actions against individuals because they have, in good faith, reported instances of harassment or alleged harassment, or participated in or have been witnesses in any procedure to redress a complaint of harassment. (Adopted 6/9/97) (Revised 7/2/01)

USE OF COUNTY OWNED VEHICLES

1700.000

Vehicles owned by the County are assigned to individual employees for official use based on the nature of their duties. These vehicles shall not be driven after regular working hours except for job related purposes. These vehicles are to be used for bona fide County business and are not to be used for personal use. All occupants of the vehicle must be conducting County business. (Revised 4/16/18)

County owned vehicles can be used to obtain or renew an operating license or commercial drivers' license if approved by department head.

Failure to operate County owned vehicles in a lawful manner shall result in disciplinary action.

Employees are required to report any traffic violation (except parking) within ten days to their immediate supervisor. Failure to do so shall result in disciplinary action.

If vehicle is assigned to a County employee on extended leave of absence, the vehicle should be parked on County property during employees' absence. (Adopted 2/06/23)

Employees will not operate any County owned vehicle while under the influence of any prescription, intoxicants or controlled substances. Smoking and vaping is prohibited in any County-owned vehicle. (Adopted 10/5/09) (Revised 7/6/21)

Employees will not operate any County-owned vehicle while using a cell phone or texting. (Adopted 10/5/09)

Employees who have County owned vehicles provided are required to treat the use of the vehicle for commuting between home and work as taxable income, as defined by the current Internal Revenue Service tax code. (Adopted 6/9/97)

USE OF COUNTY FLEET VEHICLES

1700.001

The care, maintenance, and scheduling of the vehicle shall be the responsibility of the Weed Control Superintendent. The vehicle will be inspected before and after each use. Any damage to the vehicle shall be charged to the department which the vehicle was assigned to. In the event of an accident, any deductibles shall also be charged to the department using the vehicle at the time of the accident. (Revised 7/6/21)

The vehicle shall be full of gas when checked out and full when checked in after use. The fuel shall be charged to the department using the vehicle. Routine maintenance of the vehicle will be charged to the Administration General budget.

The vehicle shall only be used for bona fide county business and will not be used to transport passengers other than those persons in the employ of the county or individuals accompanying county employees on official county business.

The vehicle is to be utilized whenever possible. In situations when the vehicle is available for use, but not taken, the employee will only be reimbursed for actual gasoline expenditures for the non-County vehicle.

The vehicle will not be used in situations of extended travel, exceeding one (1) calendar week, or for purposes of air travel where the vehicle will be left unattended for any length of time.

Employees will not operate the vehicle without a current and valid Nebraska Driver's License. The vehicle shall be operated in a safe manner. Seat belts shall be worn by driver and all passengers. Smoking and vaping is prohibited in the vehicle. Employees shall not operate the vehicle while impaired by alcohol or drugs. (Adopted 5/15/06) (Revised 7/6/21)

ANNUAL CHECK OF DRIVER'S LICENSE AND COMMERCIAL DRIVER'S LICENSE

1700.002

A current driver's license, which is in compliance with the laws of the State of Nebraska, is required to operate any licensed County vehicle. Therefore, all employees who regularly or on occasion operate a licensed County vehicle shall submit their Nebraska Driver's License annually to their Supervisor or Department Head to determine if the license is current and valid. At such time, a photocopy of the front and back of the driver's license will be sent to the Personnel Department to update the employee's file. (Adopted 5/03/10)

SCOTTS BLUFF COUNTY FUELING FACILITY POLICY

1700.003

All County personnel using the County Fueling Facility on Rundell Road are required to adhere to the following policies.

1. Use only the County issued fuel card that is assigned to the vehicle being fueled.
2. Always use the County Fueling Facility to refuel County vehicles with the following exceptions:
 - a) When traveling out of town for training, conferences, corrections department transport, etc., when refueling is necessary to return to your workplace.
 - b) When the County Fueling Facility is non-operational due to mechanical, electrical, or other issues.
 - c) Fueling, locally, at another site while fueling facility is operational is not acceptable. Employee will be responsible for charges.
3. Refueling any non-County vehicles at the County Fueling Facility is strictly prohibited.
4. Refueling intervals are to be determined by each department to ensure all vehicles have adequate fuel to perform their duties with minimal delays or interruptions to refuel.
5. The requirement for printed receipts is to be determined by each department.
6. When a fuel card and/or door key fob is lost or destroyed, employees are required to report to supervisor or Facilities Management Director as soon as possible so the lost card and/or key fob can be deactivated, and a new card/fob can be issued.
7. All fuel spills should be reported to the Facilities Management Department immediately and the employee should use the spill kit in the storage container to mitigate the spill to the best of their ability.
8. Any problems, malfunctions, or issues encountered by an employee are to be reported to the Facilities Management Department immediately.
9. Employees fueling County vehicles after hours are expected to make sure the storage container door and fence gate at the dispenser are locked before leaving the facility. (Adopted 9/16/24)

SCOTTS BLUFF COUNTY DISTRACTED DRIVING POLICY

1700.004

Please read the Distracted Driving Policy, sign and return to HR.

In order to increase employee safety and eliminate unnecessary risks behind the wheel, Scotts Bluff County has enacted a Distracted Driving Policy, effective February, 3, 2025. We are committed to ending the epidemic of distracted driving, and have created the following rules, which apply to any employee operating a county vehicle or using a county-issued cell phone while operating a personal vehicle:

- County employees may not use a hand-held cell phone while operating a vehicle – whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, and text messages.
- If county employees need to use their phones, they must pull over safely to the side of the road or another safe location.
- County employees are required to turn cell phones off or put them on silent or vibrate before starting the County motorized vehicle/equipment.
- If caught in violation, progressive discipline will be applied dependent on the severity of the situation as determined by the department head. Injury accidents and/or property damage will be reviewed by County Attorney, Department Head, Safety Director and Management Accountant

****** Departments with a driving policy in place should follow department-specific policy.**

I acknowledge that I have received a written copy of the Distracted Driving Policy, that I fully understand the terms of this policy, that I agree to abide by these terms, and that I am willing to accept the consequences of failing to follow the policy.

Employee Signature

Date

Employee Name (printed)

(Adopted 2/3/25, Revised 7/7/25)

INTERNET AND NETWORK RESPONSIBILITIES

1720.000

Scotts Bluff County takes pride in promoting a work environment that values excellence, professionalism, and mutual respect - qualities which extend to the use of our computing and communications resources. Our computing network, E-mail (electronic mail) systems and access to other external systems such as the Internet exist to support and facilitate County business. As such, they should be considered privileged, strategic resources.

It is each employee's responsibility to follow these County guidelines when using these facilities. These guidelines were designed to prevent use that may be illegal, abusive, or adversely impact the County or its resources and at the same time show what usage is allowable.

I. Using network communications responsibly.

A. Understand the level of security.

When you send sensitive material electronically, it is important to verify that all recipients are authorized to receive such information. Also ensure the mechanism of transfer is secure. If in doubt about the security of any given transfer mechanism, contact via phone or email Bytes Computer for advice. (Revised 4/04/22)

B. Maintain professionalism.

Every Scotts Bluff County employee who uses county resources to access the Internet (or any public bulletin board) is responsible for ensuring posted messages are professional and businesslike and have the County's best interests in mind. Scotts Bluff County proprietary information **MUST NOT** be made available on the Internet or any external system.

C. Remember that these guidelines apply to personal expressions as well.

Your responsibility extends beyond confidential or classified information to include personal viewpoints, if postings to the Internet, or any external public bulletin or news system, are taken out of context or misinterpreted, they can have an unplanned and negative impact on the County or be misconstrued as official County endorsements or statements.

D. If unsure about appropriateness, get guidance.

If you want to post a message on the Internet or via e-mail and are unsure about its sensitivity, review the message with your supervisor and/or department head or contact the Human Resources Director.

II. The County network is for County business

A. Restrict usage to Scotts Bluff County employees and other authorized persons.

As with all county assets, use of the network is restricted to Scotts Bluff County employees and other authorized persons and does not include family members or others.

B. Engage only in reasonable use of the facility for personal communication. Reasonable use of county computing facilities is permitted for personal communication. By reasonable, we mean use discretion and common sense. As an example, using E-mail to invite a few friends to party, or occasional

conversation in non-business-related topics would usually be considered reasonable.

- C. Do not communicate or store inappropriate content. Avoid communicating or storing material on Scotts Bluff County resources which falls into any of the following categories:

1. Any form of a "chain" letter.
2. Sexually suggestive material, particularly explicit and pornographic material that violates applicable law.
3. Material that expresses or promotes discriminatory attitudes towards religion, gender, age, nationality or other groups.
4. Software used for "hacking or cracking" internal or external computer systems, such as viruses, mail bombs and the like.
5. Harassment or threats.
6. Business activities unrelated to Scotts Bluff County.
7. Messages that intentionally misrepresent the identity of the sender.
8. Material that is illegal in other ways.

- III. Mechanisms are in place for distribution of approved bulletins and notices.

Get authorization before broadcasting an E-mail bulletin to all employees. Individuals wishing to send E-mail bulletins to all Scotts Bluff County employees must first obtain authorization from the Personnel Office. Please note, however, that there are often better avenues for any such announcements.

- IV. Follow proper network etiquette.

Common sense and good taste dictate the following tips for proper use of network resources:

- A. Never forget that the person on the other side is human.
- B. Please remember that people all over the world are reading your words.
- C. Be brief. Never say in ten words what you can say in five.
- D. Your news postings reflect upon you. Be proud of them.
- E. Use descriptive titles in our subject line.
- F. Only post a message once.
- G. Read all follow-ups, and do not repeat what has already been said.

- V. Use appropriate content.

- A. Be careful about copyrights and licenses. Once something is posted onto the network, it is probably in the public domain unless you own the appropriate rights (most notably, if you wrote the thing yourself) and you post it with a valid copyright notice. A court would have to decide the specifics and their arguments for both sides of the issue.
- B. Cite appropriate references.
- C. Do not overdo signatures.
- D. Limit line length and avoid control characters.

If in doubt about network usage guidelines, please contact Bytes Computer Helpline (308) 635-2983, or email

a request to Help@scottsbluffcountyne.gov. (Revised 4/04/22)

VI. Auditing and Reporting

- A. The County does not routinely audit internal use of the network, but does periodically audit external network communications to protect its trade and commercial secrets, or in response to specific problems or complaints.
- B. An employee's County E-mail or County computer files may be accessed by security under certain circumstances. Only with the appropriate authorization and the involvement of the Personnel Department.
- C. Postings to any system should conform to the acceptable use guidelines outlined above.
- D. Scotts Bluff County employees are encouraged to assist in the enforcement of these guidelines by promptly reporting violations to their supervisor, and/or department head, or the Personnel Office.

VII. Accessing Other Facilities without Authorization

Unauthorized access to another employee's files or use of county facilities to gain unauthorized access to another county's computing facilities is a major breach of security and ethics.

VIII. Corrective Action

- A. Abuse of E-mail and network privileges can result in disciplinary action ranging from a warning, through suspension of network access to dismissal from the County, depending on the circumstances of the incident.
- B. Please be aware that there is a special procedure for the handling of complaints about Internet usage.
- C. Upon receipt of a valid complaint about breach of these guidelines, the Human Resource Department may impose immediate access suspensions of up to three months, pending further investigation through normal channels or appeal.

(Adopted 8/20/01)

SOCIAL NETWORKING WEBSITE POLICY

1730.00

Social networking platforms, blogs, newsgroups, and chat rooms provide users with a means to connect with people around the world. While Scotts Bluff County does not prohibit employees from accessing or using these websites on their own equipment during non-work time, it is important for employees to remember that in some contexts they may be perceived as representatives of the County, even on social networking sites. Accordingly, this policy provides guidance with respect to employees' social networking and applies to the extent permitted by law. (Revised 12/5/22)

Employees are personally and legally responsible for the content of information they post on social networking sites. The county requests that employees set their privacy protection settings on social networking sites so that only "friends" or members of their social network (rather than the public) can view and access their profiles, postings and comments. Even when using the privacy protection setting, employees should treat all postings as potentially public information.

Employees are prohibited from using a County e-mail address as their own login name, user handle, in their personal profiles, or when posting, blogging or tweeting. Employees are also prohibited from using County logos, trademarks or other intellectual property.

I. **Maintaining Confidentiality of County and the General Public's Information**

County policy prohibits current and past employees from divulging confidential County information. In particular, employees are required to maintain the confidentiality of County and the general public's information and are prohibited from disseminating such information through the use of social networking sites.

Confidential information includes financial, legal, medical, internal policies and procedures, as well as other employees' personal information.

II. **Placing the County in a False Light**

Many social networking sites allow users to indicate their past and present employers on their user profiles. In addition, it may be possible for others to ascertain your current or past employers through your pictures, posts or through other means. As a result, employees are prohibited from making false statements or posting with content that falsely portrays the County.

III. **Speaking on Behalf of the County**

Only the County's Governing Board, elected/appointed officials are permitted to speak on behalf of the County. When blogging or posting comments, messages or other content regarding the County or its clients, employees are required to affirmatively state that their views are not those of the County.

IV. **Following All Other County Policies**

Employees are required to follow all other County policies when using or accessing social networking sites to communicate with, to, or about other County employees, the public or others affiliated in any way with the County. Employees should be particularly mindful to follow the County's Harassment Policy when using social networking sites. In addition, employees are prohibited from bullying, harassing, defaming or gossiping about co-workers and the public when using social networking.

V. **Use of Social Networking Websites on County Equipment, or During Work Hours**

Employees are prohibited from using or accessing social networking sites on County equipment during working hours unless approved in advance by Department Heads. Working hours are defined as an employee's scheduled shift, but exclude lunch and other break times. The County reserves the right to monitor employees' website history on County equipment to determine whether employees are complying with this policy.

VI. **Complaint Procedure**

Should employees believe that another employee is violating any aspect of this policy, or if employees have any other questions or concerns about this policy, they should address their concern(s) to their elected/appointed official or supervisor or Human Resources Department.

VII. **Disciplinary Action**

Unless otherwise protected by law, breach of any aspect of this Social Net Working Website Policy can result in disciplinary action, up to and including termination. (Adopted 2/6/12)

CODE OF ETHICS FOR COUNTY EMPLOYEES

1800.000

- I. Employees shall not hold financial interests that conflict with the performance of their official duties.
- II. Employees shall not engage in financial transactions using non-public governmental information or allow the improper use of such information to further any private interest.
- III. An employee shall not accept or solicit any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency or department, or whose interests may be substantially affected by the performance or non-performance of the employee's duties.
- IV. Employees shall not use public office for private gain.
- V. Employees shall act impartially and not give preferential treatment to any organization or individual.

- VI. Employees shall protect and preserve county property and shall not use it for other than authorized activities.
- VII. Employees are expected to disclose waste, fraud and corruption to appropriate authorities.
- VIII. Employees of Scotts Bluff County should be respectful and refrain from critical discussions that can injure another person's credibility and reputation. Gossip is an activity that can drain, distract and create hostility in the workplace. This can be in regards to fellow employees and/or the public. (Adopted 8/7/23)

WHAT IS EXPECTED OF YOU

1800.001

- I. **ATTENDANCE:** If you were not needed, you would not be employed with the County, so it follows that regular attendance and punctuality are essential. Remember too, that by your absence, you are placing an extra burden on your co-workers who must do your work as well as their own. IF, for some good reason, you are unable to report for work, arrange to notify your Elected/Appointed official or Department Supervisor of that reason as soon as possible.
- II. **APPEARANCE:** All employees shall maintain a high standard of dress, personal grooming and hygiene during work hours and contribute to a pleasant work atmosphere. Clothing shall be in good taste and reflect the pertinent working conditions. Employees are encouraged to consult with their supervisor whenever necessary regarding acceptable dress for their work area. Taxpayers judge the quality of county government based on appearances and hygiene of our employees. Failure to comply with this policy can lead to disciplinary action. (Revised 6/5/23)
- III. **CONFIDENTIALITY:** During the course of your employment with the County, you may have access to and learn about confidential information, such as employees or citizens' Social Security Numbers, personal identifiable information, and financial information; medical records; information related to criminal investigations; and other information that may be designated as confidential by your department head. Employees must treat all such information as strictly confidential and may be subject to disciplinary action, up to and including termination of employment, for accessing, using, publishing, disclosing, or otherwise communicating such confidential information outside the scope of their authority and/or legitimate job duties. (Revised 9/5/23)
- IV. **PERFORMANCE:** You were hired because the Elected/Appointed Official felt you were qualified for the position and would perform well. Each employee is expected to put forth maximum effort on the performance of his or her job.
- V. **PHONE CALLS:** Since the County's telephone lines must be kept free for business calls, limit your personal use of the telephone to essential calls. If possible, make such calls either before or after business hours. Also, ask your friends and relatives not to call during working hours, except for important messages. Calls to other employees during working hours should be confined to county business.
- VI. **CELL PHONE CALLS:** Personal cell phone usage will be restricted to personal emergencies and break times. (Adopted 10/5/09)
- VII. **COURTESY:** As an employee of Scotts Bluff County, you are expected to treat fellow employees and citizens of Scotts Bluff County with courtesy and respect. (Adopted 5/6/19)

WORKPLACE VIOLENCE PREVENTION

1900.000

The County takes the safety of its employees very seriously. As a result, the County will not tolerate any form of violence in the workplace. The County considers violence to include such things as physically harming, shoving, pushing, harassing, intimidating, or coercing another person. In addition, threatening, talking, or joking about violence is considered violence as well.

In an effort to provide a safe workplace and prevent violence, the County specifically prohibits employees who are not in law enforcement from possessing or carrying any weapons, including weapons transported in employee vehicles, while on the County's property or while performing work as a County employee. For purposes of this policy, weapons include guns, knives, explosives, and other potential weapons.

In addition, access to all County property and work sites is limited to only those persons with a legitimate business interest.

The County will fulfill its obligation as employer to prevent violence in the workplace to the extent possible. Employees must also assume their role in preventing violence. A worker who believes a co-worker may become violent or a worker sees a violation of this policy, must immediately report this to a supervisor or other management official as the situation dictates. All reports will be investigated and information will be kept confidential to the extent possible. (Adopted 9/8/15)

SCOTTS BLUFF COUNTY ENERGY EFFICIENCY POLICY

1925.000

Scope:

This policy applies to all buildings owned and operated by Scotts Bluff County.

Policy Statement:

Guiding Principles

Scotts Bluff County is committed to reducing energy use, increasing utility operational efficiencies, and reducing energy costs to the greatest degree possible. Energy management and conservation initiatives have been put in place to achieve greater efficiency. Scotts Bluff County will:

- Reduce energy costs, eliminate waste, and conserve energy resources by using energy-efficient and cost-effective technology.
- Incorporate energy efficiency into the decision-making process during the design and acquisition of facilities and equipment.
- Increase energy efficiency through capital investment and improved operations.
- Establish partnerships with government and outside organizations to provide technical assistance and to share costs on energy-conserving initiatives to the extent possible.

Temperature Settings

County buildings are equipped with a variety of environmental controls. Heating, Ventilation, and Air Condition (HVAC) operations will mirror the hours of primary building occupancy. Space temperatures maintained during designated unoccupied hours may not be suitable for normal activities. For the purpose of this policy "primary building occupancy" shall be defined as Monday – Friday, 7:30 am through 5:30 pm.

Temperature settings in all spaces during occupied periods will be:

- Heated to a target temperature of 70°F during the winter. Whenever it is economically and technically feasible, night setback features of the building automation system will be utilized to allow temperatures to drop back to 55°F during unoccupied periods.
- Cooled to a target temperature of 74°F in centrally air-conditioned spaces during the summer. Whenever it is economically and technically feasible, night setback features of the building automation system will be utilized to allow temperatures to rise to 85°F during unoccupied periods.

Building thermostats shall be set by Facilities Maintenance and Operations (FMO) to provide the greatest operating efficiency. Temperatures may fluctuate within the building around these set points and every effort will be made to stay within 2°F of this range. Supplemental electric heaters shall only be used in case of long-term system malfunctions and as authorized and provided by the Facilities Manager. No other use of electric heaters is allowed and unauthorized heaters will be removed.

Occupants who control their own thermostats are expected to adhere to these settings.

Occupant Opportunities

Technology and policies can only go so far in reducing energy consumption. In the end, those of us who work in County buildings have numerous opportunities to save on energy expenditures and achieve a healthier workplace. The following steps could greatly assist the effort to control costs and environmental impact.

- Report observations of excessive energy use and concerns to Facilities Management (308) 436-4037.
- Turn off lights in any room when lights are no longer needed.
- Turn off computers, monitors, printers and photocopiers when you leave your office for the evening. Information Technology policy should be followed.
- Turn off coffee pots and similar appliances when they are not in use. Radios and TVs should be turned off when out of the office.
- Wear clothing appropriate to the season and weather – lightweight clothing in summer and warmer clothes in winter. Wear layers so you can adapt to varying conditions in your workspace and still be comfortable.
- In winter, drapes or blinds should be open when windows are in direct sunlight or to utilize daylight over artificial light, and closed otherwise. During summer, close drapes or blinds to prevent direct sunlight from entering the room. Try not to use windows for temperature control.
- Notify your building maintenance reporter if your work area is overheated in the winter or overcooled in summer.
- Do not habitually open a window to get rid of excess heat in the winter.

Reason for Policy

Expenditures for utilities compete directly with resources available for the county operations, including staff compensation. Every dollar we save in energy expenses will flow directly into more necessary business expenditures. Accordingly, Scotts Bluff County has adopted this policy as part of an effort to maximize the resources available for its core missions.

Additional Contacts: Facilities Service Desk – 308-436-4037 or utilize MaintainX (Adopted 9/16/24)

DEFINITIONS

2000.000

The following words and phrases when used in this handbook have the following meanings unless otherwise clearly indicated in the context:

- I. For all employees hired prior to 8/21/06:

Anniversary Date for Pay Increase Shall be - The date of the last pay increase. The first **Anniversary Date for Pay Increase** is the date of the pay increase following the probationary period. Thereafter, the **Anniversary Date for Pay Increase** will be up-dated following successful appraisals and necessary time lapses for step increases. The only way a pay increase will be retro active to the **Anniversary Date for Pay Increase**, is with the concurrence of the Elected/Appointed Official and the Human Resources Director.

For all employees hired after 8/21/06:

Anniversary Date for Pay Increase shall refer to the date, one calendar year from the employee's date of hire, on which they are eligible to move to step two (2) on the pay scale, or move one step above the step at which they were hired.

- II. **Appointed Official** - serves at the pleasure of the County Board to administer one of the major departments of County Government.
- III. **CDL** - Commercial Driver's License.
- IV. **Chief Deputy** - an individual who serves as first assistant to, and at the pleasure of an Elected Official.

- V. **County** - Scotts Bluff County.
- VI. **County Board** - the Scotts Bluff County Board of Commissioners.
- VII. **Date of Employment** - the date on which an employee begins service with the County.
- VIII. **Date of Hire** - The **date of hire** is the first day the employee works. The **date of hire** is not the date the person is offered the job nor is it the date the job offer is accepted. The **date of hire** will be used to compute vacation leave, sick leave, and retirement benefits.
- IX. **Department Supervisor** - any person responsible to an Elected/Appointed Official for the direction of work to others.
- X. **Deputy** - is a working title for one or more individuals so designated by an Elected Official.
- XI. **Dismissal** - the termination of employment of an employee for cause.
- XII. **Elected Official** - an officer elected by the popular vote of the people to serve as administrator of a major County function. These officials are the County Assessor, Attorney, Clerk, Register of Deeds, Sheriff, Surveyor, Treasurer, Clerk of the District Court and Public Defender.
- XIII. **Employee** - any person in the employment of Scotts Bluff County.
- XIV. **FLSA** - Federal Labor Standard Act.
- XV. **NPERS** - Nebraska Public Employees Retirement System.
- XVI. **Offense** - violation of law, County policy, or established duty.
- XVII. **Personnel Policy Board** - the Board established by Sections 23-2534 to 23-2544 of the Revised Statutes of the State of Nebraska. Three members shall constitute a quorum for the transaction of business. Section 23-2537 (3).
- XVIII. **Human Resources Director** - the employee designated by the Board of County Commissioners to administer these Rules.
- XIX. **Policy** - official policy, rules, regulations, resolutions and procedures adopted by the County Board of Commissioners.
- XX. **Resignation** - the termination of employment of an employee made at the discretion of the employee. (Adopted 6/9/97) (Revised 8/1/06)
- XXI. **Holiday Pay** – Pay received for the holiday benefit. Personnel Policy 6000.00. Employee's typical work day hours times employee's current rate of pay. (Adopted 4/04/22)

EMPLOYEE CLASSIFICATIONS

3000.000

The following employee classifications have been established in order to provide an equitable basis for the determination of employee eligibility for benefits, promotion, or transfer.

I. PROBATIONARY EMPLOYEE:

3010.000

A. Nature, Duration, and Purpose

There is hereby established a probationary or working test period which shall be of six (6) months to twelve (12) months in duration. This probationary period is an essential continuation of the examination process and shall be utilized for the most effective evaluation of new employees and for the elimination of any employee whose performance or conduct does not meet acceptable standards. Particular attention will be given to punctuality, attendance, willingness to work with others, and positive response to supervision.

B. Conditions Preliminary to Status

It shall be the responsibility of the Appointed / Elected Official to do a probationary performance appraisal at the end of the probationary period. This appraisal shall be to the effect that the probationary employee's services have or have not been satisfactory during the probationary period. The Appointed / Elected Official shall state whether the probationary employee is or is not recommended to be given status in the department.

C. Separation During the Probationary Period

If at any time during the probationary period the Appointed / Elected Official determine that the services of the employee have been unsatisfactory, an employee may be separated from his position without the right of appeal or hearing. However, the Official is to give the employee (1) an oral or written notice of the basis for the termination, (2) an explanation of the employer's evidence supporting that action, and (3) an opportunity to present his or her side of the situation. The employee will be notified in writing of the separation date. The probationary employee cannot be terminated for an illegal / unconstitutional reason. Notification of any dismissal of a probationary employee shall be made in writing by the Appointed / Elected Official to the Personnel Office together with a report in writing of the reasons for the dismissal.

D. Qualifying for Status in a Position

No employee shall be given status in a promotional position until he/she shall have satisfactorily completed a qualifying period of three (3) to six (6) months duration as specified in the new job description. During such qualifying period, the employee may be removed from such position by the Official when, in the judgment of the Official, they have not demonstrated fitness for the position. When an employee fails to successfully complete the qualifying for status period, they may revert to a position in the same department and pay rate of his former class. Placement action shall be effected in the event it is not practical to return the former position and the employee shall be offered any available position for which the person is qualified in the same department. (Adopted 6/9/97) (Revised 2/20/01) (Revised 9/16/24)

II. **FULL-TIME EMPLOYEE:** 3015.000

Employment in a position that requires 32 hours or more per week, accumulates sick leave immediately, accumulates vacation time after six months, and is entitled to paid holidays, health and life insurance benefits, flex plan, and retirement benefits. Effective November 1, 2015 health insurance will be offered to employees who consistently work more than 30 hours per week. (Revised 7/6/21)

III. **PART-TIME EMPLOYEE:** 3020.000

Employment in a position that requires less than 32 hours per week on a consistent basis for an indefinite period of time. (Adopted by the County Board of Commissioners 6/10/96) (Revised/Adopted by County Board 9/20/99). If working less than 32 hours per week, the employee receives no sick leave, no vacation time, no paid holidays, no life insurance benefits, no flex plan, or no retirement benefits. Effective November 1, 2015 health insurance will be offered to employees who consistently work more than 30 hours per week.

If working more than 32 hours per week, the employee accumulates sick leave immediately, and vacation leave after one year; he/she receives no paid holidays, life insurance benefits, or flex plan, and has limited retirement benefits.

IV. **TEMPORARY EMPLOYEE:** 3025.000

An employee hired to complete a specific assignment or for a specific period of time, not to exceed six (6) months, shall receive no sick leave, no vacation time, no paid holidays, no health or life insurance benefits, no flex plan, or no retirement benefits.

V. **SEASONAL EMPLOYEE:** 3030.000

A position that, although temporary, coincides with a particular season or seasons of the year and may recur regularly from year to year, not to exceed 7 months in any calendar year, shall receive no sick leave, no vacation time, no paid holidays, no health or life insurance benefits, no flex plan, or no retirement benefits.

VI. **INTERMITTENT (TEMPORARY) EMPLOYEE:** 3035.000

One who is employed on a temporary, irregular or occasional basis and paid only for actual hours worked. An intermittent employee's name will be taken off the Department's payroll list if he/she has not worked within the last month. At that time, all County issued materials and supplies are to be checked back in if requested by the Elected/appointed Official or supervisor. The Elected/Appointed Official or supervisor may allow the employee's name to remain on the employee list for a longer time if the situation warrants. However, if it has been more than a year since the intermittent employee last worked, he/she must reapply for the position. This position is generally used to fill in for full or part-time employees on an inconsistent, unpredictable basis, and shall receive no sick leave, no vacation time, no paid holidays, no health or life insurance benefits, no flex plan, or no retirement benefits because the individual is deemed to be a temporary employee of the county. (Revised 2/18/03) (Revised 2/5/24)

VII. **EMERGENCY EMPLOYEE:** 3040.000

An employee appointed without regard to the employment process of these rules to a position due to immediate necessity recognized by the Elected/Appointed Official and the Human Resources Director, and whose appointment is not to exceed thirty (30) days in duration and is nonrenewable.

VIII. **EXEMPT EMPLOYEE:** 3045.000

An employee who is not eligible for overtime pay as prescribed in the Fair Labor Standards Act.

IX. **NON-EXEMPT EMPLOYEE:** 3050.000

An employee who is eligible to be paid at overtime rate as defined in the Fair Labor Standards Act.

X. **DEPUTIES:** 3055.000

Each Elected Official is allowed by law to appoint a person to serve as the personal staff of the Elected Official to generally assist in the management of the affairs of the office and to provide counsel and advice in policy matters. Deputies shall serve at the pleasure of the elected official and be terminated at the will of the elected official. This provision applies to the chief deputy post appointed by the County; Assessor, Attorney, Clerk, Register of Deeds, Sheriffs, Surveyor, Treasurer, Clerk of the District Court, and Public Defender. (Adopted 6/9/97) (Revised 2/20/01)

XI. **INTERIM DEPARTMENT DIRECTOR OR SUPERVISOR:** 3060.000

When a director or supervisor position opening occurs in a department, the Board of Commissioners with the assistance of the Human Resources Director may appoint a current qualified employee of that department on an interim basis during the employment process. The rate of pay shall be the first step of the range of the position being filled or at the discretion of the County Board of Commissioners. (Adopted 10/5/09)

EMPLOYMENT PROCESS 3100.000

Scotts Bluff County endorses the philosophy of equal opportunity and treatment, and does not discriminate among applicants or employees on the basis of sex, race, color, religion, national origin, age, marital status, disability, military status or political affiliation.

It is also the policy of Scotts Bluff County to provide equal employment opportunity without regard to age, with the following exceptions:

- I. Scotts Bluff County will not employ any person less than 16 years of age. Persons between the years of 16 and 17 may be employed in accordance with the Federal and Nebraska Child Labor Laws.
- II. Scotts Bluff County will not refuse to hire, discharge, or otherwise discriminate against any individual, with respect to his or her terms, conditions, or privileges of employment, otherwise lawful, because of his or her age, when the reasonable demands of the position do not require an age distinction, particularly with regard to employment of individuals who are 40 years of age or older. (NEB. Rev. Stat. Section 48-1001, et.seq.) (Reissue 1988), as amended. (Revised and Adopted 9/20/99)
- III. Because daily contact with the public is required of County employees, persons with infectious, contagious, or transmittable diseases may be employed at the discretion of the Elected/Appointed Official, who may require a physician's certificate that the employee does not present a significant risk to other employees or to the public. (Adopted 6/9/97)

I. **AUTHORIZATION TO FILL A POSITION** 3110.000

Filling a vacancy due to resignation, promotion, demotion, lateral transfer or termination will require the approval of the Elected/Appointed Official.
When the employee is an Appointed Official, the supervisor will be the County Board appointed commissioner representative. (Adopted 10/5/09)

II. **PROCEDURE FOR FILLING POSITION VACANCY** 3120.000

- A. If the vacancy is due to a resignation, termination, promotion, demotion, or lateral transfer, the Elected/Appointed Official will contact Human Resources to discuss position expectations and requirements. Elected/Appointed Official along with Human Resource Coordinator will review and prepare a job description. Job postings and related notices shall be created by the Human Resources Department. The position will be advertised on the County's website, newspaper and/or online media as deemed appropriate by the Human Resource Department. All full-time and permanent part-time positions will be advertised both internally and externally. Temporary, Intermittent, and Seasonal positions will be advertised except where business necessity requires immediate hire. No employee may be promoted i.e. intermittent to temporary, temporary to part time, part time to full time or transferred without the position being advertised. (Adopted 9/20/99) (Revised 7/6/21) (Revised 4/04/22)

The Human Resource Department shall make every reasonable effort to attract qualified persons to compete for externally posted positions. In the event a sufficient number of qualified applicants have not applied, the Human Resource Department, with concurrence of the appointing authority, may extend the closing date for the purpose of gaining additional qualified applicants. (Adopted 4/04/22)

- B. If the opening is due to the need for additional staff or the creation of a position, a position description is to be forwarded to the Human Resources Director, with the following information:

1. Title and salary range
2. Summary of the qualifications
3. Deadline for filing applications

In consultation with the Official, the Human Resources Director will provide data on competitive salary with the job market and equity in salaries within the County.

III. **RECRUITMENT** 3130.000

A. **Internal Recruitment:**

1. The Personnel Office will post or provide listings to be posted for all position vacancies on employee bulletin boards located outside the Personnel Office and on the first floor of the Administration Building and will email all County departments notifying them of the

vacancy. (Adopted 9/20/99) (Revised 7/6/21)

2. Interested employees must contact the Personnel Office and complete the Internal Employment Application Form.
3. Internal transfers will not be permitted during an employee's probationary period (6 months). Once an employee accepts a transfer, they may not apply for another transfer for a period of six (6) months; except upon notifying the Human Resources Director and an agreement can be reached between the appropriate Elected/appointed Officials involved.
4. If a new employee is hired as result of a referral from a current County employee, (this must be stated on the County Application), the current employee will receive one (1) day of leave placed in a referral bank after the new employee has made it beyond the County's six (6) month probationary period and earned a satisfactory evaluation. (Revised 5/20/24)

B. External Recruitment:

1. The Personnel Office will prepare, for the approval of the requesting official, the advertisement and shall place the initial advertisement.
2. For permanent, full-time positions, the summarized job description will be advertised on the County's website (scottsbluffcounty.org) and most appropriate media. Any additional billed days and/or advertisings requested by the appointed/elected official will be the financial responsibility of the requestor's office. Job service sources may be utilized. (Revised 7/6/21) (Revised 4/04/22)
3. Any applicant within the past (6) months may have his/her application reactivated for the same or another position within the county by calling the personnel office and requesting his/her application be renewed. (Revised 7/6/21)
4. If a position vacancy re-occurs within six (6) months of closing such vacancy - the Department Head may elect to select an applicant from the previously submitted pool of applications, and not re-advertise the position. (Adopted 9/20/99) (Revised 5/15/06)

C. Applicant Process:

1. All applications shall be made on forms provided by the Personnel Office and must be filed with the Personnel Office on or prior to the closing date specified in the announcement. All applications shall be signed, and the truth of the statements contained therein certified by such signatures.
2. Depending upon the nature of the vacancy, applicants may be required to provide or undergo written, oral, physical agility, background, employment, educational, and other records necessary to properly evaluate the applicant for the position. Conviction of a crime may constitute an automatic bar to employment. (Revised 7/6/21)
3. Applications will be accepted for a minimum of one week following the last advertisement. (Adopted 9/20/99)
4. As the applications are received in the Personnel Office, they will be logged in then forwarded to the Elected/Appointed Official for review based solely on the job related qualifications; the Elected/appointed Official shall select applicant for personal interviews. (Revised 7/6/21)

D. Interview Process:

The Personnel Office and the Elected/Appointed Official shall arrange for all interviews and the interviews shall focus on:

1. Clarification of items listed on the application
2. Clarification of an applicant's qualifications

3. Discussion of County salaries, benefits, career opportunities, policies, working conditions, work assignments; and
4. Discussion of the nature and duties of the position involved, as well as the nature, duties, and responsibilities of the entire office.

For each interview, the interviewer shall objectively complete an interview evaluation form that accurately and thoroughly reflects the candidate's qualifications. After the interviews are complete, the Elected/Appointed Official shall review the interview candidates by performing an adequate number of reference checks from the candidate's past employment using the reference form supplied by the Personnel Office. Once a decision has been made the Elected/Appointed Official will notify the Personnel Office. (Adopted 9/20/99) (Revised 7/6/21)

It shall be the responsibility of the Elected/Appointed Official to notify successful candidates to make the offer of employment. The Elected/Appointed Official will be responsible for notifying all other applicants that were interviewed. (Adopted 9/20/99) (Revised 7/6/21)

Scotts Bluff County shall retain all applications of employment and all recruiting advertisements and notices of availability of jobs for a period of two (2) years after the offering. The Personnel Office shall prepare and retain a log of applicants and disposition of the applicants. (NEB. Rev. Stat. Section 48-612, Section 48-1101, and Section 48-1115) (Reissue 1988 as amended). (Adopted 6/9/97)

IV. **OFFERS OF EMPLOYMENT**

3140.000

An offer of employment may not be made until the following steps have been completed.

- A. The appropriate prior approvals have been obtained. (As required in Section 2 Authorization to Fill a Vacancy)
- B. The appropriate recruitment procedures have been followed and the selected applicants have been interviewed.
- C. The salary has been coordinated with the Human Resources Director.
- D. Personal references have been checked by the Elected/Appointed Official or Department Supervisor.
- E. Prospective employees that will be operating County vehicles must have a valid driver's license. A driver's license or commercial driver's license that is in compliance with the laws of the State of Nebraska may be required for designated positions.
- F. A new employee cannot perform compensable work until after he/she has completed the required employment forms (I-9, E-Verify, W-4, insurance, retirement if applicable, etc.) (Adopted 6/9/97) (Revised 7/2/01) (Revised 5/3/10)

V. **TERMINATION PROCEDURE**

3190.000

- A. When an Elected/Appointed Official and / or supervisor determines it necessary to terminate an employee's employment for disciplinary reasons, it must be done in accordance with the procedure provided for in the Corrective Action Policy. All other terminations are considered at will and are at the discretion of the Elected/Appointed Official and/or supervisor.
- B. Appeals
 1. Any employee may appeal a termination notice directly to the Personnel Board.
 2. The employee shall present his appeal in writing to the Human Resources Director or his designated representative within thirty (30) working days from the date on which the employee was terminated.
 3. The Personnel Board shall hold a hearing with the employee or his designated

representative within thirty (30) working days after receipt of the appeal. (The hearing will be conducted according to the Hearing Policy.) (Section 5400.000)

4. The decision of the Personnel Board shall be made within fifteen (15) working days of the hearing with the final decision reduced to writing, including both findings and decision and it shall be filed with the Human Resources Director with a copy to the Elected/Appointed Official and the employee.
5. The Personnel Board's decision is final and binding on all parties with no further opportunity for appeal. (Adopted 6/9/97) (Rev 6/4/01)

EMPLOYMENT OF RELATIVES

3200.000

It is the policy of Scotts Bluff County to hire the most qualified applicants available for job openings. However, because of potential inter-family conflicts in a department, the following policy restrictions will apply when hiring relatives of current employees.

1. Relatives of employees will be required to follow the same employment process requirements as any other individual applicant, and will be given no special consideration.
2. No department head shall employ any member of his/her immediate family in that department. For purposes of this rule, immediate family shall mean the employee's spouse, child, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, grandmother, grandfather or grandchild.
3. Furthermore, without specific approval by the Human Resources Director, after conferring with the department head, no person shall be employed, continued in employment, promoted or transferred to a department or agency of the County or to a division or section thereof when as a result such person would be supervising or receiving supervision from a member of his/her immediate family in that department.
4. Contractual services are subject to this policy, and should be kept to a term 3-month or less. Contractual Agreement, stating payment rate, will be filed with County Clerk and placed on Commissioner agenda for approval. Contract employees will need to pass a background check. (Adopted 6/6/22)
5. Exception: The Election Commissioner may have employees that are related and working together at polling places and in the Election Commissioner's office during an election. This exception is extended for an election period only. (Revised 3/16/15) (Adopted 6/6/22)

PERSONNEL RECORDS

3300.000

The Human Resources Director and his/her office will maintain individual records for each employee. This will be the permanent employment record with Scotts Bluff County. It is essential that the employee notify his or her Elected/Appointed Official, or Department Supervisor of any changes in the following personnel information pursuant to state law. The Personnel Action Form will be completed and forwarded to the Personnel Department. (Revised 7/6/21)

- I. Address
- II. Telephone Number
- III. Name Change

Your personnel file contains important information, your job classification, employee benefits, salary and leave history. Personnel records are the property of the County and no information can be taken from the personnel records by any person including the person about which the record is concerned.

These records are confidential and access will be based upon business necessity and strictly limited to the employee, their Elected/Appointed Official, and the Personnel staff. Employees may review their personal file at any time during regular business hours.

Inquiries from external sources regarding verification of employment will be provided information regarding the dates of employment, position title and employment classification ONLY, through the Personnel Department, unless previously authorized in writing by the employee.

All medical records shall be kept in a separate confidential file from all personnel files. (Adopted 6/9/97)

Clerk's Office Payroll Coordinator will be responsible for updating the following employee status changes in the payroll system:

- I. Marital Status
- II. Number of Dependents
- III. Address
- IV. Withholding Deductions
- V. Change of Beneficiary
- VI. Name Change
- VII. Telephone Number

The Clerk's Office will be responsible for notifying insurance companies and retirement systems of any of the above changes.

All medical records shall be kept in a separate confidential file from all personnel files. Adopted (6/9/97)

(Revised 7/6/21)

TIMEKEEPING

3400.000

Compensable work time is defined as any time spent by an employee performing duties or assignments directly relating to employment with Scotts Bluff County as defined by the Fair Labor Standard Act (FLSA). (Revised 2/3/25)

Unless otherwise exempted, each employee is required to record all hours of compensable work. The basic record of compensable hours worked required for each employee is:

- I. Time In
- II. Time Out
- III. Specifically log regular, overtime, vacation, sick, holiday and other hours daily.

This record of compensable hours must be recorded daily by each employee during the pay period using the Time Clock Plus (TCP) application. Three methods of accessing the TCP application are available for Scotts Bluff County employees:

- Web access on employee's desktop
- Mobile phone access utilizing the TCP application (Supervisor approval required, along with GPS access)
- Time Clock, physical locations are Detention Center, Roads Department and Transit Bus

(Revised 12/5/22)

SPECIFIC POLICIES GOVERNING THE USE OF PAYROLL TIME SHEETS AND PAYROLL CLAIMS

- I. Each employee is responsible for his/her own time recording within the TCP software or similar time-keeping software. Accuracy and verification are required by the employee and supervisor within the TCP application. (Revised 12/5/22) (Revised 2/3/25)
- II. The employee and the Elected/Appointed Official or Department Supervisor must review and sign the Time Report provided by the timeclock software each pay period. This is the data that will be exported to the Payroll Software application. (Revised 12/5/22) (Revised 2/3/25)
- III. Elected/Appointed Official must sign the Payroll Claim, confirming the accuracy of hours worked prior to being submitted to the Clerk's Office Payroll Coordinator. (Revised 12/5/22) (Revised 2/3/25)
- IV. Signed time sheets must be kept for five (5) years by the Elected/Appointed Official supervising employee. (Adopted 6/9/97) (Revised 12/5/22)

TIME CLOCK PROCEDURES (TCP) – NON-EXEMPT

3450.000

Non-exempt (classified/hourly) employees are required to have a record of hours worked in order for Scotts Bluff County to be in compliance with the Fair Labor Standard Act (FLSA). Non-exempt employees include all employees who are eligible for overtime or compensatory time pursuant to the FLSA.

The management of the Time Clock Plus (TCP) software will reside within the Human Resources Office. Any requests for modification must be made to the Human Resources Office. Scotts Bluff County Detention Center Time Clock Software is managed by SBCDC.

The following procedures will apply when using time clocks:

1. Employees are required to clock in at their assigned time and designated work station, and must clock out when they go off duty.
2. Habitually clocking in late and clocking out early could result in disciplinary action by the supervisor. A pattern of clocking in late could be considered an issue of tardiness that can result in disciplinary action.
3. Employees must begin working at their scheduled time once they are clocked in. In the event the employee is not able to clock in (i.e., time clock not working, unable to log into your desktop, etc.) the employee must notify the supervisor immediately by email, phone, verbally, etc., and begin their daily task.
4. Employees may clock in at an earlier time if approved by the supervisor.
5. Employees are required to clock out any time they leave work for any reason other than assigned work duties. This does not include designated break times, or restroom breaks or Scotts Bluff County supported events.
6. Employees must clock in and out for lunch break every day, unless otherwise directed by their supervisor in writing.
7. Employees must clock in and out at their designated work stations or time clock, as directed by their supervisor.
8. Mobile device may not be used to clock in or out unless it is approved in writing by the supervisor as a result of extenuating circumstance (i.e., working offsite).
9. Time recorded in the time clock system by hourly employees will be the work time paid.
10. Time recorded by full-time non-exempt employees must equal 48, 40, or 37.5 hours per week, depending on your work schedule. If an employee's work week does not equal the scheduled hours, vacation leave, sick leave or compensatory time, can be used to make up the time.
11. Prior approval from the employee's supervisor must be obtained before working overtime.
12. The work week is Monday 12:00 a.m. through Sunday 11:59 p.m.
13. Employees are required to approve their own time, except in extenuating circumstances. Notes must be entered by the supervisor documenting the circumstances when a supervisor approves an employee's time and attendance record.
14. HR Director may approve time and attendance records for the employee and/or supervisor in extenuating circumstance (i.e., when it is critical to processing payroll, and in instance of catastrophic leave or terminated employee). HR Director will enter a note documenting the circumstances.
15. Employees and supervisors are required to abide by Scotts Bluff County's policies, specifically; users must use their employee number. Access to any Scotts Bluff County system using another user's login credentials is fraudulent and may result in disciplinary action, up to and including termination.

16. Missed clock-ins and outs must be documented by employee.
17. Vacation requests should be entered into TCP 30 days in advance; individual departments may allow less time based on department schedule.
18. Sick time requests should be entered into TCP in advance if possible or upon return to work.
19. Weekly hours must be approved by the following Monday.
20. Employees are required to review their timesheet for accuracy and sign off prior to payroll being submitted.

(Adopted 4/04/22)

TIME CLOCK PROCEDURES FOR EXEMPT EMPLOYEES

For exempt employees, TCP will be primarily used for the purpose of tracking vacation and sick leave.

Vacation requests should be entered into TCP 30 days in advance; individual departments may allow less time based on department schedule.

Sick Time requests should be entered into Time Clock in advance if possible or upon return to work.

Clock in/clock out requirements of exempt employees will be department specific. (Adopted 4/04/2022)

TIME CLOCK DISCIPLINARY ACTIONS

Any falsification, tampering or unauthorized viewing of time clock records is grounds for disciplinary actions, up to and including termination.

It is each employee's responsibility to learn the TCP system and use it appropriately. Disciplinary action can occur for the following events:

1. Clocking in and out for another employee.
 - a. This is considered gross misconduct and can result in both the employee and the person clocking them in or out to be terminated.
2. Continually failing to clock in or out. It is prohibited to abuse or take advantage of the time clock entries.
 - a. This will fall under progressive disciplinary action.
3. Incorrectly reporting time worked.
 - a. This will fall under progressive disciplinary action. Examples are taking extended lunch breaks or clocking in and not being at your workstation.
4. Tardiness and clocking out early can result in disciplinary action.
5. Repeated instances of clocking in early or out late such that overtime is accumulated may result in disciplinary action.
6. Not approving your time weekly.
7. Any attempt to tamper with TCP hardware or software.

(Adopted 4/04/22)

TIME CLOCK PLUS PROCEDURES AND DISCIPLINARY ACTIONS ACKNOWLEDGEMENT

I have read and received a copy of the TCP Procedures and Disciplinary Actions. I hereby agree to abide by the policy guidelines.

I understand that if I have questions at any time regarding the TCP Procedures, I will consult with my immediate supervisor or Human Resources.

Employee Signature: _____

Employee Printed Name: _____

Date: _____

Supervisor Signature: _____

Supervisor Printed Name: _____

Date: _____

(Adopted 4/4/22)

WORK DAYS

3500.000

A workday is a period of twenty-four (24) consecutive hours beginning at a predesignated hour during which an employee may be assigned and may perform compensable work.

Office hours may be established by the appropriate Elected/Appointed Official to meet the needs of both the department and the public for which it serves. The Human Resources Director and the County Board should be notified prior to any variation or change in a department's office hours.

Paid break periods of 15 minutes for each four (4) hours worked may be taken if the workload allows and at the discretion of the Elected/Appointed Official or Department Supervisor. It is recommended that you leave your department during break periods as you may interfere with the work of others. (Adopted 6/9/97)

WORK HOURS

3600.000

The Elected/Appointed Official shall determine working hours for each employee. The County makes a continuous effort to maintain fair scheduling procedures for employee work assignments. However, business necessity often requires the work of employees during non-regularly scheduled work times and in excess of forty (40) hours per week. These assignments are solely assigned and authorized by the Elected/Appointed Official or Department Supervisor and must be approved PRIOR to working.

Additionally, Elected/Appointed Officials or Department Supervisors are authorized sole discretion in determining the use of overtime or compensatory time. Accordingly, all non-exempt employees shall receive either:

I. OVERTIME PAY:

3600.001

For the purpose of computing overtime, the workweek will commence at 12:01 a.m. Monday and end at 12 midnight on Sunday.

Under section 7(a) of the FLSA, only hours worked in excess of 40 in a work week are overtime hours which must be compensated at one and one-half times the regular rate of pay. Only holidays will be counted as work time for the purpose of computing overtime. (Adopted 10/7/96)

Employees that use vacation or sick leave earlier in the week, then work additional hours over their

scheduled work hours during the remaining week, will have their vacation and sick leave adjusted with those additional hours. (Adopted 11/18/2024)

Employees working more than forty (40) hours per week must be credited overtime during the same pay period, if possible, and no later than the subsequent pay period, OR they may be given:

II. **COMPENSATORY TIME:**

3600.002

Time off for each hour of overtime worked at one and one-half hours. (Time off will be authorized within a reasonable time of the time worked, providing it does not unduly disrupt the operations of the department.)

Employees are allowed to accumulate no more than 40 hours of compensatory time. Any amount of overtime over and above 40 hours shall be paid as overtime pursuant to the FLSA. (Revised 4/10/07)

Upon termination of employment, accrued compensatory time up to maximum allowed, will be paid in cash at a rate not less than the average rate of pay received during the employees last three years or the final regular rate, whichever is higher.

NOTE:

3600.003

Employees DO NOT have the option of accepting or declining overtime assignments directed by the Elected/Appointed Official or Department Supervisor, nor do employees have the option of selecting overtime pay versus compensatory time.

In no circumstances shall an exempt employee be eligible for overtime pay or compensatory time. (Adopted 6/9/97)

ATTENDANCE POLICY

3650.00

Employees of Scotts Bluff County are public servants and as such as expected to perform their job as effectively and efficiently as possible. Part of such performance is attendance. Prompt and regular attendance is essential to the operation of the County offices.

Scotts Bluff County is aware that it may be necessary for employees to be absent from work, due to emergencies, illnesses or pressing personal business, that cannot be scheduled outside work hours. Paid leave is provided for this purpose.

Employee Notification Expectations:

Employees of Scotts Bluff County are expected to arrive at work on time for all scheduled shifts. Days off should be scheduled at least 1-week in advance. Employees are required to call at least 1-hour before the scheduled work time or as soon as possible and notify the supervisor in the case of illnesses, accidents or other emergencies that keep them from working as scheduled. Notifying a fellow employee is not sufficient. Employees unable to call in because of an illness, an emergency or for some other reason, shall have someone call on their behalf. Notification must take place through a phone call or text to the direct supervisor. Unacceptable notification methods include email and voicemail. If you can't call before your shift begins, notify your supervisor as soon as possible.

Excessive Absenteeism:

In general, three (3) unexcused absences in a ninety (90) day period or a consistent pattern of absence will be considered excessive and the reasons for the absences may come under question.

Be aware that excessive absenteeism may lead to disciplinary action, including possible termination. An absence from work for three (3) consecutive days without notifying a supervisor will be considered a voluntary resignation.

Lateness (Tardiness) or Leaving Early:

Tardiness or leaving early is as detrimental to the operation of County Offices as an absence. Three (3) such incidents in a ninety (90) day period will be considered a 'tardiness pattern' and will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered.

Be aware that lateness, or leaving early may lead to disciplinary action, including possible termination.

Supervisors will make note of any absence or lateness and the reason for such absence or lateness in the employee's personnel file. Attendance records will be considered when evaluating requests for promotions, transfers, leaves or absences and approved time off, etc.

Disciplinary Action:

Corrective Action Forms need to be filed with the Personnel Office:

First Action – Documented Verbal Warning

Second Action – Written Warning

Third Action – Termination

An employee may need to provide evidence to support the reason for the absence. Acceptable evidence is a doctor's note and must be presented to return to work.

(Adopted 2/06/23)

PAY DAYS

3700.00

Pay day for all County employees will be the last working day of the month. The County is required by federal law to make certain deductions from your wages. Such deductions include Social Security taxes, as well as federal, state, and any local withholding taxes. Civil deductions will be taken as directed by Court order. Additionally, all voluntary deductions authorized in writing will be made as directed by the employee. Voluntary deductions may include the employee's share of the insurance premium.

All employee payroll will be deposited via Direct Deposit. Direct Deposit is a safe and secure way to ensure employees receive their pay in a timely manner. Direct Deposit is more convenient for employees and provides cost savings and efficiency for Scotts Bluff County. Employees can either have pay deposited directly into one or more checking or savings accounts at any financial institution in the United States or enroll in a pay card program.

If you have any questions about your paycheck or believe a mistake has been made on your paycheck (underpayment or overpayment), contact the Payroll Coordinator in the Clerk's Office immediately. We want you to receive everything you have earned.

An employee's last paycheck may be a physical check to facilitate the checkout process and to ensure County property is returned prior to departure. (Adopted 6/9/97) (Revised 6/5/23)

PERFORMANCE EVALUATIONS

I. PROBATIONARY EMPLOYEE EVALUATIONS

4100.000

The Personnel Office will notify the appropriate Official at least fourteen (14) days prior to the expiration of an employee's probationary period. The Probationary Appraisal Report form must be completed by the Elected /Appointed Official and returned to the Personnel Office before the end of the probationary period. The report shall inform the Personnel Office whether or not the employee has successfully completed his/her probation period. Unsuccessful completion of the probation period will result in termination or an extension of the probationary period.

- A. If the Elected/Appointed Official determines that the probationary period was unsuccessfully completed, a Notification of Dismissal form must be completed on or before the expiration of the probationary period.

- B. If the Elected/Appointed Official or County Board determines that the probationary period should be extended, they may do so for a period not to exceed one (1) year from the date of hire, and must:
1. Notify the employee in writing of the extension.
 2. Specify the period of the extension.
 3. In cases of extension for performance reasons, the employee shall be provided specific performance improvement requirements.
 4. Notification of extension must be accomplished before the expiration of the probationary period and shall NOT be backdated once the original probationary period has ended.

Completion of the original probationary period in no way implies a contract of continued employment with the County nor does it create a property interest with the County.

Probationary employees will not have recourse to the Grievance Process in matters affecting employment.

Completion of the probationary period (not to exceed 1 calendar year) will make the employee eligible for a pay increase on their anniversary date. (1 calendar year from their date of hire) see section 2000.00.

(Adopted 6/9/97) (Rev 8/21/06)

II. **FULL-TIME & PERMANENT PART-TIME PERFORMANCE EVALUATIONS**

4200.000

It is the policy of Scotts Bluff County that the job performance of all full-time and permanent part-time employees shall be evaluated annually by the employee's Elected/Appointed Official or designated supervisor. Elected/Appointed Officials or designated supervisors shall complete performance evaluations upon the following occasions:

- A. Prior to the end of the first six months of employment (See Employee Classifications: Probationary Evaluations)
- B. When the employee is transferred or promoted to a new job (See employee Classifications: Probationary Employee)
- C. Annually for all other full-time and permanent part-time employees to be submitted to the Personnel Office prior to the employee's anniversary date each year. The Personnel Office will notify the appropriate Official or designated supervisor at least fourteen (14) days prior to the employee's anniversary date. The Performance Evaluation Form must be completed by the Elected/Appointed Official or designated supervisor and returned to the Personnel Office before the anniversary date.
 1. In evaluating employees, Elected/Appointed Officials or designated supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously identified goals and objectives. Other factors that normally should be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.
 2. Elected/Appointed Officials or designated supervisors shall prepare a written evaluation of each employee's job performance using the Scotts Bluff County Annual Performance Evaluation Form. The evaluation will include the official's or designated supervisor's comments and recommendations, performance growth or improvement since last review, specific areas in which the employee can improve and recommendations for professional development. Additional documentation may be attached as deemed necessary. (Adopted 9/20/99)
 3. After the written evaluation has been completed by the Elected/Appointed Official or designated supervisor, the official or designated supervisor and employee will meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the next year. The employee will be given the

opportunity to examine the evaluation and make written comments about any aspect of it. The employee and official or designated supervisor shall sign and date the evaluation and forward it to the Personnel Department for review and inclusion in the employee's personnel file.

4. Employees may have a copy of his/her evaluation by contacting the Personnel office.
5. Information derived from the performance evaluation shall be considered when making decisions affecting training, pay, promotion, transfer, or continued employment.
6. Satisfactory completion of the evaluation process is not a promise or contract, expressed or implied. (Adopted 9/20/99) (Revised 10/7/02)

III. APPOINTED OFFICIALS PERFORMANCE EVALUATIONS

4300.000

The Scotts Bluff County Commissioners recognize their responsibility to appointed officials; therefore, they will conduct a formal Performance Review and Appraisal Session for each appointed employee annually in his/her anniversary date. By so doing, they can give timely feedback to each appointed official on their performance and progress on the job. During the sessions, the Commissioners desire for a two-way discussion and the appointed official will be given the opportunity to ask questions and state their viewpoint. (Revised 3/21/11)

The appointed officials' evaluation process has been developed to allow the official ample opportunity to communicate to the board their department's progress, goals, challenges and needs each year. The evaluation process consists of a six month probationary appraisal report followed by annual evaluations.

Probationary Appraisal: The Scotts Bluff County Appraisal Form will be used for discussion purposes during the evaluation meeting. The Official is expected to be prepared to discuss his/her progress and/or opinions on the topics outlined. The Chairman of the County Board's delegate/representative will complete the Scotts Bluff County Appraisal Form in accordance with established evaluation procedures upon completion of the probationary official's evaluation discussion. The final evaluation forms will be reviewed with the Official by the Chairman of the County Board's delegate/representative. The Chairman of the County Board's delegate/representative will brief the Board Chairman of the evaluation. The Board Chairman will sign off on all evaluations. All forms will be maintained in the employee's Personnel File with a copy provided to the Official.

Annual Evaluations: After one year of employment, all Appointed Officials are evaluated by the Chairman of the County Board's delegate/representative annually.

This evaluation will be conducted in accordance with the established evaluation procedure. The evaluation may use the preceding years evaluation as the baseline upon which this evaluation is conducted. The Appointed Official is required to complete a narrative response to the questions contained in the Scotts Bluff County Appraisal Form and submit to the Chairman of the County Board's delegate/representative for review prior to his/her evaluation. This report will be the basis of the evaluation discussion between the Official and the Chairman of the County Board's delegate/representative. After completion of the evaluation discussion, the Chairman of the County Board's delegate/representative will complete the Scotts Bluff County Appraisal Form.

The final evaluation forms will be reviewed with the Official by the Chairman of the County Board's delegate/representative. The Chairman of the County Board's delegate/representative will brief the Board Chairman of the evaluation. The Board Chairman will sign off on all evaluations. If Chairman of the County Board is the delegate/representative, Vice Chairman will sign off on the evaluation. All forms will be maintained in the employee's Personnel File with a copy provided to the Official. (Adopted 5/17/99) (Revised 9/03/02) (Revised 7/7/25)

RESIGNATION

5000.000

Should it become necessary for an employee to resign his/her position with Scotts Bluff County, each employee is required to notify his/her Elected/Appointed Official or Department Supervisor as far in advance as possible (preferably at least two weeks). Resignation shall be written and a copy given to the Personnel Office.

Employees who voluntarily resign are expected to obtain and complete the Voluntary Resignation Form; if they are a full time employee or contributing to Nebraska Public Employees Retirement Systems (NPERS) the Termination of County Benefit Coverage Form will need to be completed. An exit interview can be scheduled at the employee's request with the Human Resources Director. This session can be used to obtain feedback regarding their employment and experiences with Scotts Bluff County, and to provide the employee of rights and benefits they available to them, according to Federal and State Laws, such as COBRA, at the time of their resignation. All exit interviews will be forwarded to the employee's Elected/Appointed Official for review. (Exit Interview Section Adopted 1/18/00) (Revised 7/6/21)

Upon resignation, termination or reduction in force, all Scotts Bluff County property (i.e. keys, uniforms, identification badges or purchase cards) must be turned into the Elected/Appointed official, supervisor or the Human Resources office. (Adopted 7/02/12)

The Elected/Appointed Official will be responsible for completing the Personnel Action Form to be forwarded to the Personnel Office along with the Voluntary Resignation Form and Termination of County Benefits Coverage Form. Personnel will provide this information to the Payroll Department. (Revised 7/6/21)

REDUCTION IN WORK FORCE

5100.000

Any employee may be separated without prejudice upon ten (10) working days notice because of lack of funds or curtailment of work. (Adopted 6/9/97)

CORRECTIVE ACTION

5200.000

The Corrective Action Policy is to be utilized as a guide toward ensuring the fair and consistent handling of disciplinary action. The policy takes into account the severity, intent, and frequency of the offense and the harm, which may result from it. The purpose of these rules and regulations is not to restrict the rights of anyone, but rather to inform the employees of possible consequences of their actions and to assist in the orderly corrective action necessary to resolve the problem.

When the employee is an Appointed Official, the supervisor will be the County Board appointed commissioner representative. (Adopted 10/5/09)

I. PROCEDURE

5210.000

Whenever an employee commits an offense warranting a written corrective action, the Elected/Appointed Official or Department Supervisor will complete the necessary Corrective Action Form, which is to be used to notify the employee. If the offense warrants the dismissal of an employee, a Notification of Suspension Pending Dismissal Form must also be completed.

Elected/Appointed Officials or Department Supervisors are not required to go through the entire five steps of this procedure. Using the Guide as a reference, discipline should begin at the step commensurate with the seriousness of the offense committed, allowing consideration for extenuating circumstances that may be involved...IF THERE IS ANY DOUBT AS TO WHAT STEP TO BEGIN WITH, YOU SHOULD CONSULT WITH THE HUMAN RESOURCES DIRECTOR.

A. VERBAL CORRECTION

5211.000

A verbal correction is the normal starting point in a series of progressive disciplinary actions, AND it is VERY IMPORTANT that written documentation is made at the time of the verbal correction. It is the Elected/Appointed Official's or Department Supervisor's responsibility to counsel the employee regarding inappropriate behavior, with emphasis on improvement.

If no other Corrective Action material is placed in the employee's Personnel File within the next year, the verbal warning citation will be purged from the employee's file upon written request from the employee to the Personnel Department.

B. **WRITTEN CORRECTION**

5212.000

An Elected/Appointed Official or Department Supervisor may reprimand an employee for cause. Such reprimand shall be in writing, addressed, and presented to the employee for signature. A signed copy or a notation of an employee's signature refusal shall be delivered to the Personnel Department for inclusion in the employee's personnel file. An employee may submit an explanation or rebuttal, which also shall become a part of his personnel file. Reprimands may not be appealed to the Personnel Board. However, an employee may appeal the reprimand directly to the Human Resources Director. The appeal shall be presented within fifteen (15) working days of receipt of the reprimand. The response to the appeal shall be in writing and shall be issued within fifteen (15) working days of receipt of the appeal. The written decision on the appeal shall be final and binding upon the parties. An employee may present a written rebuttal to the final decision regarding the appeal within fifteen (15) working days of the decision, which shall be attached to and become a part of the record.

The purpose of a written correction is to stress the serious nature of the offense. The Elected/Appointed Official or Department Supervisor together with the employee will prepare a plan for improvement along with the Corrective Action Statement. The employee shall be made aware of the cause for such action, suggested ways to avoid the situation in the future, and the consequences of continuing the action on the part of the employee. If the employee corrects the deficiencies and no other problems arise within five (5) years, the occurrence will not be considered for any purpose. Written documentation of infractions of the rules and regulations will be purged from the employee's personnel records after a period of five (5) years upon written request from employee to the Personnel Office. If no improvement occurs after working on an agreed improvement plan for a reasonable amount of time, the next step may be suspension and/or termination. (Adopted 11/2/98)

C. **INVESTIGATORY SUSPENSION OR REASSIGNMENT**

5213.000

When the Elected/Appointed Official or Department Supervisor determines that an employee must be removed from a current work assignment pending the completion of an investigation by the Employer to determine if disciplinary action is warranted, the Employer may:

1. Reassign the employee to another work assignment within their department or coordinate through the Human Resources Director for placement in another County office at their current rate of pay until the investigation is completed.
2. Suspend the employee from work with pay until the investigation is completed or until sixty (60) working days have elapsed, whichever occurs first.

Whether option 1 or 2 is initiated the employee will remain on the payroll of the original office.

When the employee has been placed on Investigative Suspension, the Employer shall have sixty (60) working days from the date of discovery of an infraction to initiate disciplinary action except when the Employer is awaiting the results of an outside investigation. If no action is taken, disciplinary action is barred for that particular incident and employee is reinstated, he/she will receive their pay for the time off during the suspension. (Revised 4/16/18)

If evidence in an investigation shows that disciplinary actions should be taken, the Elected/Appointed Official or Department Supervisor shall initiate disciplinary procedures. If employee is terminated as a result of the Investigatory Suspension, the employee will be paid for the time on suspension. (Adopted 11/2/98) (Revised 4/16/18)

D. **SUSPENSION WITHOUT PAY**

5214.000

A Department Head or Department Supervisor with the concurrence of the Human Resources Director may suspend an employee without pay for cause for a period or periods not exceeding thirty (30) working days in any twelve months; however, no single suspension shall be for more than fifteen (15) working days. Prior to a suspension, the Department Head or Department Supervisor with the Human Resources Director present shall, notify the employee that he/she is proposing to suspend the employee and the reasons for the suspension. The employee shall then be given an opportunity to present his side of the story at a meeting with the Department Head or Designated Supervisor and the Human Resources Director. The employee shall have an opportunity to be represented at the meeting if he/she desires. After considering all of the information presented, including any mitigating factors, the Department Head or Department Supervisor shall inform the employee of his/her decision. If the Department Head or Department Supervisor determines just cause exists for suspension, the Department Head or Department Supervisor shall furnish the employee and the Human Resources Director, not later than five (5) working days of such action, with a written statement of the reason for and duration of the suspension. Any employee who is suspended may appeal for a hearing, in writing, to the Personnel Board within thirty (30) working days of notice of suspension. The Personnel Board shall hold a hearing with the employee or his/her designated representative within thirty (30) working days after receipt of the appeal. (The hearing will be conducted according to the Grievance Policy.) Nothing in this section shall prevent a Department Head or Department Supervisor from electing to administer discipline more lenient than was originally proposed. (Adopted 6/4/01)

E. **DISMISSAL**

5215.000

Suspension with the recommendation for dismissal is normally the final step taken in the corrective action procedure if all other attempts to improve employee performance or behavior have failed. An employee may be dismissed for inability or unwillingness to perform minimum requirements of a position description or for conduct that violates Scotts Bluff County and/or department policies, procedures or standards of behavior.

The Elected/Appointed Official or Department Supervisor will provide the employee a written explanation at the time of suspension, using the Notification of Suspension Pending Dismissal Form, stating the reason(s) for recommended discharge.

The employee will be given the opportunity to provide both an oral and written statement in defense of his/her action, at the time the Elected/Appointed Official or Department Supervisor initiates the corrective action.

In extreme cases of violation, which require immediate action, any employee may be dismissed without prior notice. In the event of willful destruction of property, restitution shall be made to the County.

An appeal may be made by the employee following the procedure explained under the appeal process for termination. (Section 3190.000) (Revised 6/4/01)

II. **CAUSES FOR CORRECTIVE ACTION** (Not a complete list)

5250.000

Disciplinary actions or measures shall result from but not be limited to the following:

A. **ATTENDANCE PROBLEMS:**

5251.000

1. Being tardy without reasonable cause.
2. Un-excused absenteeism with or without notification.
3. Excessive unauthorized absenteeism.
4. Abuse of sick leave policy.

B. **BEHAVIOR AND PERFORMANCE PROBLEMS:**

5252.000

1. Excessive use of county phones for personal use; excessive use of personal cell phone for personal matters; (Adopted 10/5/09)
2. Material misrepresentation of pre-employment information;

3. Disclosure or breach of confidential information;
4. Neglect of duty or incompetence.
5. Work performance that is below the standards of performance required by the department.
6. Insubordination/refusal to perform service or to obey any reasonable order given by an employee's supervisor.
7. Disrespectful conduct or insulting language to the public, other employees, or Elected/Appointed Officials.
8. Abusive or threatening language or conduct to the public, other employees or Elected/Appointed Officials.
9. Reporting to work in an unfit condition.
10. Disorderly conduct or fighting on county property.
11. Possession, sale or consumption of intoxicants or illegal possession of controlled substances on county property or time.
12. Smoking and vaping in an unauthorized area or where smoking and vaping would create a hazard. (Revised 7/6/21)
13. Possession of firearms or dangerous weapons on County property.
14. Misconduct proven to be sexual harassment.
15. Unauthorized use of county property.
16. Failure to obey safety rules or use safety equipment as established by safety rules and regulations of the department.
17. Failure to observe parking, traffic and licensing regulations while operating county vehicles.
18. Loafing, loitering or sleeping during work time.
19. Leaving work before end of shift without permission.
20. Conviction of a felony.

C. **DISHONESTY AND RELATED PROBLEMS:** 5253.000

1. Theft of county or employee property;
2. Destruction or defacing of county property;
3. Falsifying county records.
4. Knowingly punching another employee's time card, having ones' time card punched or unauthorized altering of time card.
5. Falsifying time keeping records with intent to defraud.

D. **OTHER PROBLEMS:** 5254.000

1. Violations of written departmental or county policies or procedures;
2. Distribution or posting of written or printed matter that is not authorized by management;
3. Other action or behavior that has or may be reasonably expected to affect the confidence of the public in Scotts Bluff County government. (Adopted 6/9/97) (Revised 6/4/01)

GRIEVANCE PROCEDURE 5300.000

When the employee is an Appointed Official, the supervisor will be the County Board appointed commissioner representative. (Adopted 10/5/09)

I. **PHILOSOPHY** 5301.000

It is Scotts Bluff County's philosophy that an employee's dissatisfaction should be resolved at the lowest possible level. It shall be County policy to encourage employees to take any job-related complaints informally to their Elected/Appointed Official or Department Supervisor. Such persons shall attempt to understand points of view of the dissatisfied employee and shall provide clear and timely responses to his/her complaints.

II. **PURPOSE** 5302.000

Scott Bluff County's purpose in having a grievance procedure for the County is:

- A. Unobstructed communication with respect to alleged grievances without fear of reprisal;
- B. Reduction of the potential areas of conflict;

- C. To facilitate two-way communication through recognized channels;
- D. Development of improved morale and effectiveness of employees;
- E. Encouragement of employee expression regarding conditions that affect them.

III. **GRIEVANCES** 5303.000

The Grievance Procedure is designed to maintain professional working relations between the County and its employees. Furthermore, the procedure is to provide a just and equitable method for the resolution of grievances without discrimination, coercion, or reprisal against any employee who may submit or be involved in a grievance.

The grievance procedure shall not be used to change existing policy, but clarify express provisions of any County policy and procedure.

IV. **DEFINITION OF TERMS:** 5304.000

For the purpose of this policy, the following definitions shall apply:

A. **Grievance:**

A claim by an employee or group of employees that conditions exist which adversely affect terms and conditions of employment or a claim that there has been a violation, misinterpretation, or misapplication of policy; employment laws; regulations; or contract language. Generally, grievances can be separated into four categories:

1. **Violation of Policy:** This grievance alleges that an existing policy has been violated because an Elected/Appointed Official or Department Supervisor overlooked it or failed to apply it.
2. **Disagreement over the meaning of Policy:** In this kind of grievance, the policy is not being challenged, but rather the definition of words and their application. The grievant is alleging that the policy has been misconstrued.
3. **Dispute over Facts:** In this category, there is no dispute over the meaning of a policy, but rather what the facts are: e.g.
 - a. An Elected/Appointed Official or Department Supervisor, through his/her records, claims the grievant has used all of his/her sick leave and the grievant records show that he/she has three (3) days left.
 - b. A grievance involving a complaint in an employee's personnel file. The purpose of such a grievance would be to refute the facts in the complaint and get the complaint removed.
4. **Disagreement as to equity of administrative actions or Board policy as defined in the State and Federal laws:**
 The purpose here is to show that an administrative directive or action has denied an employee equitable treatment. This grievance shall include, but not be limited to; Charges directed by an employee against the County and/or its authorized representatives alleging discrimination in its employment practices as they relate to matters concerning race, sex, color, ethnicity, religion, age, disability, or other civil rights as provided by State and Federal statutes. Seasonal, Temporary or Probationary employees will not have recourse to the Grievance Procedure in matters affecting their employment.

- B. **Time Limits/Days:** For the purpose of the grievance policy, days shall mean working days, working days shall be defined as Monday through Friday, excluding Saturdays, Sundays and holidays. Failure of any grievant to comply with the time limits contained herein shall constitute a waiver of right to appeal to the next step. Failure of the County or its representatives to comply with the time limits at any level shall permit the grievant to appeal the grievance to the next step.

- C. **Personnel Board**: Shall be the Personnel Policy Board as established by sections 23-2534 to 23-2544 of the Revised Statutes of the State of Nebraska. Three members shall constitute a quorum for the transaction of business (Sec. 23-2537 (3)), and shall review any grievance or case of disciplinary action of a classified service employee when appealed by such employee in accordance with approved personnel rules and regulations and issue a determination that is binding on all parties concerned (Sec. 23-2538 (5)).
- D. **Representative**: Union representative, another employee or an attorney.
- E. **Party(ies) in Interest**: Any person or persons making the claim, any person who might be required to take action, or against whom action might be taken, or a person affiliated or connected in the grievance.

V. **PROCEDURES**

5305.000

In keeping with the philosophy that an employee's dissatisfaction should be resolved at the lowest possible level, it shall be County policy to encourage employees to take any job-related complaints informally to their Elected/Appointed Official or Department Supervisor. Such persons shall attempt to understand points of view of the dissatisfied employee and shall provide clear and timely responses to his/her complaints.

If complaint was not satisfactorily resolved, the Human Resources Director at his/her discretion may suggest a meeting be set up between the employee and his/her Elected/Appointed Official or Department Supervisor in an effort to resolve the problem. The aggrieved person may have a personal representative to assist him/her in efforts to resolve the problem informally.

An employee remaining dissatisfied may then use the formal grievance procedure.

I. **Step 1.**

If an employee feels he/she has a grievance, he/she must first present in writing to the Human Resources Director, no later than fifteen (15) days of the effective date of the alleged grievance:

- A. The exact nature of the grievance.
- B. The exact date of the act or acts of commission or omission.
- C. The identity of the party or parties who claim to be aggrieved.
- D. The identity of the party or parties alleged to have caused the grievance.
- E. The specific provisions of the Policy that are alleged to have been violated.
- F. The remedy, which is sought.

With the initial filing of the grievance, the employee shall discuss the matter with the Human Resources Director to ascertain whether the alleged grievance fits within the definitions of the grievance policy. If the alleged grievance has been ruled to fit within the definition of a grievance, the employee may continue the process.

II. **Step 2.**

Within five (5) days after the Human Resources Director determines a grievance exists, the employee shall file a written notice with the Elected/Appointed Official or Department Supervisor of the aggrieved person(s). The Elected/Appointed Official or Department Supervisor shall return his/her written response within five (5) days to the Human Resources Director and a copy to the employee.

III. **Step 3.**

If the written response from the Elected/Appointed Official or Department Supervisor is deemed unsatisfactory by the employee, he/she within five (5) days of receipt of written response may request in writing a hearing before the Personnel Board.

IV. **Step 4.**

A request for a hearing must be submitted in writing to the Human Resources Director for submission to the Personnel Board. The Personnel Board shall hold a hearing with the employee or his/her designated representative within thirty (30) days after receipt of the request. (Hearing will be conducted according to the Hearing Policy).

The Personnel Board's decision shall be final and binding on all parties.

VI. **OTHER CONSIDERATIONS:**

5306.000

An employee is entitled to process grievances during normal working hours with no loss of compensation.

Any employee acting as a party of interest for a grievance will be allowed to participate without loss of compensation. (Adopted 8/7/95)

GRIEVANCE HEARING PROCEDURES

5400.000

I. **Responsibility of the Personnel Board:**

When an employee files an appeal or grievance before the Personnel Board, it shall be the Board's duty to ascertain to the best of its ability the facts of the case and, after weighing all available evidence, to report its findings and decision for such disposition to all parties affected. Decisions rendered by the Personnel Board are final and binding with no further opportunity for appeal.

II. **Consideration Setting Date for Hearing:**

A hearing shall be held therein within thirty (30) working days, unless a longer period is stipulated and agreed upon by both parties, after receipt of said appeal or grievance, at such time and place as shall be fixed by the Chairperson of the Personnel Board.

III. **Notice of Hearing:**

The Human Resources Director shall give all parties notice in accordance with Nebraska law. The notice will include the time and place of the hearing, individuals that will testify and copies of all materials that will be presented at the hearing. The notice shall be given at least ten (10) days prior to the hearing. This notice shall be by certified mail addressed to him/her at the last known address as shown by the employee's personnel file, with a return receipt requested unless such notice is waived in writing.

IV. **The Personnel Board shall have access to Pertinent Data:**

In order to discharge its function properly in regard to review, the Personnel Board shall have:

- A. Access to any County files, correspondence, memoranda, etc., which they may feel might be pertinent to the case unless cause is shown why such files should not be provided at such a hearing.
- B. The right of questioning any officer or employee of the County whom they feel may be able to shed light on the circumstances involving the action in question.

No officer or employee shall be subjected to disciplinary action as a result of testimony given.

The Personnel Board shall also have the authority, either upon its own initiative or upon application of any party to require any County employee to appear before it for the purpose of giving testimony or otherwise providing relevant evidence.

V. **Hearings to be Informal:**

Hearing shall be conducted in an informal manner.

VI. **Adjournment:**

Public hearings on appeals or grievances may be adjourned prior to completion of the hearing ONLY upon good cause shown and/or by agreement of the parties.

In the event that the employee shall fail to appear in person or by counsel at the time and place set for the hearing, the employee shall be presumed to have waived his/her right to further hearing.

The Personnel Board may reschedule the hearing upon presentation, by a party, of written documentation of extenuating circumstances.

VII. **Representation:**

Employee may retain representation at his/her own cost. All costs incurred by the employee are to be borne by said parties. The Personnel Board may request legal assistance or advice also.

VIII. **Conduct of Hearings:**

At the discretion of the employee, hearings before the Personnel Board shall be private; however, the person being grieved against shall have the opportunity to be present at this hearing. This hearing shall be conducted in an orderly manner with a view to the presentation of all material facts so that a fair and impartial decision may be made.

- A. The Chairperson of the Personnel Board shall have full authority at all times to maintain orderly procedure and to reject irrelevant matters and limit the hearings to relevant facts. The decision of the Personnel Board shall be made within ten (10) days of the hearing with the final decision reduced to writing, including both findings and decision and it shall be filed with the Human Resources Director with a copy to the Elected/Appointed Official or Department Supervisor and the employee.
- B. The Personnel Board's decision is final and binding on all parties with no further opportunity for appeal.

The procedure for requiring the attendance of a County employee before the Personnel Board shall be as follows:

- I. Five (5) working days prior to the date of the meeting at which his/her attendance is required, submit to the Personnel Board through the Human Resources Director, a written notification requiring the attendance of the witness or witnesses.
- II. A copy of such request will simultaneously be served on all other parties and shall include for each employee whose attendance is required the following information:
 - A. Name of employee.
 - B. Department in which employee works.
 - C. Reason(s) the employee's presence is being requested.
 - D. General subject matter on which the employee is expected to offer evidence.
 - E. Summary of the testimony, if any, which the employee is expected to give.
 - F. Substance of any other evidence the employee is expected to give.
 - G. Date and approximate time at which the employee's attendance is required
 - H. Approximate amount of time that the employee will need to be present.
 - I. Any other information pertinent to the request.
- III. Upon determining which, if any, County employees will be required to appear before the Personnel Board, the Chairperson shall notify the Human Resources Director of his/her determination. The Human Resources Director will immediately notify the appropriate Elected/Appointed Official or Department Supervisor and arrange to have the affected employees available to appear.
- IV. All parties and all Elected/Appointed Officials or Department Supervisors shall cooperate with the Human Resources Director so as to minimize the amount of time an employee will spend away from his/her duties as a result of being required to appear before the Personnel Board.
- V. As soon as the necessary arrangements have been made, the Elected/Appointed Official or Department Supervisor shall notify all effected employees and order them to appear accordingly. Any employee who fails to comply with any such request shall be subject to appropriate discipline.
- VI. All time spent by an employee in connection with an appearance before the Personnel Board shall be considered time spent in performance of the employee's duties, and the employee shall be compensated accordingly by the county. (Adopted 6/9/97) (Revised 2/19/02)

HOLIDAYS

6000.000

I. AUTHORIZED HOLIDAYS

The following 12 holidays and 1 floating holiday, and any other days that may be designated by the Scotts Bluff County Commissioners, are paid holidays for eligible employees. (Revised 6/6/22)

New Year's Day	January 1 st
Martin Luther King Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Juneteenth (Freedom) Day	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday and Friday in November
Christmas Day	December 25 th
Floating Holiday	

(Revised 6/6/22)

- A. Holidays which fall on a Sunday shall be observed on the following Monday; those falling on Saturday shall be observed on the preceding Friday.
- B. County Offices will be open on Arbor Day. Arbor Day will be a Floating Holiday to be used within the calendar year, based on Department Head approval. (Adopted 6/6/22)
- C. If the Federal and State Government declares Christmas Eve a Holiday, Scotts Bluff County will also observe the holiday. (Adopted 6/6/22)
- D. Holidays which occur during vacation or any other paid leave, shall not be charged against that leave. Vacation leave taken the first workday before or after the observed holiday must be requested to the Department Head at least 14 calendar days prior to the first day of requested vacation leave. Approval is at the discretion of the Department Head. (Adopted and Revised 6/6/22)
- E. An employee absent without authorization on the last working day preceding or the first working day following a holiday shall not receive regular compensation for the holiday, unless the reason for the absence(s) are substantiated by documentation from a health care provider asserting the need for the leave, or absence is approved by Department Head. (Adopted and Revised 6/6/22)
- F. An employee who is absent due to certified Family and Medical Leave (FMLA) that coincides with a holiday shall receive holiday pay if the holiday would normally be a scheduled workday. The employee must also be receiving paid leave to receive holiday pay. In no case will employees use accrued leave and receive holiday for the same day. (Adopted 6/6/22)

II. FULL-TIME EMPLOYEES

Full time employees shall be credited with pay at straight time for the number of hours in their normal work shift not to exceed eight (8) hours for each of the holidays authorized by this policy. Employees whose regular work schedule includes work on a holiday shall receive, in addition to their regular pay for their hour's worked, equivalent time off with pay or holiday pay. The alternate time off must be authorized by the Elected/Appointed Official.

III. OTHER EMPLOYEES

Employees classified, as Part-time, Temporary, Seasonal, Intermittent and Emergency shall not be eligible for paid holidays. (Adopted 6/9/97)

VACATION LEAVE

7100.000

Full-time Employee's, which exclude part-time, temporary, seasonal, intermittent and emergency employees, as long as they remain in a paid status, shall be granted vacation leave with pay, after the first six months of employment to accumulate in the following amounts. (Revised 7/6/21):

I. DETERMINATION OF BENEFITS

- A. Full-time Employees - The amount of vacation depends upon the length of service from the date of employment as follows: (Adopted 11/2/98)

First 12-months of service:

6 month Probation completed successfully – 1 week paid leave (40 hours) or (37.5 hours)

7 month – 12 month vacation accumulates monthly – 6.66/month or 6.25/month (Revised 7/6/21)

<u>Yrs.of Continuance of Service</u>	<u>Vac. Earned Annually</u>	<u>Hrs. per Pay Period (40 hrs)</u>	<u>Hrs. per Pay Period (37.5 hrs)</u>	<u>Max w/prior year Days Accumulation</u>
1 year - 5 years	10 working days	6.66	6.25	15
6 years	11 working days	7.34	6.88	16
7 years	12 working days	8.00	7.50	17
8 years	13 working days	8.66	8.13	18
9 years	14 working days	9.34	8.75	19
10 years & Over	15 working days	10.00	9.38	20

(Revised 7/6/21)

- B. Those employees working less than 37.5 hours, but more than 32 hours would earn leave according to 1 hour for every 26 hours worked. (Adopted 11/2/98)
- C. Other Employees - Vacation leave with pay shall not be granted to part-time, temporary, seasonal, intermittent or emergency employees.

II. PROCEDURE

- A. Vacation leave must be approved by the Elected/Appointed Official or Department Supervisor. Application for vacations should be made 30 days in advance, if possible. (Revised 12/21/09)
- B. Vacations are accrued or earned based on the full-time employee's length of service and normal workday schedule. Maximum vacation accrual amounts are set by years of service. If the maximum is reached, there will be no additional monthly accruals of vacation until the employee's balance drops below the maximum. Employees also may not take time off before it is earned. (Adopted 4/27/98) (Revised 2/20/01) (Revised 4/17/17) (Revised 7/6/21)
- C. At the time of resignation or termination, an employee will be entitled to and shall receive all accrued but unused vacation, based on the current rate of pay.
- D. An employee may not receive vacation pay in lieu of time off. (Revised 12/22/09) (Revised 7/6/21)
- E. Upon depletion of all accrued vacation leave, time off without pay is at the discretion of the Elected/Appointed Official only. (Adopted 5/15/00) Absence without pay will not affect the crediting of vacation leave to a regular employee continuing in service unless such leave exceeds five (5) working days in a calendar month. If absent without pay more than five (5) but less than sixteen (16) working days an employee will earn one-half (1/2) of the vacation to which he/she is entitled. If absent more than fifteen (15) working days, no vacation leave will be earned for that month.
- F. Employees on any leave of absence (including sick leave), other than a military leave of absence, are required to use all accrued paid vacation time as part of the leave.

- G. Non-scheduled workdays and holidays, occurring during vacation leave, shall not be charged against vacation leave. No allowance will be made for sickness or other compensable type of absence occurring during a scheduled vacation.
- H. Employees who are entitled to a vacation of two weeks or less may take their full vacation at one time. Those who are entitled to a vacation of more than two weeks normally may only take a maximum of two weeks consecutively, with the balance to be taken separately as full weeks or as individual days. Vacations of less than a full day may be granted if approved by the Elected/Appointed Official or Department Supervisor.
- I. Employees may inquire from their department head or the department head's designee as to the amount of vacation accrued, used & unused during the previous year & the amount of vacation that needs to be used in the next calendar year. Within 10 days of notification, employees who feel that there is a discrepancy in the calculation of their vacation pay or eligibility may request a review of the calculation by the department head or department head designee. (Adopted 6/9/97) (Updated 4/10/07)

When the employee is an Appointed Official, the supervisor will be the County Board appointed commissioner representative. (Adopted 10/5/09)

SICK LEAVE

7200.000

I. PURPOSE

7201.000

The purpose of sick leave is to provide a benefit to those eligible County employees who are unable to attend work due to short-term illness, disability or injury, or for purposes set forth under "General Procedures" paragraph # 6 of this sick leave policy. It may also be used in conjunction with a long-term medical leave of absence to provide some measure of income protection for extended illness or disabilities.

II. DEFINITION

7202.000

Sick leave will be considered for a non-work related, bona fide illness, disability or injury. (Revised 2/5/24).

III. ACCRUAL AND ACCUMULATION

7203.000

- A. Full-time employees working forty (40) hours a week will accrue sick pay benefits at a rate of eight (8) hours per month. Those working 37.5 hours a week will earn 7.5 hours a month. Any hours more than 32 hours and less than 37.5 hours per week will be prorated for the number of hours worked per day. (Adopted 11/2/98)
- B. Other employees - Sick leave shall not be accrued by part-time, temporary, seasonal, intermittent and emergency employees.
- C. Sick pay benefits may be accumulated by employees to a maximum of ninety (90) working days or 720 hours for those working an eight (8) hour day and prorated for the number of hours worked per day for those working less than eight (8) hours per day. (Adopted 11/2/98)
- D. In addition to #1, an employee not using sick leave during the 12 months following his/her anniversary date in any given year will receive additional paid leave in the following 12 months, in accordance with the following table (Adopted 10/07/96), (Revised 7/02/12):

Sick Time Used (days)	Additional Paid Time Off (days)
0	2
1	1
2 or more	0

- E. The additional paid leave must be taken before the end of the 12 month period immediately following the year in which it was earned. If not taken and the employee leaves employment with Scotts Bluff County before the end of the 12 month period immediately following the year in which it was earned, the employee will be paid for the unused portion of the days/hours. (Adopted 7/02/12)

IV. **GENERAL PROCEDURE**

7204.000

- A. When unable to report to work, the employee must notify his/her Elected/Appointed Official or Department Supervisor as early as possible, except in an obvious emergency. During absence due to illness, the employee must notify his/her Elected/Appointed Official or Department Supervisor of his/her progress and expected date of return. In lieu of regular notification, a physician's statement is required.
- B. Employees shall be entitled to utilize sick leave for injury, pregnancy professional treatment of drug or alcohol addiction, or sickness which renders an employee incapable of performing his/her required job duties, for medical and dental care or for exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by the employee's attendance on duty. (Revised 6/5/23) (Revised 2/5/24)
- C. Sick pay will be paid only for approved absences and for time when the employee would normally be scheduled to work. Employees on sick leave for three (3) consecutive days must submit a physician's certificate in order to receive sick pay, unless waived by the department head. The cost, if any, of the certificate shall be paid by the employee. (Revised 6/5/23)
- D. Elected/Appointed Officials, in consultation with the Human Resources Director, if necessary, reserve the right to require a doctor's statement for ANY absence. A physician's authorization to return to work may be required. The doctor's authorization must document the employee was under the doctor's care and state the employee's ability to return to work. It must also state whether the employee will be under any medical restrictions. (Revised 6/5/23)
- E. Sick leave shall not be used as vacation leave; however, upon written request, vacation leave may be used to continue compensation during illness when all sick leave has been exhausted.
- F. An employee may use sick leave when medically necessary for the employee to care for a family member or other situation approved by department head discretion. Any accrued vacation leave must be used thereafter. (Adopted 6/3/02) (Revised 6/5/23)
- G. All sick leave shall expire on the date of separation. Sick leave may only be used by employees leaving County employment for documented reasons of illness. (Revised 4/10/07) (Adopted 6/9/97) (Revised 6/3/02) (Revised 3/21/11)

FAMILY AND MEDICAL LEAVE POLICY

7300.000

When the employee is an Appointed Official, the supervisor will be the County Board appointed Commissioner Representative. (Adopted 10/5/09)

I. **PURPOSE:**

7301.000

The purpose of this leave is to promote and recognize the need for an employee to balance both the employee's work and family obligations; to permit time off to eligible employees for their own serious illnesses; to care for newborn or newly adopted children, or to care for seriously ill close family members.

II. **DEFINITIONS:**

7302.000

As used herein in this section, the following terms shall have the following meaning:

- A. Family Member:

1. Spouse does not include unmarried domestic partners.
2. Son or Daughter shall mean the employee's biological child, adopted child, foster child, stepchild, legal ward, or a child for whom the employee stands in loco parentis if the child is less than 18 years of age or over but incapable of caring for him/herself due to a physical or mental disability.
3. Parent shall mean the employee's biological parent or any person who has stood in loco parentis to the employee.

B. Serious Health Condition shall mean:

1. An illness, injury, impairment, or a physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or
2. Continuing treatment by a health care provider.

III. **ELIGIBILITY:** 7303.000

All employees who have worked for the County for at least twelve (12) months and who, during the 12-month period preceding the leave, have worked for the County for at least 1,250 hours shall be eligible for Family and Medical Leave (FMLA).

IV. **BENEFIT:** 7304.000

- A. Eligible employees shall be permitted to take up to twelve (12) work weeks of unpaid Family and Medical Leave (FMLA) in any 12-month period. Scotts Bluff County counts the twelve (12) month period measured forward from the first day of the absence from work to which FMLA will apply.

Example: Employee's FMLA leave begins on November 1, 2023, so the 12-month period is November 1, 2023 through October 31, 2024. (Revised 2/5/24)

- B. Thereafter, an employee may use no more than twelve (12) weeks of FMLA Leave in a twelve-month period. Unpaid Family and Medical Leave may be taken for any of the following reasons:

1. The birth of a child to the employee or the employee's spouse.
2. The placement of a child with the employee for adoption or foster care.
3. The need to care for a spouse, son, daughter, or parent with a serious health condition.
4. A serious health condition that makes the employee unable to perform his/her job functions.

- C. Spouses Employed by County:

When both parents of a child or both adoptive or foster parents of a child recently placed for adoption or foster care are both employed by the County, the County shall be required to provide a combined total of not more than 12 work weeks of leave to the two employees when leave is taken pursuant to section A) 1, 2, 3 or 4.

- D. When Leave May Be Taken: Family and Medical Leave may be taken as follows:

1. To care for a family member with a serious health condition or for an employee's own serious health condition when medically necessary and the employee has satisfied the notification, scheduling, and reporting requirements of Section 5 below. Such leave may be taken intermittently or on a reduced leave schedule, when medically necessary.
2. For the birth or placement for adoption or foster care of a child. Leave must be taken within 12 months of the birth or placement of the child and may not be taken on an intermittent or reduced leave basis except with the approval of the Elected/Appointed Official.

E. Substitution of Leave:

Family or medical leave will be unpaid unless the employee has paid leave, which will run concurrent with FMLA leave. Employees are required to utilize all of their accrued paid leave (sick, vacation, and compensatory leave) prior to receiving leave without pay. All leave paid or unpaid shall count toward an employee's FMLA period supported by a qualifying reason. Employees utilizing vacation, sick, or compensatory leave shall adhere to the rules governing such leave. (Revised 10/2/08) (Revised 2/5/24)

V. **NOTIFICATION, SCHEDULING AND REPORTING:** 7305.000

When taking Family or Medical Leave, employees must complete the Application for Family and Medical Leave and shall have the following responsibilities:

- A. When the need for family leave is foreseeable because of an expected birth or placement of a child for adoption or foster care, the employee must give 30 days prior notice of the need for the leave. If the birth or placement is not anticipated this far in advance, the employee must provide as much notice as practical.
- B. When the need for leave is due to the serious health condition of the employee or the employee's family member, and the need for the leave is foreseeable based on planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the County and must provide at least 30 days prior notice of the leave, unless the treatment date requires leave to be taken in less than 30 days, in which case the employee must provide as much notice as is practical.

An employee on Family or Medical Leave shall report on his/her status and intention to return to work on a weekly basis to their Elected/Appointed Official.

VI. **PROOF OF A SERIOUS HEALTH CONDITION:** 7306.000

An employee who takes medical leave due to the employee's own serious health condition or the serious health condition of a family member shall provide a Medical Certification Statement from a health care provider before the leave begins if possible or as reasonably soon after the leave begins if prior certification is not possible.

All Medical Certification Statements at a minimum must contain the following information:

- A. The date on which the serious health condition began.
- B. The probable duration of the condition; and
- C. The appropriate medical facts about this condition known to the health care provider,
 - 1. If the employee's serious health condition is involved the certification must state the employee is unable to perform the functions of his/her job.
 - 2. If a family member's serious health condition is involved the certification must state that the employee is needed to care for that family member.

VII. **INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE** 7306.500

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

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

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

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the county's operations. (Adopted 2/5/24)

In cases of intermittent or reduced leave, the Medical Certification Statement must contain the following additional information:

- A. If the leave is for planned medical treatment it must state the date on which such treatment is expected and the duration of the treatment.
- B. If the leave is for a serious health condition that renders the employee unable to perform the functions of his/her job it must explain the medical necessity for leave on an intermittent or reduced leave schedule and the duration of such leave.
- C. If the leave is to care for a family member with a serious health condition it must state that the intermittent or reduced leave schedule is necessary to care for the family member and set forth the expected duration of the leave.

Before reinstating an employee returning from a leave for his/her own serious health condition, the employee must provide a medical certificate stating that the employee is medically able to resume his/her employment.

VIII. **FMLA RECERTIFICATION:**

7306.750

County reserves the right to request FMLA Recertification in the following circumstances:

- 1. If employee requests leave extension, after 12-month FMLA period has expired.
- 2. Circumstances described by the previous certification have changed significantly.
(example – the duration of the illness, the nature of the illness, complications)
- 3. The employer receives information that casts doubt upon the continuing validity of the certification.
(Adopted 2/5/24)

IX. **BENEFITS WHILE ON LEAVE:**

7307.000

- A. **Insurance:**
While an employee is on Family or Medical Leave the employee shall be entitled to continued health insurance coverage on the same terms as if the employee were not on leave. That part of health insurance premiums paid by the employee must be paid to and received by the County on or prior to the 15th of each month in order to keep such coverage in effect. If an employee fails to return to work after Family or Medical Leave, the employee shall be liable to the County for the premiums paid by the County during the employee's leave. (Revised 8/7/23)
- B. **Other Benefits:**
While on unpaid Family or Medical Leave the employee shall not accrue seniority or benefits such as vacation or sick leave. Employees shall not be entitled to any right, benefit or position of employment other than that to which the employee would have been entitled had he/she not taken Family or Medical Leave.
- C. **Holiday:**
 - 1. When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave.
 - 2. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.

3. Department shutdowns of one or more weeks where employees are not expected to report work, such as for the Christmas/New Year holiday, do not count against an employee's FMLA leave entitlement. (Adopted 5/20/24)

VIII. **REINSTATEMENT:** 7308.000

Upon the employee's return to employment, the end of family or medical leave, the employee shall be reinstated to his/her position or any equivalent one with the County, with equivalent pay, benefits, and other terms and conditions of employment.

IX. **FAILURE TO RETURN FROM LEAVE:** 7309.000

The failure of an employee to return to work upon the expiration of a family or medical leave of absence will be considered a resignation unless an extension is granted. An employee who requests an extension of family or medical leave due to the continuation, recurrence or onset of his/her serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employees Elected/Appointed Official setting forth the reason(s) for the extension, along with a current Medical Certification Statement prepared pursuant to section 5. This written request should be made as soon as the employee realizes that he/she will not be able to return at the expiration of the leave period. Under no circumstance will an extension beyond the 12-week period be authorized pursuant to the Family and Medical Leave Act and Scotts Bluff County's policy as outlined herein be granted. (Adopted 6/9/97) (Revised 6/3/02)

FAMILY MILITARY LEAVE POLICY 7400.000
(Exigency Leave)

When the employee is an Appointed Official, the supervisor will be the County Board Appointed Commissioner representative. (Adopted 10/5/09)

I. **PURPOSE:** 7401.000

The purpose of Family Military Leave (Exigency) is to provide an opportunity for employees to spend time with a spouse or child before his/her actual deployment or when he/she is home on leave.

II. **ELIGIBILITY:** 7402.000

All employees who have worked for the County for at least twelve (12) months and who, during the 12-month period immediately preceding the leave, have worked for the County for at least 1,250 hours shall be eligible for Family Military Leave (Exigency). An eligible employee is the spouse or parent of a person called to military service lasting 179 calendar days or longer, with the State or United States pursuant to the orders of the Governor or the President of the United States.

III. **BENEFIT:** 7403.000

Eligible employees shall be permitted to take up to thirty day (30) of unpaid Family Military Leave (Exigency).

IV. **NOTIFICATION, SCHEDULING AND REPORTING:** 7404.000

When taking Family Military Leave (Exigency), employees must complete the Application for Family Military Leave (Exigency) and shall give at least 14 calendar days of notice of taking leave if the leave will consist of five or more consecutive workdays.

V. **BENEFITS WHILE ON LEAVE:** 7405.000

A. **Insurance:**

While an employee is on Family Military Leave (Exigency), the employee shall be entitled to continued health insurance coverage on the same terms as if the employee were not on leave. That part of health insurance premiums paid by the employee must be paid to and received by the County on or prior to the last business day of each month in order to keep such coverage in effect. If an employee fails to return to work after Family Military Leave (Exigency), the employee shall be liable

to the County for the premiums paid by the County during the employee's leave.

B. **Other Benefits:**

While on unpaid Family Military Leave (Exigency), the employee shall not accrue seniority or benefits such as vacation or sick leave. Employees shall not be entitled to any right, benefit or position of employment other than that to which the employee would have been entitled had he/she not taken Family Military Leave (Exigency).

VI. **REINSTATEMENT:** 7406.000

Upon the employee's return to employment, the end of Family Military Leave (Exigency), the employee shall be reinstated to his/her position or any equivalent one with the County, with equivalent pay, benefits, and other terms and conditions of employment.

VII. **FAILURE TO RETURN FROM LEAVE:** 7407.000

The failure of an employee to return to work upon the expiration of a Family Military Leave (Exigency) of absence will be considered a resignation. (Adopted 1/22/08)

FAMILY MILITARY CAREGIVER LEAVE POLICY 7500.000

I. **PURPOSE:** 7501.000

The purpose of Family Military Caregiver Leave is to provide an opportunity for employees to care for a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. This includes a spouse, child or parent of the employee.

II. **ELIGIBILITY:** 7502.000

All employees who have worked for the County for at least twelve (12) months and who, during the 12-month period immediately preceding the leave, have worked for the County for at least 1,250 hours shall be eligible for Family Military Caregiver Leave. An eligible employee is the spouse, child or parent of a person recovering from a serious illness or injury while in military service.

III. **BENEFIT:** 7503.000

Eligible employees shall be permitted to take up to 26 weeks of unpaid Family Military Caregiver Leave in a single 12 month period.

IV. **NOTIFICATION, SCHEDULING AND REPORTING:** 7504.000

When taking Family Military Caregiver Leave, employees must complete the Application for Family Military Caregiver Leave and shall give at least 14 calendar days of notice of taking leave if the leave will consist of five or more consecutive workdays.

V. **BENEFITS WHILE ON LEAVE:** 7505.000

A. **Insurance:**

While an employee is on Family Military Caregiver Leave the employee shall be entitled to continued health insurance coverage on the same terms as if the employee were not on leave. That part of health insurance premiums paid by the employee must be paid to and received by the County on or prior to the last business day of each month in order to keep such coverage in effect. If an employee fails to return to work after Family Military Caregiver Leave, the employee shall be liable to the County for the premiums paid by the County during the employee's leave.

B. **Other Benefits:**

While on unpaid Family Military Caregiver Leave the employee shall not accrue seniority or benefits such as vacation or sick leave. Employees shall not be entitled to any right, benefit or position of employment other than that to which the employee would have been entitled had he/she not taken

Family Military Caregiver Leave.

VI. **REINSTATEMENT:** 7506.000

Upon the employee's return to employment, the end of Family Military Caregiver Leave, the employee shall be reinstated to his/her position or any equivalent one with the County, with equivalent pay, benefits, and other terms and conditions of employment.

VII. **FAILURE TO RETURN FROM LEAVE:** 7507.000

The failure of an employee to return to work upon the expiration of a Family Military Caregiver Leave of absence will be considered a resignation. (Adopted 3/27/09)

PLEASE NOTE: ONLY A TOTAL OF 26 WEEKS IS AVAILABLE FOR ALL FMLA LEAVE COMBINED DURING A SINGLE 12 MONTH PERIOD.

OTHER LEAVE OF ABSENCES 7600.000

When the employee is an Appointed Official, the supervisor will be the County Board appointed Commissioner Representative. (Adopted 10/5/09)

A leave of absence is extended time off from work for EXCEPTIONAL CIRCUMSTANCES.

I. **POLICY** 7601.000

- A. A leave of absence requires the approval of the Elected/Appointed Official.
- B. The approval, conditions and duration of a leave of absence will be determined based upon the needs of the department and the reason for the leave.
- C. Benefit coverage may be continued for a limited time, contingent upon payment by the employee of any required contributions for employees and/or dependents, when the employee is on an authorized Leave of Absence from the County. In no event will the Leave of Absence continue for more than twelve (12) weeks after it begins.
- D. A Leave of Absence due to a layoff may be continued for a limited time, contingent upon payment by the employee of any required contributions for employees and/or dependents, when the employee has been subjected to Employer Layoff. In no event will coverage continue for more than ninety-two (92) days after the employee's active service ends.
- E. No vacation or sick leave will be accrued while on non-paid leave of absence status.
- F. When the employee is no longer being paid during a leave of absence, insurance coverages may be retained; however, the employee must arrange to pay the full premium until he/she returns to a paid status.
- G. When an employee is available to return to work at the expiration of a leave of absence and no appropriate position is available, the employee may remain on leave of absence at the discretion of the Elected/Appointed Official. If at the expiration of this extended leave no appropriate position is available, the employee may be terminated at the discretion of the Elected/Appointed Official with review by the Human Resources Director.
- H. If an employee is unable to return to work at the expiration of all leave of absence time, the employee may be terminated at the Elected/Appointed Official's discretion with review by the Human Resources Director.

II. **PROCEDURE** 7602.000

- A. Employee must obtain a Leave of Absence Request Form from the Elected/Appointed Official, complete and return for approval.

- B. The Elected/Appointed Official reviews the request and if approved, notifies the employee and the Human Resources Director.

III. **OTHER TYPES OF LEAVE OF ABSENCES** 7603.000

A. **PERSONAL/EMERGENCY** 7603.100

A personal/emergency leave may be granted for employees; however, only pay for accrued vacation or sick leave, depending on the circumstances, may be requested.

B. **CIVIL** 7603.200

1. When an employee is served with a subpoena, or in the normal course of his/her employment is required to appear in the matter in which the County is a party, or in which official records will have to be produced in court, the employee shall be paid while attending court and shall receive expenses for travel and subsistence from the party in whose behalf the subpoena was issued or in whose behalf the employee is required to appear.
2. An employee attending court as a party plaintiff or party defendant on a personal matter may elect to have such time charged to vacation leave or may have a leave of absence without pay.

C. **INJURY LEAVE** (Worker's Compensation) 7603.300

NOTE: For the purpose of policy, Worker's Compensation shall be considered non-paid leave. The only exception is that sick leave and vacation leave will accrue as if the employee is still working. (Revised 7/02/12) Holiday pay is paid by Workers' Compensation as a regular paid day. The County does not pay for Holidays while on Workers' Compensation. (Revised 1/09/17)

1. Employees may receive worker's compensation benefits if injured on the job, or if they contract an employment-related disease. Worker's compensation benefits shall not be received if the employee was willfully negligent at the time of injury or under the influence of drugs or alcohol.
2. Employees shall report all such incidents and work-related injuries to their supervisor immediately upon notice of injury, but no later than **24 hours** after injury in order to obtain proper medical treatment and to complete the required forms. Eligibility for worker's compensation benefits is determined on the basis of an accurate report of the incident as well as the time frame in which it is reported. The County's workers compensation claims are managed by NIRMA. The County NIRMA Contact person must have the incident information within 24-hours from the Elected/Appointed Official in order to file a timely claim. (Revised 9/05/23)
3. An employee who is determined to be disabled and unable to work due to a work-related injury will be compensated at an amount determined by the worker's compensation laws in effect at the time of injury or disability. Medical expenses incurred in the treatment of an injury or illness determined to be work related will be paid upon receipt of documented medical statements supporting the claim.
 - A. Any employee entitled to be paid worker's compensation for temporary disability shall use County earned sick leave or vacation, if accrued, for the first seven calendar days of such disability including the day of injury (if disability began on that date). At the end of seven calendar days, provisions of the worker's compensation act shall apply. (Revised 9/05/23)
 - B. An employee who is receiving worker's compensation for an injury or occupational disease occurring out of and in the course of employment shall have the option of electing to use accumulated unused sick leave or vacation leave to supplement worker's compensation up to but not to exceed the regular rate of pay.

Employees electing this option shall be charged sick or vacation leave in proportion to the amount of money paid by the county office by which he/she is employed.

For Example: Worker's compensation pays an amount equal to **two-thirds (2/3)** of the employee's regular pay. The employee elects to use sick leave or vacation leave to make up the balance of his/her salary: In this case, **one-third (1/3)** day sick leave or vacation leave will be charged per-day, and the sick leave or vacation leave will be earned at the normal rate. After all such leave or vacation leave has been used, the employee shall not be entitled to any compensation except that authorized by worker's compensation and shall be carried as sick leave without pay status. (Revised 9/5/23)

- C. If employee is absent from work due to work-place injury and out of vacation, sick and compensatory time, employee will be responsible for payment of elected employee payroll deductions (ex. health, dental, vision, life insurance.) due by the 15th of the month, see policy 7307.00 – Benefits While on Leave. (Adopted 5/20/24)
- 4. Among other benefits available under worker's compensation are rehabilitation, total and partial disability allowances and death benefits.
- 5. Scotts Bluff County will return the employee to work with light duty options based on physician recommendations, if possible. Light duty may be offered within any department of Scotts Bluff County. (Adopted 5/20/24)
- 6. Employees with further questions may contact the Nebraska Intergovernmental Risk Management Association (NIRMA) office at (800) 642-6671. (Adopted 5/20/24)

Note: While on Injury Leave, the employee, or employee representative, will report his/her progress and intended date to return to work on a **weekly basis** to his/her elected/appointed official or supervisor. (Adopted 7/02/12)

WORKER'S COMPENSATION MAXIMUM AMOUNT OF RECOVERY TIME

7603.400

The maximum amount of recovery time (including any combination of injury leave and modified duty work) should not exceed 12 consecutive calendar months from the date of injury. If an employee has not yet returned to full duty work within 12 months from the date of injury, the employee's treating physician will be contacted by Scotts Bluff County or Workers Compensation Representative to determine if the employee can perform the essential functions of their job description. If the employee's treating physician states that the employee cannot perform the essential functions of the job description, the employee may be separated from employment, or considered for another county position.

Prior to the end of the 12-month period, if the employee provides medical documentation indicating a strong likelihood that the employee may return to full duty within a reasonable time period, the HR Office and Department head may extend the recovery time depending upon business needs and pursuant to the Americans with Disabilities Act (ADA) or Family and Medical leave Act (FMLA). Likewise, if the employee is able to perform the essential functions for their position with reasonable accommodations the department will make reasonable efforts to accommodate the employee when possible. (Adopted 11/18/24)

MILITARY LEAVE

7604.000

All employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve will be provided a leave of absence to perform voluntary or involuntary military duties. Employees who normally work or are normally scheduled to work at least one hundred twenty (120) hours in three (3) consecutive weeks will receive pay for up to one hundred twenty (120) hours of such military leave each year. Employees who normally work or are normally scheduled to work less than one hundred twenty (120) hours in three (3) consecutive weeks will be paid for the number of hours they normally work or would normally be scheduled to work in three (3) consecutive weeks, whichever is greater. Any remaining leave is unpaid. (Adopted 6/9/97) (Revised 7/1/02) (Revised 10/5/09)

BEREAVEMENT LEAVE

7605.000

An employee may be granted bereavement leave up to four (4) days with pay for immediate family: wife, husband, children, step-children, parents, brother, sister; up to (2) days with pay for other family members: mother-in-law, father-in-law, daughter-in-law, son-in-law, grandchildren, grandparents; one (1) day for aunts, uncles, nieces, nephews and cousins provided the elected/appointed official or supervisor authorizes the request. (Revised 5/6/19)

Bereavement leave for part-time employees will be granted under the same conditions, but without pay. (Adopted 6/9/97) (Revised 11/4/02)

When the employee is an Appointed Official, the supervisor will be the County Board Appointed commissioner representative. (Adopted 10/5/09)

LEAVE FOR VOLUNTEER SERVICES

7606.000

Leave with pay during customary working hours for recognized Fire Department or Emergency Medical Services of an emergency nature which occurs within Scotts Bluff County, may be approved if pre-arranged with the Elected/Appointed Official or Department Supervisor in consultation with the Human Resources Director. Such leave will not be deducted from vacation or sick leave. (Adopted 9/20/99) (Adopted 6/9/97)

When the employee is an Appointed Official, the supervisor will be the County Board Appointed commissioner representative. (Adopted 10/5/09)

BREAST FEEDING/BREAST MILK EXPRESSING POLICY

7900.000

I. Purpose

Scotts Bluff County is proud to promote a breastfeeding work environment. The County recognizes that breast milk is the optimal food for growth and development of infants and the County encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. The County hereby promotes and supports breastfeeding and the expression of breast milk by employees who are breast feeding when they return to work.

II. Policy

Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated at Scotts Bluff County. Any incident of Discrimination and harassment will be addressed according to current existing County policies on discrimination and harassment.

Lactation times shall be established for each employee based on her work schedule. If possible, the lactation time is to run concurrently with any break time already provided. Lactation times beyond the regular break time is unpaid and will be negotiated between the employee and her elected/appointed official or supervisor.

Employees shall be provided the use of a clean, comfortable space or "Lactation Area." The lactation Area must not be a restroom. Lactation Area must have the ability to be locked when in use by lactating employees. Lactation Area must have a table and a comfortable chair. Lactation Area will have appropriate signage designation when in use by employee. For help in finding a location suitable Lactation Area, please contact the Human Resources Director.
(Adopted 2/6/12)

INSURANCE

8100.000

The Scotts Bluff County Commissioners will seek employee input prior to any change of employee benefit coverage.

I. GROUP HEALTH INSURANCE

8101.000

A. General Information:

Scotts Bluff County currently offers group insurance coverage through the Scotts Bluff County Self-Funded Plan administered by Regional Care Incorporated. Benefits provided are outlined in the

pamphlet issued you at the time of employment. You should read the certificate of coverage that you receive from HR. The forms are also available on the Personnel page of the County's website.

B. Eligibility:

All full-time employees are eligible for the health insurance coverage. You must apply for insurance at the time of hire. If for any reason your application for health insurance is not made at the time of hire, or if, after cancellation for any reason, an employee reapplies at a later date, a health questionnaire must be completed and accepted by the insurance carrier before coverage may be granted.

C. Premium Cost:

Scotts Bluff County will pay an amount determined by the Board of Commissioners annually for the employee. If family coverage is desired, it is deducted from the employee's payroll check. Contact the Human Resources Director for premium costs.

II. GROUP LIFE INSURANCE

8102.000

A. General Information:

Scotts Bluff County provides group life insurance. Benefits provided will be discussed with you at the time of your employment.

B. Eligibility:

All full-time employees are eligible for the term life insurance at the time of hire. If for any reason your application for life insurance is not made at the time of hire, or if, after cancellation for any reason, an employee reapplies later, a health questionnaire must be completed and accepted by the insurance carrier before coverage may be granted.

C. Premium Cost:

Scotts Bluff County will pay an amount determined by the Board of Commissioners annually, for the employee.

III. GROUP LONG TERM DISABILITY

8103.000

A. General Information:

Scotts Bluff County provides group basic long-term disability insurance. If you care to "buy up" to a better plan, you may do so at your cost. Benefits provided will be discussed with you at the time of your employment.

B. Eligibility:

All full-time employees are eligible for the basic long-term disability insurance at the time of hire. If for any reason your application for basic long-term disability insurance is not made at the time of hire, or if, after cancellation for any reason, an employee reapplies later, a health questionnaire must be completed and accepted by the insurance carrier before coverage may be granted.

C. Premium Cost:

Scotts Bluff County will pay the amount of the basic long-term insurance. This amount will be discussed at the time of employment.

PENSION PLAN

8200.000

I. ELIGIBILITY

8201.000

Employee made eligible by the Nebraska Public Employee Retirement systems with the following terms.

- A. Mandatory Membership – Effective January 1, 2007, upon employment, immediate participation is mandatory for all **full-time** employees who work one-half or more of the regularly scheduled hours during each pay period. Employees must be a United States citizen or a qualified alien in order to participate. Your employer will enroll you effective on the date you are hired.

Mandatory Participation: Participation is mandatory for **PART-TIME** employees when, in a calendar year, an employee's hours exceed half of the regularly scheduled hours in a pay period for at least:

- 6 bi-weekly pay periods in a calendar year; or
- 6 semi-monthly pay periods in a calendar year; or
- 3 monthly pay periods

The effective date of participation will be the next pay period following the 6 bi-weekly/6 semi-monthly/3 monthly pay periods that the employee exceeded half the regularly scheduled hours. If the employee does not begin participation, make-up contributions are required going back to the effective date of participation, or two years, whichever is less.

- B. Voluntary Membership – Participation is voluntary for **part-time employees age 18 or older** and **part-time seasonal employees age 18 or older**. If you wish to enroll, you may do so by completing a Cash Balance Voluntary Enrollment Form, available from your employer or NPERS. This form must be submitted within the first 30 days of employment. Your employer should forward the completed form to NPERS.

Once you become a member, you are subject to all provisions of the Plan and cannot withdraw funds or cancel participation until you cease employment.

Temporary and Intermittent employees are not eligible to participate.

- C. Membership of Elected Officials – If you are an elected official, you must join the Plan upon taking office. If you are appointed to fill a vacancy in an elective office, you must also join the Plan. **Part-time, elected officials** are not required to join but may do so under voluntary membership. (Revised 11/10/14)

II. **CONTRIBUTIONS** 8202.000

- A. Employees contribution to the plan is 4.5 % of your salary for each payroll period. These contributions are tax sheltered from Federal and State income taxes.
- B. The County contributes an amount equal to 6.75% of your salary each payroll period (150% of employees' contribution.)

III. **RETIREMENT** 8203.000

- A. Employees are eligible for retirement on or after their 55th birthday.
- B. Employees are totally vested after three (3) years in the retirement plan. The amount of an employee's pension upon resignation or retirement depends on the total of your joint retirement account, age at retirement, and the retirement option you select.
- C. Employees who have participated in the Retirement Plan should contact the County Clerk six (6) weeks prior to resignation or retirement. Employees who have been in the plan for more than three (3) years may complete a Request for Illustration of Benefits, which details their options. Specific questions regarding the options available and estimates of the amount of your pension based on those options may be obtained by contacting the Retirement Office in Lincoln toll free at 1-800-245-5712, (402) 471-2053, by fax at 402-471-9493, or by mail at:

Nebraska Public Employees Retirement Systems (NPERS)
1221 N Street, Suite 325
P.O. Box 94816
Lincoln, NE 68509-4816
<http://www.npers.ne.gov>

- D. LB-501 passed by the Ninety-fourth Legislature, First Session, became law on September 9, 1995. This new law will allow state and county employees to receive credit toward vesting from participation in another Nebraska governmental retirement plan, as defined by Section 414(d) of the Internal Revenue code. There are two parts to this legislation.
1. NEW, FULL-TIME employees may receive vesting credit for their service in another governmental plan if they apply WITHIN 30 days of employment with Scotts Bluff County. The application form must be submitted to the Nebraska Public Employees Retirement Systems (NPERS) for their approval. The service in the other plan must also be Full-Time to qualify. If a minimum of 12 months of vesting is approved by NPERS, the employee may enroll in the state/county retirement plan immediately. If less than 12 months of credit is approved, the employee may join the state/county retirement plan after a combined TOTAL of 12 months of service is achieved.
 2. EXISTING, FULL-TIME employees (those hired prior to September 9, 1995) may receive vesting credit for their service in another governmental plan if they apply WITHIN ONE YEAR, or no later than September 9, 1996. The service in the other plan must also be Full-Time to qualify.

NOTE: CURRENT EMPLOYEES WHO HAVE PARTICIPATED IN THE STATE/COUNTY RETIREMENT PLANS FOR FIVE OR MORE YEARS AND THUS ARE ALREADY VESTED WILL NOT BENEFIT FROM THIS NEW LAW.
(Adopted 6/9/97)

CONTINUING EDUCATION

8310.000

The County recognizes the need for employees to keep up with changes and developments within their area of work. Some employees need to take workshops, which will be good for CEUs. (Revised 11/06/23)

To meet this need, the County authorizes the employees to work with their elected/appointed officials and/or supervisor to attend continuing education classes. (Revised 11/06/23)

No employee may demand funding and/or time off to attend a workshop or class. The elected/appointed official and/or supervisor must use discretion in allowing the employee the privilege of time and/or funding.

The elected/appointed officials may also attend workshops and classes if their schedule and budget will allow.
(Adopted 8/20/01)

ALCOHOL AND DRUG TESTING

9100.000

Employees whose department falls under Federal Highway Administration (FHWA) or Federal Transportation Administration (FTA) regulations will be subject to alcohol and drug testing in accordance with Federal Law. Check with your Elected/Appointed Official or Department Supervisor regarding testing policy and requirements. (Adopted 6/9/97)

BLOOD DONATION

9200.000

To foster an attitude of civic mindedness, an employee may donate blood on a non-emergency basis if the department workload allows for the time required to donate. His/her supervisor must agree the department workload will allow for a certain day and time before the employee makes a blood bank appointment to donate. If these conditions are met, the employee may take work time with pay to donate.

For an emergency situation, an immediate family member, or a County employee, where blood donations are requested, the employee will be paid for the time away from his/her regular duties. A donation card will need to be reviewed upon return by the Elected/Appointed Official. (Adopted 6/9/97) (Revised 9/17/01) (Revised 6/6/22)

DRIVER'S LICENSE AND COMMERCIAL DRIVER'S LICENSE POLICIES

9300.000

This policy covers any probationary or status employee who is working in a job classification which, as a condition of employment, must drive equipment or vehicles that requires a CDL or a driver's license to be in accordance with Federal and State Law.

A current driver's license which is in compliance with the laws of the State of Nebraska is required to operate a County vehicle. Seasonal employees must have a current driver's license, however, not necessarily from the State of Nebraska. County owned vehicles can be used to obtain or renew an operating license or commercial drivers' license if approved by department head. (Revised 6/5/23)

The fees to obtain a driver's license, a CDL and any endorsement will be the responsibility of the employee. Employees may request approval to take vacation leave, if available, to renew a driver's license, take a written CDL exam, retake a failed exam, to renew a CDL, to take a CDL skills test, to obtain endorsement or to take the CDL exam AFTER their operator license expires at the State Department of Motor Vehicles. However, upon expiration of that approved leave, failure to report to work with a CDL or driver's license after 3 days leave without pay will be considered terminated.

Employees whose condition of employment requires them to have a CDL or driver's license must notify their Elected/Appointed Official or Department Supervisor within 10 days of a conviction for any traffic violation (except parking), regardless of what type of vehicle being driven. A Driver's License Notification of Traffic Violation form is to be completed and given to the Elected/Appointed Official. Failure to properly notify the County of driving convictions or loss of driving privileges will result in discipline, up to and including termination. This applies any time driving privileges are revoked, suspended or limited in any way by any court or the Nebraska Department of Motor Vehicles or any other Administrative agency of the State of Nebraska. Any employee who occupies a position requiring a CDL or driver's license and whose CDL or driver's license is suspended will be subject to disciplinary action up to and including termination. (See Corrective Action) (Adopted 6/9/97) (Revised 6/6/22)

Road & Bridge Department Only: Newly hired employees will have 6-months to complete requirements for CDL licensure. If after 6 months, employees who have not secured a CDL to drive vehicles that require a CDL, can be terminated. (Revised 8/7/23)

JURY DUTY

9400.000

Occasionally, you may be called upon to serve on a jury of our court system. If so, please notify your Elected/Appointed Official or Department Supervisor right away.

If you are serving on a jury and are a regular full-time employee, you can receive up to eight (8) hours of pay at your standard rate for each full day you serve on the jury. If you are excused early, you must return to work and complete your shift, since you are being paid for your time. Regular part-time employees receive pay for the hours they normally would have been at work. Employees will be allowed to retain any jury duty paid to them, but will be required to return a signed Certification of Court Attendance form. (Adopted 6/15/00) (Adopted 6/9/97)

CLOSING OR EARLY DISMISSAL

9500.000

Closing the county buildings, offices, and departments or early dismissal of employees is normally associated with conditions such as inclement weather, heating problems or building evacuations. However, there may be other situations as well, such as early dismissals prior to or after a holiday, depending on where a holiday falls within a work week.

In order to attain a fair treatment among all employees, early dismissal is not to be granted by individual departments. Rather, the Chairman, Vice Chairman of the Board of Commissioners (depending on the situation), after consulting with various elected officials and department heads, will decide whether or not an early dismissal should be granted. In doing so, any decision may or may not be applicable to the Scotts Bluff County Sheriff's Office, Detention Center, Communications Center or Road & Bridge Department due to their unique responsibilities. **Employees may call 308-633-9675 or 308-off-work to find out if the Administration Building closed or has a late start.** (Revised 12/16/13)

Pay Treatment:

- a. Early dismissals are not considered holidays.
- b. When the county offices are closed for the day, only those employees who are scheduled to work and reported to work at the time early dismissal is granted, are eligible for early dismissal pay for the remainder of their shift.
- c. Employees on sick leave or scheduled vacation on a day that the County grants an early dismissal are not allowed to alter their sick or vacation schedule to take advantage of the County's early dismissal. Early dismissal hours will not affect accumulation of hours for sick or vacation time.
- d. Employees who are scheduled to work but have not reported to work when an early dismissal is granted, may be allowed, subject to department head approval, to make up lost dismissal hours during the work week (i.e., come in early, work through lunch or stay late) or use available vacation time.
- e. Sheriff's Office, Communications Center, Detention Center and Road & Bridge Department employees who work during closings or early dismissal days will not receive any additional pay for hours worked during closing or early dismissal days (excluding possible overtime obligations). This does not affect employees in the unions if explained differently in their contracts.
- f. Employees who are eligible for early dismissal pay will be paid at their straight time rate for the remainder of their shift. Such hours will not be considered as time worked when computing overtime. (Adopted 5/3/10)
- g. In the event an emergency is declared by the County Board (such as inclement weather) where non-essential employees are instructed not to report for work, non-essential employees shall be paid straight pay for work hours missed. (Adopted 5/6/19)
- h. In the event the County Board does not authorize the closure and County Offices choose to close their office or send employees home, employees can use vacation or compensatory time. (Adopted 5/6/19)

REGULATION OF ANIMALS IN SCOTTSBLUFF COUNTY BUILDINGS

9600.00

Scotts Bluff County owns, maintains, and operates a number of buildings accessible to both employees and members of the public; and

Scotts Bluff County is responsible for protecting the health and safety of all employees and members of the public visiting County buildings;

And controlling access to County buildings by employees and members of the public with animals, is in the best interest to protect employees and members of the public;

1. No person, including employees and members of the public, shall bring any animal into a public building owned or controlled by Scotts Bluff County, except as provided herein.
2. An employee or member of the public who requires the help of a service animal, as defined in 28 CFR 36.104 as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with disability" will be permitted in Scotts Bluff County buildings, provided the animal's presence does not create a danger to others and does not impose an undue hardship on the County pursuant to the Americans with Disabilities Act.
3. The user of a service animal is responsible for the care and supervision of a service animal. Service animals must be harnessed, leashed or tethered, unless these devices interfere with the service animals work or the individual's disability prevents using these devices. If that is the case, the individual must maintain control of the animal through voice signal or other effective controls. The service animal must be clean and in good health. Owners or users of service animals must abide by current applicable city ordinances and laws pertaining to licensing and vaccination requirements for service animals. All owners and users of service animals are responsible to cleanup after and promptly dispose of animal's waste. An individual with a disability may be charged for any damage caused by his or her service animal. The

County may ask an individual with a disability to remove a service animal from any of its facilities if: (1) the service animal is out of control and the handler does not take effective action to control it; or (2) the service animal is not housebroken.

4. An exception to the above provision shall be made for law enforcement animals.
5. Emotional support animals, companion animals, comfort animals, therapy animals and pets are not allowed in buildings owned or controlled by Scotts Bluff County.
6. If an employee or member of the public claims an animal is a service animal, a representative of the County may not ask questions about disability or demand to see any certification, identification, or other proof of the animal's training or status. A County representative may only ask: 1) Is the dog a service animal required because of a disability; and 2) What work or task has the dog been trained to perform?
7. A service animal may be excluded from County buildings if it poses a direct threat to health and safety. For example, if a dog is aggressively barking or snapping at other individuals. The animal may also be excluded if it is not housebroken or if it is out of control and the owner or user is unable or unwilling to effectively control the animal.
8. Any employee or member of the public may make a referral of an issue involving service animals in Scotts Bluff County buildings to the Scotts Bluff County Human Resource Office, Sheriff Department or Building Services.

As approved by the Board of Commissioners on March 4th, 2024. (Adopted 11/18/24)

POSITION CLASSIFICATION POLICIES

12,100.00

JOB SPECIFICATIONS

The job specifications illustrating duties, responsibilities and qualifications of all positions existing at the time of the study are classified according to the following specifications.

- I. In determining the job to which any person is allocated, the specifications for the job are to be considered as a whole. Consideration has been given to the general duties, the specific tasks, the responsibilities, the special and desirable qualifications and training and experience needed to provide a picture of the position.
- II. The specifications are descriptive only and are not restrictive. They are intended to indicate the kinds of work that should be allocated to the job as determined by the duties, responsibilities and qualification requirements listed in the job specification. The use of a particular expression or restriction as to duties, qualification requirements or other attributes should not be held to exclude others not mentioned if such others are similar as to kind and quality.
- III. Titles, as far as possible, are intended to be suggestive of the kind of work performed by the incumbent of the job.
- IV. The statement of the "*Description of Work*" of the position should be construed as a general description of the kind of work performed by the incumbent, and not as a limit of the duties of the position.
- V. The "Examples of Duties" statement shall be construed as consisting of typical tasks only, illustrative of the duties as outlined by the "Description of Work" statement. These examples are not intended to be complete or exclusive and the fact that some tasks performed by the incumbent of a position do not appear thereon shall not be taken to mean that those tasks are excluded from the job.
- VI. The "*Required Knowledge, Skills, and Abilities*" part of the job specification expresses the minimum qualifications that should be possessed by a new appointee. In addition, the "Required Knowledge, Skills and Abilities" section of the job specifications is included to assist in the objective evaluation of performance of the incumbent allocated to the job.
- VII. Even though they may not be mentioned in the statement of "Required Knowledge, Skills and Abilities", such required knowledge, skills and abilities as should be properly required in common of all incumbents of all positions such as citizenship, honesty, sobriety and industry, are to be considered as part of the knowledge, skills and abilities requirements. (Adopted 8/31/99)

MAINTENANCE OF JOB CLASSIFICATIONS

12,200.000

I. The Plan

12,220.000

The job classification plan comprises a schematic list of job titles supported by written specifications. Each job classification identifies the duties, responsibilities and the qualifications necessary for appointment to that position.

II. Objectives

12,230.000

Job classifications are used:

- A. To provide like pay for like work.
- B. To establish qualification standards for recruiting and testing.
- C. To provide appointing authorities with a means of analyzing work distribution, areas of responsibility, lines of authority, other relationships between positions and a framework for position designs.
- D. To assist appointing authorities in determining budget requirements.
- E. To provide a basis for developing standards of work performance and evaluating performance.
- F. To establish parameters for promotion.
- G. To identify training needs.
- H. To provide appropriate titles for work being performed.
- I. To provide a foundation for meeting Equal Employment Opportunity and Affirmative Action requirements.
- J. To ensure compliance with the Americans with Disabilities Act.

III. Definition of a Class of Work

12,240.000

A class of work comprises one or more positions that are nearly alike in the essential character of their duties, occupational grouping and responsibilities. The same pay scale can be applied to the position and classes can be treated alike under similar conditions for personnel purposes. The same qualification requirements are applicable to the positions in a class regardless of the department in which the position is located.

When the employee is an Appointed Official, the supervisor will be the County Board Appointed Commissioner Representative. (Adopted 10/5/09)

IV. Job Classification

12,250.000

The job classification states the characteristic duties, responsibilities and qualification requirements, which distinguish a given job from other jobs. The job classification is descriptive, not restrictive; that is, the job classification describes the more typical types of work allocated to an employee but does not restrict the assignment of other duties related to the job. (Adopted 8/31/99)

V. Rules and Procedures

12,260.000

Each position is allocated to an occupational grouping. Such allocation is made on the basis of the duties of the position and in accordance with the personnel rules. Under the authority of the Scotts Bluff County Personnel Board and the Scotts Bluff County Board of Commissioners, the Human Resources Director shall have the following authority regarding pay and classifications:

- A. When a new position is created, the appointing authority (the department head) shall send to the Human Resources Director a request for classification of the position with a complete description of the duties and responsibilities. The Human Resources Director in conjunction with the Department Head shall allocate the position to the proper occupational grouping after analysis and evaluation of duties and responsibilities. Such consideration shall be without regard to personal characteristics, abilities or qualifications of the employee, office for which the work is done, or availability of budgetary funds.
- B. If there is no occupational grouping to which a new position can properly be allocated, the Human Resources Director in conjunction with the Department Head is authorized to create a single position assignment and allocate the position to an appropriate pay range for the position.

- C. When, upon notification from a department head or as a result of a field audit, it is determined that the work assignment of an employee has changed substantially (i.e., as to the kind and/or level of work being performed), the department head, working with the Human Resources Director shall be responsible for the preparation of a position description and the initiation of a personnel action. The Human Resources Director in conjunction with the Department Head shall determine whether the position has changed sufficiently to justify such reallocation.
- D. The Human Resources Director in conjunction with the Department Head may at any time review a position which appears to be improperly classified and may propose allocation of the position to a proper classification.
- E. The creation of new positions and the assignment of duties are the responsibility of the department head and governed also by law, availability of funds and these instructions.
- F. If a department head or the affected employee disagrees with a classification decision, including evaluation of the position, he/she may submit a written memorandum to the Human Resources Director requesting review of the decision.
(Adopted 8/31/99)
- G. The Human Resources Director shall review the information submitted and working with the department head, shall audit the position and determine what action, if any, is required. If upon the decision of the Human Resources Director, the Department Head or affected employee disagrees with the classification decision, a written request stating reasons for their disagreement and review by the Scotts Bluff County Personnel Board may be submitted. A decision will be made by the Personnel Board within forty-five (45) days. The decision of the Personnel Board is final.
- VI. **Periodic Review** 12,270.000
- The Human Resources Director shall make or cause to be made, periodic reviews of these instructions and shall prepare, or have prepared, specifications for new positions, changes in job titles, changes in pay grade assignment and recommendations for abolishing positions. The form "*Request for Position Change*" may be used for these actions.
- PAY PLAN MAINTENANCE** 12,300.000
- I. **Policy** 12,305.000
- The policy of the County is to recruit and retain highly productive employees. In order to achieve this goal an equitable classification system and pay plan must be established. In addition to periodic review of the classification system, periodic pay reviews will be conducted to support this policy.
- II. **Pay to Equal Prevailing Rates** 12,310.000
- It is the policy of Scotts Bluff County to establish pay rates equal to those of the prevailing market. This shall mean that the level of compensation for positions in Scotts Bluff County shall be established at the same general level as those in the labor market area with respect to comparable counties. The labor market area level shall be determined by periodic reviews of the rates being paid by a representative sample of jobs of other employers in a comparable labor market.
- III. **Survey Area** 12,315.000
- It may be determined that because of the need to recruit qualified applicants from outside of the immediate area, the labor market for certain positions is regional in scope rather than local. In such cases, salary data may be secured for positions selected for study in an area designated by the Human Resources Director. Such selection may be made on the approval of the Board of County Commissioners. (Adopted 8/31/99)
- IV. **Setting Salaries** 12,320.000
- Policy deleted per recommendation of the Personnel Board on August 27, 2002, and action of the County Board of Commissioners on September 3, 2002.

- V. **Sample of Employers** 12,325.000
- In surveying for prevailing rate information, data shall be gathered from a representative sample of public employers. Such employers may include surrounding County government offices and should reflect those of similar population size and shall be of adequate number to satisfy the Commission of Industrial Relations' requirements.
- VI. **Key Classes** 12,330.000
- The designation of key classes shall be made by the Human Resources Director and shall be based upon the following principles:
- A. They shall be well known, commonly understood occupations.
 - B. They shall be susceptible to clear, concise descriptions.
 - C. They shall be of the kind of work found in reasonable number in the County service.
 - D. They shall be located in the job hierarchy and pay plan that they provide good reference points upon which to base the wages for other positions.
- VII. **Frequency of Wage Surveys** 12,335.000
- In order to maintain salaries in the County in proper relationship to those in the appropriate market, each key class should be reviewed periodically by the Human Resources Director.
- VIII. **Procedure for Adoption of Pay Survey Recommendations** 12,340.000
- The regular steps to be followed after pay survey data have been gathered and tabulated shall be as follows:
- A. The Human Resources Director shall analyze or cause to be analyzed, the wage findings and develop tentative recommendations for adjustments in the pay plan.
 - B. The Human Resources Director shall review the findings with respect to relationships of the County's positions with elected officials.
 - C. The Human Resources Director shall include recommendations in the annual budget or otherwise make recommendations to the Board of County Commissioners.
- IX. **Promotion** 12,345.000
- All vacancies shall be advertised. If a current employee wishes to be promoted to that vacancy, the current employee must complete an internal application form.
- All employees seeking promotion shall be expected to meet the minimum qualifications for the job to which they seek promotion. When a vacancy occurs in the department, existing County employees shall have the opportunity to apply for the vacancy. In the event that a County employee and an outside applicant have essentially equal qualifications, the County employee shall receive preference in the selection and placement process. This policy does not permit the County to promote a County employee to a position opening when the County employee is less qualified than an outside applicant.
- Vacancies shall be filled by promotion whenever practical and in the best interest of the County. Promotions shall be based upon merit and shall be made in accordance with the procedures established.
- A promotion is the filling of a vacancy by the advancement of an employee from a position having a lower pay grade to a position having a higher pay grade. An employee may be promoted to a position within his/her department or to a position in another department. Appropriate consideration will be given to the qualifications, performance appraisals, conduct, and seniority of applicants for the position.

When an employee is promoted to a position having a higher pay grade, the rate of pay shall be determined as follows:

If the salary the employee received in the lower position is below the minimum rate of the pay grade to which promoted, the rate of pay shall be increased to that minimum.

If the salary the employee received in the lower position falls within the range and above the minimum of the pay grade to which promoted, the pay shall be set at a rate which is one-placement above the previous salary.

No employee shall be given status in a promotional position until he/she shall have satisfactorily completed a qualifying for status period of six (6) months duration even though the employee was in a probational position prior to the promotion.

During such qualifying period, the employee may be removed from such position by the Department Head when, in the judgment of the Department Head, he/she has not demonstrated his fitness for that position. If an employee fails to successfully complete the qualifying for status period, he shall be returned to a position comparable to that held immediately prior to the promotion. The employee should be placed at the step and pay grade he would have been at had he not been promoted.

At the successful conclusion of the established qualifying for status period, the Department Head will certify to the Human Resources Director that the employee's performance has been satisfactory by completing a probationary evaluation. Employee's anniversary date for wage step increases will now be the date employee started new position. Wage increase will be initiated at one year anniversary. (Adopted 8/31/99) (Revised 9/17/01) (Revised 7/6/21)

X. **Demotion** 12,350.000

A demotion is moving a status employee to a position having a lower pay grade.

A status employee may be demoted for lack of work in his/her class, or for cause and in case of the latter, only after the employee has been presented with the reasons for such demotion in writing and has been allowed at least fifteen (15) working days to reply thereto in writing or, upon request, to appear personally or with counsel and reply to the Department Head or supervisor. A copy of the statement of reasons and the reply shall be filed with the Personnel Office. An employee with status may appeal his/her demotion for cause in accordance with the grievance procedure.

Except in the case of a reduction-in-force, whenever an employee is demoted to a position for which he is qualified, he shall receive a rate in the lower salary grade which results in at least a one (1) step decrease in pay if the action is not for cause, or any appropriate rate in the salary grade if the action is for cause as determined by the Department Head, and approved by the Human Resources Director.

If, for personal or other reason, an employee requests in writing that he be assigned to a position of a lower class, the Department Head may make such a demotion provided an opening exists. In such cases, the demotion will be deemed to have been made on a voluntary basis, from which there shall be no appeal, and a report shall be made in writing to the Personnel Office. If the employee previously held the lower position, they shall be returned to a pay grade comparable to that held immediately prior to the promotion. The employee should be placed at the step and pay grade they would have been at had they not been promoted. (Revised 4/04/22)

XI. **Transfer Between Positions** 12,355.000

A. Current full-time and part-time County employees shall have the opportunity to apply for a transfer or to be considered for a transfer from one department to another or within the same department. Any employee seeking transfer or being considered for transfer shall be expected to meet the minimum qualifications for the job.

B. The rate of pay for a transferred employee shall be for the applicable range and step for the new position. The transfer date will become the employee's new anniversary date if either the range or

the step changes. If the employee remains on the same range and step, the employee's anniversary date will remain the same. If the employee is probationary, a new six-month probationary period will begin. (Revised 2/4/02)

XII. **Position Reallocation to a New Pay Grade** 12,360.000

Position reallocation to a new pay grade shall affect the employee when such allocation is:

- A. ***To a position of a higher pay grade.*** When a position is reallocated to a higher pay grade, the salary of the incumbent shall be increased to the new step corresponding with the incumbent's previous step.
- B. ***To a position of the same pay grade.*** When a position is reallocated to another position of the same pay grade, the salary of the incumbent shall remain unchanged.
- C. ***To a position of a lower pay grade.*** When a position is reallocated to a position of a lower pay grade, the salary of the incumbent shall be set as follows:
 - 1. If the salary in the higher pay grade is above the maximum rate of the lower pay grade, the pay shall (normally) be set at the maximum rate of the lower pay grade.
 - 2. If the salary in the higher pay grade falls within the range of the lower pay grade, it shall remain unchanged.

XIII. **Re-Employment** 12,365.000

Individuals who leave County service in good standing and are re-employed within one year of separation may be paid at any step within the range of the pay grade not to exceed the step attained at the time of separation. (Adopted 8/31/99) (Revised 9/17/01)

PERFORMANCE PAY INCREASE 12,400.000

I. **Standards for Granting Performance Pay Increases** 12,410.000

The performance pay increase is a positive recognition of increased effectiveness in performing the duties of a position. If the employee's value in the position continually increases, as evidenced by greater production, improved judgment and/or increased initiative, recognition is granted by means of a performance increase in pay. In order to provide for an orderly method of granting pay increases, positions have been assigned pay grades. As the employee receives pay increases, his/her pay rate will travel from one step of the range to another. Lateral movement across pay steps may be approved at an employee's anniversary date (based on time in current position) provided the following criteria have been successfully met and funding is available. (Revised 4/04/22)

- A. **Time in Step Requirements:**
Step 1 is considered an entry level step. Advancement to Step 2 shall occur upon completion of one year of continuous employment. Step 2 through Step 5 requires one year continuous employment per step before a performance increase may be recommended. Steps 6 through 10 require two years continuous employment per step before a performance increase may be recommended. Steps 11, 12 and 13 require five years continuous employment per step before a performance increase may be recommended. It should be emphasized that the time in position is not the standard for movement from one step to another; rather improved performance is the means by which movement from one step to another is attained. (Revised 3/21/11) (Revised 12/5/22) (Revised 2/6/23)
- B. **Performance Evaluations:**
Employee evaluations will be completed by the employee's elected/appointed official or supervisor in accordance with the established evaluation procedure annually. Without receipt of completed evaluation in the Human Resource Office, Personnel Action Form will not be approved and signed by the Human Resource Director. (Revised 12/5/22)

The Commissioners are the Supervisors for the Appointed Officials.

II. **Standards for Withholding Performance Pay Increases** 12,420.000

An employee whose competence and value in the position are not satisfactory or do not increase commensurate with his/her length of service and who does not consistently meet the required standards of performance, measured by quantity and quality, shall not receive a performance pay increase. The department head or elected official (and the employee's supervisor, when appropriate) is responsible for informing the employee of his/her deficiencies and for suggesting remedies to correct such deficiencies.

III. **Length of Service Prior to Eligibility** 12,430.000

The date on which an employee shall be considered eligible for a pay increase shall occur: a.) upon completion of one year of continuous employment in which employees shall move from Step 1 to Step 2. The date of movement to Step 2 shall be their new Anniversary Date. b.) when the employee has held the current position for at least one (1) year in the same step of the same pay grade for Steps 2 through 5 and two (2) years for steps 6 through 10. Employees will remain on step 2 for one full year. (Revised 3/21/11)

In certain positions, the probationary period may be set at one year pursuant to employment contract. (Adopted 8/31/99)

IV. **Other Factors Affecting Eligibility** 12,440.000

The following shall not affect an employee's eligibility for a pay increase:

- B. A pay survey finding that an upward pay adjustment is necessary for the employee's pay grade shall not delay or defer the employee's normal eligibility for a pay increase. When the pay plan is amended as a result of a pay survey, rates of pay for employees in the pay grade affected shall be called "pay adjustments" and shall not affect eligibility for a regularly scheduled step pay increase. When a position is changed from one pay grade to another, pay rates of employees holding the same position shall be changed as follows:
 - 1. Increase - When a position is advanced from one pay grade to another, the pay of each employee on that pay grade shall be advanced in the same manner as if the employee were promoted to a position of a higher pay grade.
 - 2. Decrease - When a position is allocated to a lower pay grade, the pay of each employee on that pay grade shall not be decreased as a result of this action. However, the employee will be frozen at their current wage until time and step requirements for that grade are met.
- B. A lateral transfer to another position on the same classification grade shall not delay or defer the employee's normal eligibility for a step increase.
- C. A leave without pay shall not delay or defer the employee's normal eligibility for a pay increase.
- D. Paid leave shall not delay or defer the employee's normal eligibility for a pay increase.
- E. A promotion to a higher classification range will establish a new employee anniversary date to be effective on the date of appointment to the new position.

V. **Effective Date for Pay Increase** 12,450.000

The effective date for a step pay increase shall be the employee's anniversary date of appointment to the current position with the exception of lateral transfers in which the previous anniversary date would apply. (Adopted 8/31/99)

VI. **Placement of New Employees on the Pay Plan** 12,460.000

The minimum rate of pay for a class (step 1) shall normally be paid to any person upon original appointment (hire) to a position. Original appointment (hire) above the minimum rate may be paid only if a department head determines the person applying substantially exceeds the minimum qualifications of the position through education and/or experience. In consideration of qualifications above those considered necessary for the position, the department head may place a qualified appointment up to and including step 4.

For a person with considerable experience and / or education, the department head may submit a written request to the Human Resources Director outlining the reasons for placing the appointment on step 5, 6, or 7. With the approval of the Human Resources Director, the appointment may be placed on step 5, 6, or 7. No new appointment may be made above step 7. (Adopted 8/31/99) (Revised 8/20/01)

VI. **Employees movement on pay scale due to additional work** 12,465.000

In situations where an individual employee is routinely conducting job duties that are not part of their job description, but not meriting the creation of a new position; a move on the employee's current pay scale may be allowed. If a department head determines an employee is routinely conducting substantially more duties than are listed on their current job description, an increase in pay may be granted. In consideration of duties beyond those considered necessary for the position, the department head may submit a written request to the Human Resources Director outlining the reasons for moving the employee up to three (3) steps above their current step. Employees do not have to be moved all three steps, one (1), or two (2) steps are also permissible. No new appointment shall be made more than three (3) steps above the current rate. Approval from the Human Resources Director will only be granted in instances of substantial exceedance of the employee's current job description.

Initial Implementation of Salary Step Plan 12,600.000

The proposed salary step plan will become effective September 1, 1999.

Initially all non-union, full-time, permanent employees will be assigned to a pay range based on their current position and the range classified for that position. **All employees will be placed on the step system at the next step higher than their current wage.** If an employee falls below Step one, they will be placed at Step one for that range. After all employees have been assigned to a step on the Classification range corresponding to their job, the County Commissioners will implement a cost of living increase which will increase the newly assigned step by the percentage approved by the board. In essence, all wages for all positions will be increased by the same percentage as the cost of living increase approved by the board. From that point, until the next cost of living increase, all wages from new hires to Step 13 will be increased by the cost of living percentage. (Revised 2/06/23)

Each year in which a cost of living increase is granted by the County Commissioners, all employees will receive this increase because the wage for all positions (steps) will be increased by that amount. This process allows the county to remain comparable to other counties as the starting wages (and all steps beyond) are being increased each year.

SUPERVISORS SECTION

**POLICY FOR EXPENDITURE OF PUBLIC FUNDS
FOR ATTENDANCE AT CONFERENCES, TRAINING,
AND WORK-RELATED MEETINGS** 13,100.000

This policy governs the expenditure of public funds to reimburse or pay actual, necessary expenses incurred by Elected and Appointed Officials, employees and volunteers of Scotts Bluff County who attend educational workshops, conferences, training programs, official functions, hearings or meetings related to the official business of the County. (Revised 5/06/19)

This policy will apply to both requests for estimated expenses and for reimbursement for authorized expenses. No expense will be paid or reimbursed with public funds unless a receipt or other satisfactory evidence of the expense is provided.

The following are authorized expenses which will be paid or reimbursed:

- I. Registration fees, fees or charges for participation: (Revised 2/3/25)
- II. Travel expenses;
 - A. Mileage at the rate authorized by State law based on the most direct route to the destination and the necessary mileage traveled while in attendance related to county business. There will be no payment or reimbursement for mileage traveled for personal reasons. Mileage will only be paid

when a personal vehicle is used.

- B. A county-owned vehicle shall be used whenever possible for transportation. Only actual expenses such as oil, gas, or similar expense will be paid when a county-owned vehicle is used.
 - C. Travel cost by commercial carrier when such travel is most efficient, taking into consideration expense, distance, and time factors. Any tickets purchased in advance by the County shall be used if possible. When air travel is used, coach fare only will be paid.
 - D. Miscellaneous expenses such as taxi, bus, parking fees, etc.
 - E. Rental car expenses are allowed. This mode of transportation shall be used only if less expensive alternative transportation is not available.
- III. Lodging-Expenses incurred for actual lodging costs appropriate to the purpose of the trip will be paid or reimbursed. Direct billing to the County shall be used when possible. It is expected the employee will provide the lodging facility information to make the expense tax-exempt. The County Clerk's office may be contacted for information on County tax numbers and references for direct billing requests. Review the U.S. General Services Administration rates on website: www.gsa.gov for government rates at the location visiting, and ask the motel to accommodate. (Revised 4/19/99) (Revised 11/06/23) (Revised 2/3/25)
- IV. Meals – all meals purchased during the inclusive period of an overnight trip will be paid or reimbursed. The per diem amount will be set by Board resolution and will include tips and gratuities. Receipts must be provided for meals where reimbursement is requested. If circumstances warrant, actual meal expenses above the per diem may be approved by the elected/appointed Official. There will not be any expenditure or reimbursement with public funds for the purchase of alcohol. Meals consumed away from home but not during overnight travel are considered to be a taxable fringe benefit by the IRS; therefore, meals consumed away from home but not during overnight travel will not be reimbursed. Local meals may be reimbursed only if the meal is officially scheduled as part of a business meeting, conference, or convention. (Revised 5/15/06)

Individuals requesting reimbursement for lodging, meal, and/or travel expenses for attending conferences, training, and work related meetings must submit all expenses on the Scotts Bluff County Expense Reimbursement Form in order to receive reimbursement for expenses incurred. (Adopted 1/5/98)

There will be no public funds expended for any expense of a spouse who may accompany an official or employee on the trip. All expenses attributed to the County official or employee where reimbursement is requested must be separated for those attributed to other persons. If lodging expense is increased because of the company of a spouse, the expense eligible for reimbursement shall not exceed the amount applicable to lodging for the official or employee if traveling alone.

The County will advance certain expenses prior to the trip if a report of estimated expenses is submitted to the elected/appointed official. Those expenses which will be advanced are mileage to and from the destination, if a personal vehicle is used, lodging if necessary, and the per diem rate for meals.

When an advance is made, the employee or official shall provide all receipts and evidence of authorized expenditures upon return from the trip. If the amount advanced is greater than the amounts actually expended as shown by the receipts or other evidence, the employee shall reimburse the County for the difference.

All officials and employees are required to show good judgment in the matter of expenses and have proper regard for economy in conducting the business of the County while away from Scotts Bluff County.

When reimbursement is requested, a detailed expense report shall be prepared and submitted with all receipts attached along with the necessary claim. (Adopted 4/19/99) (Revised 11/04/02)

SUPERVISORS SECTION

EXPENDITURE OF PUBLIC FUNDS

13,200.000

ADOPTED BY THE SCOTTS BLUFF COUNTY BOARD OF COMMISSIONERS ON DECEMBER 3, 1993,
SHALL BE AUTHORIZED FOR:

- I. Non-alcoholic beverages provided to individuals attending public meetings of the Board of Commissioners;
- II. Non-alcoholic beverages and meals provided for any individuals while performing or immediately after performing relief, assistance or support activities in emergency situations, including, but not limited to, tornado, severe storm, fire or accident;
- III. Non-alcoholic beverages and meals provided for any volunteers during or immediately following their participation in any activity approved by the Board of Commissioners, including, but not limited to, mowing parks, picking up litter, removing graffiti or snow removal;
- IV. Non-alcoholic beverages and meals provided at an employee recognition dinner held each year for Elected and Appointed Officials, employees, volunteers, or members of any governing body or committee which members are appointed by the Scotts Bluff County Board of Commissioners. The maximum cost per person for such dinner authorized by this resolution shall not exceed \$25.00. The annual recognition dinner may be held separately for employees of each department or separately for volunteers or separately for any governing body or committee, or any of them in combination; and
- V. Non-alcoholic beverages and meals provided to members attending a joint public meeting of the Scotts Bluff County Board of Commissioners and one or more other governing bodies.

This authorization of certain expenditures replaces the resolution for the expenditure of public funds adopted October 18, 1993.

Adopted this 5th day of April, 1999.

(Adopted 4/19/99)

SUPERVISORS SECTION

EXPENDITURE OF PUBLIC FUNDS

13,300.000

The expenditure of public funds for plaques, certificates of achievement, or items of value awarded to elected or appointed officials, employees or volunteers, including persons serving on local government boards or commissioners shall not exceed \$100.00.

In addition to the expenditure authorized in the preceding paragraph, public funds may also be expended for the costs of receptions honoring county employees, elected officials, and appointed board members at the conclusion of their service to the County. The funds expended shall not exceed \$200.00.

(Adopted 10/18/93) (Adopted 4/19/99)

PURCHASE CARD POLICY

13,400.00

The purchase card is intended for Scotts Bluff County authorized purchases only under the State of Nebraska One Card Purchase Program (Statute 81-118.02). All other credit card or purchase card accounts will be paid off, cancelled and card turned into the Scotts Bluff County Management Accountant for destruction.

No claims will be approved for payment of purchases on these cards after 30 days upon implementation of the Scotts Bluff County Purchase Card Program. The Management Accountant will maintain a log of account numbers assigned to cardholder employees.

Each department's elected/appointed official, director or supervisor shall determine who should apply for and receive a US Bank Purchase Card. He/she shall also determine what purchases will be allowed using the County's purchasing guidelines, dollar limit per purchase, total dollar limit of purchases per day and maximum dollar purchase limit for each cardholder per month.

Purchase Cards may be used only for County purchases from any vendor that accepts VISA. Vendors will have to setup the US Bank Purchase Card in their systems prior to purchase, if applicable. For less-often used vendors, there may not be a need to setup accounts, but use it the same as any other VISA card.

Please remember that all purchases must comply with the County's Purchasing Guidelines as outlined in the Personnel Manual. The purchasing card is Scotts Bluff County property and should be secured just as you would secure your personal credit cards. If your purchasing card is lost or stolen, immediately notify the Management Accountant who will notify US Bank.

Upon termination or suspension of employment of an individual using a County purchase card account, such individual County purchasing card account shall be immediately closed and he/she shall return the purchasing card to the department from which it was obtained. No final paycheck settlement shall occur until card is logged back in.

For more detailed information see Purchase Card Procedures or contact the Scotts Bluff County Management Accountant.

(Adopted 1/22/08)

US BANK ONE-CARD PURCHASE CARD PROCEDURES

13,401.000

1. When you receive your card, read carefully and sign the Agreement to Accept the Purchasing Card Form which comes with each card. Call the 800 number listed to activate your account. **Remember to sign the back of the card!**
2. If there is an incorrect charge on your monthly statement, first try to resolve it directly with the supplier. If supplier refuses to issue a credit or otherwise fails to resolve the problem, contact the Management Accountant. A Cardholder Dispute Form will be filled out and forwarded to US Bank.
3. If there is an unauthorized charge on the monthly statement, notify the Management Accountant immediately. The Management Accountant will notify US Bank for further direction. If the charge appears to be fraudulent, the account will be closed and a new account will be opened.
4. Each vendor will be assigned an expense code that best describes the most often purchases from that vendor. For example: if Wal-Mart purchases are mostly for office supplies the 03-0100 code plus the departments Fund number would be assigned to Wal-Mart for that card.
5. When employee receives US Bank statement, he/she verifies the purchase(s) and attaches applicable receipts in the order of the purchase(s) appears on statement.
6. Employee turns the reconciled statement with receipts attached into elected/appointed official, director or supervisor for his/her review. Claim forms are then prepared with correct coding, attached to statement(s) and turned into accounts payable clerk in the County Clerk's Office immediately for payment.
7. After receiving all US Bank statements with claim form attached, the accounts payable clerk enters all Purchase Card purchases under one vendor, US Bank.
8. The accounts payable clerk prepares check and reports the same as before.

PLEASE NOTE:

Employees using the One-Card Purchase Card are responsible for all purchases made. For any purchase that there is no receipt attached, the employee is responsible for payment.

Purchases on the purchasing cards must be for Scotts Bluff County business transactions only and comply with the County's purchasing guidelines in the Personnel Manual (Sections 13,100.00 & 13,200.00). Any unauthorized purchases will result in disciplinary action and possible termination of employment

All statements must be reconciled by employee, reviewed by department head, claim form attached and sent to accounts payable clerk as soon as possible after receiving so that all statements can be paid with one check. (Adopted 1/22/08)

SCOTTS BLUFF COUNTY CELL PHONE POLICY

13,500.000

The intent of this policy is to ensure that Scotts Bluff County will no longer purchase cell phone equipment or subscribe to cell phone service under its name.

Effective January 20, 2009, Scotts Bluff County will no longer purchase cell phone equipment or service directly. Instead, employees authorized by the respective department director/official will be provided a cash allowance that they will use to purchase equipment and service in his or her name. Employees should only be authorized if the department requires that he or she carry a cell phone where other less expensive means of communications are inadequate.

The current county-owned cell phones and service will be transferred to the employee authorized to have that cell phone when possible. The transfer must be with the same cell phone service carrier to avoid penalties. If this is not possible, then the service contract will remain until it expires and then transferred or cancelled as not to accrue any early cancellation fees.

The rate of reimbursement will be determined by the Scotts Bluff County Board of Commissioners in January of each year. If an employee is required to access e-mails, calendaring, custom text messaging, document creation or editing or other PDA functions, the department director/official may approve the use of a Blackberry, Palm Treo or other device that is required to perform his or her duties. The rate of reimbursement will be the same as cell phones.

The Internal Revenue Service (IRS) requires that business and personal use of County-owned cell phones must be documented in a very detailed manner. In addition to identifying personal calls on the employee's monthly cell phone statement, the employee must note the purpose of each business call. Receiving a taxable allowance to purchase cell phone and service eliminates the requirement for each employee to track his or her business and personal calls. To that end, the set amount of reimbursement will be added to each employee's payroll sheet monthly and be taxed. (Adopted 1/22/09)

IN-CHARGE PAY

13,600.000

A full-time employee of the County Road & Bridge Department designated as "in charge" by Management will be paid a premium of an extra \$1.50 for each hour so assigned. (Adopted 12/22/09)

TIME CLOCK PLUS (TCP) PROCEDURES FOR SUPERVISORS

13, 700.00

Supervisors will be responsible for the following when using TCP.

1. Review employee records weekly and account for any missed or erroneous punches. Manually enter missed punches and delete any erroneous punches. Each manual entry must have a comment stating why the change was made. Process is complete when all employee time entries have a blue dot.
2. Review, approve and report all hours worked and any paid time off for each employee by the following Wednesday.
3. Verify that the appropriate pay codes were used for sick, vacation, non-paid time, FMLA time and comp time.
4. Make appropriate employee schedule changes when necessary, changes must be documented.
5. Ensure employees work according to their schedule.
6. Ensure new employees are properly trained in using TCP.
7. Verify timesheet is accurate and signed off by employee prior to submitting to payroll.
8. All manual changes must have a comment stating why the change was made.

(Adopted 2/06/23)