

**COUNTY OF PULASKI
NON-DISCRIMINATION POLICY STATEMENT**

The County of Pulaski is committed to fostering, cultivating, and preserving a culture of diversity and inclusion to create an equitable work environment. We embrace the collective mixtures of our employees' differences and similarities. The County of Pulaski or any employee thereof shall not discriminate on the basis of race, color, religion, gender, gender expression, age, national origin, genetic information, disability, sexual orientation, military status or any other status that is protected by federal, state or local laws in any of its activities or operations. Administration will maintain policies and procedures intended to ensure that employees will not experience unlawful discrimination of employment, including but not limited to, promotion, demotion, transfer, rates of pay or any other forms of compensation or selection for training during their employment. If employees believe they are or have been the victim of unfair treatment in violation of this policy or if they have any questions concerning this policy, they should report such concerns or questions to their supervisor, Human Resources, or any other member of management with whom they feel comfortable. We encourage such reporting and will not tolerate any forms of retaliation against individuals making such reports or who participate in any investigations concerning such issues.

PERSONNEL RECRUITMENT

A. PRE-EMPLOYMENT DMV DRIVERS CHECK POLICY

Prior to an individual being employed by Pulaski County, a Virginia driver's record check will be conducted to determine if an individual has a satisfactory driving record. This policy shall apply to any and all individuals who are seriously being considered for employment or volunteer service by county staff. The Human Resources Director will obtain the driver's record check from the Virginia Department of Motor Vehicles and will request employees complete a consent form.

B. HIRING OF FELONS AND MISDEMEANANTS

It shall be the policy of the County to employ individuals without a criminal record. However, job positions, the hiring of persons previously convicted of felony or misdemeanor offenses may be allowed upon approval of the County Administrator.

PUBLIC SAFETY DEPARTMENT Employees and volunteers must maintain compliance with Virginia Code Section 12VAC5-31.

C. EMPLOYEE RESIDENCE POLICY

Recognizing the need for community involvement by key employees, the Pulaski County Board of Supervisors requires that persons holding the following positions reside in Pulaski County: County Administrator, Assistant County Administrator, Zoning Administrator, Emergency Management Coordinator, County Engineer, Finance Director, Public Safety Department Director and Library Director.

In making this policy, the Board also recognizes the possibility exists for exemptions, which may be desired in the future by the Board and reserves the right to make exceptions by specific approval. This policy applies to all future hiring and does not retroactively require that existing employees relocate. Persons residing outside the county at the time of hire will be granted one year to establish residency. Supervisors have the authority to approve a temporary waiver in the event that difficult housing markets preclude the sale of a home in a neighboring county.

This residency requirement will be made a part of each of the above job descriptions.

EMPLOYMENT

A. EMPLOYMENT PRINCIPLES

A1. GENERAL PRINCIPLES

It is the fundamental policy of the County of Pulaski that a fair and uniform personnel management system be established for its employees in order to ensure the most effective provision of services to the citizens of the community. It shall be the policy of the County of Pulaski that:

- ◆ Employment shall be based on merit and fitness, without regard to age, sex, race, religion, political affiliation, or disability.
- ◆ Just and equitable incentives and conditions of employment shall be established and maintained.
- ◆ County employees shall be paid in relation to the value of the work they perform and performance shall be a major factor in justifying salary adjustments and increases.

DEFINITIONS

- a. Original employment – shall be defined as the status of an employee’s initial period of continuous employment with the County of Pulaski. An individual beginning employment with the County for the first time shall usually be placed at the minimum range of the pay range established for the job in which employed. Occasionally, however, based on a new employee’s prior experience and proficiency in the same or related capacity, placement may be accelerated upon recommendation of the department head and approval of the County Administrator within current budget restraints.
- b. Re-employment – shall be defined as the status of the returning employee’s employment period following a separation from County employment of more than thirty (30) consecutive calendar days from the date of separation. A returning employee who is re-employed will usually be placed at the minimum range of the position’s approved pay range. Occasionally, however, based on the returning employee’s prior proficiency and experience in the same or related capacity, an acceleration may be made upon recommendation by the department head and approval of the County Administrator. All time earned in previous employment shall not be counted towards the probationary period,

annual leave, service awards, or other longevity based employment conditions or benefits. Rather, only that time earned following actual re-employment shall be counted.

- c. Reinstatement – shall be defined as the status of the returning employee’s employment period following a return to duty in the same class within thirty (30) consecutive calendar days from the date of separation. An individual returning to the employment of the County within thirty (30) days of separation, shall return to duty in the same position subsequent to the approval of the department head and the County Administrator. The appropriate pay range for all reinstated employees shall be determined by the County Administrator. Anniversary dates for all reinstated employees will remain unchanged, except when a reinstated employee has missed one full pay period or more from their position prior to reinstatement, in which case the anniversary date will be amended to reflect the days missed to the nearest full pay period. All time earned previous to reinstatement shall be counted towards the probationary period, annual leave, etc. However, actual time missed prior to reinstatement shall be discounted from actual annual leave accrual to the nearest pay period.
- d. Promotion – shall be defined as an advancement to a higher pay range granted to an employee in conjunction with increased job duties and responsibilities. When employees are promoted, their salary may be increased to the minimum range for that job at the recommendation of the department head and County Administrator.
- e. Demotion – shall be defined as a reduction in the pay range of an employee in conjunction with a change in job duties and responsibilities. When an employee is reduced to a lower pay range, their salary within the new pay range shall be determined by the County Administrator.
- f. Administrative Decrease – shall be defined as a pay reduction within the pay range of a job as disciplinary action from the result of unsatisfactory job performance or misconduct. An administrative decrease requires a letter of justification submitted by the respective department head to the County Administrator.
- g. Verbal Reprimand – shall be defined as a discussion between the supervisor and the employee wherein the employee is advised and cautioned with reference to unsatisfactory work performance or misconduct.
- h. Written Reprimand – shall be defined as a written documentation to the employee from the supervisor wherein the employee is advised and cautioned with reference to his unsatisfactory work performance or misconduct.
- i. Suspension – shall be defined as a temporary prohibition against an employee performing his or her duties. The suspension period shall always be without pay.
- j. Dismissal – shall be defined as an involuntary separation from employment initiated by the employing authority as a result of the employee’s unsatisfactory work performance or misconduct.
- k. Reclassification – shall be defined as a reassignment of the appropriate job title and pay range, to an employee whose classification does not accurately reflect the actual duties

performed. When such position cannot accurately reflect the actual duties performed. When such position cannot accurately be described or compensated by assignment to an existing range, the County Administrator shall establish a new range and title. Reclassification differs from promotion in that the actual duties of the employee have not changed. A reclassification is reassignment of the employee's regular and continuing duties to a more descriptive and commensurate range.

- l. General Increase – shall be defined as an increase to the pay range for all jobs. General increases are usually awarded at the beginning of each fiscal year or July 1. General increases are not dependent on an employee's individual performance or job, but rather take effect as cost-of-living adjustments.
- m. Change in Pay Range for Job – The County Administrator may change the pay range for an established job when determined that the present pay range is not commensurate with the duties and responsibilities of the job.
- n. Transfer Between Departments - shall be defined as the transfer of an employee from one department to another. If a transfer between departments involves a promotion or demotion, the rules of the appropriate action shall apply. When employees transfer between departments to the same job of position no change of status or anniversary date occurs.
- o. Resignations – shall be defined as a voluntary separation from employment through written notification to the employing authority initiated by the employee. Written notification shall indicate the actual date and hour the resignation is to become effective and be signed by the employee.
- p. Completion of Temporary Employment – shall be the separation from employment of a temporary employee who has worked through the last workday the temporary position is available. Employees separating prior to the last workday shall be governed by the appropriate separating action.
- q. Retirement – shall be defined as the separation of a full-time employee who is scheduled to begin receiving retirement benefits.
- r. Failure to Appear - shall be defined as a failure by an employee to report to work during the first scheduled workday following appointment without previous notification to the appointing authority. Such employee shall be considered having failed to appear and the employee's record noted accordingly.
- s. Administrative Termination - employees who are hired by appointing authorities to fill positions that are later determined to be unavailable in the budget of the respective departments, or who are found not to meet the minimum qualifications of the position, following the actual start of work, shall have their employment administratively terminated as soon as convenient following the determination of the discrepancy.

A2. EMPLOYMENT TYPES

Probation Period – The initial probationary period shall be defined as the initial six (6) calendar months of employment following an original employment or re-employment.

Permanent Employee – A permanent employee shall be defined as a County employee who is employed in a position for an indefinite time period, works more than 20 hours per week, is eligible to earn leave time and who has completed an initial probationary period.

Temporary Employment – A temporary employee shall be defined as a County employee who is employed in a position in which the length of employment is fixed.

Part-time – A part-time employee shall be defined as a County employee who is scheduled to actually work less than the prescribed work week for full-time employees.

Full-time – A full-time employee shall be defined as a County employee who is scheduled to actually work the prescribed work week of at least 40 hours.

A3. ANNIVERSARY DATE

Anniversary Date - The anniversary date shall be defined as the date on which the employee is employed by the County. This date shall be used to determine leave accrual rates and awarding of service gifts.

A4. OBJECTIVES AND SCOPE

The specific objectives of the County’s Personnel Management System shall be to:

- ◆ Establish and maintain a sound salary structure which will attract and retain qualified employees.
- ◆ Establish and maintain salary ranges which will assure internal equity of compensation based on systematic evaluation of each job.
- ◆ Maintain the salary structure in proper relation to competitive pay practices in the local labor market in which the County competes.
- ◆ Assure each County employee a performance and salary review at specified intervals.
- ◆ Provide an effective control of salary payments on a uniform basis. Furnish County management with a consistent and effective means of recognizing and rewarding improved and outstanding performance.

A5. INSTALLATION AND ADMINISTRATION

Authority

The Board of Supervisors is empowered under the Code of the Commonwealth of Virginia to establish departments, to employ personnel and to set salaries. These regulations are intended

to cover all facets of the County's Personnel Management System in accordance with that grant of authority. It is recognized that such authority has been delegated to the County Administrator.

Exempt Service

All Officers of the County shall be divided into the classified and the exempt service. The exempt service shall include the following:

- a. All elected officials
- b. Members of boards and commissions
- c. Volunteer personnel and personnel appointed to serve without pay
- d. Consultants and counsel rendering professional service
- e. Positions involving seasonal or temporary employment
- f. Selected employees of the School System and Constitutional Officers and their employees as may be determined by legitimate appointing authority and approved by the Board of Supervisors
- g. Student interns and work-study employees
- h. Such other positions as may be designed by the Board of Supervisors

Purposes

Personnel regulations are developed and adopted to provide for the recruitment and development of the best available employee for each position. The regulations provide for establishing orderly procedures for administering the Personnel Management System in such a way to ensure:

- a. That employment shall be made attractive as a career.
- b. That all appointments and promotions to positions shall be on the basis of merit and fitness, which as far as is practicable, shall be determined by means of job-related, fair and competitive standards.
- c. That the position classification and compensation plan will conform with the principle of equal pay for equal work under like working conditions.
- d. That each employee shall be encouraged to render his or her best service at all times.

Interpretation

These regulations are intended to cover most personnel and Public Safety Department actions for which the County Administrator is responsible. Those not specifically covered shall be interpreted by the County Administrator or his designee in keeping with the intent of these regulations.

Review of Classification

All appeals of classifications or requests for reclassification shall be submitted in writing by the employee concerned to his department head with an explanation of the reason for reclassification. The department head shall forward the request to the County Administrator with his recommendations. The County Administrator shall render a final decision.

Enforcement and Administration

The responsibility and authority for the enforcement and administration of the rules and regulations set forth herein are delegated to the County Administrator or his designee.

Due to the nature of their work and autonomy of employees, certain departments may have additional policies for their employees. These departments include: The Sheriff's Office, 911 Communications Center and the Public Safety Department.

A6. PROBATIONARY PERIOD

Objective

The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his or her position and for rejecting any employee whose performance is not satisfactory.

Duration

The probation period shall be six (6) calendar months of employment following an original employment or re-employment with the County.

Promotional Appointments

The probationary period shall be used in connection with promotional appointments in the same manner as it is used for original entrance appointments. If a person is removed during his or her probationary period following a promotion, her or she shall be entitled to re-employment rights in his or her former job.

Probationary Evaluation

Before the end of the probationary period, the department head shall indicate in writing to the County Administrator:

- a. that he or she has discussed with the employee the employee's accomplishments, failures, strengths and weaknesses;
- b. whether the employee is performing satisfactory work;
- c. whether the employee should be retained in the position;

- d. whether the employee, if a new appointee, should be dismissed; or
- e. whether the employee, if on probation following a promotion, should be reinstated in his or her former class.

All of the above shall be accomplished by completing the appropriate job evaluation form.

Salary Adjustment

A salary adjustment may be given to an employee at the end of the probationary period at the discretion of the Department Head and approval of the County Administrator.

A7. DISCIPLINARY POLICY

Purpose

The purpose of this policy is to provide a guideline to effectively correct an employee's unsatisfactory work performance or misconduct in an effort to promote maximum utilization of employee potential.

Definitions

Verbal Reprimand – A verbal reprimand shall be defined as a discussion between the supervisor and the employee wherein the employee is advised and cautioned with reference to unsatisfactory work performance or misconduct.

Written Reprimand – A written reprimand shall be defined as a written documentation to the employee from the supervisor wherein the employee is advised and cautioned with reference to his or her unsatisfactory work performance or misconduct.

Suspension – A suspension shall be defined as temporarily prohibiting an employee from performance of his or her duties. The suspension period shall be without pay.

Administrative Decrease – An administrative decrease shall be defined as a pay reduction within the pay range of a job.

Demotion – A demotion shall be defined as a reduction in the pay range of an employee in conjunction with a change of job duties and responsibilities.

Dismissal – A dismissal shall be defined as an involuntary separation from employment initiated by the employing authority as a result of the employee's unsatisfactory work performance or misconduct.

Applicability

All employees shall be covered under this policy.

Policy Statement

The County of Pulaski shall support the practice whereby all part-time, temporary, probational and permanent employees shall be disciplined by the same process. The discipline of an employee shall be a progressive process. Disciplinary actions of lesser severity than dismissal shall be taken in an attempt to correct an employee's unsatisfactory work performance or misconduct before a dismissal is initiated. A dismissal may be generally considered as appropriate only as a last resort or be undertaken only when an extremely serious policy violation has occurred. Disciplinary actions may take any of the following forms and are not necessarily restricted to the order set forth below:

- a. Verbal Reprimand
- b. Written Reprimand
- c. Suspension
- d. Administrative Decrease
- e. Demotion
- f. Dismissal

Reprimands

The form of a reprimand may be either verbal or written.

- a. No reprimand shall be relied upon as a basis for further disciplinary action unless it is documented in writing and a copy forwarded to the personnel office for inclusion in the employee's official personnel file.
- b. Once a reprimand is reduced to writing, as provided above, a copy shall be hand delivered and signed received or mailed to the employee certified mail (return receipt requested).
- c. Reprimands shall be appealable through the grievance procedure.
- d. Reprimands not appealed within the appropriate time limits specified by the grievance procedure shall become part of the official personnel file until it is purged by the employing authority.
- e. Written reprimands shall be retained for a five-year period in an employee's personnel file until reviewed by a review committee for possible purging from the employee's personnel file.

Suspensions

Department heads shall have the authority to suspend an employee for a period not to exceed fourteen consecutive calendar days. Suspensions for a period of fifteen consecutive calendar days or more shall have the prior approval of the County Administrator.

- a. A written notice of suspension including the items below shall be hand delivered and signed received or mailed certified mail (return receipt requested) to the employee.
 1. A statement of the reasons for the suspension.
 2. A warning of what further disciplinary action could result, if the situation is not corrected.
 3. A statement of the employee's right to appeal (if any) in accordance with the County's grievance policy.
- b. A copy of such written notice shall be forwarded to the personnel office for its inclusion in the employee's personnel file.

Administrative Decrease

An administrative decrease shall require a letter of justification submitted by the department head to the County Administrator's office and such decreases shall be subject to the approval of the County Administrator.

- a. Once an administrative decrease has been authorized, a written notice of the decrease including the items listed below shall be hand delivered and signed received or mailed certified mail (return receipt requested) to the employee.
 1. A statement of the reasons for the decrease.
 2. A warning of what further disciplinary actions could result, if the situation is not corrected.
 3. A statement of employees rights to appeal (if any) in accordance with the County's grievance policy.
- b. A copy of such written notice shall be forwarded to the personnel office for its inclusion in the employee's personnel file.

Demotion

- a. A written notice of the demotion including the items listed below shall be hand delivered or mailed to the employee certified mail (return receipt requested).
 1. A statement of the reasons for the demotion.
 2. In cases where the demotion is not voluntary, include a warning of what further disciplinary action could result, if the situation is not corrected.
 3. A statement of employee rights to appeal (if any) in accordance with the County's grievance policy.

- b. A copy of such written notice shall be forwarded to the Personnel office for its inclusion in the employee's official personnel file.

Unsatisfactory Work Performance or Misconduct

Each need for discipline has varying circumstances and requires the exercise of discretion on the part of the supervisor. Disciplinary action may be taken against an employee for any of the following examples of unsatisfactory work performance and misconduct. These examples are not in any way to be construed as a comprehensive listing of possible violations nor are they to be considered as rigid guidelines.

- a. Recurring tardiness without reasonable explanation
- b. Absence without leave
- c. Violation of policy on intoxicants
- d. Sleeping on the job. (does not apply to Public Safety Department employees)
- e. Serious neglect of work
- f. Serious neglect of duty or refusal to comply with instructions of a supervisor
- g. Insubordination
- h. Deliberate or careless conduct endangering the safety of oneself or other employees
- i. Negligence in the care and handling of County property
- j. Theft of County property or of another employee's property
- k. Incompetence or inefficiency in the performance of required job duties
- l. Use of offensive, abusive, threatening, coercive, indecent or discourteous language toward supervisors, other employees, or members of the public
- m. Intentional falsification of personnel records, time records, or any other County records or reports
- n. Provoking, instigating or participating in a fight while on duty or on County property
- o. Unauthorized carrying of a concealed weapon during work hours or on County property
- p. Any violations of county policies including sexual harassment

- q. Being charged with or convicted of criminal activity

County Administrator's Review

The County Administrator's office shall review disciplinary actions to insure that they conform with the intent of this policy.

Due Process

Certain county employees are entitled to due process in relation to disciplinary action or investigations. Those department supervisors shall follow Virginia Code section §9.1-301 where applicable.

A8. TRANSFER OF EMPLOYEES (Revised & Approved 3/23/2015 BOS & 3/10/2015 PSA)

**MEMORANDUM OF UNDERSTANDING
Employee Transfers**

By and between the:

Pulaski County Board of Supervisors
Pulaski County Public Service Authority

HEREAS, it is in the mutual interest of all parties to allow employees to further their professional careers; and

WHEREAS, on occasion an employee desires to transfer his/her employment to another agency within Pulaski County for professional and personal reasons; and

WHEREAS, the above boards within Pulaski County desire that a transfer be a seamless transition, not to negatively affect any organization or the well-being of the transferring employee; and

WHEREAS, it is necessary to accurately account for accrued leave time and seniority of a transferring employee.

THREREFORE, the governmental entities of Pulaski County as referenced above agree to the following terms and conditions:

1. Any Annual (i.e. vacation) Leave monetary balance shall be retained by the employee and all earned annual leave days shall be transferred to the new employer. The entity from which the employee is leaving will be responsible for payment of all accrued annual leave time (up to allowed maximums) to the receiving entity at the time the transfer of leave takes place.
2. The employee shall retain all earned Sick Leave days with the new employer through transfer of all accruals.
3. The employee will receive credit for years of service with the former employer with regards to the annual and sick leave accrual rate, employee service awards as well as the Virginia Retirement System.

So adopted and effective by the following Boards and Authorities: Board of Supervisors (March 23, 2015), and PSA Board of Directors (March 10, 2015).

A9. CODE OF CONDUCT

Respect yourself and your job

- Work safely
- Make efficient use of your time
- Consider ways to improve our service to the public

Respect your fellow employee

- Look out for the safety of other employees
- Help each other to get the job done – no one leaves until all are finished
- Never abuse, threaten or otherwise disrespect others

Respect our Customers

- Take best possible care of their containers
- Respect their privacy – don't go through their trash
- If ever cursed by the public – depart the premises and report the situation to your supervisor

* This code of conduct is provided to employees for illustrative purposes only. It is not intended to provide an exhaustive list of conduct which maybe unacceptable. *

A10. RETURNING TO WORK AFTER VRS RETIREMENT POLICY (adopted by the PSA 1/13/15, and BOS 1/26/15)

Pulaski County follows the Virginia Retirement System (VRS) policies and rules pertaining to an employee returning to work after retirement from VRS as follows:

After an employee retires from the county under VRS retirement service, the employee can work for any employer that does not participate in the Virginia Retirement System (VRS) and continue to receive VRS retirement benefits. If the employee returns to covered employment with a VRS participating employer, the employee will then become an active VRS member again and VRS retirement benefits will stop.

The Commonwealth of Virginia, including all state agencies and public colleges and universities, is considered one employer. Public school divisions are considered separate employers. Pulaski County, Pulaski County Public Service Authority and the Pulaski County Department of Social Services are considered one VRS employer since these employees are reported to VRS under one VRS employer code.

In some cases, an employee can work in a non-covered position with a VRS participating employer and continue to receive VRS retirement benefits. If an employee does return to non-covered employment with the employer from which the employee retired, the employee must have a bona fide break in service of at least one full calendar month from the employee's retirement date. This break must occur over a period the employee normally would work. Periods of leave with or without pay do not count toward satisfying this break in service. Further, a VRS participating employer can make no

verbal or written offer of reemployment before an employee retires under VRS. The employer and the employee must certify that no such pre-arrangement has been made on the Application for Service Retirement (VRS-5).

Definition of Covered and Non-Covered Employment

Covered employment is a full-time permanent, salaried position with an employer that participates in VRS. Some part-time permanent, salaried state positions are also covered under VRS.

Non-covered employment is a part-time position with a VRS participating employer. Non-covered positions do not provide eligibility for VRS benefits. Part-time positions typically require less than 80% of the hours of comparable full-time permanent positions. Some full-time positions may be considered non-covered if they are temporary and require less than 80% of the hours per year that would be considered full-time and permanent for that position.

Interim Appointments

In some cases, retirees can work in an interim position for up to six months without interruption in VRS retirement benefits. Examples include working in a vacant position while the employer recruits for a full-time permanent employee or while the incumbent is on leave. VRS requires that the employer discuss with VRS any possible interim appointment of a VRS retiree prior to their hiring. Further, the requirement of a bona fide break in service as described above also applies to interim appointments.

Approval of Hiring a Retired VRS Employee:

It shall be county policy that prior approval from the County Administrator is required before the hiring a retired VRS employee.

Maximum Hours of a Retired VRS Employee Returning to Work:

It shall be county policy that a retired VRS employee, returning to work for the county, shall be paid on an hourly basis, and shall only be allowed a maximum of 80% of the comparable hours of a full-time employee or not more than 32 hours per week inclusive of any leave time or hours worked on holidays that the employee may have taken or earned during that work week. Paid hours for a VRS retiree shall not exceed 32 hours per week.

Annual Leave & Sick Leave Benefits of a Retired VRS Employee Returning to Work:

It shall be county policy that annual leave and sick leave benefits may be allowed to a retired VRS employee. The accrual rates shall be based on the number of hours the retired VRS employee works and pro-rated at the same rates of other employees not working a full forty (40) hours per week.

Health Insurance Benefits of a Retired VRS Employee Returning to Work (Revised 11/28/2016):

Because of ACA regulations, former full-time employees who retire or resign from Pulaski County who wish to be rehired in a part-time or temporary position must meet a break in service requirement of at least 13 weeks before being rehired. The ACA separation period of 13 weeks is required for

retirees and former full-time employees meeting the ACA definition of an “ongoing” employee, even if they are re-hired into part-time positions. Former employees returning from a break of service of 13 weeks or more shall be classified as newly hired under the ACA. It shall then be county policy that a retired VRS employee shall be eligible for county health insurance coverage only if they are scheduled to work more than twenty-nine (29) hours per week. All health insurance benefits awarded to a retired VRS employee shall be in accordance with Affordable Care Act rules and regulations.

Other Benefits of a Retired VRS Employee Returning to Work:

It shall be county policy that other benefits such as paid holidays, birthday leave, etc., may be allowed for retired VRS employees per the same benefit policies as for other part-time employees.

A11. NEPOTISM POLICY (Approved BOS 9/25/2006)

I. NEPOTISM

When a job opening becomes available in the County of Pulaski it is possible that applicants may be immediate relatives of county employees. The county discourages hiring these relatives due to conflict among relatives or other employees feeling the relative would be benefited or treated differently than normal.

II. RELATIVE EMPLOYMENT

- A. The County of Pulaski will not hire an applicant if the direct supervisor or department manager is in relation either by blood or by marriage.
- B. However the applicant may be hired in a different department not in association to the relative supervisor or department manager.
- C. Applicants will not be hired if the position is in direct relation to a relative that is part of the County of Pulaski administration including executive secretary, assistant county administrator, county administrator, county attorney, and county treasurer, etc.
- D. Also the general registrar (of the county) shall not appoint to the office of paid assistant registrar his spouse or any person, or the spouse of any person, who is his parent, grandparent, sibling, child, or grandchild. *Assistants to general registrars; employees Virginia Code 24.2-112.*
- E. Relatives and family members more distant than the immediate family may be hired in direct relation to department managers but must be approved by administration.
- F. Relatives and family members more distant than the immediate family (i.e. third cousin) may be hired in direct relation to county administration but must be approved by the Board of Supervisors.
- G. Relatives of immediate family members will not be hired to work in the same department as each other.

III. MARRIAGE BETWEEN EMPLOYEES

- A. If two employees of the same department were to marry, it is up to the discretion of the County Administrator if the couple will be allowed to work together in the same department in the future.

IV. DEFINITION OF NEPOTISM

- A. Applicants in this Nepotism policy are defined as:
 - 1. Relative – any person, that is blood related to a spouse of the employee, or the employee **not** living in the same household as the employee such as siblings, cousins, grandparents, uncles and aunts.
 - 2. Immediate Family – a spouse, children, parents, brothers and sisters, and any other person living (or not living) in the same household as the employee. *Virginia Code 2.2-4368.*

B. SALARIES AND WAGES

B1. COMPENSATION PLAN

Establishment of Compensation Plan

There is hereby established a formal pay plan to be approved by the Board of Supervisors upon recommendation of the County Administrator. The official pay plan for the County service shall consist of a schedule showing established annual pay ranges and the title of classes of all positions. The Board of Supervisors shall determine the salary plan in the form of a salary resolution and amend the plan by resolution periodically. The ordinary procedure for securing needed amendments to the official salary plan shall involve investigation and recommendation by the County Administrator on the appropriate action to be taken by the Board of Supervisors.

Pay Rates to be in Accordance with Pay Plan

The rates of pay of County employees shall be in accordance with the scheduled salary ranges as adopted and amended by appropriate action of the Board of Supervisors. The schedule shall be effective in all cases except as otherwise provided for in this section.

B2. PERFORMANCE EVALUATION

Objective

The purpose of the employee performance evaluation shall be primarily to inform employees about how well they are performing their work and how they can improve their work performance. The performance evaluation may also be used as a factor in determining order of layoff; as a basis for training, promotion, demotion, transfer or dismissal; and for such other purposes as set forth in these regulations.

Period of Evaluation

From the date of the original appointment or promotion, all employees except temporary workers shall be evaluated at the end of the sixth month of service, and annually thereafter. However, if an employee is at the top of the pay scale for his or her job classification, the evaluation shall be done every two (2) years.

Evaluation

Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the appropriate department head. An employee in a supervisory position who is leaving a position shall be required to submit performance evaluation forms on all the employees under his or her supervision who have not been evaluated within the previous six-month period.

Review with Employee

Each employee shall have the opportunity to review every evaluation made of him or her. Each employee will complete a performance input form to be used by the supervisor or department head in completing the evaluation process. Upon a review of the evaluation, the employee shall note in writing that he or she has read the evaluation.

Appeal of Employee Evaluation

Any County employee who feels that his or her performance evaluation is not correct, shall have the right to appeal the evaluation through higher levels of authority until the appeal reaches the department head, who will make a final attempt to resolve the problem prior to referring it to the County Administrator, who shall have final administrative authority.

B3. PAY SCHEDULE

Employees are paid on the 15th and the last working day each month. Should the 15th or last working day fall on a Saturday or Sunday, paychecks are issued on the preceding Friday.

Employee pay checks are issued by the County Administrator's office and are only released to an employee's supervisor or department head only. Spouses or other individuals are not allowed to receive an employees paycheck.

B4. HOURS OF WORK

The normal work hours for County personnel shall be as follows:

County Administration Office Personnel – 8:00 a.m. to 5:00 p.m.; Monday through Friday

General Properties Staff – 7:30 a.m. to 4:00 p.m.; Monday through Friday

County Garage Personnel – 6:30 a.m. to 5:00 p.m.; Monday through Friday

Water Treatment Plant – Schedules will vary due to operation of plant

Library – Hours set by the Library Board

Public Service Authority Water & Sewer Maintenance – 7:00 a.m. to 3:30 p.m.

Public Service Authority Garbage Service – 7:00 a.m. to 3:30 p.m.

Public Safety Department Field Staff – 24 hours a day, 7 days a week. Office Staff- 8:30a.m. to 5:00 p.m. Monday through Thursday, 8:30a.m. to 12:00 p.m. on Friday.

The above hours may vary based on the implementation of flex time or specific demands of work assigned to various departments. Specific work hours will be assigned to employees by the County Administrator or department head. Generally, full-time employees work eight (8) hours per day or forty (40) hours per work week. Public Safety Department hours per week may differ.
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B5. OVERTIME POLICY

Purpose

To establish a policy for compensating employees for overtime hours worked and in accordance with the Fair Labor Standards Act.

Eligibility

See FLSA policy.

Overtime Hours Defined

Overtime hours for all eligible employees shall be defined as all those work hours exceeding 40 hours in a one week work period. The official work week shall be either Monday through Sunday or Saturday through Friday for all county departments.

¹ Refuse Department Hours of Work Changed 7/2003; See Pg 99; Position Placement Policy

Policy

OVERTIME COMPENSATION – NON-EXEMPT EMPLOYEES

Compensatory Time

Employees having more than 24 hours notice prior to a work assignment will be compensated for their time through the use of compensatory time. If the employee has worked more than 40 hours that week, compensatory time will be earned at 1.5 times the number of additional hours worked. Otherwise, the amount of compensatory time will be equal to the number of additional hours worked. Regardless of the amount of notice given, employees required to work on a holiday will be compensated through overtime pay. Public Safety Department employees are exempt from this policy. See overtime and holiday pay policies later in this section.

Overtime Pay

Employees having less than 24 hours notice prior to a work assignment or working on a holiday with the specific approval of their supervisor will be compensated through their choice of overtime pay or compensatory time. If the employee has worked more than 40 hours that week, overtime will be paid at 1.5 times the number of additional hours worked. Otherwise, overtime will be paid in an amount equal to the number of additional hours worked. Overtime will be paid on the 15th of the month following the additional hours worked.

The above policies do not affect the on-call procedures & compensation policies.

The authorization and control of all overtime work is the direct responsibility of the department head. Overtime assignments are permitted only when required by operational necessity, and without which the normal functioning of the agency concerned would be adversely affected. Department heads must assure adequate funds are available for any payment of overtime work. ²

Public Safety Department employees are exempt from this policy. See overtime and holiday pay policy later in this section.

B6. ON-CALL POLICY

PSA Water Department

1. Each department employee will be on call on a rotating basis weekly, beginning on Monday following normal working hours and extending to the following Monday morning.
2. While on call, the employee will be furnished an authority vehicle for transportation to and from work and for responding to any call.
3. While on call, employees will be provided a pager or cell phone. The Water Distribution Department supervisor will be permanently assigned a cell phone. At least one additional pager or cell phone will be made available for the employee on call.

² Policy change 10/27/03

4. The employee on call will be compensated ten (10) hours pay at the current hourly pay rate for each week served on call. Employee has a choice to be paid for these hours or take them as comp time. The payroll department will default to paid time unless the desire to take it as comp time is clearly noted on the time sheet. When an employee is on-call during a holiday, then that employee will also earn 2 hours of pay at time and a half and be paid at time and a half for hours worked if called out.
5. Upon responding to a call for emergency work, the employee will be paid a minimum of 2 hours at time and a half for all hours worked. Hours in addition to the initial two hours will also be paid at time and a half. The initial 2 hours and additional hours shall be marked on the time sheet as Emergency Work (EW).
6. Scheduling for on call time will be done by the Water Distribution Department supervisors. It is anticipated that changes in the on call schedule will occur to accommodate the convenience of employees' non-work schedules.
7. When assistance is needed on call, other employees of the Water Distribution Department will be contacted by the employee on call. If an employee is called out to assist the "on-call" employee due to a large incident involving more than one employee, then that employee shall denote his time as emergency work (EW) and this will be paid at time and a half. If further assistance is needed, contact should be made to the General Properties Maintenance Supervisor, the Director of Fleet Maintenance and Operations, the Refuse Collection Supervisor, or the Water Treatment Plant Superintendent. The County Engineer and Emergency Services Coordinator can also be called on for assistance. The County Engineer has also arranged for the public works departments of the towns of Dublin and Pulaski to be called on for assistance.
8. Each employee of the Water Distribution Department will be provided with ample keys for access to the garage complex and equipment and supplies necessary for emergency water repair.
9. Employees are requested to advise their supervisor of their out of town travel plans to the greatest extent possible so that the employee on call will be aware of where he may likely receive assistance.

After Hours On Call for General Properties Staff

1. An employee will be designated to receive calls for emergency response during weekends and holidays. Duty will be rotated among employees. Each department employee will be on call on a rotating basis weekly, beginning on Monday following normal working hours and extending to the following Monday morning.
2. The employee on call will be compensated ten (10) hours pay at the current hourly pay rate for each week served on call. Employee has a choice to be paid for these hours or take them as comp time. The payroll department will default to paid time unless the desire to take it as comp time is clearly noted on the time sheet. When an employee is on-call during a holiday, then that employee will also earn 2 hours of pay at time and a half and be paid at time and a half for hours worked if called out.

3. Upon responding to a call for emergency work, the employee will be paid a minimum of 2 hours at time and a half for all hours worked. Hours in addition to the initial two hours will also be paid at time and a half. The initial 2 hours and additional hours shall be marked on the time sheet as Emergency Work (EW).
4. The on call employee will be contacted through a telephone pager or cell phone.
5. The on call employee will be normally dispatched by the 24 hour dispatch service at the Sheriff's Department. The public or employees needing the on call services are requested to contact the Sheriff's Dispatcher. In addition, the general properties superintendent, the emergency services coordinator, a constitutional officer, a court clerk, a judge or any department head staff member may issue a call for assistance from the on call staff.
6. The employees will respond to requests for assistance at buildings and properties under the supervision of the Board of Supervisors or the Public Service Authority. Calls for assistance with the Public Service Authority will be secondary to that of the Public Service Authority employees on call or working at the water treatment plant. The buildings under the supervision of the General Properties staff include: County Administration Building;; Maple Shade offices, Bob White Building, Sheriff's Office, Randolph Park, Health Department; Old Courthouse; Brick Courthouse; Pulaski County Library branches within the Town of Pulaski and the Town of Dublin;; County Garage complex; Loving Field, and the former Cloyd's Mountain Landfill..
7. The on call employee will be expected to respond to a telephone page within one half hour by calling the Sheriff's Dispatcher.
8. Time worked on call and in response to emergency calls will be marked "EW" on the monthly time sheet on the appropriate date with the total number of hours responded as well as the eight hours on call noted.
9. On call duty will begin at the 4:00 p.m. end of work day prior to the weekend or holiday affected. It will extend until 7:30 a.m. on the day following the weekend or holiday affected.
10. Should an on call staff member need assistance, they should contact other members of the staff assigned to on call duty. If an employee is called out to assist the "on-call" employee due to a large incident involving more than one employee, then that employee shall denote his time as emergency work (**EW**) and this will be paid at time and a half. At the same time they should alert the General Properties Supervisor of the need for assistance. If the General Properties Supervisor is unavailable, they should alert one of the following department head staff members: General Services Director, Emergency Services Director; Assistant County Administrator or County Administrator. Whenever a response will take more than four hours, one of the preceding department head staff members or general properties superintendent should also be notified.

C. FAIR LABOR STANDARDS ACT

OVERTIME COMPENSATION – NON-EXEMPT EMPLOYEES-NON PUBLIC SAFETY
DEPARTMENT EMPLOYEES

Compensatory Time

Employees having more than 24 hours notice prior to a work assignment will be compensated for their time through the use of compensatory time. If the employee has worked more than 40 hours that week, compensatory time will be earned at 1.5 times the number of additional hours worked. Otherwise, the amount of compensatory time will be equal to the number of additional hours worked. Regardless of the amount of notice given, employees required to work on a holiday will be compensated through overtime pay.

Overtime Pay

Employees having less than 24 hours notice prior to a work assignment or working on a holiday with the specific approval of their supervisor will be compensated through their choice of overtime pay or compensatory time. If the employee has worked more than 40 hours that week, overtime will be paid at 1.5 times the number of additional hours worked. Otherwise, overtime will be paid in an amount equal to the number of additional hours worked. Overtime will be paid on the 15th of the month following the additional hours worked.

The above policies do not affect the on-call procedures and compensation policies.

The authorization and control of all overtime work is the direct responsibility of the department head. Overtime assignments are permitted only when required by operational necessity, and without which the normal functioning of the agency concerned would be adversely affected. Department heads must assure adequate funds are available for any payment of overtime work.³ All overtime should be approved by the immediate supervisor.

All employees are considered non-exempt unless specifically specified under the Exempt section of this policy.

Compensatory Time Policy for Executive, Administrative, and Professional Employees

Compensatory time for employees exempt from the FLSA is earned at a straight hour for hour. However, compensatory time shall be received for any hours worked over time (9) hours per workday, if such hours were the result for required night meetings. Work performed on weekends or holidays is eligible for compensatory time at a straight hour for hour. Prior approval by the County Administrator is required for overtime hours worked in excess of eight (8) hours per week by the supervisor or department head.

Compensatory time accrued exceeding 30 days or 240 hours by employees exempt from the FLSA shall be lost by the employee if not used by June 30 of each year. Further, it shall be the policy that employees exempt from the FLSA shall only be compensated for a maximum of 30 days or 240 hours of accrued compensatory time upon retirement, resignation, or termination. This policy regarding payment of compensation time and loss of compensatory time from year to year shall be effective September 30, 2001.

³ Policy change 10/27/03

The following is a list of county employee positions to which the above applies:

County Administrator
Assistant County Administrator
Human Resources Director
E911 Executive Director
Library Technology Coordinator
IT Programmer
Emergency Services Director
Finance Director
Emergency Services Director
County Engineer/PSA Director
Economic Development Director
IT Director
Garage Supervisor
Director of General Services/PSA Deputy Director
Building Official
Director of Planning/Zoning
Library Director

Overtime Policy for Hourly Employees

Overtime pay for hourly employees is compensated at the rate of time and one-half for any work hours exceeding forty (40) in a one week work period. All hours worked on a holiday shall be compensated at time and one-half rate in addition to the regular eight (8) hours at straight time for said holiday. All overtime should be approved by the immediate supervisor.

Overtime on a Daily Basis

Overtime on a daily basis for late night work is allowable at the discretion of the employee's supervisor.

Overtime and Holiday Policy for Hourly Public Safety Department Employees:

Overtime pay for Public Safety Department employees is compensated at a rate of time and one-half for any hours exceeding forty (40) in a one week work period. All hours worked on a holiday shall be compensated by paying time plus a bonus pay rate for all hours worked. No pay will be given for a holiday if the employee does not work the holiday. No compensatory time is given to these employees.

Overtime and Holiday Policy for Salary NON-EXEMPT Public Safety Department Employees:

Overtime pay for Public Safety Department Salary employees is compensated at a rate of time and one-half for any hours exceeding their base salary calculated hours per week. All hours worked on a holiday shall be compensated by paying time plus a bonus pay rate for all hours worked. No pay will be given for a holiday if the employee does not work the holiday. No compensatory time is given to these employees.

D. OFFICIAL PERSONNEL FILE POLICY

The purpose of this policy is to establish an official personnel file and to provide a procedure governing the access, dissemination and purging of information contained within this file.

The official personnel file shall be defined as the employment file containing personal information relevant to the individual's employment which is maintained by the Personnel Office.

The official personnel file shall be the only file which is to be considered official and complete in matters related to wage and salary, employee selection, employee relations and arbitration hearings. Information pertaining to any personnel related aspect of employment (eg., letters of reprimand, letters of commendation, unemployment compensation requests, etc.) shall be contained within the file.

The access, dissemination, and purging of information contained within the file shall be in accordance with the Privacy Protection Act of 1976, as amended.

The following individuals shall be designated as having regular access to the official personnel files:

- a. The County Administrator or his designee.
- b. The members of any Grievance Panel.
- c. The Virginia Employment Commission Unemployment Compensation Division.
- d. Federal, State, or local agencies to create additional personnel records after employment (eg., to create Federal personnel files on CETA employees).
- e. Federal, state or local law enforcement agencies during the investigation of a violation or potential violation of the law.

The following individuals shall be designated as having regular access to a limited number of the official personnel files:

- a. Individual employees or former employees shall have regular access to their own personnel file after having satisfactorily demonstrated their identity.
- b. Department heads and immediate supervisors shall have regular access to the official files of employees under their authority only.

All official personnel files shall be reviewed in the presence of a member of the Personnel Office staff.

There shall be no dissemination of any personal information contained within the official personnel file to any individual organization not having regular access unless a Voluntary Release of Information Form has been completed both by the employee and the requesting individual agency.

E. LEAVES OF ABSENCE POLICIES

E1. ANNUAL LEAVE POLICY

All full-time permanent employees of the County of Pulaski shall be granted annual leave by the County as follows:

ANNUAL LEAVE SCHEDULE

<u>Years of Service</u>	<u>Days Earned per month</u>	<u>Days Earned per year</u>	<u>Maximum Accumulation</u>
0-4	1	12	24 days
5-9	1 ¼	15	30 days
10-19	1 ½	18	36 days
20 & over	1 ¾	21	42 days

Public Safety Department employees are placed on the “Days Earned per month” schedule one step ahead of where their current years of service indicates. This is due to their length of shifts are often 16 to 24 hours in duration and salaries are generally based on a 48 hour work week. Public Safety Department employees follow the standard “Maximum Accumulation” table as all other county employees.

Employees on vacation leave shall be paid their prevailing wage based on the prevailing scheduled work week. Annual leave is earned only upon completion of a full calendar month of employment.

Vacation leave schedule shall be planned by department heads so as to obviate the need for temporary increase in personnel.

Except in cases of illness or emergency, annual leave must be approved at least 24-hours in advance of taking time off. Unless there is an emergency involving the wellbeing of the employee or immediate family, employees should contact their supervisors at least one hour prior to the start of the workday if they anticipate utilizing sick leave.

Upon separation or retirement a full-time employee shall be paid for all accrued annual leave, not to exceed above maximums. In the event of death of the employee, the employee’s estate will be paid for accumulated annual leave.

Annual leave accrued above the maximum rate above, are lost by the employee if not used by December 31st of each year *unless specifically approved by the County Administrator in situations where unexpected departmental vacancies make it difficult for remaining employees to take time off. (adopted, PSA 11/9/10 and BOS 11/22/10).*

Permanent part-time employees who work at least 20 hours per week shall be entitled to annual leave on a pro-rate basis as outlined below:

- 20-25 hours per week - .50 day per month
- 26-30 hours per week - .75 day per month
- 31-35 hours per week - .88 day per month

36-40 hours per week – 1.00 day per month

Annual leave will also increase at a pro-rate basis for part-time employees and the same maximum accruals shall apply as does for full time employees. (Adopted, PSA September 9, 2014 and BOS September 22, 2014). These changes will not be retroactive and will commence the following month after adoption by both Boards.

E2. SICK LEAVE POLICY

Sick leave shall be defined as leave with pay granted for an illness; bodily injury resulting in temporary disability; medically required confinement; and medical and dental appointments; and illness in the home requiring the presence of the employee. A physician’s certificate may be required by a department head or supervisor at any time as evidence of illness before compensation for such absence is allowed, but in any case a certificate certifying the reason for sick leave request shall be signed by the employee.

When it becomes evident an employee shall be unable to be at work for an extended period of time (three (3) consecutive working days), the employee must furnish the department head or supervisor with a written statement from his/her physician. This statement shall include:

- a. the nature of the employee’s condition;
- b. the expected date on which the employee will be able to return and perform normal work duties (in cases where applicable); and
- c. the approximate anticipated date of medical release by the physician.

The above medical statement shall also apply when an employee is unable to be at work for an illness of an immediate family member. An immediate family member shall be defined as spouse, parent, son, daughter, grandchild, step-children and step-parents.

Sick leave with pay shall be earned at the rate of 1 ¼ day per full month worked for all full-time permanent employees. Sick leave, if not exhausted in the year in which it accrues, may be carried over from year to year without limit. Employees shall retain all benefits and seniority while on approved sick leave.

For full time employees hired after January 1, 2014 designated as participating in the VRS Hybrid retirement plan, shall accrue sick leave on the following basis:

Years of Service	Sick leave credit earned per month
0 through 4	.67 days
5 through 9	.75 days
10 and beyond	.83 days

Sick leave, if not exhausted in the year in which it accrues, may be carried over from year to year with a limit of 60 days.

Sick leave shall be extended on a pro-rate basis to all permanent, part-time employees who work at least 20 hours per week as follows:

20-25 hours per week - .63 day per month
26-30 hours per week - .94 day per month
31-35 hours per week - 1.10 days per month
36-40 hours per week – 1.25 days per month

(Adopted, PSA September 9, 2014 and BOS September 23, 2014. These changes will not be retroactive and will commence the following month after adoption by both Boards.

In cases of illness an employee shall notify his department head by telephone or messenger promptly.

Once a department head determines sick leave can no longer be granted and additional leave days are required, refer to other appropriate leave policies (eg., annual leave, leave without pay, family medical leave, etc). Absence for a job related injury shall be recorded as injury leave.

An employee's abuse of this policy may result in the employee's immediate dismissal from the County, or such other disciplinary action which may be appropriate.

Employees on approved sick leave shall be paid their prevailing wage based on their usual prevailing scheduled work week not to exceed 40 hours per week.

Public Safety Department employees on approved sick leave shall be paid their prevailing wage based on their usual prevailing scheduled work week.

Sick leave balances are not paid to an employee resigning or terminated; however, 25% of any unused sick leave is paid to an employee upon service or disability retirement from the County.

In addition, an employee leaving the employment of the County may donate up to 50% of unused sick days to the sick leave bank. Employees hired after January 1, 2014 or designated as participating in the VRS Hybrid retirement plan will not be eligible to receive transferred sick leave days.

E3. FUNERAL LEAVE POLICY

Funeral leave shall be defined as leave with pay granted to permanent full-time and part-time employees only upon the death of a member of the immediate family. The immediate family is defined as: spouse, parent, son, daughter, brother, sister, grandparents, grandchild, step-children, step-parents, guardian, and same relatives of spouse.

Funeral leave shall be granted by the department head if requested by the employee for a period not to exceed three (3) consecutive working days. This leave shall commence upon notification and approval by the department head. In the event of multiple deaths in the employee's immediate family, each death shall be treated separately and the funeral leave shall be granted accordingly.

If more than the allotted number of days leave is required, or if leave is desired for a death other than the immediate family, see other leave policies.

E4. COURT LEAVE POLICY

An employee's absence from work for jury duty or for attending court in a non-official capacity as a witness shall be defined as "court leave".

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Court leave shall be granted by the County Administrator. Before this leave is granted, the employee must submit a copy of the official summons for jury duty or witness service to the County Administrator prior to the beginning date of such service. Any employee appearing in court either as a defendant or plaintiff in a case shall not be eligible for this leave.

An employee having been granted court leave shall be compensated at the regular rate of pay during these court appearances. Any compensation received by the employee shall be turned in to the County and a regular pay check shall be issued. It is not the intent of this policy to allow the employee to receive both County compensation and special compensation for jury duty. An employee may, however, take annual leave and retain jury fees.

Employees summoned by a court for the purpose of qualifying for jury duty are entitled to court leave for the actual period of absence, whether or not they are selected to serve. If the employee's presence is required for less than a full work day, the employee is required to contact his/her department concerning return to work. Any employees who fail to contact their department risk the loss of pay for that day.

E5. MILITARY TRAINING LEAVE POLICY

The purpose of this policy is to provide County employees time required to fulfill military training obligations for the Armed Forces of the United States, National Guard or Naval Militia.

Any permanent employee who is also a member of the organized reserve forces of any of the armed services of the United States; National Guard or Naval Militia, are entitled to a leave of absence from his/her duties without loss of accumulated leave or regular salary on all days when he or she is training or when called to duty by the Governor of Virginia, in accordance with the Code of Virginia, Article 10, Section 44-93 and Title 38 of the United States Code, Chapter 43, Section 2024 (d). The County will grant up to fifteen (15) days, or time as required by federal law, of Military Training Leave per calendar year to those employees who are called for training with their military units. The leave will not count against accumulated annual leave.

The department head must present to the County Administrator on any employee utilizing Military Training Leave a copy of the employee's orders prior to the effective day of leave. This policy does not apply to periodic weekend drills or attendance at military schools.

E6. ABSENCE WITHOUT LEAVE POLICY (Revised & Approved PSA 6/9/2015 & BOS 6/22/2015, BOS 2/25/2018)

Absence without leave shall be defined as any absence from the job during which time an employee has no leave time (vacation, sick or comp) available, or leave taken during a scheduled work period without the approval of the employee's supervisor or department head, or failure to report to work at the expiration of authorized leave. This shall be treated separately from an approved FMLA/WC or disability situation during which time employees do not earn leave time if they did not work an entire month. An unauthorized absence from duty during normal required hours of attendance shall be treated as an absence without pay. Where there are not adequate reasons for the failure to secure authorization prior to the absence, the employee shall be subject to disciplinary action as may be determined by the department head subject to the provisions governing discipline set forth herein.

An employee on absence without leave and not designated as FMLA/WC or a disability may have performance raises affected by the absence from work.

Employees shall be subject to the following disciplinary action:

- a. The first occurrence of absence without leave shall result in two (2) days of suspension without pay with documentation in the employee personnel file. If the first occurrence is within a probationary period, the employee may be dismissed.
- b. The second occurrence of absence without leave shall result in a suspension of not less than five (5) working days without pay with documentation in the personnel file.
- c. The third occurrence of absence without leave may be grounds for dismissal.

Any employee absent without leave for three consecutive work days not subject to FMLA/WC or a disability shall be deemed self-termination and will be removed from payroll.

E7. LEAVE OF ABSENCE WITHOUT PAY POLICY

A leave of absence, without pay, may be granted in necessary circumstances, not to exceed twelve months (except for specific courses of study or for active military duty).

Application for leave of absence should be presented in writing to the County Administrator and approved by the Board of Supervisors.

E8. SNOW/INCLEMENT WEATHER POLICY (Updated & Approved BOS 2/28/2011 & PSA 2/8/2011)

The general policy of Pulaski County is to remain open for business during regular work hours. This is in conjunction with other area businesses which generally do not close due to inclement weather.

However, if road conditions become hazardous during the day or night due to snow, ice or any other inclement weather, County offices may close at the discretion of the County Administrator, or his designated agent. The County Administrator, or his designated agent, will notify the radio stations of such closings.

If the County offices are not closed for inclement weather, but the county school system is closed for the entire day, employees who are non-exempt from the Fair Labor Standards Act may be tardy up to one (1) hour without having to take leave or make up time. Time lost for non-exempt employees arriving at work later than one (1) hour, but before 12:00 noon, will make up the lost time exceeding one (1) hour; arrival after 12:00 noon will be charged to annual leave.

If an employee cannot report to work due to inclement weather when the county school system is closed and the County offices are open, the employee's supervisor must be notified immediately. If the supervisor decides the employee is not required to report to work, the time off shall be charged to annual leave or leave without pay. The employee will have the choice of loss of annual leave or leave without pay for the time missed.

If the County offices are closed by the County Administrator, or his designated agent, time missed from working hours will be considered holiday leave. For essential employees (with the exception of Public Safety Department, Sheriff's Department and the E-911 Communications Center employees) who work during the time the offices are closed, time worked will also follow the holiday policy for hours worked on a holiday.

The following positions are hereby established as essential positions during an inclement weather occurrence:

County Administrator
Assistant County Administrator

County Engineer
Emergency Management Coordinator

Garage Supervisor
Garage Mechanics

PSA Water Treatment Plant Superintendent
PSA Water Treatment Plant Operators & Technician
PSA Water Utility Maintenance Supervisor
PSA Water Utility Maintenance Crew Leader
PSA Water Service Technicians
PSA Heavy Equipment Operators
PSA Sewer Service Technician
General Properties Facilities Manager
General Properties Building Maintenance Mechanics

Public Safety Department Command Staff (as needed)
Public Safety Department Field Staff
E-911 Communications Center Staff
Sheriff's Department

The above listed positions should report to work regardless of offices closing due to inclement weather. Since these positions provide essential services to the citizens, inclement weather situations may, in fact, increase the work load for these employees. Essential employees who do not report to work during an inclement weather situation and who do not call their immediate

supervisor, may be subject to appropriate disciplinary action as determined by the County Administrator or the employee's immediate supervisor.

Should an essential employee not be able to report to work when the offices have been closed due to transportation problems, the essential employee must advise their immediate supervisor and transportation may be provided to the essential employee in reporting to work. Essential employees who do not report to work and who do not call their immediate supervisor may be subject to appropriate disciplinary action as determined by the County Administrator and the employee's immediate supervisor. Non-Essential employees who would like to report to work but do not have transportation may also request transportation through their supervisor or the County Administration Office.

This policy may apply to constitutional officers and their employees at the discretion of the Constitutional Officer.

This policy is not intended to endanger an employee by attempting to report to work when roads or other conditions may be unsafe. Each employee should use his or her own judgement and take appropriate leave when necessary during inclement weather situations. Employees are encouraged to maintain adequate leave balances for inclement weather situations.

PSA Refuse Employees:

Because of hazardous road conditions, it may become necessary on occasion to not operate the garbage collection service. Employees will be notified by use of a calling tree as soon as the decision is made to not operate the trucks for collection service. In the event that the PSA refuse trucks do not operate and County offices remain open, then PSA refuse employees may report to work as an alternative to taking annual leave.

Employees reporting to work will be assigned to prearranged work sites including but not limited to the County Administration Building, NRV Airport, NRV Business Center, Dublin Town Center, County Garage or any of the Pulaski County Public School Buildings. Where possible, the prearranged work site will be the nearest to the residence of the employee so as to minimize travel distance during inclement weather. Employees are expected to work their entire shift, or take the balance in annual leave, unless the County Administrator decides that all County Employees should leave early because of weather conditions.

F. BENEFITS

F1. GROUP HEALTH & DENTAL INSURANCE (Revised & Approved PSA 5/12/2015 & BOS 5/18/2015)

Employee group health insurance is provided to all full time employees as defined per the Affordable Health Care Act.. A percentage of the cost is paid by the County. Premiums and plan designs may vary from year to year.

Group dental insurance is also offered to all full time employees. Dental is not governed by the Affordable Health Care Act. Employees may choose whether they wish to participate in the dental plan. Premiums and plan designs may vary from year to year.

F1a. RETIREE HEALTH CARE COVERAGE (Revised & Approved PSA 5/12/2015 & BOS 5/18/2015)

Employees retiring on or after July 1, 1997, may remain on the County of Pulaski's employee health care insurance group beyond the Consolidate Omnibus Budget Act of 1985 (COBRA) regulations. This will apply to both service or disability retirements. Once a retired employee is eligible for Medicare, the retiree will be required to enroll under a Medicare Supplement Plan. Retirees may also elect to remain on the County's dental plan. There is no age limitation for dental. The following guidelines must be met by the employee in order to be eligible for these benefits:

1. the employee must have been on the County's health care plan for a minimum of twelve (12) continuous months prior to the last day of employment;
2. the employee must pay one hundred percent (100%) of the total premium for said coverage of both health and dental premiums after retirement;
3. service retirement is defined as an employee's permanent separation from full time employment and immediate receipt of retirement benefits, on a regular monthly basis, through the Virginia Retirement System; and
4. disability retirement is defined as an employee's permanent separation from full time employment and immediate eligibility for disability payments from the Virginia Retirement System and/or Social Security Administration. In lieu of a disability award and with a pending application for disability benefits, a complete medical report documenting a permanent disability will meet requirements of this paragraph for a period of twelve (12) months or until a disability award decision is received.

In addition, once a retired employee has terminated or cancelled their health care coverage under the County's health care plan, the retired employee shall not be eligible for enrollment under the County's health care plan at any time in the future.

Payments for health care coverage after retirement shall be made at the County of Pulaski Administrator's Office monthly by the 20th of each month. Failure to remit payment by this deadline will result in termination of insurance

F2. RETIREMENT BENEFITS

Retirement benefits are provided through the Virginia Retirement System. This benefit is for permanent full-time employees. An employee is vested in the system after 5 years of service. As a vested member of the VRS, an employee is eligible to receive retirement benefits as early as age 55 or 65 with at least 5 years of service. Full retirement benefits are granted at age 50 with 30 years service in Plan 1. Plan 2 employees must have the sum of their age and years of service equal to 90 to received full retirement benefits. Virginia designated Hazard Duty Employees are provided with a special retirement supplement and may retire as early as age 50 with 25 years service. Reduced retirement benefits are available at age 50 with at least 10 years of service.

For Plan 1 and Plan 2 employees, permanent disability benefits are available through the VRS. The costs for this retirement benefit may be shared by the employee at the direction of the Board of Supervisors. All employees designated as Hazard Duty employees will fall under the VRS Plan 1 or Plan 2 retirement benefits.

For full time employees hired after January 1, 2014 are designated as participating in the VRS Hybrid retirement plan, Employees participating in this plan have the same vesting and retirement age as those participating in Plan 2. Hybrid plan participants are able to contribute up to 4% of their salary towards their retirement account as part of a defined contribution plan component.

F3. GROUP LIFE INSURANCE

A group life insurance policy is also provided to full-time permanent employees through the Virginia Retirement System. This life insurance provides employees with group life insurance without a medical examination; natural death benefits; double indemnity for accidental death; and dismemberment payments for accidental loss of one or more limbs, or eyesight.

The amount of the employee life insurance is equal to your annual salary rounded to the next highest thousand, and then doubled.

The costs for the group life insurance may be shared by the employees at the direction of the Board of Supervisors.

Employees may also purchase additional life insurance coverage for the employee, spouse and children. This coverage is also available from the Virginia Retirement System.

F4. WORKMEN'S COMPENSATION

Workmen's Compensation is provided to any employee who is injured or suffers a job related illness while on the job. The County pays the employee's full salary or wages for the first seven (7) working days, the insurance carrier for workmen's compensation shall pay the employee's salary or wages on a percentage basis.

All job related injuries/illnesses should be reported to the employee's immediate supervisor immediately.

Lost work days due to a job related injury or illness shall be recorded as workmen's compensation leave. See also Section 6A, Reporting of Injury and Panel of Physicians.

F5. HOLIDAY POLICY (REVISED 12/17/2018 BY BOS)

Pulaski County will grant holiday time off to all employees on the holidays listed below:

- * New Year's Day (January 1)
- * Martin Luther King, Jr. Day (third Monday in January)
- * Good Friday (Friday before Easter)
- * Memorial Day (last Monday in May)

- * Juneteenth (June 19th)
- * Independence Day (July 4)
- * Labor Day (first Monday in September)
- * Columbus Day (second Monday in October)
- * Election Day (first Tuesday in November)
- * Veterans' Day (November 11)
- * Thanksgiving (fourth Thursday in November)
- * Day after Thanksgiving
- * Christmas (December 25)

Additional holidays that are approved by the State are also submitted to the Board of Supervisors and Public Service Authority for approval. Employees will be notified via email of any additional days approved.

Pulaski County will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times applicable hours. Eligible employee classification(s):

- * Regular full-time employees (NON-PUBLIC SAFETY DEPARTMENT)

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees, with the specific consent of their supervisor, work on a recognized holiday, they shall receive compensatory time at one and one-half times the hours worked on the holiday.

*PUBLIC SAFETY DEPARTMENT Employees

See Section C of this policy "Overtime and Holiday Policy for Hourly Public Safety Department Employees" and "Overtime and Holiday Policy for Salary NON-EXEMPT Public Safety Department Employees"

A recognized holiday that falls on a Saturday or Sunday will be observed on the actual recognized day as it appears on the calendar, no movement of holidays will occur.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Public Safety Department Field Staff are not eligible for compensatory time.

Public Safety Department Administrative Staff follow county policy as "Regular full time employees" in regards to Holidays.

*All Employees

Employees who resign or are terminated from their positions must work before and after the holiday to receive holiday pay. In addition, persons on leave without pay must also work before and after the holiday to receive holiday pay, (this does not apply those individuals who are receiving VRS short-term disability as they are entitled to holiday pay).

Permanent part-time employees who work at least 20 hours per week are entitled to holiday pay as follows (this does not include temporary part-time employees):

20 hours per week - 2.0 hours of holiday pay

25 hours per week - 3.0 hours of holiday pay

29-32 hours per week - 4.0 hours of holiday pay

33-39 hours - 5.0 hours of holiday pay

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

F6. DIRECT PAYROLL DEPOSIT

The County provides employees the ability to have payroll checks automatically deposited through direct payroll deposit. An employee needs to complete an authorization form for this benefit.

Effective January 1, 2014, all full-time and part-time employees employed by Pulaski County and the Pulaski County PSA are requested to participate in the direct payroll deposit benefit. Employees not having a checking and/or savings account for direct payroll deposit will be issued a manual check. To receive confirmation of an employee's deposit, all full-time and part-time employees should create an electronic account as provided by Pulaski County.

To assure that direct payroll deposits are credited to employees checking and/or savings account in a timely manner, the county shall transmit the direct payroll deposit for employees four (4) banking days prior to payroll. If no transmitting or other problems occur, employees should receive credit for their direct payroll deposit one (1) day prior to payday.

F7. FLEX BENEFITS PROGRAM

The County provides employees the option to participate in a flexible benefits program (cafeteria plan) whereas, the employee opts to pay insurance premiums with pre-tax dollars thereby resulting in more net pay for the employee. In addition a medical spending and child day care account is offered to employees if they so desire.

F8. STATE EMPLOYEES CREDIT UNION MEMBERSHIP

Membership in the Virginia State Employee Credit Union is available to all permanent County employees.

F9. OTHER INSURANCES

A number of additional insurance policies are available to employees through payroll deduction to include cancer, life, disability and accidental coverage. However, the total premium is paid by the employee for the additional coverage.

F10. SICK LEAVE BANK POLICY (Revised BOS 7/27/2015, Revised BOS 10/24/2016)

The intent of the Sick Leave Bank is to provide some protection for beginning employees who have not had time to build up sick leave days and for those employees who may experience a catastrophic or long-term illness.

Membership:

1. Membership shall be on voluntary basis only.
2. Membership must be renewed in writing prior to July 1 of each year.
3. Membership is available to employees who earn sick leave benefits monthly.
4. VRS Hybrid employees are eligible; however, they are only eligible through their first year of employment, only after their first 30 days of employment and may only receive up to ten days of sick leave donation.

Enrollment:

1. An eligible employee may enroll by donating a minimum of one (1) day per year, .67 for Hybrid employees, of his or her accumulated sick leave to the bank.
2. A Sick Leave Bank Enrollment Form must be submitted to Human Resources.
3. An eligible employee may enroll within the first 30 calendar days of employment.

All employees must be employed at least 30 days before becoming eligible for the sick leave bank. VRS Hybrid employees are capped at a maximum of 10 days. VRS Plan 1 & Plan 2 employees are limited to 10 days during their probationary period (first six months); however, following the probationary period, they may be granted up to thirty days.

Use of Sick Leave Bank:

1. The employee must make application for the benefit; it is not automatic.

2. No member of the bank will be granted sick leave from the bank until his or her own sick leave and annual leave is depleted.
3. The first five (5) consecutive days of illness not covered by accumulated sick leave or annual leave will not be covered by the bank. This must be taken as leave without pay.
4. A maximum of thirty (30) days each fiscal year may be withdrawn by a member meeting the requirements. Ten days for VRS Hybrid employees and only during the first year of employment.
5. Participating members must meet the requirements of statements two (2) and three (3) at the beginning of each fiscal year before borrowing from the bank again.
6. Members utilizing sick leave days from the bank will not have to replace these days except as a regular contributing member of the bank.
7. Termination of membership in the bank, termination of employment or retirement from the County will not permit an employee to withdraw his or her days previously contributed.
8. The sick leave bank may also be used by an enrolled employee for an illness or injury of an immediate family member of the enrolled employee. Immediate family members mean spouse, parent, son, daughter, brother, sister, grandparents, grandchild, step-children, step-parents, guardian and same relatives of spouse. Said illness or injury shall be certified by a doctor as FMLA for a family member's serious health condition.
9. Extenuating circumstances and approval of all sick leave bank usage shall be considered by the County Administrator and the Human Resources Director.
10. Days in the Sick Leave Bank not used will be carried over to the next year.
11. All Sick Leave Bank usage for employees will run concurrently with FMLA and the appropriate doctors certification will be required as leave for the employees own serious health condition.

Transfer of Sick Leave Days:

Additional sick leave days may be transferred by a participant in the Sick Leave Bank to another specific member in the Sick Leave Bank under the following regulations:

1. An employee wishing to transfer sick leave days must complete the Request for Transfer of Sick Leave Days Form and submit it to the Human Resources Department.
2. The person receiving the transferred sick leave days must have used the maximum of thirty (30) days allowed.
3. The maximum number of days for any one transfer would be ten (10) days.
4. The maximum number of days allowed to be transferred to an employee by all employees inclusive shall be 30 days.

Transfer of Sick Leave Days Upon Resignation: (Added July 1, 1992)

An employee, who is a member of the bank and resigns, may transfer up to 50% of their unused sick leave balance to the sick leave bank upon resignation from employment with the county. The employee must, however, complete a transfer of sick leave days form within 10 days of the resignation date.

Returning to Work:

Once an employee returns to work, either in a full-time or part-time capacity, the maximum number of days allowed to be retained by the employee from sick leave days remaining from either the sick leave bank or days donated by other employees shall be five (5).

F11. FAMILY AND MEDICAL LEAVE ACT (REVISED & ADOPTED PSA 5/12/2015 & BOS 5/18/2015)

I. Objective

It is the objective of Pulaski County to provide eligible employees with up to 12 weeks of unpaid family or medical leave because of the birth of a child or the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him or her unable to do his or her job.

II. Definitions

A. Eligible employees

1. Covered employees identified in Section I above who have been employed by the County for: (1) at least 12 months; and (2) at least 1,250 hours during the 12 months before the start of the leave.

Employees hired after January 1, 2014 and designated as participating in the VRS Hybrid Retirement Plan, may be eligible for disability benefits after the employee has satisfied a 1 year waiting period, and may concurrently be eligible for leave in accordance with FMLA, when leave is related to the employee's personal medical condition.

NOTE: The required 1,250 hours do not have to be worked during consecutive months. However, the 1,250 hours of work requirement applies to the 12 months immediately preceding the start of the leave.

B. Employment benefits

All benefits provided by the County to salaried employees including group life insurance, health insurance, annual and sick leave, educational benefits, and retirement contributions.

C. Family and medical leave

A leave without pay (or use of an employee's accrued leave) for up to 12 workweeks during a 12 month period for the reasons specified in this policy in conformance with the federal Family and Medical Leave Act (FMLA) of 1993. The 12 workweek limitation shall be based on a rolling 12-month period beginning with the date of the initial absence from work.

D. Health care benefits

The health insurance program covering eligible employees.

E. Health care provider

Health care providers include the following:

1. Doctors of medicine or osteopathy that are authorized to practice medicine or surgery (as appropriate) by the state in which the doctors practice;
2. Any other person determined by the Secretary of the Department of Labor to be capable of providing health care services; and
3. others capable of providing health care services to include only podiatrists, dentists, clinical psychologists, optometrists, chiropractors, nurse practitioners and nurse-midwives authorized to practice in the state and performing within the scope of their practice as defined under state law. This also includes Christian Scientist practitioners listed with the First Church of Christ, Scientist in Boston, although an employee or family member may be required to submit to a medical examination for a second or third opinion (not treatment) from a non-Christian Science practitioner.

F. Parent

Biological parent or individual who stood in place of the parent of the employee and was charged with the duties and responsibilities of the parent.

G. Son or daughter

A biological, adopted or foster child, a stepchild, or legal ward, or a child of a person standing in place of the parent. The child must either be under age 18 or be age 18 or older and incapable of self-care because of a mental or physical disability.

H. Spouse

As recognized under the laws of the Commonwealth for the purpose of marriage.

I. Serious health condition/illness

An illness, injury, impairment or physical or mental condition that involves: (1) inpatient care in a hospital, hospice, or residential medical care facility; or (2) continuing treatment by a health care provider.

III. When Family and Medical Leave Allowed

A. Time frames for use of FMLA

Eligible full-time employees may take up to 12 workweeks (60 workdays; 480 work hours) of family and medical leave (FMLA) in a 12 month period. The time missed

from work due to FMLA cannot exceed 12 weeks in a 12 month period. The 12 workweek limitation shall be based on a rolling 12-month period beginning with the date of the initial absence from work.

B. FMLA for full-time employees

Eligible full-time employees may take up to 12 workweeks (60 workdays; 480 work hours) of unpaid family and medical leave per 12 month period for the following reasons:

1. the birth of a child (to be taken within 12 months of the child's birth);
2. the placement of a child with the employee for adoption or foster care (to be taken within 12 months of date of placement);
3. in order to care for a child, a dependent son or daughter over 18 years of age who is incapable of self-care because of a mental or physical disability, a spouse, or a parent who has a serious health condition that involves:
 - a. in-patient care in a hospital, hospice, or residential medical care facility; or
 - b. continuing treatment by a health care provider.
4. Because of a serious personal health condition that renders the employee unable to perform the functions of his or her position. Departments may request certification that the employee is unable to work at all or is unable to perform any of the essential functions of the employee's position within the meaning of the Americans with Disabilities Act.

C. FMLA for eligible part-time employees

Eligible part-time employees may take up to 12 weeks of family and medical leave in a 12 month period for the reasons listed in III (B) above. Actual hours taken will be counted on a prorated basis corresponding to the percentage of hours they normally are scheduled to work during a 12 month period.

EXAMPLE:

A part-time employee works 25 hours per week year-round. During any 12-week period, she works a total of 300 hours. Therefore, if intermittent leave is taken, she may take up to 300 hours of family and medical leave in a 12 month period.

- D. FMLA for Military Employees – Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12 week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal**

arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties in which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

IV. Restricted Use of Family and Medical Leave

- A. Family and medical leave may not be used for short-term conditions for which treatment and recovery are brief, such as minor illnesses and out-patient surgical procedures with expected brief recuperating periods. It does not provide for the intermittent care of a child for such commonplace illnesses as colds and flu.
- B. When both parents of a child work for the County in the same facility, the full amount of leave may be limited to a combined total of 12 workweeks in a 12-month period when the leave is for the birth, adoption, or foster care placement of a child.

V. Paid Leave

- A. Employees are required to use paid leave, as appropriate under each particular leave policy, for absences covered under family and medical leave. A department may designate such leaves as family and medical leave, if it meets the conditions of sections III (A) and (B) above.
- B. If employees use their accrued paid leave balances for purposes described in this policy, then the County is required to provide only the number of unpaid workdays which, when combined with the number of days of other leave taken, equal a total of 60 workdays or 480 work hours.

EXAMPLE:

An employee uses six days of sick leave and 15 days of annual leave to care for a parent who has a serious health condition. The County must allow him to take 39 days of unpaid leave.

VI. Intermittent Leave or Leave on Reduced Schedule

Employees may take intermittent leave or work a reduced schedule, not to exceed 480 hours for full-time employees, as follows:

- A. When medically necessary because of an eligible employee's own serious health condition or the serious health condition of a child, spouse or parent, an

employee may take family or medical leave on an intermittent leave basis or a reduced schedule as indicated below.

1. Intermittent leave schedule - a leave schedule permitting the employee to take leave periodically for a few hours a day (less, than eight hours), or for a few days, on an as-needed basis.

NOTE:

Employees may be required to provide medical certification that intermittent leave is necessary.

2. Reduced schedule - a leave schedule permitting the employee to reduce his or her usual number of hours worked per workweek or per workday.
- B. Employees who must take intermittent leave or work a reduced schedule may either use their available paid leave balances as permitted by each specific leave policy or take unpaid family and medical leave. A department may designate such leave as family and medical leave, if it meets the conditions of Sections III (A) and (B) above.
 - C. Employees do not accrue annual and sick leave when they are on leave without pay status during family and medical leave.
 - D. When an employee takes leave to care for a newborn child, or because of the placement of a son or daughter with him or her for adoption or foster care, the employee may take leave intermittently or on a reduced schedule, if departmental management agrees on such an arrangement beforehand.
 - E. When the conditions noted in Section VI (A) above are applicable, the department can temporarily transfer the employee to another position that better accommodates the intermittent leave or reduced schedule as long as the new position carries equivalent pay and benefits.

VII. Family and Medical Leave Notification/Scheduling

A. Employee responsibility

1. An employee should submit a written request for family and medical leave at least 30 days before the anticipated beginning of the family and medical leave, unless emergencies or unforeseen events preclude such advance notice.
2. The County (or its department) requires certification for leave that is requested for an employee's serious health condition or for his or her family member's serious health condition before granting family and medical leave.

B. County actions

The County requires that a request for family and medical leave be supported by a health care provider's certification of the medical condition of the person affected to include the date when the serious condition began, the probable duration of the condition, and other appropriate facts as detailed below.

1. A family illness request requires a statement that the employee is needed to care for a child, spouse or parent, and must include the estimated time needed.
2. A personal illness request requires a statement that the employee is unable to perform the essential functions of his or her job as defined by the Americans with Disabilities Act.
3. An intermittent leave or reduced schedule request necessitated by an employee's own health condition must include a statement of the medical necessity for the leave and the expected duration.
4. An intermittent leave or reduced schedule requested for the care of an employee's family member requires a statement that the employee's leave is "needed to care for" the family member, the expected duration, the expected treatment dates and the schedule of intermittent leave or reduced leave. The term "needed to care for" includes:
 - a. situations where the employee may be needed to fill in for others who are caring for the family member, or to make arrangements for changes in care, such as transfer to a nursing home; and
 - b. An employee's intermittent leave or a reduced schedule necessary to care for a family member includes not only a situation where the family member's condition itself is intermittent, but also where the employee is only needed intermittently, such as where other care is normally available, or care responsibilities are shared with another member of the family or a third party.
5. The medical certification provisions encompassing both physical and psychological care, and it includes situations where, for example, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself or herself to the doctor, etc. The term also includes providing psychological comfort and reassurance which would be beneficial to a seriously ill child or parent receiving inpatient care;

NOTE:

When possible, the employee should provide certification in advance of, or at the commencement of, the requested leave. When that is not possible, certification must be provided reasonably soon after the leave begins.

C. Second and third opinions

1. The County may require, at its own expense, a second opinion from its designated or approved health care providers. (This health care provider cannot be one who is employed by the County on a regular basis.)
2. When the second opinion differs from the first, the County may, at its own expense, require a third opinion from a health care provider designated or approved jointly by the employee and the County. The opinion of the third health care provider shall be considered final and binding upon the employer and the employee.
 - A. The County requires an employee to report periodically during the leave period on his or her leave status and intention to return to work, and to provide subsequent re-certifications on a reasonable basis (every 4 to 6 weeks).

VIII. Restoration to Position

- A. At the end of family and medical leave, employees normally are to be reinstated as follows:
 1. Original position - departments normally must restore employees to the positions they held (or to equivalent positions) when the leave began.
 2. Equivalent position - if previous positions have been filled, employees are entitled to restoration to equivalent positions.

-standard of equivalence: requires comparability and correspondence to duties, terms, conditions, and privileges of employees' previous positions.
 3. Conditions upon restoration of job position – Human Resources can require their employees to report periodically on their status and intent to return to work, and can require certification from health care providers that employees are able to return to work.

IX. Status of Benefits During Family and Medical Leave

- A. The County will continue to contribute to the health insurance premiums of eligible employees who are on leave under the Family and Medical Leave Act as discussed below:
 1. When employees are using paid annual or sick leave under the provisions of FMLA, the payroll deductions of their portions of the premiums continue.
 2. When employees are on leave without pay under the provisions of FMLA, their premium contributions will be handled as if they were on leave without pay.

B. Employees who are on leave under FMLA will pay the same portion of their health insurance premiums as they would if they were not on leave.

1. Premiums are due to the County by the 20th of each month of coverage.
2. If employees fail to make premium payments, the County will follow the same procedures to terminate coverage as they would if employees failed to pay premiums while on leave without pay.
3. If employees fail to return to work at the end of leave under FMLA, the County may recover from them the County's share of premiums paid during the period of leave. However, there will be no recovery of premiums if employees fail to return to work as a result of:
 - a. the onset, recurrence, or continuation of a serious health condition that entitles them to leave to care for themselves or for a family member; or
 - b. other circumstances beyond the employee's control.

EXAMPLES:

- If an employee fails to return to work secondary to a disabling condition, the department will not seek reimbursement for the County's contributions for health insurance coverage during the period of leave.
- If an employee fails to return to work at the end of FMLA leave because of his or her acceptance of other employment, the County will seek to recover the County's contributions for health insurance coverage during the period of leave.

C. Life insurance

The County will continue to pay VRS life insurance premiums while employees are on family and medical leave.

D. Leave accrual

Employees will not accrue annual or sick leave hours during any period of leave without pay.

E. Retirement

1. Retirement contributions (including the component to fund the health credit) will be made for any period in which qualifying compensation has been received by the employee.
2. Retirement contributions will not be made for any pay period in which no qualifying compensation has been received by the employee (i.e., the employee was on leave without pay for the entire pay period).

X. Management of FMLA Records

A. The County must make, keep and preserve records pertaining to their obligations under FMLA.

B. Records must be kept for at least three years.

C. Required records must include the information listed below:

1. Basic payroll and identifying employee data, including: name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.
2. Leave designated as FMLA leave, both paid and unpaid, and the dates employees took it. (If FMLA leave is taken in increments of less than a day, the hours must be noted.)
3. Copies of employees' notices of leave furnished to the County.
4. Any documents (including written and electronic records) describing employee benefits or policies and practices regarding the taking of paid and unpaid leaves.
5. Records of premium payments
6. Records and documents relating to medical certifications, recertifications or medical histories of employees or employees' family members are to be maintained in separate files/records and treated as confidential medical records except:
 - a. supervisors and managers may be informed regarding necessary restrictions on work duties and necessary accommodations;
 - b. first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and
 - c. government officials investigating compliance with FMLA (or other pertinent law) shall be provided relevant information upon request.

XI. Use of County Forms

Employees shall request family/medical leave through use of the leave request form with certification attached. It is the employee's responsibility to secure all appropriate information and submit this information to the County as required. A request cannot be considered until complete information (in a clear format) is received. Incomplete information or information that is unclear will be returned to the employee.

XII. Approval of Family Medical Leave:

Family Medical Leave shall be approved by Human Resources.

F12. PERMANENT PART-TIME EMPLOYEE BENEFITS

Permanent part-time employees who work at least 20 hours per week shall receive annual leave, sick leave, funeral leave, court leave, holiday, birthday leave, and military training leave on a pro-rated basis. For example, an employee who works 20 hours would receive 50% benefits for annual leave, sick leave, funeral leave, court leave, holidays and military training leave. Group health insurance benefits are provided to permanent part-time employees who work 30 hours per week on a pro-rated basis also. Workmen's compensation benefits, direct payroll deposit, flex benefits program, and membership in the Virginia State Employers Credit Union is extended to permanent part-time employees.

F13. EMPLOYEE BIRTHDAY BENEFIT

Permanent full-time and permanent part-time employees are given their birthday off with pay. However, the employee must take the day (8 hours) off within the month of the employee's birthday. If not taken off, the day cannot be carried over by the employee. Public Safety Department (non-Administrative) employees shall receive 8 hours of holiday bonus in lieu of time off during the month of their birthday. Public Safety Department Administrative employees shall follow the policy as written for all other county employees.

F14. SPECIAL JOB REQUIREMENTS – TOOL ALLOWANCE (Revised BOS 4-25-2016)

Certain jobs have requirements beyond others. Designated positions within the County or the Public Service Authority may require that the employee provide tools to perform their duties. It is recognized that this can present a hardship for the employee. In an effort to diminish this hardship and provide the best working conditions and productivity, these special provisions have been implemented. Salaries for these positions will be augmented with an allowance (\$1,420 annually) to be used to provide the needed tools. When filling one of these positions, the employee will be instructed that a portion of their salary is designated for the purchase of tools. The quantity and type of tools as well as the amount of the added benefit will be determined by the job being filled. It is the responsibility of the employee to provide their supervisor with receipts for tools purchased in an amount at least equal to the allowance. It is the responsibility of the supervisor to ensure that the employee understands this aspect of their salary and that appropriate receipts are maintained by the supervisor to ensure that this practice is being followed. Tools purchased through this allowance are the property of the employee. As jobs are reclassified or responsibilities change, this additional salary for tools may be discontinued. This will be addressed on an individual basis. Failure to produce receipts could result in the loss of this benefit.

F15. EDUCATIONAL ASSISTANCE POLICY (REVISED 12/17/2018 BOS)

Pulaski County recognizes that the skills and knowledge of its employees are critical to the success of the County Government. The educational assistance program

encourages personal development through formal education so that employees can maintain and improve job-related skills that enhance their contributions to the County.

Pulaski County will provide educational assistance to all eligible employees who have completed 180 calendar days of service in an eligible employment classification. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily. Employees must complete an Education Assistance Request Form and have it approved by their supervisor and the County Administrator before classes begin. In addition, supervisors must submit the request for the annual budget process between January and March each year to be eligible for reimbursement. Educational reimbursement will equal to 50% or a maximum of \$2,500 annually. Employees in the following employee classification(s) are eligible for educational assistance:

* Regular full-time employees

The County will reimburse tuition costs based upon the completion of the class or course and the maintenance of a C average or above. If the course is ungraded, reimbursement will be based upon completion of the class/course. Reimbursement will be made after sufficient documentation of the class/course is received. Classes and course work must be completed on the employee's time. Travel to and from classes are the responsibility of the employee. The books and materials and/or equipment may be paid by the County but must be made subsequently available for other employee's use.

Employees participating in higher education opportunities to receive certificates and/or specific employment designation (ie: IMPA, ICMA, CZA, Virginia Waterworks, etc.) will be paid directly by the County and will not be subject to reimbursement.

While educational assistance is expected to enhance employees' performance and professional abilities, Pulaski County does not guarantee that participation in formal education will entitle the employee to advancement, a different job assignment, or pay increases.

Pulaski County invests in educational assistance to employees with the expectation that the investment be returned through enhanced job performance. However, if an employee voluntarily separates or is separated for cause from Pulaski County's employment within two years of the last educational assistance payment, the amount of the payment will be considered only a loan. Accordingly, the employee may be required to repay up to 100 percent of the original educational assistance payment.

Employees should contact the Human Resources Director for more information or questions about educational assistance.

F16: VACANCY PAY

When an employee is required to assume additional duties due to a long-term vacancy (one month or longer) of another employee due to turnover or sickness, then that employee is eligible for up to 40 hours per month of comp time payout for working additional hours to cover for the prolonged absence of the other employee. Employees stepping up to an increased level of responsibility would be compensated based on the higher level of overall pay during the extended absence.

F17: SHORT AND LONG TERM DISABILITY BENEFITS (only for employees hired after January 1, 2014)

Employees hired after January 1, 2014, and assigned to the Hybrid Retirement Plan by the Virginia Retirement System (VRS), qualify to participate in a disability program. This disability program is for an employee who is disabled, on maternity leave, or takes periodic absences due to a major chronic condition and qualifies for disability benefits.

1. A new employee has a 1-year waiting period before eligible for disability benefits, except for Workers' Compensation disabilities.
2. Eligibility of benefits is determined by the disability insurance carrier. After eligibility is determined, the short-term disability benefit begins after the employee satisfies a 7-calendar day short-term disability elimination period. During this period, an employee will be able to use accumulated sick leave provided by the Pulaski County Board of Supervisors to continue their income for the 7-calendar day disability elimination period.
3. If eligible, an employee can qualify for up to 125 workdays of short-term disability benefits. After 125 workdays of short-term disability, an employee may qualify for long-term disability benefits.
4. The short-term disability benefit for work-related disabilities, if eligible, provides income replacement for 60% of a Member's Pre-disability Earnings (MPE) for the first 60 months of continuous participation in the Hybrid Retirement Plan by the Virginia Retirement System (VRS). At 60 – 119 months of continuous participation, the first 85 days of disability are covered at 100% of pre-disability earnings, the next 25 days at 80% of pre-disability earnings, the last 15 days at 60% of pre-disability earnings. At 120 months or more of continuous participation, the first 85 days at 100% of pre-disability earnings, the last 40 days at 80% of pre-disability earnings.
5. The short-term disability benefit for non-work-related disabilities, if eligible, provides income replacement for 60% of a Member's Pre-disability Earnings (MPE) for the first 13 - 59 months of continuous participation in the Hybrid Retirement Plan by the Virginia Retirement System (VRS). At 60 – 119 months of continuous participation, the first 25 days of disability are covered at 100% of pre-disability earnings, the next 25 days at 80% of pre-disability earnings, the last 75 days at 60% of pre-disability earnings. At 120 – 179

months of continuous participation, the first 25 days at 100% of pre-disability earnings, the next 50 days at 80% of pre-disability earnings, the last 50 days at 60% of pre-disability earnings. At 180 months or more of continuous participation, the first 85 days at 100% of pre-disability earnings, the last 40 days at 80% of pre-disability earnings.

6. The long-term disability benefits provide for disability over 125 days, if eligible, covers 60% of the first \$41, 667 of your monthly pre-disability earnings, reduced by deductible income.
7. Full day increments of accumulated sick leave cannot be used to supplement reduced earnings while on short-term disability.
8. Employees hired after January 1, 2014, and designated as participating in the Hybrid Retirement Plan through the VRS, may be eligible for disability benefits after the employee has satisfied a 1-year waiting period (except for Workers' Compensation), and may concurrently be eligible for leave in accordance with the Family and Medical Leave Act (FMLA), when the leave is related to their personal medical condition. All Family and Medical Leave may not run concurrently with disability benefits, if the leave is not related the employee's personal medical condition.
9. When on short or long-term disability, the employee will not be eligible for a cost of living adjustment or other pay increase until he/she returns to full-time work.

G. EMPLOYEE TIME SHEETS

All employees (permanent and part-time) are required to complete a monthly time sheet. This time sheet should reflect actual work hours and any leave time taken. The employee and the employee's supervisor shall sign the employee's time sheet monthly and submit to the Personnel Office to be retained in each employee's permanent personnel file.

The deadline for submitting time sheets from supervisory personnel to the payroll department shall be the fifth day of the month following a completed month's work. Failure to submit the time sheet by this time will interrupt payroll processing. Employees submitting time sheets late should expect a minimum of a five day delay in receiving payment. Repeated violation of the submittal deadline is grounds for disciplinary action.

H. EMPLOYEE GRIEVANCE PROCEDURE POLICY

It is the policy of the Board of Supervisors to provide fair, equitable and satisfactory working arrangements for its employees. Every effort will be made to resolve employee grievances informally with the least amount of worry and delay. However, in some cases it becomes necessary to proceed through a formal appeal and panel review to handle thoroughly a given grievance. Accordingly, the following procedure and regulations are established. It is the intent that this policy fully comply with the applicable state statutes on grievance procedures. In the

event of any conflict between this policy and state statutes, state statutes shall control and be part of this policy as if set out herein.

Coverage of Personnel

1. Included

All permanent non-probationary employees of the County, Social Services, and the Public Service Authority.

2. Excluded

- a. Probationary employees
- b. Employees of constitutional officers
- c. Temporary, limited term and seasonal employees
- d. An employee who has resigned voluntarily may not have access to the grievance procedure after the effective date of the resignation.

Definition of Grievance

As defined in Section 15.1-7.2A of the Virginia State Code, a grievance shall be defined as "... a complaint or dispute by an employee relating to his or her employment including but not necessarily limited to (i) disciplinary actions, including dismissals (where resulting from formal discipline or unsatisfactory job performance), demotions and suspensions, (II) the application of personnel policies, procedures, ordinances, statutes, rules and regulations (III) acts of retaliation as a result of utilization of the grievance procedure or of participation in the grievance of another county employee, and (IV) complaints of discrimination on the basis of race, color, creed, political affiliation, age, disability, national origin or sex, and acts of retaliation because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly.

Matters Deemed Not Grievable

Employees are advised that conditions of employment and the content of laws, ordinances and policies established by the Board of Supervisors are not grievable. By state law, wages, salaries, and fringe benefits are likewise not grievable. In addition, it is to be understood that the establishment of this procedure shall in no way remove the right of the county to do the following, provided however, that none of these rights may be exercised in an arbitrary or capricious manner:

1. Direct the work of its employees
2. Hire, promote, transfer and assign employees, except where the employee can show established promotional policies or procedures were not following or applied fairly
3. Maintain the efficiency of governmental operations
4. Reduce the work force or abolish jobs

5. Take actions necessary to carry out duties of an agency in emergencies
6. Determined the methods, means and personnel necessary to carry out operations except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance. In any grievance brought under this exception, the action shall be upheld upon showing by the county that: (i) there was a valid business reason for the action, and (II) the employee was notified of such reason in writing prior to the effective date of the action.
7. Control and manage the county's property and maintain the county's function and operations.

Determination of Grievability

If some question should exist concerning the grievability of a specific problem, and if the question cannot be resolved to the satisfaction of both the employee and his supervisor at the departmental level, the employee may make a request for a ruling of grievability from the County Administrator, who shall respond within five (5) days. In any case, no complaint may be addressed beyond the top management level before grievability has been determined. Only after grievability has been determined shall a grievance be processed through the grievance panel stage. The decision of the County Administrator may be appealed by the grievant to the Circuit Court for a hearing de novo on the issue of grievability, as provided for in Virginia Code, Section 15.1-7.2. Proceedings for review of the decision of the County Administrator shall be instituted by filing a notice of appeal with the County Administrator within ten (10) working days after the date of the decision and giving a copy thereof to all other parties. Within ten (10) days thereafter, the County Administrator shall transmit to the Clerk of the Circuit Court a copy of the decision of the County Administrator, a copy of the notice of appeal and the exhibits. The decision of the court is final and is not appealable.

Grievance Procedure

An employee wishing to file a grievance shall have the right to follow all the steps of this procedure as listed below with complete freedom from reprisal. This does not, however, confer the right upon anyone to make slanderous or libelous statements. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure without just cause will result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the non-compliance within five (5) work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator.

The County Administrator shall make all determinations on compliance issues. Compliance determinations made by the County Administrator shall be subject to judicial review by filing a petition with the Circuit Court within thirty days of the compliance determination. Failure of either party without just cause to comply with all substantial procedural requirements at the panel hearing shall result in a decision in favor of the other party.

STEP I

An employee who has a grievance, as defined herein, shall within twenty (20) work days of the occurrence of the action or event causing the grievance or of the date when the employee could have reasonably been expected to have learned of the act or event, contact his immediate supervisor for an informal face to face meeting to discuss the grievance. The supervisor shall immediately discuss the grievance with the employee and make a careful inquiry into the facts and circumstances of the complaint. The supervisor shall give the employee a verbal reply within six (6) work days following receipt of the complaint.

STEP II

If the grievance is not resolved as a result of Step I, the employee may within ten (10) work days thereafter file a written grievance with his department head on Form A. The employee must be sure that the written grievance is complete in all detail at this stage of the procedure and must specify the relief he expects to obtain through the use of the grievance procedure. No addition, deletions or adjustments to the original grievance will be allowed or accepted at a late point within the procedure. The department head will then make a separate inquiry into the complaint and meet with the employee within five (5) work days. The only persons present at this meeting are the employee, the department head, and appropriate witnesses. The department head shall inform the employee in writing on Form A of his decision and the reasons within five (5) calendar days following the date of the meeting.

STEP III

If the department head's response does not resolve the grievance, the employee may within (10) work days thereafter indicate the second step remedy to be "not acceptable" on Form A to initiate a hearing with the County Administrator. A copy shall also be sent to the employee's department head. Upon receipt of Form A indicating a hearing and verification that Steps I and II have been exhausted, the County Administrator shall within five (5) work days schedule the hearing requested. The persons present at this meeting are the employee, the County Administrator and appropriate witnesses. Both parties may also have a representative of his or her choice present. The County Administrator shall give the employee a written reply within five (5) days after the conclusion of the hearing. A copy of the reply shall be sent to employee's department head.

STEP IV

If the County Administrator's reply does not resolve the grievance, the employee may within ten (10) work days thereafter indicate the third step remedy to be "not acceptable" on form A which will require the County Administrator submit his grievance to a panel hearing and serve as a request for a panel hearing. In submitting this request, it is not necessary that the employee again provide a written explanation of what has occurred as this was contained in his written request submitted at Steps II and III and as part of the record will be made available to the grievance panel. Within seven (7) work days after the date of the written request for a panel hearing or after referral by the County Administrator as one of his options in Step III, a panel shall be chosen. One member shall be chosen by the grievant, one member shall be chosen by the County Administrator and one member shall be chosen by the first two

appointees. Members may be chosen from among county employees. If no agreement on a third member can be made, the selection shall be made by the Judge of Circuit Court. The third panel member shall be the chairperson of the panel. The decision of the panel shall be final and binding and shall be consistent with provisions of law and written policies.

To insure an impartial panel, the panel shall not be composed of any persons having direct involvement with the grievance being heard, or with the problem giving rise to the grievance. Also, managers who are in a direct line of supervision of a grievant are excluded from serving as panel members. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee or co-employee of such an attorney may serve as a panel member. In addition, the following relatives of a participant in the grievance process or a participant's spouse shall not serve as panel members; spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin.

Panel Hearing Date

The full panel shall set the time, the date and place for the hearing which should be held within ten (10) work days following the selection of the full panel. The panel chairperson shall notify the grievant and the county of the hearing date.

Rules for Panel Hearing

The rules for panel hearings shall be those set forth below "Conduct of Panel Hearing" and those set forth in Section 15.1-7.2J2 of the Code of Virginia. The following procedures are to assist grievance panels in preparing for and conduction of panel hearings. A panel's responsibility is to insure the proper application of state and county policies and procedures. Panels do not have the authority to formulate or to change policies or procedure of the county; however the panel may consider mitigating circumstances and modify county action concerning discipline. A panel by a majority vote may uphold or reverse the action of the county or may choose a modified remedy. Decision of the panel must be consistent with provision of law and written policy. A panel might determine that a grievant is entitled to reinstatement with back pay and restoration of benefits, but in no case does a panel have the authority to award damages or attorney fees. The panel hearing is the concluding step to an administrative process designed for the resolution of sensitive personnel matters. Therefore, it is recommended that the persons present at the panel hearing be limited to the grievant, the panel members, the legal counsel and/or representative of the grievant and the county, appropriate witnesses and official recorders. At the request of either party, the hearing shall be private.

Conduct of Panel Hearing

1. The county shall provide each panel member copies of all grievance forms and the county grievance procedure prior to the convening of the panel in order that each member may review the documents. Other information shall be submitted at the hearing in the presence of the parties.
2. All evidence taken by the panel shall be under oath.

3. Opening statements may be made at the beginning of the hearing and the panel may ask for such statements in order to clarify the issue of the grievance.
4. The county and thereafter the grievant, or their representatives, shall then present claims, proofs and witnesses who shall submit to questions or other examination. Each party has the right of cross examination. Equal opportunity shall be given to all parties for presentation of any material or relevant evidence.
5. The panel, by majority vote, may decide procedural questions and rule upon objections raised during the hearing.
6. Witnesses, other than the parties, shall remain in the hearing room only while giving their testimony.
7. Members of the panel may question anyone giving testimony in order to clarify points being made.
8. Exhibits may be received in evidence by the panel, by the grievant or the county and shall be marked and made a part of the record.
9. The parties shall produce additional evidence as the panel may deem necessary to better understand and make determination of the dispute. The panel shall be judge of the relevancy and materiality of the evidence offered. All evidence is to be taken in the presence of the panel and both parties.
10. After both parties have presented their evidence, the panel chairperson shall ask of all parties whether they have any further evidence to offer or witnesses to be heard. Upon receiving negative replies, both parties will be given an opportunity for a closing statement. After both sides have made a closing statement, the hearing shall be declared closed.
11. The panel shall render its decision within ten (10) work days of the conclusion of the hearing. The reasons for the panel's decision must be set forth in writing.
12. Either party may petition the circuit court for an order requiring implementation of the panel decision.
13. The panel decision is final and non-appealable and shall be consistent with laws and written policy.

I. POLICY ON INTOXICANTS

The purpose of this policy is to prohibit the use of intoxicants while in a work related capacity.

Any County employee of the County of Pulaski may be subject to immediate dismissal for any of the following:

- Using or having possession of intoxicants on County premises, in County vehicles, while in County uniform, or during working hours

- Coming to work under the influence of intoxicants

J. DRUG FREE WORKPLACE POLICY

The Board of Supervisors of Pulaski County acknowledges the problem of substance abuse, including alcohol abuse, in our community. Furthermore, the Board of Supervisors seek substance abuse as a serious threat to the health and safety of county employees and to the integrity of the operation of the county for the benefit of county citizens. The Board of Supervisors, therefore, is addressing this problem by adopting a substance abuse policy designed to promote a drug free workplace.

The ultimate goal of this policy is to balance the respect for individual privacy with the need to keep a safe, productive, drug-free environment. Anyone who uses illegal drugs as defined below or abuses alcohol is encouraged to seek help in overcoming such problems.

Given these basis objectives, the Board of Supervisors of Pulaski County has established the following policy with regard to use, possession or sale of drugs and alcohol.

Due to the nature of their work and access to medications, the Public Safety Department follows this policy along with additional specific department policies.

Substances covered by the policy:

- "Legal Drugs" - includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used solely for the purpose for which they are prescribed or manufactured.

- "Illegal Drugs" - any drug: (a) which is not legally obtainable; (b) which may be legally obtainable but has not been legally obtained; or (c) which is being used in a manner or for a purpose other than for which it was prescribed.

- "Alcohol" - or any beverage or legal drug containing alcohol is covered by this policy.

The County of Pulaski's policy is to maintain a workplace free from the use of illegal drugs and from abuse of drugs and alcohol. Any employee determined to be in violation of this policy is subject to disciplinary action which may include reprimand, suspension, without pay and/or termination.

It shall be a violation of this policy and considered misconduct which will subject an employee to disciplinary action, which may include reprimand, suspension without pay or discharge from county employment, for any county employee during his/her regular working hours to do any of the following acts:

1. bring onto or possess while on county property or in county owned vehicles alcohol or illegal drugs;
2. under the influence of alcohol or illegal drugs;
3. have on or in one's body, blood or urine alcohol or illegal drugs in any

detectable amount;

4. use, consume, transfer, sell or attempt to sell or transfer any form of alcohol or illegal drugs during working hours;
5. refuse to take a blood or breath test for alcohol or illegal drugs when ordered to do so by the County Administrator or the Assistant County Administrator.

The County of Pulaski will provide the employee who suffers from drug and alcohol abuse assistance in locating treatment and rehabilitative services. However, it remains the responsibility of the employee to seek assistance from the County of Pulaski before drug and/or alcohol abuse problems lead to disciplinary actions.

K. COUNTY OF PULASKI EMPLOYEE ASSISTANCE PROGRAM

The County of Pulaski considers its employees to be its most valuable asset and is concerned about the safety of the employees and their general state of health and well-being. Because of this, the County offers an Employee Assistance Program for county employees comprised of:

- ◆ Employee Referral - A resource directory of human services offered in the Pulaski County area that gives employees access to public and private counseling and treatment services available. The county's administrative staff is available to help an employee make a referral.
- ◆ Employee Education - County employees are encouraged to take advantage of the resources available such as publications and pamphlets available through the administrative staff on substance abuse.
- ◆ Employee Health Insurance - County employees have treatment coverage as a part of the health insurance through the County of Pulaski. Employees are encouraged to check with personnel to determine specific coverage available.

L. DRUG AND ALCOHOL TESTING POLICY

The purpose of this policy is to deter the use of drugs and alcohol in the workplace by establishing standard procedures for drug and alcohol testing for all covered employees.

Beginning on January 1 of 1996 as amended on July 1, 2012, all Pulaski County and Public Service Authority employees and those who are required to have a Commercial Driver's License (CDL) including, but not limited to: drivers of trucks, mechanics, substitute drivers, and supervisors acting as drivers must be tested for drugs and alcohol on the following basis:

L1. PRE-EMPLOYMENT

- a. Before a covered employee operates a vehicle or begins work for the County of Pulaski or the Public Service Authority for the first time, he or she must undergo drug and alcohol testing. The results must show an alcohol concentration of less than .02 percent and a negative drug test result.

- b. The County of Pulaski or the Public Service Authority (PSA) will obtain the covered employee's consent to obtain test results from previous employers within two weeks of beginning employment and will obtain such results if applicable before the covered employee operates a vehicle for the County or PSA.
- c. New covered employees with a CDL will receive a copy of the "Drug and Alcohol Testing Policy for Commercial Drivers" at the time that they are hired and will be asked to sign a statement indicating receipt of this policy.

L2. POST-ACCIDENT OR INCIDENT

- a. All covered employees involved in accidents or incidents for which a traffic citation is given or a traffic charge is made when they were operating a County or PSA vehicle will be tested for both alcohol and drugs. Testing must also occur if there is a fatality, there is an injury treated away from the scene, or a vehicle is required to be towed.
- b. Alcohol tests will be administered within two hours of the accident, if possible, and no later than eight hours after the accident.
- c. Drug tests will be performed within 32 hours of the accident.
- d. If the tests are not performed, the County or PSA will maintain a record of the reasons the tests were not promptly performed.
- e. Involved covered employees must remain available for testing, or otherwise be deemed to have refused to submit to testing. Injured covered employees will be tested at the hospital to which they are taken.

L3. RANDOM TESTING

- a. All covered employees will be subject to unannounced random alcohol and drug tests either immediately prior to or immediately after driving a County or PSA vehicle on dates spread throughout the calendar year.
- b. Fifty percent or more of the covered employees will be tested each year for drugs.
- c. Twenty-five percent or more of the affected employees will be tested each year for alcohol.

L4. REASONABLE SUSPICION TESTING

Covered employees will not be allowed to drive a County or PSA vehicle and will be tested when there is a reasonable suspicion of drug or alcohol use. Reasonable suspicion will be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. These observations will be made by a supervisor or County or PSA employee who has received a minimum of two hours of training on the indicators of alcohol and drug abuse. Such observations will be documented and dated within twenty-four hours of the time of occurrence.

L5. RETURN TO DUTY TESTING

Before a covered employee who has violated this policy can return to duty, he or she must undergo alcohol and drug testing, obtain a negative result in the drug test and an alcohol concentration of .02 or less. The return to duty testing must be conducted at the covered employee's expense.

L6. TESTING

- a. A split specimen urinalysis will be conducted for drug detection. Forty-five ml of urine will be used. It will be split with 30ml being used for the primary specimen and 15ml for the split specimen. The split specimen will be made available if the employee wants to request a second test, at his or her own expense, after being informed of a verified positive test. Tests will be performed for Marijuana, Cocaine, Opiates, Phencyclidine (PCP), and Amphetamines.
- b. An Evidential Breath Test using an EBT device operated by a trained Breath Alcohol Technician will be used to test for alcohol.
- c. The results of controlled substance testing will be reviewed by a Medical Review Officer, who is a licensed physician with knowledge of substance abuse disorders. This Medical Review Officer will not be employed by, or be a part of the laboratory performing the tests. The Medical Review Officer will contact the covered employee about positive or suspicious negative results to find out if there are prescription drugs involved. If the Medical Review Officer cannot contact the covered employee, he or she will contact the Fleet Supervisor, who will instruct the covered employee that he or she must contact the Medical Review Officer before returning to duty. The covered employee cannot continue to drive a County or PSA vehicle unless an investigation by the Medical Review Officer has proven the test results to be caused by legitimate medical treatment. The final results of the test will be reported to the County or PSA.

L7. UNACCEPTABLE TEST RESULTS

- a. A positive test for drugs.
- b. An alcohol level of .02 or greater.

L8. CONSEQUENCES

- a. Covered employees having unacceptable test results will be prohibited from driving County or PSA vehicles.
- b. Covered employees who have a confirmed positive test result or a refusal to take a test (same as positive) may be placed on probation, be suspended without pay or be terminated.
- c. Covered employees who are found to be in violation of this policy will be advised of available resources for evaluation and treatment of alcohol and controlled substance problems. Any rehabilitation program must be at the expense of the employee.

L9. REFERRAL EVALUATION, TREATMENT

- a. Any driver who engages in prohibited conduct shall be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs.

- b. Before returning to duty in a driving position as a CDL driver, the driver must pass a return to duty test and complete any program prescribed by the substance abuse professional.
- c. The driver will be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty. These tests will be a minimum of 6 in the first 12 months following the driver's return to duty. Follow-up testing shall not exceed 60 months from the date of the driver's return to duty. This testing may be terminated by the substance abuse professional after the first six tests, if no longer deemed necessary.

L10. DOCUMENTATION

- a. Observations of behavior that constitute reasonable suspicion will be recorded in writing within twenty-four hours of the occurrence. The documentation will be dated and signed by the observer.
- b. The County or PSA will maintain a summary of annual testing results and other information, including monthly positive and negative reports with substances detected, and all chain-of-custody forms, which will be made available to the Federal Highway Administration upon request.
- c. The signed statements of all covered employees indicating their receipt of the CDL Drug and Alcohol Testing Policy will be placed in their personnel files.
- d. A record will be kept of training provided for supervisors and for covered employees.
- e. All documentation relative to the implementation of this policy will be maintained for the period of time specified by the Department of Transportation and Federal Highway Administration.

L11. TRAINING

- a. Training on how drugs and alcohol might affect them and work environment will be provided for all covered employees. Copies of the "Drug and Alcohol Testing Policy for Commercial Drivers" will be distributed to them, and they will be asked to sign a form that they received this policy.
- b. Training on how to recognize signs of alcohol and drug abuse and how to document behavioral changes in employees who might be abusing drugs or alcohol will be provided for all supervisors of covered employees.

L12. DEFINITIONS

- a. **Prohibited Substances or Drugs:** Any illegal substance under Virginia law or controlled substance under Virginia law or further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Illegal use includes use of any illegal drug misuse of legally prescribed or obtained drugs.

- b. **Alcohol:** Alcohol use is the consumption of any beverage, mixture or preparation including any medication or product containing alcohol.
- c. **Covered Employees:** Covered employees include those Pulaski County and Public Service Authority employees who are required to hold a Commercial Driver's License as a condition of employment.

L13. PROHIBITED CONDUCT

- a. **Prohibited Substances or Drugs:** No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a vehicle.
- b. **Alcohol:** No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of BAC.02 or greater or while in possession of alcohol. No driver shall use alcohol while performing safety sensitive functions. No driver shall perform safety sensitive functions within four (4) hours after using alcohol.

L14: CDL DRIVERS DRUG AND ALCOHOL TESTING POLICY

The Pulaski County Board of Supervisors adopted a Drug and Alcohol Testing Policy for anyone operating a County of Pulaski or Public Service Authority vehicle requiring a Commercial Driver's License.

Following is some important information about drug and alcohol testing.

- 1. The PSA Executive Director and other related supervisors are responsible for answering questions about the materials covering drug and alcohol testing.
- 2. A covered employee is anyone who has a commercial driver's license to perform his/her job duties and that performance concerns a safety-sensitive function (driving).
- 3. The safety-sensitive function is anyone driving, ready-to-drive or immediately available to drive as an employment responsibility.
- 4. The covered employee will be administered a ten panel drug test as well as alcohol test.
- 5. The test will be conducted under the following circumstances:
 - A. Pre-employment
 - B. Post-Accident
 - C. Random
 - D. Reasonable Suspicion
 - E. Return-to-Duty

6. The testing will be conducted by a NIDA approved lab. It will be a split sample urinalysis for drugs and an Evidential Breath Test for alcohol.
7. Any covered employee must submit to the drug and alcohol tests as determined by Pulaski County Policy "Drug and Alcohol Testing for Commercial Drivers".
8. A refusal will be considered a positive and the employee will be removed from the safety sensitive duty with the possibility of suspension and/or termination.
9. Any covered employee who has a confirmed positive will be immediately removed from the safety sensitive duty. The employee will be subject to possible suspension and/or termination.
10. Any covered employee who has an alcohol test above .02 will be removed from their safety sensitive duty and will be subject to suspension and/or termination.
11. All covered employees will receive a list of substance abuse professional and/or agencies providing this necessary information.

M. RECOGNITION POLICY

M1. SERVICE AWARDS POLICY AND OTHER RECOGNITION (Updated BOS 3/23/15 & PSA 4/14/15, Updated BOS 11/19/2018)

Purpose

The purpose of the Service Awards Program is:

1. to commend faithful service performed by County employees;
2. to emphasize that each individual plays a key role in the County's progress;
3. to recognize that an employee's contribution grows with each additional year of service;
and
4. to encourage career employment with the County.

I. Basis for Awards

A. Determination of Awards

Service Awards will be based on continuous service (as defined below) by eligible employees.

B. Continuous Service

Any break in service for a period of thirty (30) or more consecutive calendar days shall destroy the continuity of service. However, authorized leaves of absence such as vacation leave, annual leave, military training leave and approved sick leave shall not destroy continuity of service and credit for the time will be granted; nor shall military duty leave, approved education leave and other approved leaves of absence destroy continuity of service.

C. Dismissal

No credit shall be given for employment with the County terminated by a dismissal. Any employee who is dismissed and is later re-employed with the County shall not receive credit for previous employment with the County.

D. Transfer

The actual employment date employed by any branch of the county shall be used for service awards given to transferred employees by the county from the School Board and PSA employees or employees from other localities or agencies only when it applies to the collaboration of joint services as would be included in specific collaboration agreements.

E. Seasonal & Part-Time Employees

Seasonal & temporary part-time employees will be recognized but with certificates of service only (no monetary awards). Permanent part-time employees will receive the same monetary award as a full-time employee. Part-time employment will count towards full-time credit if there has been no more than a 30 day break of service.

II. Awards

The following awards/recognition are awarded to Pulaski County/PSA employees as follows:

1. SERVICE RECOGNITION: An employee will be given a Service Recognition Certificate and a gift with each five years of continuous employment with the county.

Any other awards/recognition which may be implemented by the County Administrator.

Amounts and service years are outlines below:

5 years - \$50
10 years - \$75
15 years - \$100
20 years - \$150
25 years - \$200
30 years - \$250
35 years - \$300
40 years - \$350

M2. SERVICE REVOLVER IN LIEU OF RETIREMENT GIFT

The Board approved, per Section 59.1-148.3 of the Code of Virginia, as amended, allowing Sheriff Department deputies the option of receipt of their service revolver upon retirement in lieu of a retirement gift.

M3. RECOGNITION POLICY FOR RETIREES OF PULASKI COUNTY (REVISED BOS 1/25/2016)

It shall be the policy of Pulaski County to recognize retirees of Pulaski County in the following manner based on years of service with the County:

5 to 9 Years Service:

A county shaped wooden engraved plaque and a county lapel pin will be given to the retired employee.

10 to 15 Years Service:

A county shaped wooden engraved plaque, a county lapel pin and a county logo shirt will be given to the retired employee.

16 to 20 Years' Service:

A county shaped wooden engraved plaque, a county lapel pin, a county logo shirt, a courthouse print, and a cash contribution valued at a gross \$600 will be given to the retired employee.

21 to 29 Years' Service:

A county shaped wooden engraved plaque, a county lapel pin, a county logo shirt, a courthouse print, a reception or cash contribution valued at a gross \$1,000 will be given to the retired employee. Based on the cost of the reception, the employee may request the difference as a cash contribution up to a combined maximum of \$1,000.

30 & Above Years' Service:

A county shaped wooden engraved plaque, a county lapel pin, a county logo shirt, a courthouse print, a reception or cash contribution valued at a gross \$1,300 and a resolution from the Board of Supervisors will be given to the retired employee. Based on the cost of the reception, the employee may request the difference as a cash contribution up to a combined maximum of \$1,300.

The above policy as it pertains to years of service shall only apply to years of service by Pulaski County or the Pulaski County Public Service Authority and not based on VRS service.

***Cash awards or receptions will not be given by the county where the county is providing payroll services to non-county agencies.*

M4. BONUS - GED COMPLETION

Employees who attain their GED certificate are awarded a \$100.00 cash bonus from the County. A copy of the GED certificate should be provided by the employee to the County Administrator's Office to receive the \$100.00 bonus.

M5. ANNUAL EMPLOYEE BONUS

Employees who are considered full time and employees who work more than 600 hours AND are scheduled to work 12 months out of the year with other agencies or departments (subject to approval and reimbursement by those agencies) shall be eligible to receive the annual \$100 VISA gift card bonus in December. In order to receive the bonus, the employee must still be employed as of November 15th. Bonuses are subject to tax as an IRS Taxable Fringe Benefit.

N. TRAINING POLICY

With prior approval of the County Administrator on such forms as may be prescribed by him, employees shall be reimbursed for all reasonable expenses incurred in participation in short courses, seminars, conferences, meetings, etc., coincident with the employee's routine responsibilities with the County.

With prior approval of the County Administrator, employees may be reimbursed for the cost of tuition and books for actual class attendance or for correspondence courses, satisfactorily completed, which are directly related and which will enhance the employee's ability to perform the job for which he was hired.

The County Administrator shall be responsible for the organization, conduct and execution of any other training programs which might be of value to County employees (in-service training).

O. EMPLOYEE POLITICAL ACTIVITY POLICY

Employees of the County serve all County residents equally. The political opinions or affiliations of any resident will in no way affect the amount or quality of service received from the County. An individual's political affiliation, preference, or opinion will not in any way influence appointment, retention, or promotion as a County employee. No employee will, directly or indirectly, give, render, pay, offer, solicit or accept any money, services or other valuable consideration of or on account of any appointment, proposed appointment, promotion or proposed promotion to a position in Pulaski County.

Employees of the County will not solicit any assessment or subscription intended for any political purpose from other employees or the general public. Employees of the County will not contribute money to any candidate or political party except on a strictly voluntary basis.

Any employee wishing to run for a political office which may have a direct bearing on his job, such as for the Board of Supervisors, must take a leave of absence from his or her position from the date of filing for candidacy until the date of election.

P. CONFLICT OF INTEREST POLICY

County employees may not engage in outside business or professional activities or accept employment in private enterprises if such activities or employment (1) will be in conflict with the interests of the County Government, (2) will interfere with the performance of official duties, (3) will use or appear to use information obtained in connection with official duties which is not generally available to the public, or (4) reasonably might be regarded as official action.

In deciding whether the outside business activities or employment of any employee are prohibited, consideration will be given to whether such activities would prevent the employee from rendering full-time service to the government or require so much time that they might impair efficiency in County work.

There is no objection to an employee's engaging in outside business or employment so long as there is no violation of the rules as interpreted herein.

Employees of the County will, in all cases, be guided in their action by the highest of ethical standards. Information gained through association with the County will not be used for personal profit or gain, nor may normal business associations with anyone be used to the personal advantage of an employee. For example, employees may not:

1. Speculate or trade in real estate to take advantage of information gained through the County.
2. Be employed or accept payment for services from contractors or others.
3. Purchase or offer bids on surplus County property, unless sale of services and goods are offered at uniform prices available to the general public by an independent public auctioneer. The above are not necessarily all inclusive but are to serve as examples of types of activities not authorized.

Q. GIFTS AND GRATUITIES POLICY

An employee of Pulaski County is subject to disciplinary action if he accepts "gifts or gratuities" of value from anyone doing business with the County or anyone actively operating under the various codes and ordinances of Pulaski County.

The term "gifts and gratuities" includes, but is not limited to monies, credits, lavish meals, household appliances and furnishings, clothing, loans of money, tickets to sporting events, theaters, etc., transportation, vacations, travel or hotel expenses and various forms of entertainment. County related business trips paid for by others must receive prior approval of the Board of Supervisors.

The term value could apply to any gift if given in return for "special treatment" from the County. The receipt of such items as calendars, sample advertisements such as a pencil or ball point pen on which the employer's place no real value may be accepted as a courtesy, but only if the employee has not requested the item. The overriding factors shall be that the gift is accepted as a courtesy, has no value to the employee, is not requested by the employee and is in no way related to "Special treatment" for the giver. Any gift should be discouraged when possible.

Employees may not personally accept gifts of significant value, but may accept gifts or contributions that will be used to the benefit of the public in a county office, subject to acceptance

of that contribution being confirmed by the County Administrator or the Board of Supervisors. A value in excess of \$25.00 shall be deemed significant.

R. COUNTY VEHICLES AND TRAVEL POLICY

R1. IN-COUNTY VEHICLE USE POLICY

Employees assigned vehicles for travel to and from work, or employees in route in a county vehicle on county business, may stop for personal needs of short duration (fifteen minutes or less for shifts less than 12 hours in duration, shifts longer than 12 hours in duration are allowed longer stops). Such employees may also drive county vehicles for lunch or other meals during working hours. (Travel for meals should not be outside the immediate area where work is going on. If in the Town of Pulaski, meals should be partaken in the greater Pulaski area. If in Fairlawn, meals should be taken in the greater Fairlawn area.) Public Safety Department employees must remain available for emergency calls during meal times and personal stops.

R2. CONFERENCE TRAVEL POLICY

Plans for conference attendance shall be submitted with annual budget requests. The Board of Supervisors in developing the budget, shall indicate any conferences requested that should not be attended. Of those conferences approved for attendance by the Board of Supervisors, attendance shall be undertaken within budgeted travel allocations. Travel funding in whole or in part by the County shall be subject to advance notice to the Board of Supervisors, through notification of the County Administrator. For employees under the supervision of the County Administrator, consent of both the supervisors and the administrator will be necessary prior to attendance. Attendance, lodging, and registration shall be at the lowest reasonable cost. Lodging provided at the facility where the conference is held shall be deemed appropriate. Government discounts shall be requested for all lodging, unless the conference arrangements include such discounts.

R3. MILEAGE REIMBURSEMENT

Employees may request the use of a county vehicle to use for county business; however, should a county vehicle not be available, the employee shall receive mileage reimbursement at the current state approved rate. A travel reimbursement form should be submitted by the employee for this reimbursement and include specific dates and locations of traveled miles. The state mileage reimbursement rate may change from time to time.

R4. OUT OF TOWN MEALS REIMBURSEMENT POLICY (Revised 10/24/2016)

Pulaski County reimburses employees for out of county travel expenses at the following per diem basis of \$12 for breakfast, \$12 for lunch and \$24 for dinner. Reimbursement for breakfast is allowed if travel requires leaving home before 6:00 a.m. and for dinner if returning home after 7:00 p.m. Exceptions are for meetings where meals are provided as a part of the meeting program. A travel reimbursement form must be submitted by an employee and signed by the employee's immediate supervisor to receive reimbursement. Per IRS Taxable Fringe Benefit Regulations, employees are subject to taxable meals if the meals are not a result of an overnight stay.

R5. TRAVEL REIMBURSEMENT POLICY

In accordance with Section 15.1-547 of the 1950 Code of Virginia, as amended, the County of Pulaski shall reimburse an employee for travel expenses after said expenses have been incurred by the employee. Said travel expenses must be for county related business and include meals, motel/hotel expenses, mileage, and transportation fees. Employees may submit said expenses on the appropriate travel expense forms. All expenses must be approved by the appropriate department head prior to submittal to the accounts payable clerk for payment.

Advance travel expenses to an employee shall only be made in an unusual situation and only upon approval of the County Administrator.

R6. EXPENSE REIMBURSEMENT APPROVAL BY IMMEDIATE SUPERVISOR

The Board of Supervisors approved the following Expense Reimbursement Policy for employees:

The following policy shall apply to any expense an employee is requesting reimbursement for from the County of Pulaski such as mileage reimbursement, meals reimbursement, lodging reimbursement, other travel expenses, and any miscellaneous expense for which the employee is requesting reimbursement.

All employees requesting reimbursement for mileage, meals, lodging, other travel expenses, and any miscellaneous expense, must have the appropriate reimbursement request form signed and approved by the employee's immediate supervisor prior to submitting said reimbursement request to the county's accounts payable clerk for processing. Payment will not be made to the employee until the supervisor has approved the reimbursement request.

R7. DRIVER SAFETY AND EVALUATION POLICY

Driver Eligibility Guidelines:

The following guidelines shall be considered minimum for all drivers of county owned vehicles:

1. Where possible, a driver of a commercial vehicle should be at least 21 years of age, and have at least one year of previous experience operating the type of vehicle used by the county. Where exception to this exists, documentation on reasons why, and what program elements exist to control exposures presented by younger or inexperienced drivers shall be required. A driver-training program where the inexperienced driver rides with and is trained by a driver trainer for a period of 1 week would be an example of a control program.
 - a) The driver should have a valid license, appropriate for the type of vehicle to be operated, as well as cargo, and that license should not have been suspended or revoked during the previous three years. Individual exception may require additional documentation on the nature of the suspension.

Reviewing Violations:

In reviewing driver history on the Motor Vehicle Record, the following may be utilized, and drivers with the following may be unsuitable for operating a vehicle on county business.

2. Conviction for the following serious motor vehicle violations:
 - a. Operating under the influence of drugs, alcohol or other impairment;
 - b. Failure to stop following an accident, or “hit and run”;
 - c. Homicide or manslaughter with a motor vehicle;
 - d. Operating a vehicle while license under suspension;
 - e. Participating in a speed contest or drag race;
 - f. Fleeing or eluding a police officer;
 - g. Reckless driving or driving to endanger;
 - h. Use of a motor vehicle in the commission of a felony;
 - i. Theft or use of motor vehicle without permission from the owner;
 - j. Assault with a motor vehicle; and
 - k. Violations of state regulations on implied consent.
3. More than three convictions for motor vehicle moving violations (other than those listed in 2 above) during the previous 36 months. Violations may have occurred in either a commercial or private vehicle. Reviewing number and seriousness of violations is much preferred to using the VA DMV point system.
4. Involvement in two or more avoidable (at fault) accidents during the previous 36 months.
5. Any combination of three incidents, (other than those listed in 2 above) accidents/violations within the previous 36 months.

In-Service Drivers

During the annual review of driving record, the same criteria should be applied to in-service drivers. Drivers who exceed this criteria should receive some type of training and/or disciplinary action (i.e. car use privileges removed, probation, etc.). Drivers allowed to continue using county vehicles should be counseled on county concerns, what action must be taken by the driver/county to correct the identified problem and a commitment to meet the driver eligibility guidelines within a one-year period. This documentation should be agreed to and signed by the driver. This action should be documented in the employee’s file.

Violations of this policy will be addressed as disciplinary issues in accordance with the Pulaski County Personnel Policies.

R8. VEHICLE USE POLICY

I. Division of Motor Vehicles Record Check

During employment with the County of Pulaski, events may occur that require an employee or volunteer to use a county vehicle. This policy is to clarify that driving record reviews will be conducted during the hiring process and randomly throughout employment. This measure allows the county to be as safe as

possible by allowing qualified individuals to operate county vehicles and preventing non-qualified individuals from endangering others safety.

II. County Vehicles

A. County Vehicles may be used in the following situations:

1. Required job use as an employee or volunteer.
2. Business events such as banquets or business trips outside of the County of Pulaski.
3. Errands for the county where the employee may not want to put mileage on his/her own personal vehicle.

B. With every situation listed above county vehicles will be checked in and checked out through the County Administrator's office. This does not apply to required job use.

III. Driving Requirements

A. Individuals will not be allowed to operate county vehicles if the following conditions are found when applying for employment with the County of Pulaski, the Pulaski County Public Service Authority or upon random records checks:

1. Any applicant or employee found to have any six point violations on his/her record with in the past 11 years
2. Any applicant or employee with a suspended or revoked license, until the license is reinstated
3. Any applicant or employee with a conviction of a driving related crime (i.e. voluntary manslaughter)
4. Any applicant or employee with a violation that stays on the driving record for the life of the individual

B. When applying for a position with the county that requires the individual to obtain a commercial driver's license, the following must not be on the driving record of the individual:

1. any violation that stays forever on the applicants driving record
2. any six point violations within the past 11 years

C. All information found from review of the driving record will remain confidential to the public and will only be seen by the appropriate authorities including the department manager, the assistant county administrator or the county administrator and the county's insurance carrier.

- D. When a third party (i.e. insurance carrier) receives a copy of the employee's or applicant's driving record based on review for employment or random record review, the applicant or employee will receive a copy as well. *Notice Given for Records Supplied Virginia Code 46.2-212.*

IV. Maintenance of County Vehicles

- A. Although cars and other county vehicles will be thoroughly inspected by the county garage before any use, the driver of the vehicle at that time will be required to make sure:
 - 1. The vehicle's registration is up to date.
 - 2. The tags, such as town and county stickers, of the vehicle are current and visible.
 - 3. The vehicle is operating properly:
 - i. tires are inflated and tread is visible
 - ii. no unusual sounds are coming from the car
 - iii. the brakes are safe, and work properly
 - iv. alarms, if equipped, work properly
 - v. head lights, and interior lights work properly
 - vi. the oil is at a proper level
 - vii. gas is full and,
 - 4. The vehicle is clean on the interior and exterior.
 - 5. If the employee must put gas or oil into the vehicle prior to being able to get to the garage, the employee will be reimbursed for the cost of the materials.

If any of the listed problems are discovered on a county vehicle, the employee is required to report these problems immediately to the nearest supervisor.

V. TRAFFIC VIOLATIONS

- A. In the event that a citation to appear in court is given for a traffic violation, while an employee is operating a county vehicle, the employee shall report the violation to the department manager or the immediate supervisor. A copy of the citation will be made and kept on file in the administration building.
 - 1. Immediately reporting a violation may prevent the employee from further discipline with the county.
 - 2. Not reporting a cited violation may result in the county assuming what may have happened during the incident and may result in revocation of the employee's privilege of operating a county vehicle in the future or the employee's employment with the county may be terminated.
 - 3. The employee is also required to report traffic violations that occur outside of the workplace to his/her supervisor. Citations given for traffic violations outside the workplace will not be kept on file by the County.

VI. PERSONAL VEHICLES

- A. The Personal Vehicle use policy only applies when an employee's supervisor requests the employee use their own vehicle as a means of transportation in the performance of their job duties.
- B. In the situation that a county vehicle is unable to be driven (broken down, maintenance is not up to par) the employee may use his/her own personal vehicle.
- C. When using his/her own personal vehicle, the employee will be entitled to compensation for mileage, paid for by the County of Pulaski.

VII. DIVISION OF MOTOR VEHICLES RECORD CHECK DICTIONARY

- A. Six Point Violation- please refer to DMV pamphlet on *Moving Violations and Point Assessments*.
- B. Commercial Driver's License Positions-
 - 1. Public Service Authority:
 - i. water personnel
 - ii. sewer personnel
 - iii. refuse personnel
 - 2. County of Pulaski Maintenance Facility
 - 3. Animal Control personnel ⁴

R9. VEHICLE ACCIDENT LEGAL DEFENSE POLICY

It is the POLICY of the Board of Supervisors of Pulaski County, Virginia, that traffic charges arising from operation by County officials or County employees legal operation of a motor vehicle in the line of duty shall be defended on behalf of the official or employee by the County Attorney or through his office, unless such defense is objected to by the County's insurance carrier.

Civil suits, or the threats thereof, shall be defended as directed by the County's insurance carrier.

Any claim arising from the use of a county vehicle shall be referred immediately to the County's insurance carrier. ⁵

S. RELEASE OF PAYROLL CHECKS POLICY

⁴ Policy Approved 7/28/03

⁵ Policy Approved 8/25/03

The following procedure is hereby established regarding the release of payroll checks from the Office of the County Administrator:

1. Payroll Checks are to be picked up by the Department Head or the Department Supervisor only. If the department head or supervisor wishes to designate an employee within his department to pick up checks, he or she may do so by advising my office.
2. Payroll Checks will not be released prior to payday except when an employee is scheduled off. The employee's department head or supervisor may pick the employee's checkup one (1) day prior to payday after 2:00 p.m. if the employee is scheduled to be off.
3. Payroll Checks will not be released from this office to a family member. The employee may make arrangements with their department head or supervisor for a family member to pick up an employee's payroll check from the appropriate department head or supervisor.

T. EMPLOYEE BREAKS POLICY

Personnel who have breakfast should provide time prior to work to complete such activities. If the work crew has problems with providing time for meals prior to work hours, an attempt could be made to delay work reporting time to allow time for such activities. It is realized that in unusual circumstances, as an example, where work hours have been altered due to emergency work, it would be reasonable to stop for such a break.

It is not intended to restrict employees from stopping at stores but it is intended that supervisors and/or employees will be held accountable for unreasonable activities. As a guide to reasonable activities, the following is provided:

1. Stopping for meals or purchases, on a regular basis, within two (2) hours after work hours begin is unreasonable.
2. Employees who will not have access to stores throughout the day should bring with them what food and/or refreshments they may like and not request a work crew stop for such activities.
3. Any stop during work hours should be completed promptly with return to work without unnecessary waste of time.
4. Travel time for lunch is allowed.

Public Safety Department personnel are expected to be available for emergency calls during meal times, refreshment stops, breaks, and all other times while they are on duty. Therefore, this policy does not apply.

U. RESIGNATION

A resignation shall be defined as a voluntary separation from employment through written notification to the employing authority initiated by the employee.

All employees desiring to resign their employment with the County shall submit written notification of such intent to their employing authority. This notification shall include the reason for resignation; the actual date and hour the resignation is to become effective and shall be signed by the employee. A copy of the notification shall be forwarded to the County Administrator for its inclusion in the file.

It is requested that all employees give at least fourteen calendar days' notice (Public Safety Department employees should give 30 calendar days notice) prior to the effective date of resignation, except where specific circumstances prohibit such advance notification. Such resignation may be withdrawn by the employee at any time prior to the effective date with the approval of the department head. Non-Probationary employees who resign shall receive payment for all annual leave for which they are eligible according to the annual leave policy.

Any employee giving less than one (1) week (five working days) notice upon resignation will forfeit an equivalent amount of accumulated leave. In addition, any County property not returned upon resignation will result in having the value of the property deducted from any pay due to the resigning employee.

For those employees who fail to submit the written notification prior to their termination date, the employing authority shall forward a letter certified mail (return receipt requested) stating it is his/her understanding the employee has voluntarily resigned employment. An employee's failure to respond immediately regarding any errors contained within this certified letter shall constitute a valid resignation.

1. Exit Interview Policy:

The purpose of this policy is to identify workplace, organizational or human resource factors that have contributed to an employee's decision to leave employment; to enable the County to identify trends requiring attention or any opportunities for improving the county's ability to respond to employee issues; and to allow the County to improve and continue to develop recruitment and retention strategies aimed at addressing these issues.

This policy covers the procedures to be adopted when members of the county leave employment for whatever reason.

SCOPE:

This policy applies to all full time and part time employees including employees taking early retirement and voluntary severance. Exceptions include temporary or contract employees.

PROCEDURE:

It is the supervisor's responsibility to contact the human resource department upon the retirement, termination or severance of an employee's position. The designated human resource representative will contact the employee either via phone, e-mail or in writing inviting the employee to attend a face-to-face exit interview at a mutually convenient time. The exit interview must take place within three working days after the confirmed severance of employment date is determined from the employee.

The employee will be asked a standard set of questions and given a chance to discuss any concerns or provide information they feel would be beneficiary for the County and what they feel the county should know about their employment experience.

Upon the request of the employee, the exit interview form may also be sent via e-mail for the employee to complete rather than having to participate in a face-to-face setting as long as it is signed and returned within three business days.

Should the employee choose not to participate in either the face-to-face or e-mailed version of the exit interview process, he/she at a minimum will be required to complete Part III, Payroll Information, which must be provided to the payroll department by the human resource representative in order to process their final payout. Failure to return this form may result in delay of final payment.

VOLUNTARY PARTICIPATION AND CONFIDENTIALITY:

Employees are responsible for participating in the exit interview process on a voluntary basis. If an employee chooses to participate in an exit interview, he/she will be encouraged to be honest, candid and constructive in their responses.

The information received through Exit Interviews will be confidential. No specific information that could possibly be tracked to the employee will be disseminated or discussed with other employees or with the employee's supervisor.

REPORTING:

The information will be analyzed by the Human Resources department to identify areas or determine trends that may need to be addressed. Periodically, Human Resources may share analysis data and make recommendations with designated members of the staff and the County Administrator.

The analysis and review will include:

- Appropriate statistical information regarding the number and distribution of employee departures during the preceding year and reasons employees have left;
- An analysis and discussion of any trends or common themes which are suggested by the exit interview feedback;
- A summary of any actions or interventions taken during the year on the basis of exit interview information; and
- Any actions the department feels are required in order to address any concerns or opportunities which are identified through exit interview feedback.

V. HARASSMENT POLICY

Policy Statement

Pulaski County shall be committed to providing employees and volunteers a workplace environment, which is free of discrimination, intimidation and harassment of all types. Harassment on the basis of sex and/or race may be a violation of Title VII, Section 703, of the Federal Civil Right Act of 1964, as amended. Harassment on the basis of disability may be a

violation of Title II of the American With Disabilities Act of 1990. It shall be the policy of Pulaski County that sexual and other unlawful harassment of employees in any form is prohibited.

Pulaski County will not tolerate any form of harassment including harassment for the following reasons: race, color, religion, national origin, disability, pregnancy, military status, sex, age or any other legally protected category or group. Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. The desired standard of behavior for all county employees shall be one of cooperation and respect for each other, despite any differences.

Persons Covered:

This policy shall apply to all employees and volunteers of Pulaski County, including but not limited to employees in all full-time, part-time positions, and volunteers, working under contract with Pulaski County. An elected constitutional officer, (Treasurer, Sheriff, Commonwealth Attorney, Clerk of Circuit Court and Commissioner of the Revenue) at their own discretion, may adopt county policy regarding harassment or have a separate policy for their employees.

Types of Harassment:

In general, harassment includes, but is not limited to the following:

Verbal Harassment – Epithets, derogatory comments or slurs on the basis of national origin, race, color, sex, religion, disability, military status, age, pregnancy or any other legally protected category or group. Including, but not limited to suggestive remarks, jokes and offensive personal references.

Physical Harassment – Assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on national origin, race, color, sex, religion, disability, military status, age, pregnancy or any other legally protected category or group. Including, but not limited to striking an individual, throwing an object at an individual, use or presence of a weapon, or any other physical act, which may bring physical harm to another individual.

Visual Forms for Harassment – Derogatory posters, notices, bulletins, cartoons or drawings on the basis of national origin, race, color, sex, religion, disability, military status, age, pregnancy or any other legally protected category or group. Including, but not limited to, display in the work place of sexually suggestive objects or pictures, including nude photographs.

Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal/nonverbal or physical conduct of a sexual nature, upon which an employment benefit is conditioned, and that unreasonably interferes with an individual's work performance or creates an offensive work environment. Including, but not limited to, sexual flirtations, touching, advances, or propositions, verbal abuse of a sexual nature, graphic or suggestive comments about an individual's dress or body, sexually degrading words to describe an individual, and the display of sexually suggestive objects, pictures or photographs in the work place.

Exclusions:

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance.

Reporting of Harassment:

Employees who experience harassment in any form should clearly state to the individual that his/her behavior is offensive to them, and upon its occurrence or repetition should promptly bring the matter to their immediate supervisor's attention or to a county department head or to Human Resources.

Supervisors, department heads and Human Resources have a responsibility to act immediately and take corrective action regarding harassment complaints. Supervisory employees who become aware of possible unlawful harassment may promptly advise their department head and/or Human Resources. Any supervisory employee who allows unlawful harassment to continue or fails to take appropriate corrective action shall be considered a party to the act of behavior, even though they themselves may not behave in such a manner. Lack of prompt, appropriate corrective action by any supervisory employee may be grounds for disciplinary action, including dismissal.

Harassment by Non-Employees:

Employees who have been subjected to harassment in any form by individuals who are not employees of Pulaski County including, but not limited to, citizens, vendors, contractors, etc., should follow the same reporting procedure as outlined above for any harassment charges. Pulaski County may not be able to discipline the offender; however, there may be other means to deal with the problem or to minimize the chance of recurrence of the harassment.

Complaint Process:

Complaints for any and all forms of harassment shall be handled and investigated under the County of Pulaski's grievance procedure. It is the policy of Pulaski County to take prompt and immediate action in response to all harassment complaints.

Coordination of Harassment Complaints:

It shall be the responsibility of the Human Resources Director to coordinate and investigate all harassment complaints. All complaints will be investigated promptly and in an impartial and confidential manner. All employees are required to cooperate in any harassment investigation.

The Human Resources Director shall make and keep a written record of the investigation, including notes of verbal responses made to the Director by the person complaining of harassment, witnesses interviewed during the investigation, the person against whom the complaint of harassment was made, and any other person contacted by the Director in connection with the investigation. Based on the results of the investigation, the County Administrator shall determine whether conduct of the person against whom a complaint of harassment has been made constitutes harassment.

Confidentiality:

Every effort shall be made by all parties involved to protect the confidentiality and privacy of all information and documents pertaining to a harassment complaint. Persons conducting investigations shall not communicate the fact that an investigation is pending nor shall they communicate the contents or findings of such investigation except to appropriate parties. Breach of confidentiality may result in disciplinary action, including dismissal.

Policy Against Retaliation:

Retaliation against any employee for filing a complaint or participating in a harassment investigation is strictly prohibited. This includes both direct retaliation or reprisal, or the encouragement of others to engage in retaliation or reprisal against any employee or individual who:

1. Opposes any conduct prohibited by this policy;
2. Complies or encourages others to comply with any provision of this policy;
3. Files a complaint concerning any violation of this policy;
4. Testifies, assists, or participates in any investigation or hearing resulting from a complaint under this policy; and
5. Exercises or attempts to exercise any right conferred under this policy.

Discipline:

Any employee found to have been engaged in any unlawful form of harassment, who is found to have knowingly condoned, encouraged, or perpetuated an act or acts of unlawful harassment, or who is found to have in some way participated in retaliation or reprisal, may be subject to disciplinary action, including, but not limited to, suspension, demotion and/or dismissal.

W. VIOLENCE PREVENTION POLICY

Policy Statement:

Pulaski County desires to provide a safe environment for county employees and citizens who conduct business on county property. It is the policy of Pulaski County that any acts of workplace violence by or to any individuals are prohibited.

Purpose:

The purpose of this policy is to reduce the risk of violence and to establish a standard procedure for dealing with threatening and violent situations in the workplace.

Persons Covered:

This policy shall apply to all employees of Pulaski County, including but not limited to employees in all full-time and part-time positions and employees under contract with Pulaski County.

Definitions:

Workplace: Any place a county employee performs work for the county is the workplace, including but not limited to buildings, parks, parking lots, and vehicles.

Violence: Action that includes the use of physical force, verbal and physical harassment or intimidation, or abuse of power or authority, where the impact is to control by causing pain, fear, or hurt; may take the form of hitting, shoving, pushing, kicking or sexual assaults. Examples of verbal abuse include shouting in an angry tone, using abrasive or inappropriate language, threats, or cursing.

Threat: A threat is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future.

Property Damage: Property damage is intentional damage to property which includes property owned by the county, employees or others.

Warning Signs of Potential Violence:

Potential warning signs of violence or potential violence include: threats of harm, a history of violent behavior on or off duty, using physical intimidation, excessive discussion of weapons or carrying a weapon; expressing bizarre thoughts such as perceived conspiracies, obsession towards a failed or imagined love interest, holding a grudge against a co-worker or supervisor, fascination with incidents of workplace violence in the news, making hostile, degrading or inflammatory statements.

Report of Threats/Violent Incidents:

Employees are responsible for notifying their immediate supervisor of any threats or violent incidents which they have witnessed, received or have knowledge of. If the supervisor is the party who is issuing threats or harassment, the employee should bypass that individual and report the incident to a county department head or to the County Administrator.

Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on county property or is in any way connected with county employees.

Employees are responsible for reporting threats or violent incidents regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

An employee who has secured a Protective Order from a court should make his or her supervisor aware of the existence of such an order and provide a copy of said order to his or her supervisor.

If the immediate supervisor is not available to report an incident to, then the employee should report the incident to the next level of supervision or to the County Administrator.

In the event of an immediate potentially serious or threatening situation, an employee should call 911 or the Pulaski County Sheriff's Office at 980-7800 for assistance.

An employee who reports incidents of threats or violence shall be protected from retribution to the fullest extent possible. In addition, every effort shall be made to protect the confidentiality and privacy of all parties involved.

Responsibility of Supervisors and Department Heads:

Supervisors and department heads have an additional responsibility of anticipating, assessing and defusing violent or potentially violent situations. If an altercation, either verbal or physical, occurs in the workplace, the supervisors and/or department head should attempt to defuse the situation if at all possible. Individuals involved in the incident should be separated and directed to different areas of the work site. A supervisor and/or department head is not expected to become physically involved or to place themselves at risk in an attempt to separate the individuals involved in an incident. If the individuals cannot be separated and order restored, then the supervisor and/or department head should call 911 immediately and then notify the County Administrator of the incident.

Once the situation is controlled, the supervisor shall separately interview all persons involved, including any witnesses, in order to obtain an accurate account of the incident. A written report of the incident shall be filed with the County Administrator within (2) working days of the incident. Said report should include the following information:

1. Complete names, addresses and telephone numbers of all parties involved in the incident;
2. Date and time of incident;
3. Relationship to county of parties involved in incident;
4. Description of events that preceded and may have triggered the incident;
5. Description of the incident;
6. Actions taken by supervisor during and after incident;
7. Any known history of violent behavior of perpetrator of incident;
8. Steps taken to ensure that further incidents do not occur;
9. Recommendation for disciplinary action, if needed; and
10. Any other information which may be important or pertinent to the incident.

Discipline:

Employees engaging in workplace violence shall be subject to disciplinary action up to and including termination of employment and/or criminal prosecution. Employees may also be advised to seek professional counseling for acts and/or threats of violence. An employee's failure to seek counseling shall be subject to disciplinary action, up to and including dismissal. Counseling services shall be made available to employees through the county's Employee Assistance Program which is included in the group health care coverage or other arrangements shall be made to accommodate the employee in the provision of counseling services.

If workplace violence is engaged by a non-employee, criminal prosecution of the individual will be supported by Pulaski County.

X. CELLULAR PHONE POLICY

I. CELL PHONE OPTIONS

Cell phones may be purchased and assigned by the County for use by employees where the work done by that employee requires routine communication with others. However, the IRS requires accountability in the utilization of cell phones furnished by employers. Specifically, federal requirements state that if a cell phone provided by an employer is allowed to be used for non-emergency personal communication, its use must be counted as a taxable fringe benefit. In order to avoid having to impose a tax liability on all county employees to whom a cell phone is assigned, each affected employee is given the choice of pre-selecting the option of not utilizing their county assigned cell phone for personal use or sharing the cost of the phone in exchange for being able to use it for both personal and County purposes. Thus, each employee to whom a cell phone is assigned must choose one of the following options regarding how their County assigned phone is to be used:

Option One – No non-emergency personal use of county cell phone. Emergencies are defined as any life-threatening situation such as reporting an accident, calling for help, etc. Coordination of personal schedules or other communications would not be included in this definition.

Option Two – Employee would be allowed to utilize the phone for personal use in exchange for sharing in the cost of the cell phone. Costs would be as follows: \$25 per month for total cell phone use of up to 700 minutes (combined county and personal usage) for usage from 7:00 a.m. to 9:00 p.m. Monday through Friday. Usage on weeknights between 9:00 p.m. and 7:00 a.m. and weekends is free, as are long-distance calls within the 48 states. Employees must agree to pay the \$25 per month fee through payroll deduction as well as a \$0.40 per minute for all minutes used over the 700 per month pending a specific documented reason for excessive business usage.

This alternative allows for a sharing of costs and avoids the need for employees to establish dual lines or carry two cell phones.

A. Applicability – This policy would apply to all cell phone service for which the County has financial responsibility, but would not include agencies purchasing cell phone services through the County.

B. Monitoring – Each employee and the Information Technology staff will be responsible for monitoring total usage.

C. Payment - Cell phone charges will be collected via after-tax payroll deduction.

Y. **PULASKI COUNTY, PULASKI COUNTY PSA AND PULASKI COUNTY SCHOOL BOARD UNIFORM, CLOTHING AND CLOTHING ALLOWANCE ADMINISTRATIVE PROCEDURES POLICY (Revised BOS 5/12/15, PSA 4/27/15, Revised BOS 2/22/16, PSA 1/12/16).**

1. **PURPOSE:** To provide an equitable policy among County, PSA & School Board employees whose jobs require uniforms, or where clothing or clothing allowances are provided, and to ensure compliance with the IRS Accountable Plan rules and Personnel Policies, governing appropriate work attire.
2. **APPLICABILITY:** This policy shall govern clothing or clothing allowances provided to employees of the County, PSA & School Board (including footwear) but excluding other personal protective equipment for compliance with OSHA standards which is governed by the Personnel Policies.
3. **DEFINITIONS:** For the purpose of this policy, the following definitions shall apply:
 - a. **Public Works Uniforms:** Refers to the standard clothing required as a condition of employment for employees of the General Properties Department (maintenance and grounds), Building Maintenance, Water Treatment Plant, Joint Garage Facility, Public Service Authority and PSA Water/Sewer Department, whose positions are classified as maintenance, including crew leader or supervisor, laborer, sanitation equipment operator, HVAC Technician, mechanic, and utilities including operators in charge. These uniforms are taxable.
 - b. **Custodial Services:** Refers to the standard clothing required as a condition of employment for employees of the divisions who are classified as custodian or custodial supervisor. These uniforms are taxable.
 - c. **School Nutrition Uniforms:** Refers to the standard clothing required as a condition of employment for employees of the divisions who are classified as cafeteria or cafeteria supervisor. These uniforms are taxable.
 - d. **Public Safety Department and Law Enforcement Uniforms:** Refers to the standard clothing required as a condition of employment for sworn officers of the Sheriff's Office and the Animal Control Officers of the divisions. Public Safety Department workers are governed by the Public Safety Department policies and procedures. Class A uniforms of the Sheriff's Department are not taxable. Polo shirts that contain the Sheriff's Logo and BDU (Cargo) pants are not taxable to Sheriff's Deputies or Emergency Response Personnel so long as the uniform is not worn while the employee is off-duty.
 - e. **Parks and Recreation Uniforms:** Refers to the shirts and T-shirts provided to County or School Board employees (including positions in maintenance classifications in Parks and Recreation) required for games, events, programs and County/school activities, necessary to identify the department staff members working these functions, and/or performing maintenance services. These employees will also include day camp workers and lifeguards at Randolph Park. These uniforms are taxable.
 - f. **Non-Taxable Employee Uniforms and/or Clothing:** Refers to the uniforms and clothing defined by the IRS to be required as a condition of employment and that are not adaptable to street wear such as traditional Sheriff's deputy uniforms and safety equipment (i.e. clothing including reflective stripes, safety shoes), etc. Non-taxable items also include polo shirt (inclusive of the Sheriff's Department

or First Responders logo) and BDU's (cargo pants), that are worn only while the employee is on duty. Wearing of such items is strictly prohibited while off duty.

g. Taxable Employee Uniforms and/or Clothing: Refers to the uniforms and clothing that may or may not be required as a condition of employment, and that the IRS defines as adaptable to street wear such as uniforms with county logos, non-safety shoes, polo shirts, t-shirts, baseball hats, BDU or cargo pants, winter coats, etc.

4. **PUBLIC WORKS UNIFORMS**: Public Works Uniforms shall include the Division name, and be the same general style and color within each Division or Agency. For example, positions in the Division of the Public Works classification shall wear navy blue shirts displaying the General Services Division name. Items in the listing below may be taxable or non-taxable, (Refer to Section 3 Definitions).

a. Maintenance Positions: Positions within the General Properties/Building Maintenance classifications and general maintenance positions may be provided uniforms from the following items:

1. Rental Contract From the Approved Rental Listing (includes laundering) up to:

- 11 pants
- 22 shirts (11 short sleeve and/or 11 long sleeve as determined by the employee not to exceed 22 shirts total)
- 2 lightweight jackets
- 1 insulated work jacket
- 2 lightweight coveralls (as requested by employee)
- 1 insulated coverall (as requested by employee)
- 1 pair steel toed safety shoes (only if not purchased and reimbursed by the division)

2. Purchased From the Approved Purchase Listing, as needed:

- 1 pair steel toed safety shoes per guidelines in the Personnel Policies (only if not provided as part of the rental contract) up to \$150

b. Joint Garage Facility Positions: Positions within the joint garage facility shall be provided uniforms from the following items:

1. Rental Contract From the Approved Rental Listing (includes laundering) up to:

- 11 pants

- 22 shirts (11 short sleeve and/or 11 long sleeve as determined by the employee not to exceed 22 shirts total)
- 2 lightweight jackets
- 1 insulated work jacket
- 2 lightweight coveralls (as requested by employee)
- 1 insulated coverall (as requested by employee)
- 1 pair of steel toed safety shoes (only if not purchased and reimbursed by the division)

2. Purchased From the Approved Purchase Listing, as needed:

- 1 pair steel toed safety shoes per guidelines in the Personnel Policies (only if not provided as part of rental contract) up to \$150

c. Utilities Positions: Positions within Water Treatment Plant and PSA Refuse and Water/Sewer Departments shall be provided uniforms from the following items:

1. Rental Contract From the Approved Rental Listing (includes laundering) up to:

- 11 pants
- 22 shirts (11 short sleeve and/or 11 long sleeve as determined by employee not to exceed 22 shirts total)
- 2 lightweight jackets
- 1 insulated work jacket
- 2 lightweight coveralls (as requested by the employee)
- 1 insulated coverall (as requested by the employee)
- 1 pair steel toed safety shoes (only if not purchased and reimbursed by the division)

2. Purchased From the Approved Purchase Listing, as needed:

- 1 pair steel toed safety shoes (only if not provided by the rental contract) up to \$150
- 1 pair steel toed safety shoes and 1 pair muck boots for water/sewer department only (due to sanitary conditions) up to \$260 total for both

5. **CUSTODIAL SERVICES**: Custodial uniforms shall include the Division and employee names, and be the same general style and color. Items in these listings may be taxable or non-taxable, (Refer to Section 3 Definitions).

a. Custodian Positions: Positions within the custodian classification shall be provided uniforms from the following items:

1. Rental Contract From the Approved Rental Listing (includes laundering) up to:
 - 11 shirts (short sleeve)
 - 11 shirts (long sleeve)
 - 11 pants
 - 11 smocks
 - 1 pair slip-resistant safety shoes (only if not purchased and reimbursed by the division)
 - 1 lightweight jacket
 - 1 heavyweight jacket
2. Purchased From the Approved Purchase Listing, as needed:
 - 1 pair slip-resistant safety shoes (only if not provided by the rental contract) up to \$60

6. **SCHOOL NUTRITION UNIFORMS:**

- a. School Nutrition Positions: Positions within the School Nutrition classification are responsible for providing their own uniforms as follows:
 1. All school nutrition employees are **required** to wear “scrub” type uniform apparel (includes tops and pants). Uniforms may be of any print or color that **promotes** the school nutrition program. Prints or colors that may generate controversy or be offensive to others will not be allowed. (Prints with political, religious, racial symbols or emblems are not allowed)
 2. The School Nutrition Manager will determine what a “proper uniform” is,
 3. pertaining to hair, clothing and shoes.
 4. Contracted employees will receive \$150.00 annually to help cover the cost of work wear.
 5. Uniforms are to be clean, neat and wrinkle free.
 6. All employees are required to wear ID badge as part of uniform requirement, which are provided by the School Board.
 7. Employees are required to wear white, brown, tan or black slip resistant work shoes. Shoes must be solid top, no perforated uppers or canvas. Shoes must be kept clean every day.
 8. Hair must be worn so it is neat and restrained; not loose or flying or around the face. Hairnets are not required as long as employees are in compliance with this requirement.

9. Employees may support school spirit or themes directly related to each school site; such as “wearing school tee shirts”. The School Nutrition Manager will determine what appropriate attire for these occasions.
10. Capris type pants are allowed.

Other health and safety requirements

- Nails must be kept short, clean and free of any type polish. Nails must not extend above fingertips.
- Nails: if you were not born with them; they are not allowed!
- Jewelry: Long necklaces, earrings and bracelets not allowed due to safety concerns.
- All rings with sets is prohibited, single bands may be worn. Small watches are permitted however; they must be removed during food preparation.

7. **PUBLIC SAFETY DEPARTMENT and LAW ENFORCEMENT UNIFORMS:** Law Enforcement uniforms address only the employees of the Sheriff’s Office and the Animal Control division. Items in these listings may be taxable or non-taxable, (Refer to Section 3 Definitions).
 - a. Sheriff’s Office Positions: Uniforms for deputies in the Sheriff’s office are governed by General Order #22, Equipment and Uniforms.
 - b. Animal Control Positions: Uniforms for animal control positions will be handled and governed through the Sheriff’s Department.
 - c. Public Safety Department Workers: Shall be governed through the Public Safety Department policies & procedures and may be taxable or non-taxable

Investigations personnel shall be reimbursed up to \$600 annually (on a fiscal year basis July 1 – June 30) for the purchase of clothing (suits, shoes, ties, & general apparel). Items in this listing may be taxable or non-taxable, (Refer to Section 3 Definitions). Employees must submit receipts to be reimbursed.

8. **PARKS AND RECREATION UNIFORMS:** Positions with Parks and Recreation classifications (excluding maintenance classifications) who are required during work hours to be identified as members of the Parks and Recreation department/school system at games, events, and programs may request shirts from the Approved Purchase List that identify them as staff members of the Parks and Recreation department/school system. Part time positions required to be identified as members of the Parks and Recreation department/school system at games, events, and programs may be provided with T-shirts identifying them as departmental staff. These positions also include day camp workers and lifeguards at Randolph Park. Items in these listings may be taxable or non-taxable, (Refer to Section 3 Definitions).
 - a. Maintenance Positions:
 1. Rental Contract From the Approved Rental Listing (includes laundering) up to:
 - 11 shirts (short sleeve)
 - 11 shirts (long sleeve)
 - 2 Insulated Coveralls

- 2 Lightweight Coveralls
 - 1 pair slip-resistant safety shoes (only if not purchased and reimbursed by the division)
2. Purchased From the Approved Purchase Listing, as needed:
- 1 pair slip-resistant safety shoes (only if not provided by the rental contract) up to \$60

b. Other Classifications:

- Staff t-shirts

9. **EMERGENCY SERVICES COORDINATOR CLOTHING:** An employee in this classification may purchase clothing for the purpose of identification as a County employee on the job as emergency personnel at incident scenes up to \$300 annually (fiscal year July 1-June 30). Deputy Coordinators may purchase clothing for the same up to \$150 annually. Employees must submit receipts to be reimbursed.

10. **DEPARTMENTAL CLOTHING:** Members of other departments not identified above whose staff members choose to purchase shirts, T-shirts, jackets etc., with County name, department name and/or logo may purchase these items upon approval by their supervisor or department head using their own personal funds. County/PSA/School funds may not be used for these purchases.

11. **PROCEDURES FOR OBTAINING UNIFORMS FROM THE RENTAL CONTRACT – NON SHERIFF’S OFFICE:** The County/PSA/School uniform rental contract shall be managed by the Purchasing Offices of each division. Directors and Agency Heads shall work with the Purchasing Managers to develop an Approved Rental Listing for classifications within their division or agency. This listing shall consist of uniforms provided through the rental contract. Each employee classification receiving uniforms through the rental contract shall have a requisition form specific to their division. All items through this contract may be taxable unless otherwise specified. Employees are required to return their uniform and other related items that are County/PSA or School Board property to their supervisor upon termination, retirement, or transfer to a non-uniform position. Failure to comply may result in reduced wages and/or pay out of leave time to compensate for the cost of the uniforms.

Uniforms issued pursuant to this policy from the rental contract shall follow these steps:

- a. Each employee shall complete the applicable uniform requisition form for his or her uniform classification.
- b. The requisition form shall be submitted to the Supervisor or Department Head for approval.
- c. The approved requisition form shall be submitted to the Purchasing Office.
- d. Purchasing staff shall coordinate the rental of uniforms with the rental company.
- e. Invoices shall be submitted to the department for payment.
- f. The Supervisor or Department Head shall ensure the employee’s name is listed on all applicable invoices.

12. **PROCEDURES FOR OBTAINING UNIFORMS FROM THE APPROVED PURCHASING LISTING – NON-SHERIFF’S OFFICE:** (This section excludes

classifications within the Sheriff's Office whose uniforms and clothing purchases are governed by Sheriff's Office General Order #22).

The Supervisors and Department Heads shall work with the Purchasing staff to develop Approved Purchasing Lists for classifications within their division or agency. Each employee classification receiving uniforms through the purchase of items from the Approved Purchasing List shall have a requisition form specific to their division or agency. All items included on the Approved Purchasing Lists may be taxable unless otherwise specified.

Employees issued uniforms pursuant to this policy from the Approved Purchasing List shall follow these steps:

- a. Each employee shall complete the applicable uniform requisition form for his or her uniform classification.
- b. The requisition form shall be submitted to the Supervisor or Department Head for approval.
- c. The approved requisition form shall be submitted to the Purchasing Office.
- d. Purchasing staff shall place the order for the uniform purchase.
- e. Invoices shall be submitted to the department for payment.
- f. The Supervisor or Department Head shall ensure the employee's name is listed on all applicable invoices.

13. PROCEDURES FOR OBTAINING UNIFORMS – SHERIFF'S OFFICE:

- a. All invoices shall indicate which items are taxable and which are not taxable.
- b. Invoices that include taxable items shall indicate the total dollar amount per employee.
- c. Staff in the Finance Department shall provide a copy of invoices to the Payroll Supervisor for inclusion as pay for the appropriate employees.

14. NON-ALLOWABLE PURCHASES: All purchases must comply with the procedures outlined in this Policy. County/PSA/School funds shall not be used to purchase or rent clothing or uniforms not included on County/PSA/School contract. County/PSA/School credit cards shall not be used to purchase or rent clothing or uniforms unless an exception is granted by the Procurement Manager. Any non-allowable purchases shall be immediately reimbursed to the County/PSA/School by the employee who authorized the purchase, and may subject the employee to disciplinary action.

15. COMPLIANCE: Uniformed employees shall wear their uniform during work hours only as a condition of employment. Although uniforms are worn to and from work, uniforms should not be worn during non-work activities and are not suitable for everyday wear. While in uniform, the purchasing or consumption of alcoholic beverages or engaging in other activities that might reflect negatively on the County is strictly prohibited, and shall subject the employee to disciplinary action, up to and including termination.

Employees are also required to return ALL uniforms to their supervisor upon termination, retirement or severance of employment. Failure to do so may result in the employee being charged with the cost of the uniform by a reduction of pay equal to the value of the uniform in their final payout.

APPROVED CLOTHING PURCHASE LISTING

The following is a listing of clothing approved for purchases directly by the employee as outlined in the above policy and is deemed as a reimbursable expense. Items may only be purchased once per year (on a fiscal year basis July 1 – June 30) and may only be reimbursed up to the amount listed for that department. Items in this listing may be taxable or non-taxable, (Refer to Section 3 Definitions):

Steel Toed Safety Shoes
Muck boots
Slip Resistant Safety Shoes
Suits (to include sports jackets, dress pants)
Dress Shirts
Ties
Khaki Pants
Dress Shoes
Dress Socks
Dresses (for female investigators)
Blouses
T-Shirts
Polo Shirts

Z. CELL PHONE USE WHILE DRIVING A COUNTY VEHICLE

Following these guidelines should minimize risks that may surface when operate a cell phone while driving a vehicle and are applicable to both personal and County assigned cell phones.

- A. When a person gets a call on the road or needs to make a call, he/she should attempt to pull over to a safe place (i.e. shoulder of the road, open parking lot) to receive or make the call.
- B. If pulling over is unable to be done at that time, the employee should keep the call to a maximum of no more than 2 minutes, in order to get the general message from the caller or to give a message.
- C. If there is a passenger in the vehicle, the driver should allow the passenger to take a message for the driver.
- D. The owner of the phone should be aware of all options on the phone (i.e. speed dial) in case of an emergency, so they are able to contact authorities in the least amount of time.
- E. Hands free units may be available for use also.
 1. A hands free unit allows the driver to keep both hands on the steering wheel, minimizing accidents.
 2. If a hand free unit is unable to be used and a call must be taken, the driver should make sure to keep one hand on the steering wheel at all times.
- F. To keep the battery of the phone at maximum power all of the time, the employee may be furnished with an in car battery charger if extensive in car use is anticipated.

- G. The exemptions to this policy are defined in the Code of Virginia §46.2-1078.1.

III. MAINTENANCE OF PHONES

Cell phones owned by the County of Pulaski and public property, thus, their proper maintenance is the responsibility of employees to whom they are assigned.

- A. If the phone is damaged, lost or broken due to personal negligence, the employee will take full responsibility of the cost to replace the phone.
- B. If the phone is damaged, lost or broken, not due to the personal negligence, the County of Pulaski will repair or replace the phone.

IV. CELL PHONE USE AGREEMENT

I, _____, understand that by using my cell phone while driving, I am putting others and myself in danger. I verify that I have read and understand the above guidelines on how to operate my cell phone properly while on the road. I also understand that if my phone is damaged or lost due to my own personal negligence, I will undertake the cost of the damages to repair the phone or the cost to replace it. I agree to the following option for utilization of the cell phone assigned to me by Pulaski County (check one):

_____ **Option One** – There will be no non-emergency personal use of the County cell phone assigned to me. Emergencies are defined as any life threatening situation such as reporting an accident, calling for help, etc. Coordination of personal schedules or other communications would not be included in this definition.

_____ **Option Two** – I will participate in the cost of the cell phone in return for limited personal use based on the following: \$25 per month for total cell phone use of up to 700 minutes (combined county and personal usage) for usage from 7:00 a.m. to 9:00 p.m. Monday through Friday. Usage on weeknights between 9:00 p.m. and 7:00 a.m. and weekends is free, as are long-distance calls within the 48 states. I agree to paying the \$25 per month fee through payroll deduction as well as a \$0.40 per minute for all minutes used over the 700 per month pending a specific documented reason for excessive business usage.

Signature of Employee

Date

AA. PULASKI COUNTY GRIEVANCE POLICY IN ACCORDANCE WITH TITLE I, II, AND III OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Policy Statement:

It is the policy of the Board of Supervisors to fully comply with Title I, II, and III (Public Law 101-336) of the Americans with Disabilities Act of 1990 regarding employment, public services, and public accommodations. Every effort will be made to resolve complaints informally with the least amount of delay and conflict. It is also the policy of the Board of Supervisors to prohibit discrimination on the basis of disability. Accordingly, the following procedure for complaints regarding access or alleged discrimination is hereby established.

Grievance Policy:

Step I - A complaint must be filed no later than 180 days from the date of the alleged discrimination, unless the time for filing is extended for good cause shown, as determined by the County Administrator. The complaint shall be in writing and must be filed with the American Disabilities Act Coordinator. The written complaint shall be filed on Form ADA1. A decision by the ADA Coordinator shall be rendered within fifteen (15) working days.

Step II - If the complaint cannot be resolved to the satisfaction of the complainant by the ADA Coordinator, it will be forwarded to the ADA Compliance Committee as appointed by the Board of Supervisors. The ADA Compliance Committee shall set the time, date, and place for a hearing on the complaint. The Committee shall be directed to hear such complaints in public, after adequate public notice is given, in an unbiased, objective manner. The hearing should be held within ten (10) working days following adequate public notice. The ADA Compliance Committee shall issue a written decision within thirty (30) days following the hearing. All proceedings of the committee shall be recorded, transcribed and maintained.

Step III - If the complaint is not resolved to the complainant's satisfaction by the ADA Compliance Committee, the complaint will be heard by the Board of Supervisors. A determination must be made by the Board of Supervisors within thirty (30) days of said hearing by the Board of Supervisors. An open, public meeting of the Board of Supervisors will precede the vote of the Board on the complaint, except that the Board may hold such meeting in Executive Session if the complaint involves an employment matter. The decision of the Board of Supervisors is final.

A record of action taken on each request or complaint will be maintained as a part of the records or minutes at each step of this grievance procedure.

Any employee or applicant for employment who desires reasonable accommodation of a disability in employment should forward a written request for reasonable accommodation to the County ADA Coordinator, 143 Third Street, N.W., Pulaski, VA 24301, telephone number 540-980-7705.

It shall be noted the use of this grievance procedure is not a prerequisite to the pursuit of other remedies by the complainant. The filing of a lawsuit in state or federal district court or a complaint with the U.S. Department of Justice or Equal Employment Opportunity Commission can occur at any time.

AB. CONFINED SPACE STANDARD POLICY

Scope and Application

This section prescribes the basic mandatory practices and procedures, which Pulaski County employees will follow for employee entry into and work within confined spaces.

Preparation

Entry into a confined space shall not be made unless the Utility Maintenance Supervisor has assured that the following procedures have first been completed.

A. Definition

It is important to understand that to be a "confined space" an area must fit all three of the following descriptions:

1. It is not intended for continuous employee occupancy;
2. It has a limited means of egress; and
3. It must be subject to either the accumulation of an actual or potentially hazardous atmosphere or have a potential for engulfment (particulate matter or liquid could surround a person before a normal exit can be affected).

If the space does not fit all three descriptions above, it is not a confined space and the standard does not apply.

B. General Provisions

1. Training - All Pulaski County employees who will be entrants will be trained in the hazards of working in confined spaces and at least one "qualified person" will be selected and trained. Only a "qualified person" can evaluate the hazards of each confined space to be entered, specify necessary safety control measures, and determine if conditions permit an unattended entry. When appropriate, all employees will be trained and designated as "qualified persons" and make unattended (solo) entries.
2. Rescue Teams – The Pulaski County Special Operations Team is trained in the use of all equipment it will use in a rescue, all members are certified and trained according to current applicable standards. Every year the rescue team will practice removing a victim through openings similar to those in actual use.

3. Permit System - It is the responsibility of each applicable supervisor that the County's entrance permit be completed. The established permit system which insures that a permit is written for every entry into a confined space is attached. The permit, which may be discarded after the entry, must be completed for each confined space project. The permit will provide the following information
 - a. The minimum environmental conditions acceptable for entry and work in the confined space;
 - b. A record of atmospheric test results;
 - c. The last calibration date for the oxygen detector and combustible gas indicator used;
 - d. The signature of the qualified person responsible for securing the permit and reviewing conditions prior to entry;
 - e. A written description of the location and type of work to be done; and
 - f. The time of issue and of expiration (a maximum of 12 hours apart with one 12-hour extension).

C. Preparation

All of the steps listed below will be taken as appropriate before each confined space entry including

1. All pumps and lines conveying hazards must be effectively isolated to prevent air contamination or oxygen deficiency within the space;
2. All fixed mechanical equipment capable of causing injury must be placed at zero mechanical state, and electrical equipment other than lighting must be locked out or tagged if locking-out is impossible
3. The confined space must be emptied of all hazardous or flammable substances to the extent feasible;
4. Immediately prior to entry the "qualified person" must assure that the space is tested for oxygen level, potential flammable hazard, and toxic material; and
5. If the tests show the existence of a hazardous atmosphere, the space must be mechanical ventilated or entrants must wear specific protective equipment.

D. Entry Requirements

1. Unattended Entry - If the space has neither the potential for engulfment nor an IDLH (Immediately Dangerous to Life or Health) atmosphere, the "qualified person" (Utility Maintenance Supervisor) may enter or allow other employees to enter the space unattended. In addition, the "qualified person" (Utility

Maintenance Supervisor) must determine whether mechanical ventilation is also needed

2. Attended Entries - If the confined space has a hazardous or IDLH atmosphere or a potential for engulfment, a number of safety precautions will be taken including
 - a. A trained attendant without other duties must be stationed immediately outside while employees are in the confined space
 - b. The "qualified person" must test the atmosphere no less frequently than hourly and record the results on the entry permit;
 - c. All entrants will use retrieval lines (unless the lines could cause a hazard) or wear an approved positive-pressure, self-contained breathing apparatus if there is an IDLH or hazardous atmosphere only. Hoisting devices must be used if the entry is through a top opening;
 - d. If there is an IDLH or hazardous atmosphere, there must be either a positive-pressure, self-contained breathing apparatus or a combination positive-pressure, air-line respirator with an auxiliary self-contained air supply immediately outside the space entrance.

Definitions

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise.

Attendant - An individual with no other duties assigned to remain immediately outside the entrance to the confined space and who may render assistance as needed to employees inside the space.

Blind or Blinding or Blanking - The absolute closure of a pipe, line or duct, to prevent passage of any material (e.g. by fastening a solid plate or "cap" across the pipe)

Confined Space - Any space not intended for continuous employee occupancy, having a limited means of egress, and which is also subject to either the accumulation of an actual or potentially hazardous atmosphere or a potential for engulfment. Confined spaces generally include, but are not limited to storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, manholes, underground utility vaults, acid tanks, digesters, ovens, kiln, pulpers, tunnels, and pipelines. Open top spaces more than four (4) feet in depth such as pits, tubs, vaults and vessels may also be confined spaces if the above criteria is met

Engulfment - The surroundings and effective capture of a person by finely divided particles of matter or liquid. There is a potential for engulfment when such particles, matter or liquid exists in a sufficient quantity or at a sufficient pressure to surround a person before normal exit can be effected.

Entrant - Any employee who enters a confined space.

Entry - Any action resulting in any part of the employee's face breaking the plane of any opening of the confined space, and includes any ensuing work activities inside the confined space

Hazardous Atmosphere - An atmosphere presenting a potential for death, disablement, injury, or acute illness from one or more of the following causes.

- a. flammable gas, vapor, or mist in excess of 10% of its lower flammable limit (LFL)
- b. an oxygen deficient atmosphere containing less than 19.5% oxygen by volume or an oxygen enriched atmosphere containing more than 23% oxygen by volume;
- c. an atmospheric concentration of any substance listed In Subpart Z of Part 1910 Standards above the listed numerical value of the permissible exposure limit (PEL) ;
or
- d. a condition immediately dangerous to life or health.

AC. WORKMEN'S COMPENSATION POLICY (Updated by PSA 9/9 & BOS 9/22 2014)

REPORTING OF INJURY

The following is a check list for employees to refer to should a workplace injury occur.

STEP 1:

For life or limb threatening injury only, call 911!! Then report the injury/incident after the employee is stabilized.

1. Advise supervisor of ANY accident or injury immediately.
2. In a quiet location, the employee and/or supervisor will contact the Company Nurse at 888-770-0925;
3. You will be asked to provide the following information during the call:
 - Search Code
 - Employer name and/or worksite
 - Employee personal information
 - Injury details: Who? What? When? Where?
4. Possible outcomes as result of the call:
 - Self-care or basic first aid; OR
 - Referral to medical facility by a Nurse – Occ Health, Urgent Care or ER
5. After examination by doctor return all forms to supervisor. Supervisor should submit all completed forms to the Human Resources Department.

STEP 2:

The Nurse Line will conduct the following:

- Report of injury is emailed or faxed to key stakeholders at the employer.
- If injured employee is referred for medical treatment, an alert will be sent immediately to the medical provider to expect the employee at their facility.

STEP 3:

The Nurse Line will conduct the following:

- **Additional Nurse Advice:** Employees who were triaged by a nurse but not initially referred, are encouraged to contact the Nurse Line again if injuries become worse or new symptoms develop for which they require additional nurse advice or injury triage services and a possible referral for medical treatment.

The Company Nurse will handle all initial reporting of workplace injuries and is available 24 hours per day/7 days per week. The Company Nurse will complete the first report of injury form and fax it to the claims processing administrator at VACORP.

Prescription drugs for work related injuries may be requested via participating pharmacies through the Express Scripts Program of VACORP. The employee must have the supervisor complete the information requested and present their ID card to receive up to 14 days of the prescription at no cost to the employee. If the employee chooses not to use this option, the employee must then pay for the prescription and request reimbursement through VACORP.

FORMS REQUIRED

ATTENDING PHYSICIAN'S REPORT

The supervisor or employee must have the Attending Physician's Report completed by the and return it to the HR department upon completion.

LOSS WORK DAYS

All job related injury/illnesses should be immediately reported to the employee's immediate supervisor. Lost work days due to a job related injury or illness shall be recorded as workers compensation leave on the employee's time sheet.

Supplemental Benefits

An employee that is incapacitated from work due to a work-related injury or illness (as designated by a panel physician) will remain on the payroll with full pay for the first seven working days of absence.

If the incapacity is deemed compensable and extends beyond the initial seven calendar days, workers comp payments of 66 2/3% of the employees gross average weekly wage shall commence with the 8th day of incapacity; however, time of payment to the employee will be determined by VACORP.

The employee may elect to use earned (comp time, annual leave, sick leave - in this particular order of precedence) leave to supplement his/her compensation up to the amount of his/her gross pay. If this option is chosen, then the employee shall sign the workers comp check over to Pulaski County and in return will receive payment from Pulaski County of his/her normal gross pay from the available earned leave balances.

Earned leave cannot be used concurrently with workers comp benefits. If the employee chooses to only receive the workers comp benefit, then he/she will not accrue annual or sick leave on a monthly basis while out of work.

The County shall continue to pay Virginia retirement benefits and its share of health and dental insurance premiums as long as the employee is receiving leave payments. The employee shall be responsible for health insurance contributions and all payroll deductions that are normally deducted from the employee's salary.

Overpayments resulting from wages paid for part or all of pay period shall be recouped by one of the following methods:

- a. adjusting current leave balances
- b. adjusting future pay; or
- c. billing for repayment, whichever is most appropriate.

Return to work

Since Pulaski County recognizes that their employees are a valued and limited resource, this program is designed to:

- Assist in the medical recovery process by providing a focus and a goal for return of the injured employee.
- Benefit employees by allowing them to return to full wages as soon as possible.
- Benefit employer by reducing workers' compensation costs.

The County shall make every effort possible to accommodate employees in need of light/modified-duty work assignments. Determination of light/modified-duty assignments shall be left to the discretion of the employee's workers comp physician. A light/modified-duty assignment shall be within the employee's medical capability and may or may not be in the same occupation, department, hours, or pay scale the employee was performing prior to the work related injury or illness.

If an employee refuses a light/modified-duty assignment that is within his capabilities, the County shall contest the employee's entitlement to further workers comp benefits before the Virginia Workers Compensation Commission.

AD. REPORTING OF TRAFFIC VIOLATIONS

Employees operating vehicles procured, insured or maintained with county funds should require an investigation of driving record prior to authorizing use of such vehicles. Moving traffic violations should be reported to both the agency receiving contributions and the County Administrator's Office whenever incurred in any public or private vehicle operated by an employee authorized to drive vehicles procured, insured or maintained with county funding.

AE. RECORDS MAINTENANCE AND RETENTION

The County of Pulaski, Virginia, recognizes the need and necessity to retain and preserve county records, and in accordance with the provision of the Virginia Public Records Act, 42.1-76, et. Seq. of the 1950 Code of Virginia, dispose of county records when appropriate. The Executive

Secretary to the Board of Supervisors shall serve as the Records Retention Officer for Pulaski County and shall be responsible for the retention and disposal of county records.

The Records Retention Office of the county shall request approval from the Virginia State Library Archives & Records Division prior to disposal of county records. However, the records retention officer shall not be responsible for the retention and disposal of records kept and maintained by a constitutional officer of Pulaski County. Each constitutional officer shall be responsible for the records retention and disposal of their own records.

The Public Safety Department Head or their designee will be responsible for medical record maintenance and disposal according to applicable laws and standards.

The following retention and disposal schedule, as prepared by the State Library Archives and Records Division, shall be used by the county records retention officer in retaining and disposing of county records:

<u>No.</u>	<u>Schedule Title</u>
GS-2	Fiscal Records, County and Municipal Governments, Treasurer, Financial Accounting Department, Purchasing Agents
GS-3	Personnel Records, County and Municipal Governments, Personnel Department and Offices
GS-4	Board and Administrators Records, County and Municipal Governments, Board of Supervisors and County Administrator
GS-6	Public Service Records, County and Municipal Governments, Engineering, Building Inspection Departments
GS-7	Public Utilities Records, County and Municipal Governments, Public Utilities Department
GS-10	Fire and Rescue Records, County and Municipal Governments, Fire and Rescue Departments
GS-11	Parks and Recreation Records, County and Municipal Governments, Park and Recreation Departments

Medical Records Release

It is the policy of Pulaski County to maintain and store confidential health records as needed. At times it is necessary to release those records to authorized individuals. The Public Safety Department will establish a lawful method of releasing these records to authorized parties on an as needed basis.

1. The Public Safety Department will establish a Custodian of Records. This individual will oversee all release of medical records within the Public Safety Department agency's control.
2. A written authorization to allow release of a health record shall contain the information required by § 32.1-127.1:03 Health Records Privacy, or the agency's "Authorization to Release Confidential Health Records" form shall be used any time a record is released.
3. It is the responsibility of the releasing party, Custodian of Records, and Department Head to ensure that the release is handled properly.
4. All confidential health records that are released, must meet the requirements set forth by Code of Virginia section § 32.1-127.1:03 Health Records Privacy.
5. Health records should not be emailed or transferred by a nonsecure medium.
6. Verification of the identity and validity of an individual seeking a health records release shall be performed in accordance with Virginia Code section § 32.1-127.1:03 Health Records Privacy.
7. Length of medical record storage will meet or exceed the requirements set forth by the Library of Virginia.

AF. SMOKING CONTROL POLICY

WHEREAS, it is the determination of the Board of Supervisors of Pulaski County, Virginia, that nonregulated smoking in County owned and School Board owned buildings creates a fire hazard, and consequently constitutes a threat to the health, safety, and general welfare of the county citizens and County and School Board employees using the County and School Board buildings;

WHEREAS, it is further determined by the Board of Supervisors that smoking shall be prohibited in County and School Board buildings except in designated smoking areas, as determined by the County Administrator or his designee for county owned buildings, and by the School Superintendent or his designee for School Board owned buildings;

NOW, THEREFORE, BE IT ORDAINED, that this Ordinance be adopted effective upon its passage, that no person shall smoke in designated no-smoking areas of the County of Pulaski and Pulaski County School Board owned buildings, which shall be all areas of such buildings except designated smoking areas of such buildings and any person who continues to smoke in no-smoking areas of County or School Board owned buildings after being asked to refrain from smoking in such areas shall be subject to a civil penalty of not more than twenty-five dollars for each occurrence; and

BE IT FURTHER ORDAINED that any law enforcement officer may issue a summons regarding a violation of this Ordinance.

Pursuant to Section 15.2-2804 of the Code of Virginia, 1950, as amended, it shall be unlawful for any person to smoke in any of the following places covered by this Ordinance:

1. Elevators regardless of capacity;
2. Common areas in an educational facility, including, but not limited to, classrooms, hallways, auditoriums, and public meeting rooms;

3. Any part of a restaurant or cafeteria designated as a “no-smoking” area pursuant to this Ordinance;
4. Indoor service lines and cashier areas; and
5. School buses and public conveyances.

PSA1. REFUSE COLLECTION PROCEDURES

PSA BOOK 2 OCTOBER 20, 1997 PAGE 262

Hazardous Assessment Policy for Garbage Collection System

It was moved by Mr. Baker, seconded by Mr. Vaughan and carried, that the Board adopt the following Hazardous Assessment Policy for the Garbage Collection System:

CERTIFICATION OF HAZARD ASSESSMENT

This is a hazard assessment for the Pulaski County Public Service Authority Garbage Collection System located on State Route 1030 in Dublin, Virginia. This assessment is being done by the Fleet Director.

The Pulaski County Public Service Authority is responsible for the collection of waste in Pulaski County and the Town of Pulaski. This agency operates the trucks and equipment on prescribed routes of collection on a regular basis throughout the County and Town.

Below is a list of the hazards identified which require the use of personal protective equipment and the personal protective equipment required.

1. Trash cans and containers Location: Throughout Pulaski County and the Town of Pulaski. Hazard: Foot injury from falling heavy items. Protective equipment required: Steel Toe shoes when working with heavy containers or components.
2. Trash containers, trash bags, and loose trash. Location: Throughout Pulaski County and the Town of Pulaski. Hazard: Hand injury from sharp objects. Protective equipment required: Gloves
3. Working the rear of the truck collecting trash. Location: Throughout Pulaski County and the Town of Pulaski. Hazard: Traffic, vehicles Protective equipment required: Brightly colored safety vests.
4. Trash being placed into the truck. Location: Throughout Pulaski County and the Town of Pulaski. Hazard: Liquid splashing into eyes. Protective equipment required: Safety glasses or shield when handling liquids.
5. Trash being collected. Location: Throughout Pulaski County and the Town of Pulaski. Hazard: Traffic Accidents Protective equipment required: Four way flashers and headlight are to be used to increase visibility while collecting trash.

This Hazard Assessment will be evaluated on a yearly basis to determine if changes need to be made to maintain compliance with OSHA requirements and that all hazards have been identified. Changes will be made in the policy and procedures as needed. Employees will meet to discuss changes and will meet at least annually to review these regulations. A form will be completed and signed by each employee certifying that this information has been provided and that the proper procedures will be followed.

HAZARD ASSESSMENT CERTIFICATION FORM

This form is affirmation that I have been provided the training required for the use of personal protective equipment. A copy of the “Certification of Hazard Assessment” has been provided to me. The use of personal protective equipment in all aspects of the “Certification of Hazard Assessment” has been discussed during this training.

I have received training in the following areas:

1. When personal protective equipment is necessary.
2. What personal protective equipment is necessary.
3. How to properly don, doff, adjust, and wear personal protective equipment.
4. The limitations of the personal protective equipment.
5. The proper care, maintenance, useful life and disposal of personal protective equipment.

Signed: _____

Date: _____

This form is to be completed annually. It is to be maintained with the “Certification of Hazard Assessment” in the safety manual. There will be one on file for each employee.

PSA BOOK 2 JANUARY 9, 1995 PAGE 99

Residential Building and Demolition Debris Disposal

The County Administrator reported a procedure had been developed which would allow all full service or non-user residential garbage customers, but not low volume residential customers, access to the Ingles Mountain Landfill for disposal of construction debris. This procedure would allow the New River Resource Authority to bill the PSA for disposal of construction debris from residences, if a building demolition/renovation disposal permit is obtained from the county Building Department. Without the permit, the hauler would be expected to pay for the cost of disposing of construction debris.

PSA BOOK 2 OCTOBER 11, 1994 PAGE 89

Extra Service Residential Garbage

On the motion of Mr. Morris, seconded by Mr. Vaughan and carried, the Board of Directors authorized staff to offer a commercial rate to residences that desire backyard, off road, or other special refuse collection with the stipulation the PSA be released of all liability by the customer requesting the special service; and staff in the future to require a release of liability from commercial customers where garbage collection is on private property.

PSA BOOK 2 JANUARY 10, 1994 PAGE 56

Inclement Weather Garbage Service

The Board of Directors reviewed several citizen complaints regarding delays and incomplete garbage service due to recent inclement weather. The Board reviewed and confirmed the following procedures and policies regarding garbage service during inclement weather:

1. When snow and ice occur, garbage service is not provided along the alleyways or on minor streets that have not been cleared.
2. Service may be delayed and overtime pay incurred for Saturday work, when road conditions are treacherous overall.
3. Low volume users may put out garbage on an unscheduled week, when they are not served due to bad weather.
4. Alleyways and minor street customers with inaccessible locations may place their garbage on the street curb or along a main route.
5. Once the weather breaks, all garbage will be picked up for current accounts.
6. No discounts or rebates are given to residential customers due to lack of service for inclement weather.

The Board also complimented the garbage collection staff for the good job done providing garbage service during the bad weather.

PSA2. PSA PERSONNEL POLICIES

PSA BOOK 2 APRIL 8, 1996 PAGE 156

Position Placement Policy

Part-time temporary worker/drivers will perform work assigned to them by their immediate supervisor. This may include different tasks daily. Recommendations to reclassify an employee to position with a higher pay scale will be made by the Sanitation Supervisor, the Director of Fleet Maintenance and Operations, and the PSA Executive Director.

Full-time refuse workers/drivers will perform work assigned to them by their immediate supervisor. These workers will substitute in the positions that have been temporarily vacated by a

full-time worker/driver and will stay in this position until moved. Decisions to reclassify an employee to a position with a higher pay scale will be made by the Sanitation Supervisor, the Director of Fleet Maintenance and Operations, and the PSA Executive Director.

Full-time sanitation workers/driver will be assigned to a position in this department by their immediate supervisor. Decisions to reclassify an employee to a position with a higher pay scale will be made by the Sanitation Supervisor, the Director of Fleet Maintenance and Operations, and the PSA Executive Director.

Attempts will be made to fill vacant positions with current employees who are qualified to fill these positions. If no existing employees are deemed qualified, applications will be accepted through the Virginia Employment Commission for the positions. Assignments of routes or duties within a pay scale shall be a decision made by the Sanitation Supervisor and the Director of Fleet Maintenance and Operations. These assignments will be based on attitude, personality, performance, ability to work within a group and other factors which affect job performance.

Duties of employees within a pay classification will be equal as possible. Not all duties on given work day will be equal but not the overall workload for the week will be as fair as possible. Hours worked in the performance of duties each week will be as equal as possible within each pay classification. If an employee feels that this is not the situation, he or she may bring this to the attention of the Sanitation Supervisor and the Director of Fleet Maintenance and Operations. Changes in routes may be made when it is determined that there is not equity among positions.

On June 9, 2003, the PSA Board of Directors approved a 40-hour workweek for the Refuse Department beginning July, 2003. ⁶

PSA3. Payroll Deduction for PSA Refuse Account for PSA Employees

On the motion of Mr. Morris, seconded by Dr. Merrill and carried, the Board of Directors authorized staff to make a payroll deduction on PSA employees who have delinquent PSA accounts of up to 25% of the outstanding amount owed.

PSA BOOK 1 DECEMBER 13, 1981 PAGE 249

Consideration of Pay Policy for Refuse Collection Employees on Days when Refuse Collection is Terminated due to Inclement Weather

On the motion of H. W. Huff, Jr., seconded by William Smith and carried, the Board of Directors established the following policy for compensating refuse collection employees on days where refuse collection is terminated due to Inclement weather.

1. The Director and refuse collection supervisor shall make a determination prior to 6:00 a.m. as to the advisability of providing refuse collection on days when hazardous driving conditions exist.
2. The Director shall notify the local radio stations by 6:00 a.m. of a decision to terminate refuse collection.

⁶ Policy Change Approved 6/9/03

PSA4. PSA MISCELLANEOUS PROCEDURES

Confined Space Entry Policy

The Board of Directors reviewed a Confined Space Entry Policy, as prepared by staff. Mr. Coake advised the PSA was required by OSHA to have a Confined Space Entry Policy for employees.

The Board of Directors approved the following Confined Space Entry Policy:

Scope and Application

This section prescribes the basic mandatory practices and procedures which employers must establish and use for employee entry into and work within confined spaces.

Preparation

Entry into a confined space shall not be made unless the qualified person has assured that the following procedures have first been completed:

- A. All pumps or lines which may convey flammable, injurious or incapacitating substances into a space shall be disconnected, means to prevent the development of dangerous levels of air contamination or oxygen deficiency within the space. The closing of valves and locking or tagging them, is not considered effective protection. The disconnection or blind shall be so located or done in such a manner that inadvertent reconnection of the line or removal of the blind are effectively prevented.
 1. This does not apply to public utility gas distribution systems.
 2. This does not require blocking of all laterals to sewers or storm drains unless experience or knowledge of industrial is indicated materials resulting in dangerous air contamination may be dumped into an occupied sewer.
- B. All fixed mechanical devices and equipment that are capable of causing injury shall be placed at zero mechanical state (ZMS). Electrical equipment, excluding lighting, shall be locked out in the open (off) position with a key-type padlock except in cases where locking is impossible; in such cases equipment shall be properly tagged in accordance with 1910.145 (f). The key shall remain with the person working inside the confined space. Installations under the exclusive control of electric utilities and companies performing the same functions as electric utilities and companies performing the same functions as electric utilities on their own property for the purpose of communication, or metering, or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively for such purposes or located outdoors on property owned or leased by the utility for such purposes or located outdoors on property owned or leased by the utility for such companies or on public highways, streets roads, etc., or outdoors by established rights on private property, are exempt from the requirements of this paragraph.

Definitions

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise.

Attendant - An individual with no other duties assigned to remain immediately outside the entrance to the confined space and who may render assistance as needed to employees inside the space.

Blind or Blinding or Blanking - The absolute closure of a pipe, line or duct, to prevent passage of any material (e. g. by fastening a solid plate or "cap" across the pipe).

Confined Space - Any space not intended for continuous employee occupancy, having a limited means of egress, and which is also subject to either the accumulation of an actual or potentially hazardous atmosphere or a potential for engulfment. Confined spaces generally include, but are not limited to storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, manholes, underground utility vaults, acid tanks, digester, ovens, kiln, pulpers, tunnels and pits, tubs, vaults, and vessels may also be confined spaces if the above criteria is met.

Engulfment - The surroundings and effective capture of a person by finely divided particles of matter or liquid. There is potential for engulfment when such particles, matter or liquid exists in a sufficient quantity or at a sufficient pressure to surround a person before normal exit can be effected.

Entrant - Any employee who enters a confined space.

Hazardous Atmosphere - An atmosphere presenting a potential for death, disablement, injury, or acute illness from one or more of the following cases:

- a. a flammable gas, vapor, or mist in excess of 10% of its lower explosive limit (LEL);
- b. an oxygen deficient atmosphere containing less than 19.5% oxygen by volume or an oxygen enriched atmosphere containing more than 23% oxygen by volume;
- c. an atmospheric concentration of any substance listed in Subpart Z of Part 1910 Standards above the listed numerical value of the permissible exposure limit (PEL);
or
- d. a condition immediately dangerous to life or death.