



# GRANVILLE COUNTY PERSONNEL POLICY

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**GRANVILLE COUNTY  
PERSONNEL POLICY**

BE IT RESOLVED by the Granville County Board of Commissioners that the following policies apply to the appointment, classification, benefits, salary, promotion, demotion, dismissal, and conditions of employment for the employees of the County.

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## **ARTICLE I. GENERAL PROVISIONS**

### **SECTION 1. PURPOSE OF THE POLICY**

This Personnel Policy ( "Policy") is established under authority of NC General Statutes §153A, Article 5 and §126. The purpose of the Policy and the rules and regulations set forth herein is to establish a fair and uniform system of personnel management for all County employees under the administration of the county manager, sheriff, register of deeds, Board of Elections, Soil and Water Conservation Board, or Social Services Board as governed by Chapter 108A of the North Carolina General Statutes. These are the official appointing authorities covered by this Policy.

For positions subject to the State Human Resources Act, state requirements will supersede this document whenever there is a conflict. Employees holding those positions should consult Chapter 126 of the North Carolina General Statutes, "The State Human Resources Act", and 25 NCAC 11.

### **SECTION 2. MERIT PRINCIPLES**

Subject to the County's discretion, all appointments and promotions will be made solely based on merit. Positions requiring performance of the same duties and fulfillment of the same responsibilities will be assigned to the same class and same salary range. No applicant for employment or employee will be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, religion, color, sex, national origin, sexual orientation, gender identity, transgender status, age, veteran status, marital status, political affiliation, non-disqualifying disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior.

### **SECTION 3. RESPONSIBILITIES OF THE COUNTY BOARD OF COMMISSIONERS**

The Granville County Board of Commissioners ( "Board of Commissioners") will be responsible for establishing and approving the Personnel Policy and the Position Classification and Pay Plan and may change the policies and benefits from time to time. The Board of Commissioners will also make and confirm appointments when so specified by the General Statutes.

### **SECTION 4. RESPONSIBILITIES OF THE COUNTY MANAGER**

The county manager is responsible to the Board of Commissioners for the administration and technical direction of the human resources program. The county manager or his/her designee will appoint, suspend, and remove all County officers and employees except those elected by the people or whose appointment is otherwise provided for by law as shown in Section 9 of this Article. The county manager will make appointments, dismissals, and suspensions in accordance with state statutes and other policies and procedures spelled out in this Policy.

The county manager is responsible for performing or overseeing the following duties:

- (a) recommending policies and revisions to the personnel system to the Board of Commissioners;
- (b) making changes as necessary to maintain an up to date and accurate Position Classification Plan;
- (c) recommending necessary revisions to the Pay Plan;
- (d) determining which employees are subject to overtime provisions of the Fair Labor Standards Act (FLSA);
- (e) developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the County's needs;
- (f) carrying out other duties not inconsistent with this Policy as assigned by the Board of Commissioners; and
- (g) appointing an employee to the role of human resources director or serve in that role for the County.

## **SECTION 5. RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR**

The county manager will appoint a human resources director or perform this role himself or herself. If serving in the role of human resources director, the manager may delegate any or all these responsibilities as he or she may deem necessary and proper.

The human resources director is responsible for the following:

- (a) recommending policies and revisions to the personnel system to the county manager;
- (b) recommending changes as necessary to maintain an up to date and accurate Position Classification Plan;
- (c) recommending necessary revisions to the Pay Plan;
- (d) recommending which employees will be subject to the overtime provisions of FLSA;
- (e) maintaining a roster of all persons in County service;
- (f) establishing and maintaining a list of authorized positions at the beginning of each budget year which identifies all authorized positions, class titles, salary ranges, any changes in class title and status, and other such data as may be useful;
- (g) developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the County's needs;
- (h) developing and coordinating training and educational programs for County employees;
- (i) investigating the operation and effect of this Policy;
- (j) ensuring the County complies with various human resources related laws and regulations;
- (k) performing other duties as may be assigned by the county manager not inconsistent with this Policy;
- (l) identifying and working to resolve barriers to employee engagement and effective performance;
- (m) providing consultation to employees, department heads, and elected officials regarding legal and current human resources practices, employee relations and morale, equal treatment of employees, and other issues; and
- (n) ensuring all employees receive and acknowledge receipt or access to this Policy and any revisions.

## **SECTION 6. RESPONSIBILITIES OF SUPERVISORS AND MANAGERS**

Supervisors will meet their responsibilities as directed by the Board of Commissioners and the county manager, being guided by this Policy and County Ordinances. The County will require all supervisors to meet their responsibilities by:

- (a) dealing with all employees in a fair and equitable manner and upholding the principles of equal employment opportunity;
- (b) developing and motivating employees to reach their fullest potential through continued education and training;
- (c) communicating clear performance expectations and making objective evaluations of individual work performance at least annually and discussing these evaluations with each employee to facilitate effective employee performance and bring about any needed improvements;
- (d) informing employees of their role in accomplishing the work of their unit and of conditions or changes affecting their work; and
- (e) making every effort to resolve employee problems and grievances and advising employees of their rights and privileges.

## **SECTION 7. APPLICATION OF POLICIES, RULES, AND REGULATIONS**

This Policy and all rules and regulations adopted pursuant thereto will be binding on all County employees. The county manager, county attorney, elected officials, and appointed members of the County's advisory boards and commissions will be exempted except in sections where specifically included. An employee violating any provisions of this Policy will be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws that may have been violated. All employees are expected to fully cooperate with any investigations conducted by the County.



## **SECTION 8. DEPARTMENTAL RULES AND REGULATIONS**

Because of specific personnel and operational requirements of various departments, each department is authorized to establish supplemental rules and regulations applicable only to the personnel of that department. All such rules and regulations must not in any way conflict with the provisions of this Policy but will be considered as a supplement to this Policy. For instances when department-specific policies conflict with provisions of this Policy, this Policy shall take precedence.

Department-specific policies must be approved by the county manager and/or the respective departments' governing boards and the current version must be kept on-file in the human resources department.

## **SECTION 9. DEFINITIONS**

For the purposes of this Policy, the following words and phrases will have the meanings respectively ascribed to them by this section:

**Appointing Authority.** The county manager will be designated as the appointing authority with the following exceptions:

- (a) The sheriff shall be the appointing authority for positions in the Sheriff's Office;
- (b) The register of deeds shall be the appointing authority for positions in the Register of Deeds Office;
- (c) The Board of Elections which is governed by Chapter 163 of the North Carolina General Statutes;
- (d) The Department of Social Services is governed by Chapter 108A of the North Carolina General Statutes;
- (e) The Soil and Water Conservation Board is governed by Chapter 139 of the North Carolina General Statutes; and
- (f) Others as designated by the county manager.

**Full-time employee.** An employee who is in a position for which an average work week is at least 37.5 hours and continuous employment of at least 12 months is required. Such employees are eligible for benefits.

**Limited service.** An employee appointed to a position for which continuous employment required is less than 12 months. Such employees are not eligible for benefits other than FICA and workers' compensation with the exception that employees scheduled to work more than 30 hours per week for more than three consecutive months are eligible for health insurance under the Affordable Care Act.

**Part-time employee.** An employee who is in a position for which continuous employment of at least 12 months is required and an average work week over the course of a year is less than 37.5 hours. Eligibility for benefits and enrollment in the North Carolina Local Governmental Employees' Retirement System are dependent on the hours worked over the course of a calendar year.

- (a) Positions requiring an average work week of less than 20 hours (i.e., less than 1,000 hours of work in a calendar year) are not eligible for benefits other than FICA and workers' compensation.
- (b) Positions requiring an average work week of at least 20 hours but less than 30 hours (i.e., at least 1,000 hours of work in a calendar year) are not eligible for benefits other than FICA and workers' compensation. As a condition of employment, such employees shall join the North Carolina Local Governmental Employees' Retirement System as outlined in this Policy. This classification of part-time employees is not currently authorized for use except as may be specifically authorized by the county manager.
- (c) Part-time employees in positions with an average work week of at least 30 hours, but less than 37.5 hours, are eligible for FICA, workers' compensation, health insurance under the Affordable Care Act, and pro-rated holiday, annual, and sick leave as outlined in this Policy. As a condition of employment, such employees shall join the North Carolina Local Governmental Employees' Retirement System as outlined in this Policy. This classification of part-time employees is not currently authorized for use except as may be specifically authorized by the county manager.

**Permanent position.** A position authorized for a full 12 months and budgeted for 20 or more hours per week. All County positions are subject to budget review and approval each year by the Board of Commissioners and all employees' work and conduct must meet County standards; therefore, reference to "permanent" positions or employment should not be construed as a contract or right to perpetual funding or employment.

**Probationary employee.** An employee appointed to a full or part-time regular position who has not yet successfully completed the designated probationary period. Persons in trainee appointments are a probationary employee for the full duration of their appointment in that status.

**Regular employee.** An employee appointed to a full or part-time position who has successfully completed the designated probationary period.

**Work Against Appointment.** The County will follow the requirements of the State Human Resources Act where required. When qualified applicants are unavailable and there is no trainee provision for the classification of the vacancy, the appointing authority may appoint an employee below the level of the regular classification in a "work against" appointment. This appointment is for the purpose of allowing the employee to gain the qualifications needed for the full class through on-the-job experience. A "work against" appointment may not be made without clear justification when applicants are available who meet the training and experience requirements for the class in the position being recruited.

## **ARTICLE II. POSITION CLASSIFICATION PLAN**

### **SECTION 1. PURPOSE**

The Position Classification Plan ("Classification Plan") provides a complete inventory of all authorized and permanent positions in County service, and a description and specification for each class of employment. The Classification Plan standardizes job titles, each of which is indicative of a defined range of duties and responsibilities. All positions are classified according to assigned duties, responsibilities, qualifications needed, and other required factors. In order to ensure its continuing value as a personnel management tool, the Classification Plan will be maintained to reflect the current work assignments and other conditions and requirements which are factors in proper classification and allocation of regular positions.

Positions in the Department of Social Services will be classified by the NC Office of State Human Resources in compliance with the rules and regulations under the State Human Resources Act.

### **SECTION 2. COMPOSITION OF THE POSITION CLASSIFICATION PLAN**

The Classification Plan will consist of:

- (a) a grouping of positions in classes which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- (b) class titles descriptive of the work of the class;
- (c) written specifications for each class of positions; and
- (d) an allocation list showing the class title of each position in the classified service.

### **SECTION 3. USE OF THE POSITION CLASSIFICATION PLAN**

The Classification Plan is a guide for recruiting and examining applicants for employment; for determining lines of promotion and developing employee training programs; for determining salaries for various types of work; for determining personnel service items in departmental budgets; and for providing uniform job terminology.

### **SECTION 4. ADMINISTRATION OF THE POSITION CLASSIFICATION PLAN**

The county manager will be responsible for administration of the Classification Plan and the human resources director will assist in allocating each position to its appropriate class. The Classification Plan will be reviewed periodically, and revisions recommended when warranted to ensure that classifications accurately reflect current job duties and responsibilities.

The Office of State Human Resources shall administer a position classification plan for employees who are subject to the State Human Resources Act.

### **SECTION 5. AUTHORIZATION OF NEW POSITIONS AND THE POSITION CLASSIFICATION PLAN**

New positions will be established upon approval of the Board of Commissioners. New positions will be recommended with a class title and will be allocated into the appropriate existing class, or the Classification Plan will be revised to establish a new class to which the new position(s) may be allocated. The Classification Plan, along with any new positions or classifications, will be approved by the Board of Commissioners and kept on file with the human resources director. Copies will be available to all employees for review upon request.

### **SECTION 6. REQUEST FOR RECLASSIFICATION**

Any employee who considers their position classification to be improper must submit a written request for reclassification to their immediate supervisor, who will transmit the request to the human resources director through the chain of command. The human resources director will study the request, determine its merit, and recommend any changes to the county manager for consideration.

## **ARTICLE III. THE PAY PLAN**

### **SECTION 1. DEFINITION**

The Pay Plan is adopted by the Board of Commissioners and includes the assignment of classes to salary grades and ranges as well as the salary schedule which consists of minimum and maximum rates of pay for each job classification. Salary increases within the pay range shall be based on criteria established by the county manager and approved by the Board of Commissioners.

### **SECTION 2. ADMINISTRATION AND MAINTENANCE**

The county manager will be responsible for the administration and maintenance of the Pay Plan. All employees covered by the Pay Plan will be paid at a rate within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new Pay Plan.

The Pay Plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the comparable rates of pay for positions in public employment within the geographic area, changes in the cost of living, the financial conditions of the County, and other factors. To this end, from time to time the county manager, assisted by the human resources director, will make comparative studies of all factors affecting the level of salary ranges and may make adjustments in the allocation of positions to salary grades. When major adjustments encompassing numerous positions are needed, or when a general adjustment is needed to the Pay Plan, the county manager will recommend to the Board of Commissioners such changes in salary ranges.

To accommodate inequities, special performance or achievements, employee retention, or other appropriate reasons that become apparent during a fiscal year, the county manager may approve position reclassifications of up to two salary grades as well as in-range salary adjustments not to exceed twenty percent. As part of the annual budget process, the Board of Commissioners will make a determination regarding the adoption of the salary schedule and assignment of job classes to salary grades, including any adjustments made by the county manager during the previous budget year.

Periodically, the county manager will recommend that salary ranges be studied and adjusted as necessary to maintain market competitiveness. Such adjustments will be made by increasing or decreasing the assigned salary grade for the class and adjusting the rate of pay for employees in the class according to the process outlined in this section.

### **SECTION 3. STARTING SALARIES**

All persons hired in positions approved in the Position Classification Plan will usually be employed at the minimum rate for the classification in which they are employed. On the recommendation of the department head and human resources director, and with the approval of the county manager or designee, employee salaries may be approved above the minimum of the pay range. Reasons for hiring above the minimum rate include education and experience qualifications of the applicant, a shortage of qualified applicants, and/or the refusal of qualified applicants to accept employment at the minimum rate. The human resources director and department head will consider internal equity of other department employees when making a recommendation above the minimum rate.

Elected officials (i.e., the sheriff and register of deeds) shall be paid upon initial election or appointment at the rate of pay of the previous incumbent, less 1% for each year of service in the position by the previous incumbent.

### **SECTION 4. TRAINEE DESIGNATION AND PROVISIONS**

Applicants being considered for employment or employees who do not meet all of the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred by the appointing authority to a "trainee" status, or under the State Human Resources Act job classes as a "work

against". In such cases, the supervisor must prepare a Trainee Progress Report which tracks progress in training competencies and identifies a specific time period for the employee to meet the minimum qualifications for the job classification. A report must be completed at least every 90 days and submitted to the human resources department for the duration of the trainee period. An employee will remain at the trainee or "work against" salary level until the department head certifies that the employee is qualified to assume full responsibilities of the position and the county manager or human resources director approves the certification. The department head will review the progress of each employee in a trainee or "work against" status every six months or more frequently as necessary to determine when the employee is qualified to assume full responsibilities of the position.

"Trainee" salaries may be two grades below the minimum rate established for the position for which the person is being trained (Note: Positions subject to the State Human Resources Act may be assigned no more than two grades below for trainee purposes). The actual assignment should be reviewed and approved by the human resources director. A new employee designated as a "trainee" appointment will remain in probationary status until all requirements for the full job class are met.

If the training is not successfully completed as planned, the employee will be transferred, demoted, or dismissed. If the training is successfully completed, the employee will be paid at least the minimum rate established for the job class.

#### **SECTION 5. PERFORMANCE PAY**

Upward movement within the established salary range for an employee is not automatic but rather based upon specific performance criteria. Procedures for determining performance levels and performance pay increases will be established and approved by the county manager, consistent with budgets approved by the Board of Commissioners. Employees at or above the maximum of the range are not eligible for a performance pay increase but may be eligible for a performance bonus.

#### **SECTION 6. PERFORMANCE BONUS**

Employees who are at or above the maximum amount of the salary range for their position classification will be eligible to be considered for a performance bonus when performance pay has been authorized and budgeted. Performance bonuses will be awarded based upon the employee's performance as described in the performance evaluation and will be the same percentage of annual salary as other employees within the same salary range and with the same performance level. Performance bonuses do not become part of base pay and are awarded in a lump sum payment.

#### **SECTION 7. SALARY EFFECT OF PROMOTIONS, DEMOTIONS, TRANSFERS, AND RECLASSIFICATIONS**

See [Article IV](#) for definition of promotions, demotions, and transfers as used in this Policy.

**Promotions.** The purpose of the promotional pay increase is to recognize and compensate an employee for assuming increased responsibility. When an employee is promoted to a position with a higher salary grade, the employee's salary will usually be advanced to the minimum rate of the new position or to a salary which provides an increase of at least 5% over the employee's salary before the promotion, whichever is greater.

In the event of highly-skilled and qualified employees, shortage of qualified applicants, or for other reasons related to the merit principle of employment, the county manager may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employee's qualifications for the job and relative worth to the County, taking into account the range of the position and relative qualifications of other employees in the same classification. In no event will the new salary exceed the maximum rate of the new salary range.

The amount of the salary adjustment should be based upon:

- (a) the employee's related education, training, and experience;
- (b) the nature and magnitude of the change in jobs;

- (c) budget availability;
- (d) consistency with similar situations in the past;
- (e) internal equity within the work unit; and
- (f) other relevant issues.

Cost of living (or market adjustment) and other in-range increases cannot take the place of a promotional increase. The position of the employee's adjusted salary within the new salary range will not exceed the position of the employee's salary in the current range.

**Demotions.** When an employee is voluntarily demoted or requests to be moved to a position for which he or she qualifies, the salary will be set at the rate in the lower pay range which provides a salary commensurate with the employees' qualifications to perform the job. If the current salary is within the new range, the employee's salary may be retained at the previous rate, if appropriate. Consideration should be given to whether the employee is receiving the same pay for decreased workload or responsibility level and internal equity of the pay rate of other employees in the same classification.

If the demotion is the result of disciplinary action, the salary will be decreased at least 5% and may be no greater than the maximum of the new range.

**Transfers.** The salary of an employee reassigned to a position in the same salary grade will not be changed by the reassignment.

**Reclassifications.** An employee whose position is reclassified to a class having a higher salary range will receive a pay increase of approximately 5% or an increase to the minimum rate of the new pay range, whichever is greater. If the position is reclassified to a lower pay range, the employee's salary will remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee will be maintained at the current level until the range is increased above the employee's salary.

## **SECTION 8. SALARY EFFECT OF SALARY RANGE REVISIONS**

When a class of positions is assigned to a higher salary range as a result of labor market conditions, employees in that class will receive a 5% increase for each salary grade increase, if such increases do not exceed the midpoint of the new range. At a minimum, the employee will receive a 5% increase for the range revision even if such an increase takes the employee above the midpoint of the new range. When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If the assignment to a lower salary range results in an employee being paid at a rate above the maximum established for the new class, the employee's salary will be maintained at that level until such time as the salary range is increased above the employee's current salary.

## **SECTION 9. TRANSITION TO A NEW PAY PLAN**

The following principles will govern the transition to a new pay plan:

- (a) No employee will receive a salary reduction as a result of the transition to a new pay plan.
- (b) Employees being paid at a rate lower than the minimum rate established for their respective classes will have their salaries raised to the new minimum rate for their classes. The only exception will be those employees currently being paid at a trainee rate, or in a "work against" status. These employees will remain in their same relative pay status in the new salary grade assigned.
- (c) Employees being paid at a rate above the minimum rate and below the maximum rate are considered as being paid at a competitive rate for the job class and may receive any approved pay plan implementation increases as authorized by the Board of Commissioners.
- (d) Employees being paid at a rate above the maximum rate established for their respective classes will be maintained at that salary level with no increase in base pay until such time as the salary range is increased above the employees' current salary (i.e., no performance/merit pay increase, market adjustment/cost of living increase, or any other increase to the base pay until the employee is within the appropriate salary range).

## **SECTION 10. EFFECTIVE DATE OF SALARY CHANGES**

Salary changes approved after the first working day of a pay period will become effective at the beginning of the next pay period, or at an alternative date as may be approved by the county manager.

## **SECTION 11. OVERTIME PAY PROVISIONS**

County employees can be requested and may be required to work overtime hours as necessitated by the needs of the County and determined by the supervisor. All overtime work must be authorized in advance and properly documented on the employee's time sheet.

Supervisors will attempt to arrange employee work and schedules to accomplish the required work within the standard workweek to avoid incurring overtime. The standard workweek begins at 12:00 am on Sunday and ends at 11:59 pm on Saturday, unless the county manager designates an alternate schedule.

The County will comply with the provisions of the Fair Labor Standards Act (FLSA). The county manager will determine, based on the recommendation of the human resources director, which jobs are "Non-Exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

**Non-Exempt Employees.** Employees are expected to work during all assigned periods except during scheduled breaks or mealtimes. Except in emergency situations, employees are not to perform work at any time not scheduled unless they receive prior approval from their department head or supervisor.

Non-exempt employees will be paid a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a seven-day period; or 171 hours in a 28-day cycle for sworn law enforcement and detention officers). Hours worked beyond the FLSA established limit will be compensated in time or pay at the appropriate overtime rate. In determining eligibility for overtime in a work period, only hours actually worked will be considered: annual leave, sick leave, holidays, or hours not worked while serving in on-call status (subject to applicable laws) are not included in the computation of physically worked hours for FLSA purposes.

Whenever practical, instead of permitting non-exempt employees to work overtime, departments will schedule time off on an hour-for-hour basis within the applicable workweek or work period. When time off within the applicable workweek or work period cannot be granted, overtime worked will be given in the form of compensatory time or paid time in accordance with the FLSA.

Earned compensatory time may be granted whenever feasible and determined by the department head, based on recommendations from the supervisor. As of the adoption date of this Policy, the FLSA permits non-exempt employees to accumulate a maximum of 240 hours of compensatory time (sworn law enforcement officers may accumulate a maximum of 480 hours).

Whenever possible, supervisors should approve the use of compensatory time within three months of it being earned. In all cases, employees must use accrued compensatory time before using any accrued annual or sick leave. Non-exempt employees separating from employment will be paid for their compensatory time balances.

In a declared local, state, or federal state of emergency where employees are required to work long and continuous hours over multiple days, to ensure safe working conditions the county manager is authorized to approve compensation at a rate up to double time for those hours worked in excess of 40 hours per week and/or grant time off with pay for rest and recuperation. This provision applies to both exempt and non-exempt employees including the county manager.

**Exempt Employees.** Employees in positions determined to be "Exempt" from the FLSA (including executive, administrative, or professional staff) will not receive pay for hours worked in excess of their normal work periods. Exempt employees may be granted compensatory leave by their supervisor on an hour for hour basis where the convenience of the department allows and in accordance with procedures established by the county manager. Exempt employees will not receive pay for compensatory leave balances. Compensatory time is not guaranteed to be taken and is forfeited at separation from employment.

**Elected Positions.** Elected sheriff or register of deeds positions are not eligible for compensatory leave.

## **SECTION 12. ON-CALL AND CALL-BACK COMPENSATION**

The County provides continuous service to citizens 24 hours a day, seven days a week; therefore, it is necessary for certain employees to respond to reasonable requests for duty at any hour of the day or night. One of the conditions of County employment is the acceptance of a share of the responsibility for continuous service in accordance with the nature of each job. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee may be subject to disciplinary action up to and including dismissal.

**On-Call/Standby.** On-call (standby) time consists of scheduled non-work hours in excess of the standard work period when an employee is required (1) to be available to be called back to work on a regular or emergency basis; (2) to respond within a reasonable period of time; and (3) to be free from the influence of alcohol or narcotics and able to work. To be eligible for on-call/standby status, departments must have a need for on-call service wherein its employees are required to be on standby for at least one out of every six weeks or more frequently. Compensation for serving in on-call/standby status will be provided on a per day basis according to a standard weekday or weekend rate as established by the county manager. Departmental on-call/standby positions and schedules must be submitted and kept on file in the human resources department where a list of employees who are approved for on-call compensation arrangements will be maintained.

When non-exempt employees are required to be on-call and the time is not substantially restricted, employees may be compensated according to the procedures outlined above. Hours actually worked while on stand-by include up to 30 minutes of travel time each way for time spent traveling between their home location and the work site. Hours worked and up to a maximum of 60 minutes of travel time are added to the regular total hours worked for the week.

Employees who must remain on the employer's premises, near an established telephone, or otherwise substantially restrict personal activities in order to be ready to respond when called are required by the FLSA to be compensated with regular pay for the on-call time. An employee who is required to remain on-call at home or at a location of their choice, or who is allowed to leave a message where he/she can be reached, is not working while on-call (in most cases) and is not required to be compensated. See U.S. Department of Labor Wage and Hour Division Fact Sheet #22.

**Call-back.** Call-back time consists of actual time spent when called into work to handle an emergency or urgent situation. When not in on-call/standby status, non-exempt employees are guaranteed a minimum of two hours of pay for being called back to work outside of normal working hours. Call-back provisions do not apply when serving in on-call/standby status, for remote work, or for previously scheduled overtime work, training, meetings, etc. (scheduled one or more days in advance).

## **SECTION 13. PAYROLL SCHEDULE AND DEDUCTIONS**

The payroll schedule will be established by the county manager and administered by the finance department. Full-time sworn law enforcement and detention officers observe a 28-day work period with a pay date every 28 days. All other full-time and part-time employees observe a bi-weekly work period and bi-weekly pay date. If a pay date falls on a Saturday, Sunday, or holiday, employees will be paid on or before the last working day prior thereto.

Deductions will be made from each employee's salary as required by law. Additional deductions may be made upon the employee's request and upon determination by the county manager in consult with the finance director as to the capability of payroll systems and appropriateness of the deduction.

## **SECTION 14. HOURLY RATE OF PAY**

Employees scheduled to work less than 30 hours per week in a part-time or limited-service capacity will be compensated at the pay rates approved in the Granville County Part-Time Pay Schedule.

Employees scheduled to work at least 30 hours per week in a part-time or limited-service capacity with the same duties as full-time employees will work at a rate in the same salary range as full-time employees.



## **SECTION 15. TIMESHEET ROUNDING RULE**

Employees are required to record their time accurately; however, recording time a few minutes before or a few minutes after a regularly scheduled workday can create recordkeeping difficulties when tracking time worked to the exact minute. The Fair Labor Standards Act (FLSA) permits employers to utilize the 'rounding rule' to round an employee's time to the nearest quarter hour (see 29 CFR 785.48 (b)); therefore, to simplify payroll processing, the County has elected to utilize the 'rounding rule' and round employee worked time to the nearest quarter hour.

This practice of computing working time must be applied consistently so that it does not result in failure to compensate employees properly for time they have actually worked. Employee time *from 1 to 7 minutes is rounded down* to the nearest 15-minute increment and is not counted as hours worked. Employee time *from 8 to 14 minutes is rounded up* to the nearest 15-minute increment and is counted as a quarter hour of work time.

Supervisors must give careful attention to ensure the rounding does not inadvertently result in over or under reporting of hours worked.

Employees are instructed to clock-in as close to the scheduled start of their work shift as possible and clock-out as close to the end of their scheduled shift as possible. Similarly, non-exempt employees should not begin work earlier or stay later than their normal work schedule for the purpose of accumulating additional compensatory time or pay. Work time should only be recorded once actual work has begun for the day (i.e., arriving early or staying late is not counted as work time when it is used to care for personal convenience or needs).

## **SECTION 16. PAY FOR AN INTERIM ASSIGNMENT IN A HIGHER-LEVEL CLASSIFICATION**

An employee who is formally designated to perform the duties of a job that is assigned to a higher salary grade than the employee's regular classification for a period of at least one month will receive an increase for the duration of the interim assignment. The employee will receive a salary adjustment to the entry level (minimum rate) of the job in which the employee is acting or an increase of 10%.

Criteria involved in determining the amount of compensation will include:

- (a) the difference between the existing job and that being filled on a temporary basis, and
- (b) the degree to which the employee is expected to fulfill all the duties of the temporary assignment.

The salary increase will be temporary; upon completion of the assignment, the employee will go back to the salary he or she would have had if not assigned to the interim or acting role taking into account any increase the employee would have received if not placed in the interim or acting role.

## **SECTION 17. DIRECT DEPOSIT**

Employees will be paid by electronic transfer to their designated bank account(s) and must furnish sufficient information to effectuate the direct deposit. Employees will receive electronic documentation of their wages, deductions, and leave balances each pay period.

## **SECTION 18. CERTIFICATION AND EDUCATIONAL INCENTIVES**

**Certifications.** Note: This Section does not apply to the certification structure in place for the Inspections Department.

An employee may be requested or required to obtain an initial certification, or to attain additional certification levels that exceed the requirements on the position classification specification in order to fill a need identified by the department head as approved by the county manager.

In recognition of the additional level of responsibility, employees are eligible for a 2.5% salary increase for each level of certification or specific certification(s) attained as outlined in this section. Employees who receive a pay incentive based on this policy must maintain the level of certification achieved. If the certification lapses,

is suspended, or the employee changes roles within the organization and the certification is no longer utilized, any pay incentive(s) may be removed at the discretion of the county manager. See [Article V, Section 13](#) for requirements to report lapses, sanctions, suspensions, revocations, or other loss of credentials.

Pay incentives subject to this Section do not apply in the following situations:

- (a) When the certification or designation is solely based on participation or attendance at seminars or other similar events;
- (b) When the certification or designation does not require continuing education hours or documentation of participation in other learning opportunities in order to maintain it;
- (c) When the certification is or was a required condition of an employment offer;
- (d) When the certification is or was a requirement of the employee's position classification specification upon acceptance of an employment offer (pay for certification requirements and related levels of responsibility are considered when assigning positions to salary grades); or
- (e) When an employee independently obtains certifications for his or her own personal or professional development without being requested or required and does not obtain prior approval from the County.

The County will pay for one certification school and up to two attempts at an exam for a single certification level. If the employee is unsuccessful in passing the exam after two attempts, no further payment for schools or exams for that certification level will be made; any additional attempts will be the employee's financial responsibility. Copies of all correspondence and certificates must be provided to human resources.

The County will pay for renewal of required certifications in accord with Section 13 of [Article V](#).

To request consideration for a certification increase, the department head must submit a written notice to human resources as far in advance of the employee obtaining training or applying for the certification as possible. The written notice will be forwarded to the county manager for approval. To ensure proper budget planning, certification increases will usually be applied only at the beginning of a fiscal year; however, under certain circumstances, as when notification is given in advance of the current budget cycle or when salary reserves are available, the county manager may make an exception and apply the incentive at a time other than the start of the fiscal year.

**Advanced Education Degrees.** The County recognizes the importance of advanced education in the professional development of employees and the benefits such education brings to the organization. To that end, non-probationary full-time employees pursuing a degree in higher education related to their current position or employees who are requested to obtain a degree by their department head in order to pursue a promotion within County service are eligible for pay incentives as outlined in this section.

Pay incentives subject to this Section will not apply in the following situations:

- (a) When the education level or degree is or was a required condition of an employment offer; or
- (b) When the education level or degree is or was a requirement of the employee's position classification specification upon acceptance of an employment offer (pay for educational requirements and related levels of responsibility are considered when assigning positions to salary grades).

College courses should usually be taken outside of regular work hours; courses during work hours are typically not permitted but may be considered by the county manager on a case-by-case basis if the work time can be made-up with minor schedule adjustments. Employees will not be paid for time spent in courses; however, employees may be eligible for reimbursement for tuition, registration fees, laboratory fees, and books upon successful completion of the individual course(s) as outlined in the Tuition Reimbursement Policy found in Section 10 of [Article VI](#).

**Pre-Enrollment Considerations.** Not all degrees received by employees will be eligible for this policy; therefore, employees pursuing an advanced education degree who intend to apply for a pay incentive should consult with their respective department head *prior to* enrollment.

To request consideration for a future pay incentive, the employee must submit a written statement to their department head that includes:

- (a) The name of the higher education institution;
- (b) The type of degree being pursued;
- (c) Major/Minor fields of study;
- (d) An explanation of how the degree relates to the employee's current position and/or future advancement opportunities with the County; and
- (e) Expected date of completion.

If the department head agrees that the degree is relevant to the employee's current position or is needed to pursue a promotion, the department head must provide a supporting statement and submit all documents to the human resources director who will make a recommendation to the county manager for approval or denial. Human resources will notify the employee and department head of the county manager's decision in writing.

Eligibility Criteria. Employees will be eligible for a pay incentive when the following conditions are met:

- (a) The employee has been employed full-time with Granville County on a continuous basis for a minimum of two years;
- (b) All steps and eligibility factors outlined in this section have been observed; and
- (c) At least 50% of the coursework to attain the degree was completed while employed by Granville County on a full-time basis.

The employee must submit a written statement requesting the pay incentive to the department head along with (1) a copy of the approval notification received from human resources; (2) college transcripts; and (3) a copy of the degree certificate. The documentation will be forwarded to human resources to review for eligibility and processing.

Pay Incentives. Eligible employees will receive approved pay incentives as an addition to their base pay in the amount of 2.5% upon earning an associate degree (two-year); and/or 2.5% upon earning a bachelor's degree (four-year); and/or 2.5% upon earning a master's degree (post-secondary). The total maximum allowable pay incentive under this policy is 7.5% which would apply in the case of an eligible employee who did not possess any advanced degrees prior to applying for an incentive under this section.

To ensure proper budget planning, pay incentives will usually be applied only at the beginning of a fiscal year; however, under certain circumstances, as when notification is given in advance of the current budget cycle or when salary reserves are available, the county manager may make an exception and apply the incentive at a time other than the start of the fiscal year.

## ARTICLE IV. RECRUITMENT AND EMPLOYMENT

### SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY POLICY

County policy is to foster, maintain, and promote equal employment opportunity. Employees shall be selected on the basis of the applicant's qualifications for the job and be awarded, with respect to compensation and opportunity for training and advancement including promotions, without regard to race, religion, color, sex, national origin, sexual orientation, gender identity, transgender status, age, veteran status, marital status, political affiliation, disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior. Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent an unreasonable barrier to satisfactory performance of essential duties with or without reasonable accommodation.

### SECTION 2. IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

All personnel responsible for recruitment and employment will continue to regularly review the implementation of this Policy and relevant practices to ensure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of race, religion, color, sex, national origin, sexual orientation, gender identity, transgender status, age, veteran status, marital status, political affiliation, disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior. Notices regarding equal employment matters shall be posted in conspicuous places on County premises in places where notices are customarily posted.

### SECTION 3. RECRUITMENT, SELECTION, AND HIRING

**Recruitment Sources.** When position vacancies occur, human resources will publicize these opportunities for employment, including applicable salary information and employment qualifications. Information on job openings and hiring practices may be published on the County website or in local news media as necessary to inform the community and create a qualified and diverse pool of applicants. Notice of vacancies may also be posted at designated conspicuous sites within departments. Individuals will be recruited for an adequate period and from a geographic area as wide as necessary to ensure that well-qualified applicants are obtained. The North Carolina Division of Employment Security may also be used as a recruitment source. In rare situations because of emergency conditions, high turnover, etc., the County may hire or promote without advertising upon approval of the county manager.

**Job Advertisements.** Employment advertisements will contain assurances of equal employment opportunity and will comply with federal and state statutes.

**Application for Employment.** All persons expressing interest in County employment will be given the opportunity to file an employment application for positions which are currently being recruited.

**Application Reserve File.** Applications will be kept for a period of two years in accordance with Equal Employment Opportunity Commission guidelines.

**Selection.** Department heads, with the assistance of the human resources director, will make such investigations and conduct such examinations as necessary to accurately assess the knowledge, skills, and experience qualifications required for the position. All selection devices administered by the County will be valid measures of job performance.

**References and Background Investigations.** Before any commitment is made to an applicant, the County will conduct reference checks regarding the employee's qualifications and work performance. Physical examinations, drug screening, and criminal background investigations may also be performed. Conviction of a crime is not automatically disqualifying; the severity of the crime, degree to which the crime is job-related, and length of time since the conviction will be considered to determine the degree to which there is a business

necessity for choosing not to hire the applicant. In accord with Session Law 2021-138, psychological screening examinations will also be required for justice officers as defined by N.C.G.S. §17E-2.

**Hiring.** Before any verbal or written commitment is made to an internal or external applicant, the department head will submit a Request to Hire Form to human resources with their recommendation including the reasons for selecting the candidate over other candidates. The reference check section must be completed and the candidate's application and supporting documentation attached (i.e., degrees, F-3 forms, etc.). The human resources director will notify the department head of the approval of all potential new hires along with the starting salary. The county manager will have the final authority to approve negotiated salaries and benefits above the recommendation provided by human resources. All employment offers will be confirmed in writing by human resources and these documents will become part of the new employee's personnel file.

#### **SECTION 4. PROBATIONARY PERIOD**

An employee appointed or promoted to a regular position will serve a probationary period. Sworn law enforcement personnel and department heads will serve a 12-month probationary period and all other employees will serve a 6-month probationary period. Employees in trainee or "work against" appointments will have specific time frames established for their probationary period.

During the probationary period, supervisors will monitor an employee's performance and communicate with the employee concerning performance progress. Employees will have a probationary review at the end of their probationary period. Employees serving a 12-month probation will have a probationary review at the end of six months, as well as before the end of 12 months.

An important purpose of the probationary period is to provide an opportunity for the appointee to adjust to the new job. Likewise, it serves as a trial period during which the employee demonstrates his or her ability to perform the work, to demonstrate good work habits, and to work well with the public and coworkers. Before the end of the probationary period, the supervisor will conduct a performance evaluation conference with the employee to determine whether the employee is meeting job expectations. The employee's progress (accomplishments, strengths, and areas for improvement) will be discussed with the employee and a summary of this discussion should be documented in the employee's personnel file. The department head will recommend in writing to the county manager and human resources director whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. With approval of the county manager or human resources director, probationary periods may be extended for a maximum of six months.

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this Policy.

A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee will be dismissed. Promoted employees will retain all other rights and benefits such as the right to use grievance procedures.

#### **SECTION 5. DEFINITION OF PROMOTIONS, DEMOTIONS, AND TRANSFERS**

See Article III, [Section 8](#) for salary effect of promotions, demotions, transfers, and reclassifications.

**Promotion.** Promotion is the movement of a regular employee from their current position to a vacant position in a class assigned to a higher salary range. It is the County's policy to create career opportunities for employees whenever possible; therefore, when a current regular employee applying for a vacant position is best suited of all applicants, that applicant will be promoted to the position. The County will balance three goals in the employment process:

- (a) the benefits to employees and the organization of promotion from within;
- (b) providing equal employment opportunity and a diversified workforce to the community; and

(c) obtaining the best possible employee who will provide the most productivity in that position.

The County will consider external and internal candidates rather than automatically promoting from within except in situations where previous County experience is essential or exceptional qualifications of an internal candidate so indicate. Candidates for promotion will be chosen based on their qualifications and their work records. Internal candidates will apply for promotions using the same application process as external candidates. Promotions for employees subject to Office of State Human Resources must comply with the rules and regulations of the State Human Resources Act.

Employees promoted into sworn law enforcement or department head positions will serve a 12-month probationary period; all other promoted employees will serve a 6-month probationary period (see Section 4 of this Article).

**Demotion.** Demotion is the movement of an employee from their current position to a position in a class assigned to a lower salary range. Demotions may be voluntary or involuntary. An employee whose work or conduct in the current position is unsatisfactory may be involuntarily demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such demotion will follow the disciplinary procedures outlined in this Policy. Demoted employees may appeal this decision based on the Grievance Process outlined in this Policy.

An employee may request a voluntary demotion when a vacant position is available. Employees may request voluntary demotions in order to accept a position with less complex duties and reduced responsibilities, to change career paths, or for other reasons. A voluntary demotion is not a disciplinary action and is made without using the above-referenced disciplinary procedures.

To determine effect on salaries, follow procedures established in Article III, Section 7 of this Policy.

**Transfer.** Transfer is the movement of an employee from their current position to a position in a class in the same salary grade. If a vacancy occurs, interested employees will apply for the transfer using the same application process as for external candidates. A department head wishing to transfer an employee to a different department or classification will make a recommendation to the county manager or human resources director with the consent of the receiving department head. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this Policy. Employees who are transferred to a different department will serve a six-month probationary period.

## **ARTICLE V. CONDITIONS OF EMPLOYMENT**

### **SECTION 1. WORK SCHEDULE**

With approval of the county manager, department heads will establish work schedules which meet the operational needs of the department in the most cost-effective manner possible.

### **SECTION 2. POLITICAL ACTIVITY**

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Employees may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, and may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee will:

- (a) Engage in any political or partisan activity while on duty;
- (b) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- (c) Be required to contribute funds for political or partisan purposes as a duty of employment or as condition for employment, promotion, or tenure of office;
- (d) Coerce or compel contributions from another employee for political or partisan purposes;
- (e) Use any supplies or equipment of the County for political or partisan purposes; or
- (f) Be a candidate for nomination or election to the office of County Commissioner.

Any violation of this section will be deemed improper conduct and will subject the employee to disciplinary action under this Policy.

### **SECTION 3. EXPECTATION OF ETHICAL CONDUCT**

Proper operation of County government requires public officials and employees to be independent, impartial, and responsible to the people; governmental decisions and policy be made in the proper channels of the governmental structure; public office not be used for personal gain; and the public has confidence in the integrity of its government. It is particularly important that inspectors, contracting officers, and law enforcement officers guard against relationships that might be construed as evidence of favoritism, coercion, unfair advantage, or collusion.

As stewards of public resources and holders of public trust, County employees are expected to uphold the highest standards of ethical conduct while fulfilling their job duties and responsibilities. No County employee shall accept any gift, favor, or thing of value (more than \$50) from organizations, business firms, or individuals with whom they have official relationships because of County business. Whenever possible, free gifts or other incentives offered through merchant purchasing programs should be selected solely on the basis that they can be utilized by the department for County business. If items that meet this criterion are unavailable and the value of the free gift or incentive is not greater than \$50, documented departmental procedures must establish how the item was used. Any items valued over \$50 must be turned in to the human resources department to log and distribute through established employee incentive programs. Departments may request such items back at a later date by submitting a written request identifying the public purpose for which the item(s) will be used. Upon adoption, this policy supersedes all other previously published policies.

These limitations do not prohibit the acceptance of articles of negligible value which are distributed generally, nor prohibit employees from accepting social courtesies that provide good public relations, and do not prohibit employees from obtaining loans from public lending institutions.

#### **SECTION 4. OUTSIDE ENGAGEMENTS AND SECONDARY EMPLOYMENT**

*Also see Section 24: Conflict of Interest Policy.*

The work of the County will have precedence over other occupational interests of employees. All other employment, including self-employment, is considered secondary employment and must be disclosed at the point of hire (if the secondary employment is already in place when the employee is hired by Granville County) or before taking secondary employment (if the employee is currently employed with Granville County and wishes to take on secondary employment). Outside engagements including service on boards or entities with which Granville County conducts business or provides funding must also be disclosed.

All outside engagements and secondary employment for salaries, wages, or commissions and all self-employments must be reported on the Request to Work Outside Employment form. The form must be submitted to the appointing authority who will approve or disapprove after a review is conducted by human resources for possible conflicts of interest. The form will be placed in the employee's personnel file.

Secondary employment approval may be denied or withdrawn by an employee's supervisor for any of the following reasons:

- (a) The secondary employment has a present or possible conflict of interest with the employee's primary employment;
- (b) The supervisor believes that the secondary employment has caused the employee's overall work performance to drop below an acceptable level; or
- (c) The supervisor becomes aware of secondary employment that the employee has not reported and there is evidence that the failure to report has been willful.

Outside employment must be suspended if the employee's work status with Granville County is sick leave, FMLA leave, workers compensation leave, or restricted duty.

Conflicting or unreported outside engagements or secondary employment or failure to comply with the policy in any way are grounds for disciplinary action up to and including dismissal.

#### **SECTION 5. DUAL EMPLOYMENT**

Employees are prohibited from holding more than one position in the organization without approval of the county manager. This includes any combination of full-time, part-time, or limited service employment. FLSA regulations will be reviewed in any potential dual employment case to ensure regulations are followed.

#### **SECTION 6. EMPLOYMENT OF RELATIVES**

Hiring and employment of immediate family members within the same work unit is prohibited if such employment would result in one family member supervising or auditing the work of another, create a conflict of interest with either relative and the County, create the potential or perception of favoritism, or if one family member would occupy a position of influence over another's employment or any condition of employment. Examples of potential influence include, but are not limited to, hiring, promotion, salary administration, and disciplinary action.

Employment of any person who is an immediate family member of individuals holding a position of county commissioner, county manager, deputy county manager, human resources director, clerk to the board, finance officer, or county attorney is also prohibited.

For the purposes of this Article, immediate family is defined as spouse, child, parent, sibling, grandparent, and grandchild to include in-law, step, and half relationships, and includes individuals living in the same household who share a relationship comparable to immediate family members.

If there is a situation that would result in the perception of or the possibility of a conflict of interest in carrying out the duties of a position, satisfactory safeguards that remove the possibility of conflict shall be enacted and approved by the county manager. This includes situations where a member of the County workforce is in the chain of command but not otherwise supervised directly by a person with whom they are related.



For situations where the circumstances of employment change due to marriage or a domestic partner relationship, those involved are required to document the relationship and notify the human resources department immediately.

This clause shall not be retroactive concerning any relative currently working for the County or anyone who has filed for election at the time of adoption; however, it does require that an employee resign should an immediate family member be elected as county commissioner.

Disclosure must be made by both family members upon initial employment of the second family member in any capacity utilizing the Conflict of Interest Disclosure Form, available from the human resources department. This section also prohibits the sheriff, register of deeds, social services director, and elections director from employing immediate family members in the departments they supervise without prior approval of the Board of Commissioners.

## **SECTION 7. HARASSMENT PREVENTION**

The County prohibits harassment on the basis of race, religion, color, sex, national origin, sexual orientation, gender identity, transgender status, age, veteran status, marital status, political affiliation, disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior. Harassment is defined as conduct that culminates in tangible employment action or is sufficiently severe or pervasive as to create a hostile work environment.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes that he or she may have a complaint of harassment may follow the Grievance Procedure described in this Policy or may file the complaint directly with the county manager, human resources director, or any department head who will advise the county manager or county attorney. The employee may file the complaint directly with the county manager if it involves a department head. The human resources director will ensure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

Employees witnessing harassment must also report such conduct to an appropriate County official. Employees making complaints of harassment are protected against retaliation from alleged harassers or others.

## **SECTION 8. USE OF COUNTY TIME, EQUIPMENT, SUPPLIES, AND VEHICLES**

County equipment, materials, tools, and supplies are not available for personal use and are not to be removed from County property except when conducting official County business, unless approved by the county manager. Employees shall not use County purchase accounts to purchase equipment or supplies for personal use. Use of County time, supplies, or equipment for personal or other purposes not related to the employee's duties and responsibilities is prohibited and will subject the employee to disciplinary action, up to and including dismissal.

All employees who use County vehicles are required to follow applicable motor vehicle and safety requirements. Violation or misuse of vehicles also subjects the employee to disciplinary action, up to and including dismissal. Employees are required to abide by the *Granville County Vehicle Use Policy* adopted separately from this Policy.

Other policies expounding on the use of information technology, social media, cell phones, and email are included in subsequent sections of this Article.

**Surrender of Property.** An employee who terminates employment will be required to return all items of equipment, including uniforms, owned by the County. Failure to do so may result in a deduction from the

employee's final paycheck for replacement costs.

## **SECTION 9. TELEWORK POLICY**

Teleworking allows an employee to work at home or in a remote location as requested by the employee or the County. Specific terms and conditions for the individual teleworker will be identified in a Teleworking Agreement which must be signed by the employee, direct supervisor, and department head and forwarded for approval of the human resources director and county manager. The Agreement will be placed in the employee's personnel file.

Teleworking is a temporary arrangement approved on an as-needed basis with no expectation that such the arrangement is permanent. As such, employees are not entitled to or guaranteed the opportunity to telework. Consideration of a teleworking agreement will require an evaluation of appropriateness based on job responsibilities, employee suitability, equipment needs, and tax and other implications.

Individuals requesting teleworking arrangements must have been regularly employed with the County for a minimum of 12 full-time continuous months and without any disciplinary actions during the previous 12 months. Full-time employees who have not completed their probationary period or part-time employees are not eligible for teleworking unless specific approval is received from the county manager.

Teleworking does not change the terms and conditions of "at-will" employment and the teleworker will continue to be subject to all County policies and procedures. Salary, benefits, and job responsibilities do not change because an employee teleworks, except as they might have changed under non-teleworking conditions. Teleworkers agree to comply with all existing job requirements and are expected to work within their standard workday; work hours must be reflected on the time sheet according to standard County policy. Teleworkers may not work more than the regularly scheduled hours in their normal work week as this would result in comp time and/or overtime which are not permitted while teleworking unless specifically requested by the county manager or department head. If specifically requested to work beyond their regularly scheduled hours, the purpose for the comp time and/or overtime must be clearly documented on the employee timesheet and initialed by the department head.

For the purposes of this policy, essential personnel are defined as employees who provide essential services to support efforts to restore the health, safety, and welfare of the County and its citizens during an emergency. The county manager will determine which individuals are essential personnel expected to be at their assigned workplace unless they have been specifically excused by the department head. Failure to work when and where directed may result in disciplinary action up to and including dismissal.

Teleworking is not to be viewed as a substitute for dependent care, and teleworkers are expected to arrange for someone to provide child and other dependent care, if applicable. The County recognizes that one advantage of working at home is the opportunity to have more time with dependents, but it is the responsibility of each teleworker to ensure that they are fully able to complete their work assignments as required. Teleworkers are encouraged to discuss expectations of teleworking with family members.

Extended temporary teleworking will be considered (1) while working on a short-term project; (2) for employees on family or medical leave (to the extent practical for the employee and the organization and with the consent of the employee's health care provider); and (3) other similar circumstances including but not limited to pandemics, natural disasters, etc.

Teleworking may be discontinued at any time at the request of either the teleworker or the county manager and providing there is available workspace.

## **SECTION 10. PERFORMANCE REVIEWS**

Department heads and supervisors will conduct performance reviews with employees under their supervision at least once a year utilizing the standardized schedule approved by the county manager. As part of the annual review process, department heads will ensure that changes in employee duties are reviewed and incorporated into a current job description in cooperation with the human resources director.

New employees will receive a probationary review at the completion of their probationary period. Employees serving a twelve-month probationary period will receive a probationary review at the end of six months, and at twelve months. Employees are not placed in regular status until they have successfully completed their probationary period. Procedures for the performance review program will be published by the human resources director with the approval of the county manager.

Regular status employees will receive a performance review on an annual cycle which begins May 1 and ends May 31 each year. The annual review cycle correlates to the award of merit increases for eligible employees when approved as part of the County's fiscal operating budget. Employees who have not successfully completed their probationary period prior to May 31 will not participate in the annual review cycle nor be eligible for a merit increase during that year's cycle.

For all employees, final documentation of any merit pay increase must be submitted to the human resources department by June 15 in order to be effective with the first full pay period in the new fiscal year.

A new supervisor will be responsible for evaluating performance of transfers or promotions within his or her department and should work with the previous supervisor to obtain feedback on the employee's performance prior to the transfer or promotion.

**Section 10.1. Annual Pay Increases for Elected Officials and Employees Reporting to an Independent Board**

Pay increases for elected officials and employees who report to an independent Board shall be as follows:

- (a) The pay of the register of deeds and sheriff shall be adjusted annually to match the average merit pay increase received by the employees appointed by them.
- (b) The pay of employees who report to an independent board shall be adjusted annually as described in this subparagraph.
  - 1. The pay of the elections director shall be in an amount recommended annually by the county board of elections and approved by the Board of County Commissioners. See N.C. Gen. Stat. § 163-35.
  - 2. The board of social services, with the approval of the Board of Commissioners, shall determine annually the salary of the director in accordance with the classification plan of the North Carolina Human Resources Commission. See N.C. Gen. Stat. § 108A-13.
  - 3. The Soil & Water Conservation District supervisors shall annually determine the compensation of the Natural Resources Conservations. See N.C. Gen. Stat. § 139-7.

Each independent board shall submit its annual salary review to the Board of County Commissioners who will consider the results, along with any other relevant information, to determine the applicable merit or other pay increase at a level that does not exceed the level available for all other county employees. Other salary adjustments should be discussed by the independent board with the county manager as part of the annual budget process.

*Reference: Sheriff and Register of Deeds § 153A-92; Social Services Director § 108A-13; Elections Director § 163-35; Natural Resources Conservations (Soil & Water Conservation District) § 139-7.*

**SECTION 11. SAFETY POLICY**

Granville County is committed to the safety and welfare of all employees with a goal of reducing workplace accidents through prevention, education, and awareness. To enhance the County's safety program, a Safety Committee comprised of department heads, appointed officials, and internal employees has been established to support the safety mission and encourage employees to participate in the safety process.

Each level of County government has a role in ensuring a safe work environment: departments must develop and administer safety programs that make safety a matter of continuing concern, equal in importance to all other operational considerations; supervisors are responsible for conveying and providing safety training to personnel under their supervision; and employees are charged with the responsibility for cooperating with,

and supporting, the safety program and its objectives.

Furthermore, as a condition of employment, every employee is expected to be concerned with personal safety, safety of fellow workers, and safety of the general public. This means willing acceptance and active support of approved safety rules and procedures, as well as participation in safety training. It is important that employees be constantly alert to potential hazards which are not referred to in any written practices, but which may result in injuries or property damage. Department heads and supervisors are responsible for ensuring safe work procedures, including the use of all required personal protective equipment, and providing necessary safety training programs. Employees who violate safety policies and procedures will be subject to disciplinary action up to and including dismissal.

The Emergency Management division is responsible for establishing and maintaining the Safety Program as contained within the comprehensive Risk Control Manual. Department heads are responsible for providing employees with required safety education and training in harmony with the manual. A summary of the policy is excerpted herein merely to provide employees with general information about the Safety Policy; employees must refer to the Risk Control Manual for comprehensive guidance on specific safety policies.

The manual itself contains detailed policies, procedures, and plans specific to:

- |   |                                 |
|---|---------------------------------|
| (a) Hazard control and self-inspection activities;  | (g) Fire prevention;            |
| (b) Emergency procedures consisting of an emergency action plan, basic emergency evacuations, and plans for special or unusual risks; | (h) Hazard communication;       |
| (c) Claims management, incident reporting, and investigation measures;  | (i) Motor vehicle safety;       |
| (d) Protective clothing and equipment;  | (j) Office safety;              |
| (e) Housekeeping;   | (k) Ladders and scaffolding;    |
| (f) Materials handling and lifting;   | (l) Hand tools & power tools;   |
|   | (m) Cell phones;                |
|   | (n) Bloodborne pathogens;       |
|   | (o) Terrorist/bomb threats; and |
|   | (p) Severe weather              |

**New Employee Training.** New employees must be trained on safety policies and specific program components relevant to their position prior to undertaking certain duties requiring specific safety training as identified at the department level and/or within 45 days of employment for certain duties not requiring specific safety-related training. Following training, an acknowledgement form stating that they have received training and agree to abide by the items outlined in the policy must be signed by the employee and department head and forward to human resources for inclusion with the employee's personnel file.

At a minimum, the new hire process will cover the following fundamentals during safety orientation:

- (a) Safety program and committee structures;
- (b) Employee's responsibility to work safely;
- (c) Accident prevention;
- (d) Safe lifting;
- (e) Emergency plan and fire prevention;
- (f) Fire extinguishers;
- (g) Bomb-threat protocol;
- (h) General hazard communication;
- (i) Smoking regulations;
- (j) How to report unsafe conditions; and
- (k) Accident reporting procedures

In addition, the following department-specific training will be provided at the department level:

- (a) Personal protective equipment (PPE) requirements, and how to use and maintain for job duties;
- (b) Department emergency procedures;
- (c) Authorization to use machinery/equipment;

- (d) Safety procedures/hazard controls for the specific job;
- (e) Job-specific Hazard Communication Training (SDS's);
- (f) Safe lifting specific to department equipment; and
- (g) Other specialized training (bloodborne pathogens, electrical safety, ergonomics, safe driving, etc.)

Supervisors are required to meet with each new employee at the end of their probationary period to discuss their performance and to give them the opportunity to ask questions and state concerns. Safety should be an important element in these reviews.

**General Safety Procedures.** Employees are required to abide by safety rules, act in a safe manner, and be knowledgeable of potential hazards related to their job. Job specific safety procedures must be developed by each department. The following general safety rules apply to employees at all locations and will be enforced through the disciplinary process as outlined in [Article IX](#). Employees must:

- (a) report all personal injuries, no matter how minor, to his or her immediate supervisor as soon as possible. This must be done regardless of whether the injury results in lost time from work or requires medical attention.
- (b) not take any unnecessary chances or work under hazardous conditions. If an employee does not fully understand the job or task, they should consult with their supervisor for further instruction.
- (c) avoid horseplay and practical jokes on the job. Any participation in such activities will be subject to immediate disciplinary action.
- (d) not drink alcoholic beverages or use illegal drugs on the job during working hours. Any employee reporting to work under the influence of alcohol or drugs shall be subject to procedures contained in the Substance Abuse Policy found in Section 12 of this Article.
- (e) obey all safety rules, signs, warnings, and instructions.
- (f) work at a speed consistent with safety. Running on the job is prohibited, except in obvious extreme emergencies.
- (g) use handrails on stairs or on elevated places.
- (h) use an appropriate ladder or other climbing device to reach elevated work, and not jump down from an elevation such as a ladder, bench, or platform.
- (i) inspect tools and equipment before use. Report defects to supervisors and other potential users. Do not use defective tools or equipment.
- (j) work clear of suspended loads; if a load is moved above where the employee is working, he or she must stand aside until it has passed by.
- (k) operate only the machinery or equipment for which he or she has been authorized and trained to operate safely.
- (l) remove jewelry such as rings, identification bracelets, etc. in work involving climbing, materials handling, or operating mechanical equipment.
- (m) never reach over moving parts of machinery or equipment.
- (n) never operate machinery or equipment with guards removed.
- (o) report to work in appropriate clothing suitable for the type of work performed. This includes footwear designed to protect feet and avoid slipping. Avoid wearing loose-fitting clothing or jewelry near machinery or equipment with moving parts. Loose hair longer than shoulder length must be tied back behind the shoulders when working around machinery.
- (p) always use the safety equipment and personal protective equipment provided.
- (q) practice good housekeeping to prevent accidents. Do not allow waste to accumulate in the work area. Dispose of waste materials properly.
- (r) report any unsafe conditions or unsafe acts to supervisors immediately.
- (s) observe all health and sanitation rules for the welfare and consideration of other employees.

Additional detailed procedures regarding safety, worker's compensation, injury, and infection control may be established by the county manager. The detailed policies and procedures shall be the final authority in any instance where such policies and procedures conflict with the summary information in this Policy.

## SECTION 12. SUBSTANCE ABUSE POLICY

Granville County has an obligation to its employees and the public to take reasonable and appropriate steps to prevent substance abuse by its employees in or affecting the workplace. This policy is based in substantial part on the County's concern regarding the safety, health, and welfare of its employees, their families, and the community. Since it is impossible to anticipate every situation that may arise, before initiating any action supervisors or department heads should contact the county manager or human resources director to resolve any situation not addressed herein.

Before a drug and/or alcohol screening test ("Test") is administered, subjects must sign an Authorization for Drug &/or Alcohol Test form and permit release of results to County officials with a need to know. A final applicant who refuses to consent will have the employment offer withdrawn; An employee who refuses to consent is subject to disciplinary action up to and including dismissal.

Employees using prescribed medications under a physician's direction, or an over-the-counter medication that could alter their ability to perform their duties and responsibilities, are required to notify their supervisor. The department head will consult with the human resources director to determine if the employee should be required to take sick leave or be allowed to continue to work and in what capacity. Notification of the employee's medication use and work status determination must be provided to human resources for inclusion with the employee's confidential medical file. Failure to notify the County regarding such prescribed medications is subject to disciplinary action up to and including dismissal.

**Prohibited Conduct.** The following conduct is expressly prohibited. Violations will result in disciplinary action up to and including dismissal:

- (a) Possession, consumption, manufacturing, distribution, dispensation or being under the influence of an unauthorized controlled substance, an illegal drug, drug paraphernalia, or alcohol while on duty, on County premises, in County-owned vehicles, or in any County work area. Law enforcement will be notified, as appropriate, where criminal activity is suspected.
- (b) Sale, use, or possession of illegal drugs; or possession with intent to sell illegal drugs.
- (c) Off-premises abuse of alcohol or controlled substances when these activities adversely affect job performance, job safety, or the public's confidence in an employee's ability to perform their duties in an adequate and effective manner.

**Screening Criteria.** Testing may be conducted under the following circumstances:

1. **Pre-Employment.** Applicants who have been offered employment will be required to undergo a Test as part of the hiring process, and the offer of employment will be withdrawn if results reveal the presence of illegal drugs or prescription drugs without a valid prescription.
2. **Post-Accident/Incident.** Employees will be tested when any of the following occur:
  - (a) An accident/incident results in a fatality;
  - (b) An employee causes or contributes to an accident that seriously damages County-owned vehicle(s), machinery, equipment or property, or results in an injury to themselves or another person requiring off-site medical attention; and
  - (c) Any other time where there is reasonable suspicion that the accident/incident was caused by impairment from alcohol or drug use.

In any of these instances, the investigation and subsequent testing should take place within two hours but no more than eight hours following the accident, if not sooner. The employee will not be allowed to drive himself or herself to the testing facility under any circumstances.

3. **Reasonable Suspicion.** If a department head and/or supervisor suspects that an employee on duty has alcohol or drugs in their system, they should immediately contact human resources. Reasonable suspicion must be based on specific, objective facts, or reasonable inferences drawn from facts that would cause a reasonable person to suspect that the employee is or has been using drugs or alcohol.

Facts supporting a reasonable suspicion determination include, but are not limited to, any one or more of the following:

- (a) Direct observation of prohibited drug or alcohol use or possession of same;
- (b) Slurred speech;
- (c) Odor or visible signs of a controlled substance or alcohol about the person;
- (d) Physical or verbal altercation;
- (e) Behavior that is so unusual that it warrants summoning a supervisor or other authority (i.e. confusion, disorientation, lack of coordination, irrational behavior);
- (f) A report of prohibited drug or alcohol use provided by a reliable and credible source; or
- (g) Arrests, citations, and deferred prosecutions associated with drugs or alcohol.

- 4. *Federal or State-Mandated Testing.* Employees who are subject to federal or state-mandated testing will be tested pursuant to such requirements notwithstanding this policy.
- 5. *Random Testing.* An employee that is entrusted with preserving public or employee health/safety has a special responsibility to maintain physical and mental fitness for duty while on the job. Random testing may be conducted on employees that hold safety-sensitive positions, chosen by a method that provides an equal probability that any employee from a group will be selected.

County positions defined as safety-sensitive include:

- (a) Sworn law enforcement and telecommunications personnel;
- (b) Positions requiring the consistent and frequent operation of heavy equipment or motor vehicles as a primary task;
- (c) Positions working around large equipment or with potential for hazards;
- (d) Positions working with youth and/or those required to drive citizens or clients;
- (e) Positions requiring the handling of hazardous materials, the mishandling of which may place the employee, fellow employees, or the public at risk of serious injury, or the nature of which would create a security risk in the workplace; and
- (f) Positions as required by law or as designated by the human resources director due to specific safety-sensitivity.

- 6. *Return-to-Duty and Follow-Up Testing.* Testing is conducted when an employee has violated policy standards and returns to performing duties following evaluation by substance abuse professionals and treatment, if necessary. Testing is conducted prior to the return to work and on an unannounced/random basis for up to two years. An employee who receives another positive drug and/or alcohol test after counseling and/or rehabilitation is subject to immediate dismissal.

Employees tested under the post-accident/incident, reasonable suspicion, or random testing provisions of this policy will be escorted by a supervisor or other County official to the testing site ensuring that the employee does not eat or ingest anything or acquire "clean" urine from another person. Once at the testing facility, medical staff are responsible for collection and chain of custody procedures. To ensure the employee's privacy, the County official will not be a witness to the collection.

After the sample is obtained, the County official will either escort the employee home (or to some other requested destination) or obtain transportation for the employee if necessary.

**Testing Facility Requirements.** All testing must be conducted in compliance with the Controlled Substance Examination Act in N.C. General Statutes Chapter 95 Article 20. The County will select a medical facility or laboratory site to conduct the testing that has testing procedures that ensure privacy consistent with the prevention of tampering, methods of analysis that ensure reliable test results, chain of custody procedures to ensure proper identification and handling of samples, and storage procedures to ensure reliable results on confirmatory test of original samples.

**Relief from Duty.** An employee may be placed on administrative leave for the balance of the work shift for post-accident/incident testing or placed on administrative leave pending results for reasonable suspicion

testing. In either situation, employees will usually be placed on annual leave or leave without pay during the administrative leave time (since the employee is considered to be awaiting disciplinary action if the test is positive, use of sick leave is not authorized during this period).

**Positive Test Results.** A test that yields a positive result will be given a second or “confirmation” test using a gas chromatography/mass spectrometry test and a portion of the same sample used in the first test. If the confirmation results are positive, the applicant or employee will be notified and given the opportunity to rebut the results verbally or in writing; this rebuttal or explanation may be considered in making any employment decision.

After notice of a confirmed positive test, an applicant or employee may request yet a third retest of the original sample *at his or her expense* by notifying the County in writing of their intent within five working days after receipt of the confirmed positive test results. The retest of the original sample will be conducted with the same criteria used in the original test. If the retest does not confirm the original positive test result, no adverse employment action based upon the original test will be taken.

**Confidentiality.** Information from an applicant or employee’s drug and/or alcohol test is confidential and only those with a need to know are informed of the results; disclosure to any other person or organization is prohibited unless written authorization is obtained from the applicant or employee.

### **SECTION 13. CREDENTIALS AND CERTIFICATIONS**

Some duties assigned to positions in local government service may be performed only by persons who are duly licensed, registered, or certified as required by the relevant law, rule, or regulation. Employees in such classifications are responsible for maintaining current, valid credentials. Annual or other periodic renewal fees for approved job-required certifications will be paid by the County.

Employees are required to notify their supervisor immediately upon notice of any pending disciplinary action, sanction or loss of privileges, suspension, revocation, lapse, or loss of any credentials that make them eligible to perform their duties or for which they have received a pay incentive based on [Article III, Section 18](#) of this Policy. While each situation will be assessed based on its specific circumstances, failure to obtain or maintain required credentials in good standing may deem an employee unqualified for their job duties. In such cases, the employee may be subject to immediate dismissal without warning. A written statement of the reason for the action and appeal rights will be provided.

### **SECTION 14. USE OF TOBACCO PRODUCTS**

Smoking and the use of tobacco products are prohibited in all county-owned or leased buildings and vehicles. Smoking is also prohibited within 50 feet of a public entrance unless a variance is issued by the county manager; when granted, smoking areas will be clearly designated. The prohibition against tobacco products includes e-cigarettes or other devices which provide a vapor or nicotine substance and inhaler devices that simulate smoking.

### **SECTION 15. LACTATION SUPPORT FOR NURSING MOTHERS**

The County is committed to family-friendly policies and accommodates breastfeeding mothers who wish to express breast milk when separated from their newborn during the workday. The County provides reasonable break times to express breast milk for the child for up to one year after the child’s birth.

When placed in a workplace refrigerator, breast milk must be labeled with the name of the employee and date of expressing the breast milk. Non-conforming products stored in the refrigerator may be removed. The employee storing milk in the refrigerator assumes all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and/or tampering.

Nursing mothers should work with human resources to identify a room in the employee’s work area where employees may express milk. Employees who work off-site or in other locations will also be accommodated in a private area as necessary.



For more information, see the FLSA guidelines regarding lactation provisions in Section 7(r) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) and Fact Sheet #73.

#### **SECTION 16. DRIVER'S LICENSE**

All employees who are in positions required on the class specification and any employee who drives a County vehicle must maintain an active driver's license as a condition of employment. The human resources department will obtain signed authorization forms from these employees to monitor driving records for violations. If the driver's license is not in good standing, the employee may be transferred, suspended, demoted, or dismissed.

#### **SECTION 17. INFORMATION TECHNOLOGY POLICY**

The Information Technology (I.T.) Policy is designed to protect the integrity and reputation of County government and ensure that the County's digital footprint is secure and in line with a consistent brand image. All new employees must read the I.T. Policy (available on the County website or from human resources) and sign an acknowledgement form stating that they agree to abide by the policy. Applicable sections of the policy are excerpted herein merely to provide employees with general information about the I.T. Policy. Employees must refer to the full I.T. Policy for comprehensive guidance on specific policies.

**Records Management.** Management of electronic public records is a matter of legal, ethical, and organizational importance. An electronic record is a record that is created or reproduced in any medium by means of any system requiring aid of electronic technology to make the record intelligible, and which is dependent upon a combination of hardware, software, and computer files. Electronic records retention must meet the same legal requirements as paper (see NCGS §132).

Without the consent of the NC Department of Cultural Resources, no public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with NCGS §121-5 and §130A 99.

**Acceptable Use.** County information systems include, but are not limited to, desktop PC's, mobile devices such as laptops and tablets, County-owned/issued cell phones, and other data devices (including MiFi's), county email systems, county Wi-Fi, and Internet access systems and devices. Granville County owns all property rights to any content or other matter created, received, transmitted, stored on, or deleted from any County information system; therefore, users should have no expectation of privacy from use of these systems. Storage of personal records on County information systems is prohibited. If personal storage items are discovered on the County's information systems, they will be removed without notice and the violator reported to the appropriate supervisor.

Access to County information systems and equipment may be monitored and audited at any time by the IT department and/or the internal auditor.

**Prohibited Use.** Except in cases where the county manager determines it necessary for the performance of the user's official duties, activities such as accessing, downloading, transmitting, printing, or storing information with sexually explicit content; downloading or transmitting defamatory, harassing, or discriminatory messages or images; and accessing or downloading gambling sites or illegal software are prohibited.

**Lost, Misplaced, and Damaged Equipment.** Lost or stolen equipment must be reported to the IT department immediately along with a disclosure of what sensitive information could reside on the equipment. Damaged equipment must be reported at the earliest opportunity.

**Software Licensing and Usage.** Software installs shall be performed by the software vendor or the I.T. department to ensure connectivity and functionality.

The I.T. department will maintain all software licenses to ensure standardization. Software agreements shall be between the third party and the County (not individual departments) except for necessary arrangements between the sheriff's office, emergency communications, and cooperative extension (as required).

**Common Shared Folders and Interdepartmental Folders.** Sensitive and confidential documents must be stored in protected department folders, not in commonly shared folders that are accessible by any employee. Sensitive information typically includes personal identifying information such as names, addresses, Social Security numbers, banking or credit card information, and government-issued IDs, as well as financial and medical information, criminal records, and any other data that could be used to identify or track an individual. Shared scanner files can be accessed by all County offices; therefore, use extra caution when scanning confidential information. Any such documents must be removed from the shared folder and transferred to a protected department folder immediately upon scanning.

All other (non-sensitive) scanned files must be removed to their appropriate location within twenty-four hours of scanning as the scanned folder files will be cleared routinely.

**Website Administration.** The County website will be governed by an administrator appointed by the county manager. Each department is responsible for the actual content of web pages pertaining to their department; thus, department heads should have a plan for providing regular content updates to the website administrator.

**Key Cards/Fobs and Door Systems.** The I.T. department is responsible for maintaining systematic and effective control of all key cards/fobs that access door systems on County buildings.

Users are permitted to use their key card/fob only for their own personal access to the area. Enabling others to gain access is considered a misuse of privileges.

Requests to change or remove access levels must be submitted to the I.T. department by the requesting department head.

Keys cards/fobs are the property of Granville County and must be returned upon termination of employment. Obsolete or unneeded key cards/fobs must be returned to the I.T. department for disposal.

## **SECTION 18. SOCIAL MEDIA POLICY**

County government uses social media as a tool to broadcast information and actively engage stakeholders in order to have a more fluid and informal method of communicating. To achieve these goals, staff are expected to maintain a consistent agency and organizational identity established by Granville County Government.

Additional information, administrator regulations, and operational guidelines are published in the complete County Social Media Policy posted on the County website or available from the human resources department. Applicable sections of the policy are excerpted herein merely to provide employees with general information about the rights and responsibilities for using social media platforms and for representing the County in the social media sphere. Employees must refer to the full Social Media Policy for comprehensive guidance on specific policies.

**Official Sites.** All proposed official social media and networking sites must be sanctioned by the department head and submitted to the county manager for approval. County administration will ensure county-wide brand consistency is maintained and applicable policies are followed. The public information officer (PIO) will periodically review accounts and may require administrators to adjust content. The PIO shall also serve as back-up administrator for all social media accounts for emergency situations.

**Employee Use of Personal Accounts.** Employees are prohibited from using personal accounts to conduct official County business. The transaction of County business via social media is subject to public records laws and retention schedules as noted below. In addition, this practice risks confusing residents and visitors as to the content that is public business and the content that is of a personal nature; therefore, if an employee is contacted about government business via a personal account, they must redirect communication through an official County channel.

When accessing personal accounts during and outside of work hours:

- (a) When commenting or reposting a post that relates to the government or to the employee's job, whether on a personal or professional site, the employee must include a disclaimer that the post

- reflects their own opinion and not that of Granville County government;
- (b) Policies that relate to conduct and ethics, privacy and confidentiality, harassment, retaliation, and other relevant conduct apply; and
- (c) Employees have no reasonable expectation of privacy when using government technology.

**Public Record.** With few exceptions, anything created in the course of public business is subject to public records laws regardless of format; hence, records created by staff on personal devices or personal social media/ email accounts are public records if content involves public business (NCGS §132).

Non-employees may be unaware that social media sites are public record; therefore, social media pages must include language that identifies the content as subject to public records laws.

**Content Retention.** Retention schedules for social media may vary by department and/or topic. Content created by social media account administrators and content created by the public on County social media accounts are subject to state retention schedules. Department heads must notify IT of all account administrators so that the proper retention software may be applied.

### **SECTION 19. CELL PHONE POLICY**

Cell phone technology is a valuable communication tool for use in transacting official business. Knowledge and understanding of the public records implications is critical to ensure users do not violate state laws.

Records created by government staff on personal devices are public records if the content involves public business. Any record made or received in the transaction of public business is subject to public access unless an exception applies. In certain circumstances it is possible for an employee to be required to turn their cell phone over to County administration, law enforcement, and/or the court system.

Electronic content created by staff, elected officials, appointed board members, and volunteers conducting county business is subject to state retention schedules.

Additional information and procedural details are published in the complete County Cell Phone Policy posted on the County website or available from human resources. Applicable sections of the policy are excerpted herein merely to provide employees with general information about the different types of cell phones covered by the policy. Employees must refer to the full Cell Phone Policy for comprehensive guidance on specific policies.

**Stipend Eligibility and Requirements.** Employees requiring cell phones to perform their work will receive a stipend to compensate for business use of their employee-owned cell phone. Stipend eligibility requirements are outlined in the complete Cell Phone Policy.

**County-Owned, Employee-Operated Cell Phones.** If an employee requires a cell phone to perform their work but does not wish to use a personal phone, the County may provide one. Incidental personal use of County equipment should be kept to a minimum and in compliance with I.T. policies.

**County-Owned, Department or Group-Use Cell Phones.** Cell phones maintained by departments for group use that are not assigned to specific individuals will require a detailed log for employees to check in/check out the assigned phone. The log will be subject to review by the internal auditor.

### **SECTION 20. EMAIL POLICY**

County employees, elected officials, interns, and volunteers rely on electronic mail (email) as a communication tool to carry out government business. Most email messages have administrative, fiscal, legal, reference, and/or archival value. The Email Policy ensures that records created, sent, and received through email are managed in accordance with established laws for all government records and helps to ensure that email messages are available for public records requests.

Procedural details and additional information are published in the complete County Email Policy posted on the County website or available from the human resources department. Applicable sections of the policy are excerpted herein merely to provide employees with general information about rights and responsibilities of

utilizing the County email system. Employees must refer to the full Email Policy for comprehensive guidance on specific policies.

An email message is public record (defined by NC General Statutes 121-2(8) and 132-1(a)) when made or received pursuant to law or ordinance in connection with the transaction of public business. It is the content of the email message and not the system or account used to create the email message that matters when it comes to the legal framework involving public records and retention.

Email messages created or received on County email systems are owned by the County; employees who use government equipment and systems should have no expectation of privacy. The County email system should be used primarily to carry out government business. Inappropriate use of email messages can merit legal action and can also result in a negative reputation, negative publicity, and lost productivity.

Use of personal email accounts to conduct official government business is prohibited; if it does occur for an unavoidable reason, employees are required to forward all email messages to their government email account.

## **SECTION 21. TRAVEL POLICY**

This policy provides for use of a County-issued credit card or expense reimbursement for employees or officials who are required to travel in performance of their duties or in the interest of County affairs. Department heads are responsible for administering policy provisions and may approve travel reimbursements for employees under their supervision except where otherwise stated. Under certain conditions, volunteers who provide significant service to the County may be eligible for reimbursement under this policy at the discretion of the county manager.

### **General Policy**

The County recognizes that employees and officials are required to travel both inside and outside of North Carolina for the purpose of representing the County at meetings and professional associations, as well as for training to enhance their skills in performing various positions. An individual traveling on official County business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, indirect routes, delays, or luxury accommodations and services unnecessary, unjustified, or solely for convenience or personal preference are not acceptable under this standard. Travelers will be held responsible for unauthorized costs and additional expenses incurred for personal preference or convenience. No payment shall be made for normal commuting time between an individual's home and his or her office or customary worksite.

### **Procedures**

For purchases made with a County-issued credit card, a fully executed *Travel Approval Form* must accompany receipts submitted with the credit card statement.

To request reimbursement of personal funds, a fully executed *Travel Approval Form* and completed *Statement of Travel Expense Form* or *Reimbursement for Non-Overnight Travel Form* must be submitted to the finance office within 10 calendar days of the employee's return along with itemized receipts for lodging, meals, registration, and/or transportation. Itemized receipts for parking, taxis, buses, etc. may not be available or provided; however, those should be included whenever possible. The finance department will review the request to ensure compliance with applicable policies. Any extraordinary travel costs or expenses not addressed by this policy will be forwarded to the county manager for review and approval.

Payment of mileage allowance or public transportation costs will be applied as applicable. If rental vehicles are used for both business and non-business purposes, the non-business portion will not be paid by the County.

If an employee cancels an approved trip after the County has paid airfare, registration, and/or other related fees or has issued a travel advance, a memo must be submitted to the finance office to explain the cancellation. The traveler and approving department head will be responsible for any refunds due to the County. Non-refundable expenditures will be reviewed on a case-by-case basis by the county manager.

## Authorized Travel Modes

1. County-Owned Vehicle. A County vehicle is to be used whenever one is available.
2. Privately-Owned Vehicle. When a County vehicle is not available for use, a personal vehicle may be used if authorized by the department head. If a County vehicle is available for use but the traveler chooses to use his or her personal vehicle instead, mileage reimbursement will only be permitted when approved in advance.
3. Common Carrier. Expenses for air, rail, or bus fare are limited to coach fare and must be substantiated by an itemized receipt. This type of expense requires the county manager's signature on the Travel Approval Form prior to purchasing a ticket.
4. Rental Vehicle. Rental expenses require the county manager's signature on the Travel Approval Form. If a rental vehicle is approved, it should be secured at the lowest practical cost.

## Payment for Travel Expenses.

All requests for travel reimbursement of personal funds must be submitted on the *Statement of Travel Expense Form* (for overnight travel) or the *Reimbursement for Non-Overnight Travel Form*.

1. **Extraordinary Travel or Cost**. In instances of travel not covered by this policy or when actual necessary costs exceed the maximum permitted and the travel is in the best interest of the County, the county manager may approve actual cost beyond the maximums stated herein.
2. **Lodging**. A statement with itemized lodging costs must be submitted. If the destination is less than 60 miles from the employee's work location, the *Travel Approval Form* signed by the county manager or deputy county manager must also be attached.
3. **Meal Reimbursement**. Unless a different schedule is published by the county manager, the cost of meals in connection with overnight travel on County business will be reimbursed according to the rates published on the reimbursement form (rates will reflect North Carolina average based on [GSA Per Diem Rates](#)). Meals included in registration costs will not be reimbursed to employees who choose to eat on their own elsewhere. Non-employee companion meals must be paid for with personal funds.

Use of a county-issued credit card for meal purchases is prohibited; meals must be purchased with personal funds and itemized receipts submitted to the finance department on the appropriate form. Finance staff will review the reimbursement request and determine appropriate taxable treatment under Internal Revenue Service regulations.

### (a) **Meal Reimbursement Rates for Overnight Travel**

IRS regulations stipulate meal reimbursements for overnight travel are not taxable when (1) the employee must be traveling away from home substantially longer than an ordinary day's work, and (2) the employee requires an overnight stay while away from home. See also IRC Section 162(a)(2). Meal reimbursement rates are published on the current *Statement of Travel Expense* form. The rates are reviewed annually and updated on the form as needed.

### (b) **Meal Reimbursement Rate for Non-Overnight Travel**

Occasionally, employees may receive a county-paid meal while traveling even though the travel does not involve an overnight stay.

When approved in advance, lunch may be reimbursed for employees traveling on business outside of Granville County in which a return to the County for lunch would be both time and cost prohibitive. In accordance with Internal Revenue Code 162 (a)(2), non-overnight travel reimbursements will be processed through payroll and applicable taxes withheld. Meal reimbursement rates are published on the current *Reimbursement for Non-Overnight Travel Form*. The rates are reviewed annually and updated on the form as needed.

4. **Mileage Reimbursement.** Mileage reimbursement is meant to cover only those miles incurred above and beyond the employee's normal commute to his/her work site. Thus, if a starting or ending point of business travel is an employee's home location, reimbursement is provided only for the miles traveled above the normal daily commute and using the shortest route mileage.

**Example 1:** If an employee's normal commute round trip is 10 miles and the employee travels for county business on a trip that covers 50 miles round trip, only the incremental 40 miles are reimbursable.

**Example 2:** For overnight travel, normal commuting miles are applied for each day the employee would normally have traveled to work; therefore, if the 50 miles in Example 1 were incurred over two travel days with a non-travel day in between, the incremental reimbursable miles would be 30 [50 round trip miles – (2 days x 10 round trip commuting miles)].

**Example 3:** If an employee's normal commute round trip is 10 miles and the employee drives from their home location to a meeting and back to their home location on a round trip that covers 5 miles, the mileage is not reimbursable because the travel was shorter than the employee's normal commute.

If it is necessary for the employee to report to their normal work site *before leaving for their travel destination*, the normal one-way commuting miles would not be deducted. Similarly, if it is necessary for the employee to report to their normal work site *after returning from their travel destination*, the normal one-way commuting miles would not be deducted.

Reimbursement requests must be submitted on the *Statement of Travel Expense Form*. Space is provided to enter commuting miles which are then automatically deducted from the total eligible mileage in the Excel file. Employees who complete a handwritten form must perform the calculation themselves to deduct normal commuting miles from the total mileage.

The mileage reimbursement rate is published on the *Statement of Travel Expense Form* and updated annually as needed.

5. **Non-Reimbursable Items.** Items which are ineligible for reimbursement include, but are not limited to, the following:
- (a) Expenses not supported by a receipt.
  - (b) Travel to and from workplace.
  - (c) Items purchased for door prizes or raffle items.
  - (d) Non-employee expenses.
  - (e) Alcoholic beverages.
  - (f) Personal preference, convenience, or luxury items not necessary for conducting County business.
  - (g) Any traffic fines.
6. **Other Costs.** When appropriate, reasonable parking fees, tolls, taxi charges, and expenses of a similar nature are permissible upon submission of adequate documentation. The county manager must approve or disapprove all questionable expenses or those not clearly defined in the policy.
7. **Registration Cost.** Registration costs should be paid directly by the County whenever possible. If an employee pays registration fees with personal funds, an itemized receipt must be attached to the reimbursement request. Registration costs for additional recreational or entertainment activities will not be paid by the County.
8. **Travel (Local).** Employees authorized to regularly travel within the County due to the customary nature of their duties are eligible for monthly reimbursement of transportation expenses. All reimbursement requests not related to customary duties must follow the guidelines listed above.
9. **Travel (Outside of Granville County).** Approved expenses for travel outside of the county must be within policy limits for transportation, lodging, meals, registration, and/or necessary incidental expenses

(parking, tolls, etc.). If the destination is less than 60 miles from the employee’s work location, lodging must be authorized by the county manager on the Travel Approval Form.

10. **Travel Advances.** Hotel accommodations may be paid for in advance. An itemized receipt must be submitted along with the credit card statement or reimbursement request. Any other travel advance must be approved by the county manager.
11. **Travel with Others.** When two or more employees are traveling to the same destination, maximum use must be made of any group travel discounts as well as joint use of transportation modes. Sharing travel with other governmental unit representatives is encouraged whenever possible.

**Recording Travel Time as Work Hours (Non-Exempt Employees Only)**

The Fair Labor Standards Act (FLSA) regulations require employers to pay for travel time for non-exempt employees in some circumstances. Generally, time spent traveling is compensable unless it is normal home-to-work commute time, or when travel requires an overnight stay and the time spent traveling *as a passenger* falls outside of the employee's normal work hours. The FLSA requirements are excerpted below to provide a quick reference for employees. More detailed information is available on the [NC Department of Labor Fact Sheet #22](#).

Type of Travel	Compensable	Not Compensable
<b>Home-to-Work Travel</b> Normal commuting time to an employee's regular worksite.		√
<b>Travel to Different Worksites during the Workday</b> Time spent traveling to and from different worksites during the day.	√	
<b>Travel to a Different City, Returning the Same Day</b> When an employee must travel out of town for work but returns home the same day, all time spent traveling during the day is compensable, regardless of the employee's regular work hours. However, an employer may deduct the time the employee would have spent commuting to his or her regular work location.	√	
<b>Travel that Requires an Overnight Stay</b> When travel requires an overnight stay, any time traveling as a passenger that falls <i>within the employee's normal work hours</i> is compensable, regardless of what day of the week the travel takes place. (e.g., traveling between 8:30 am – 5:00 pm on Sunday).	√	
When travel requires an overnight stay, any time traveling as a passenger that falls <i>outside the employee's normal work hours</i> is not compensable, regardless of what day of the week the travel takes place unless the employee is required to perform work during this travel time (e.g., driving to the airport before 8:30 am or traveling after 5:00 pm).		√
<b>Driving that is Required by the Employer</b> When employees are required to drive themselves or others, all driving time is compensable. However, when an employee is traveling to an overnight stay and has the option to use public transportation (i.e., airplane, train, bus, etc.) but chooses to drive his or her own vehicle instead, the employer can either choose to pay for all time spent traveling or pay only the travel time that occurs during normal work hours, regardless of what day of the week the employee travels (CFR 785.40).	√	
If an employee volunteers to drive others in his or her own vehicle to the overnight stay, an employee's time could be unpaid for those travel hours outside the normal work hours.		

## **SECTION 22. PROFESSIONALISM, APPEARANCE, AND GROOMING POLICY**

The County is committed to upholding a high standard of professionalism by all employees in the performance of their duties. Employees are expected to conduct themselves in a manner which exemplifies courtesy and respect to all.

The department head and/or supervisor will discuss personal appearance with any employee who does not comply with the standards described herein. Any employee deemed to be inappropriately dressed or groomed will be asked to return home in order to correct the infraction. Non-exempt employees will not be compensated for the time they do not work unless annual leave or compensation time is used. Repeated violations of this policy will be subject to disciplinary action as outlined in [Article IX](#).

**Professionalism.** Individual and team adherence to high ethical standards is critical for the continuance of public trust and confidence in our local government. County employees are expected to maintain a positive image in the workplace and in the community. Employees should exemplify personal integrity, honesty, fairness, and observance of all applicable laws and regulations as a duty to the County, its citizens, customers, and all members of the local government.

**Appearance and Grooming.** This policy establishes guidelines for the appearance of County employees in the performance of their duties and in conducting business for the County. It ensures all employees project and maintain a positive public image. Regulations pertaining to acceptable attire and grooming are flexible due to the changing nature of fashion; however, there are certain expected norms of professional appearance, personal neatness, cleanliness, and good grooming which are applicable to all employees.

Employees are expected to represent the County in an exemplary manner both in conduct and appearance and therefore, should be well-groomed and dressed in a manner suitable for public service and in attire that allows the employee to work comfortably in the workplace.

While the County observes a business casual dress environment, there may be situations which require a more formal attire. When conducting or attending a meeting, seminar, conference, etc., where an employee is in contact with other business professionals or customers, the employee is expected to represent the County in a professional manner and dress appropriately. Departments may establish more specific guidelines consistent with this professional image standard.

Minimum guidelines for appropriate dress and grooming include:

- (a) Clothing should be neat, clean, and in good condition in keeping with the nature of the duties performed.
- (b) Clothing with words, terms, or pictures that may be offensive to other employees is unacceptable.
- (c) Clothing that promotes alcoholic beverages, tobacco, controlled substances, violence, or is of a sexual or political nature is inappropriate.
- (d) Clothing that is revealing that shows an employee's back, chest, stomach, or underwear is not appropriate for a place of business.
- (e) Dresses and skirts should be at a length where the wearer can sit comfortably in public without being revealing.
- (f) Employees in departments that require uniforms must adhere to the uniform code of dress appropriate for that department.
- (g) Reasonable accommodations will be considered for employees who request a waiver of a particular part of this policy for dress or appearance because of a sincerely held religious belief of a recognized religious organization, cultural heritage, or medical reason. A written waiver request must be approved by the county manager based on the recommendation of the department head.

Examples of appropriate and inappropriate dress are included on the following page. This list is not all-inclusive;



Employees should apply the principles of this policy when considering their dress.

APPROPRIATE

- (a) Dress slacks, trousers, or crop/capri pants.
- (b) Casual dresses, skirts, or jumpers.
- (c) Casual (golf type polo) or dress shirts.
- (d) Sweaters or turtlenecks.
- (e) Suit or sport jackets.
- (f) Athletic/walking shoes, loafers, or deck-type shoes.
- (g) Dress shoes, heels, clogs, boots, flats, tennis shoe, or sandals (open or closed toe).

INAPPROPRIATE

- (a) Jeans or t-shirts unless approved for a specific job task or Casual Fridays (no holes or fraying).
- (b) Sweatshirts, sweatpants, exercise wear, or jogging suits unless approved for a specific job task.
- (c) Shirts with offensive or inappropriate writing.
- (d) Shorts or cutoffs.
- (e) Tank tops, spaghetti straps, or tops with bare shoulders unless worn under another article of clothing (e.g., blouse, shirt, or jacket).
- (f) Clothing with inappropriate cutouts or see-through elements, or that does not cover the back, waist, or midriff.
- (g) Flip-flops or slides.

Daily baths, shaving, use of deodorant, and daily mouth hygiene are essential to providing a professional image. Some employees may be allergic to chemicals in perfumes and make-up; therefore, these substances should be worn with restraint.

Visible body piercing should be limited. Wearing of facial jewelry such as nose rings, tongue rings, and lip and eyebrow rings are not permitted at work or at any County function. Tattoos bearing offensive language or logos that are or could be seen by others as profane, racist, sexist, or discriminatory in nature must be covered.

**SECTION 23. ATTENDANCE**

Granville County expects employees to:

- (a) Report to work as scheduled and abide by the requirements of their work schedule;
- (b) Use sick leave only as allowed by this Policy;
- (c) Give advance notice if unable to come to work as scheduled or if a need arises to leave work early; and
- (d) Work scheduled overtime and strive to accommodate needs for short-notice overtime.

Absence of three consecutive scheduled workdays without notification and proper authorization may be considered a voluntary resignation. See Section 2 of [Article VIII](#).

**SECTION 24. CONFLICT OF INTEREST POLICY**

The purpose of this policy is to ensure that Granville County employees who are paid to perform duties as public employees operate in a fair and unbiased way, ensuring that decisions are not impacted by, or appear to be impacted by, personal self-interest, private interests, or the likelihood of gain or loss for themselves or others they may wish to benefit or disadvantage. Private interests include personal, professional, or business interests as well as the interests of individuals that employees associate with such as family members, dependents, and friends. See Article V, Section 6 for definition of immediate family members.

A conflict of interest can exist when there is an unacceptable possibility of conflict between a public employee's interests as a private citizen (private-capacity interests) and their duty as a public servant (official duty). A conflict of interest occurs when private interests interfere, or appear to interfere, with the performance of official duties.

In addition to this policy, the County has a conflict of interest policy that applies when the County enters into a contract by which the County purchases property or services needed to carry out a program or project under a federal award or makes a subaward to carry out part of a federal award received by Granville County.

While it is best to avoid conflicts of interest, it is not always possible. Identifying and resolving conflict of interest situations is crucial to good governance and maintaining public trust. Public employees are obligated to identify and disclose any actual, potential, or perceived conflicts of interest. Disclosed conflicts of interest will result in a Management Plan developed by the human resources department and County Administration to eliminate or minimize the conflict or appearance of conflict. Conflicts of interest that are not disclosed at all or are not disclosed in a timely manner may result in disciplinary action, up to and including dismissal.

Conflicts of interest fall into three categories.

- (1) *Actual* - There is a direct conflict between an employee's private interests and their current duties.
- (2) *Potential* - An employee's private interests and duties could conflict in the future.
- (3) *Perceived* - The appearance that an employee's private interests could improperly influence the performance of their duties.

Conflicts of interest can arise inside or outside of the workplace. They may be:

**Monetary** (where there is a reasonable likelihood of financial gain or loss). A monetary conflict of interest may result from an employee (or a relative or close associate) owning property, holding shares or a position in a company bidding for government work or receiving County funds, or accepting gifts or benefits.

**Non-monetary** (where there is no financial component, but may involve self-interest, personal, or family relationships or other affiliations). A non-monetary conflict of interest includes any tendency toward favor or prejudice resulting from friendship, animosity, or other personal involvement that could bias an employee's judgement or decisions.

Employees willfully violating the terms and conditions of this policy will be subject to appropriate disciplinary action up to and including dismissal. Furthermore, violations of Granville County Conflict of Interest policies may also represent violations of civil and/or criminal law which may incur civil and/or criminal penalties.

It is not possible to give an exhaustive list of situations that might involve violations of this policy; however, the primary goal of this policy is to help employees identify and avoid situations that would constitute a conflict of interest. Listed below are several common situations where conflicts of interest may exist and where employees may need to take appropriate action.

### **GIFTS/FAVORS**

No employee of the County shall:

- (1) Accept any gift, whether in the form of a meal, service, loan, thing of value, or a promise from any person or vendor that, in the employee's knowledge, is interested directly or indirectly in business dealings with the County.
- (2) Accept any gift, favor, or thing of value that may tend to influence that employee in the discharge of their duties.
- (3) Grant any improper favor, service, or thing of value in the discharge of duties.
- (4) Certain items and situations are excluded from the definition of a gift/favor and this policy does not prohibit County employees from accepting the following:
  - (a) Items or souvenirs of nominal value (under \$50).
  - (b) Modest items of food and refreshments not offered as part of a meal.
  - (c) Food and refreshments provided to all (or large groups of) participants at conferences, trade shows, or trainings.
  - (d) Food and refreshments provided at sponsored group events where individual influence is not a factor in the County's decision making.
  - (e) Prizes at conferences available to all participants or the general public.
  - (f) Free attendance or expenses to include meals, travel, and lodging provided by the sponsor of an event where the employee is a speaker or participant invited in their official capacity or has been assigned to present information on behalf of the agency.

## **OUTSIDE ENGAGEMENTS AND SECONDARY EMPLOYMENT**

*Also see Article V, Section 4: Outside Engagements and Secondary Employment for disclosure and reporting requirements.*

- (1) The County recognizes the right of employees to engage in activities outside of their employment that are of a private nature and unrelated to County business. Secondary employment, board service, and other civic activities may be a conflict of interest if they impact an employee's work performance, or health and wellbeing. Alternatively, these activities could provide the opportunity for personal loss or gain, such as using confidential information obtained from the public sector workplace or conducting personal business during work time.
- (2) A full-time employee of Granville County has primary employment responsibility to the County. All other employment, including self-employment, is considered secondary employment and must be disclosed at the point of hire (if the secondary employment is already in place when the employee is hired by Granville County) or before taking secondary employment (if the employee is currently employed with Granville County and wishes to take on secondary employment). Outside engagements including service on boards or entities with which Granville County conducts business must also be disclosed.
- (3) No County employee shall engage, accept private employment, or render service for any private interest, when such employment or service creates a conflict of interest or the appearance of a conflict with the employee's primary employment responsibility to the County.
- (4) Examples of conflicts of interest in outside engagements or secondary employment include, but are not limited to:
  - (a) Employment with organizations or in capacities that are regulated by the employee or employee's department.
  - (b) Employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's County duties.
- (5) Secondary employment approval may be denied or withdrawn by an employee's supervisor for any of the following reasons:
  - (a) The secondary employment has a present or possible conflict of interest with the employee's primary employment;
  - (b) The supervisor believes that the secondary employment has caused the employee's overall work performance to drop below an acceptable level; or
  - (c) The supervisor becomes aware of secondary employment that the employee has not reported and there is evidence that the failure to report has been willful.

## **LIMITATIONS OF CONSENSUAL RELATIONSHIP**

*Also see Article V, Section 6: Employment of Relatives for further information regarding new relationships.*

A consensual relationship is defined as one that is romantic, intimate, or sexual in nature and to which both parties consent.

- (1) Granville County prohibits romantic or sexual relationships between a supervisor and anyone within the supervisor's chain of command because such relationships create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the employee. Given the uneven balance of power within such relationships, consent by the subordinate is suspect and may be viewed by others or, at a later date, by the individual as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion, or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department, or other actions may be taken to remedy the situation.
- (2) Because of potential issues regarding quid pro quo harassment, Granville County has made reporting

and disclosure mandatory. This requirement does not apply to employees who do not work in the same department or to parties who do not supervise or otherwise manage responsibilities over the other.

(3) Disclosure must be made on the Conflict of Interest Disclosure Form.

### **CONFIDENTIAL INFORMATION**

Releasing confidential information may be a criminal offense and may expose the employee and/or County to criminal and/or civil liability.

No County employee shall disclose confidential information concerning the property, government, or affairs of the County in such a manner as to advance their financial interest or other private interest.

Examples include, but are not limited to:

- (1) To acquire a financial interest in any property transaction or enterprise.
- (2) To gain any financial benefit from the transaction.
- (3) To intentionally help another gain financial benefit from the transaction.

### **CONTRACTS/INSIDER TRADING**

County employees are prohibited from having a direct or indirect formal interest that conflicts substantially with their government duties and responsibilities or from joining in, directly or indirectly, a formal transaction as a result of, or primarily reliant upon, information obtained through their government employment. Additionally, they should refrain from transmitting any knowledge learned as a result of their employment with the County to any person other than in connection with the discharge of their official responsibilities.

## ARTICLE VI. EMPLOYEE BENEFITS

### SECTION 1. ELIGIBILITY

As provided for in this Article, County employees in full-time positions are eligible for benefits, and certain part-time positions as defined in [Article I, Section 9](#) are eligible for pro-rated benefits based on the employee's average work week over the course of a year. Limited service employees are only eligible for legally mandated benefits such as social security (FICA) and workers' compensation, and other federal or state-mandated benefits where applicable. Employee benefits are subject to change at the County's discretion and are based on annual budget appropriations.

### SECTION 2. GROUP HEALTH, DENTAL, AND VISION INSURANCE

The County provides group health, dental, and vision insurance programs for full-time and eligible part-time employees and their families as specified under the terms of the group insurance contract.

The County pays a cost established by the budget each year for full-time and eligible part-time employees' health insurance. Full and eligible part-time employees may purchase available County group health insurance for qualified dependents or may purchase dental and/or vision coverage for themselves or their qualified dependents within the stipulations of the insurance contract.

The County will provide hospitalization in an amount equal to a single employee's coverage for members of the Board of Commissioners, the county attorney and assistant county attorney, if they so elect and if permitted by the terms and conditions of the health insurance being maintained by the County.

Information concerning cost and benefits is available from the human resources department.

**Retiree Health Insurance.** For employees hired prior to July 1, 2014, the County will provide hospitalization insurance in an amount equal to a single employee's coverage for employees who retire directly from the County under the North Carolina Local Government Employees' Retirement System and who upon retirement meet one of the following criteria:

- (a) Age 65 or older and have been employed by the County on a regular full-time basis for at least twenty (20) years;
- (b) Age 62 or older and have been employed by the County on a regular full-time basis for at least twenty-two (22) years;
- (c) Age 55 or older and have been employed by the County on a regular full-time basis for at least twenty-five (25) years; or
- (d) Have been employed by the County on a regular full-time basis for at least thirty (30) years regardless of age.
- (e) County Commissioners having served three complete terms. County Commissioners having served two complete terms may continue coverage by assuming financial responsibility for the payment of the entire premium.

An employee who retires from employment with the County, having met any one of the criteria for continuation of hospitalization insurance set forth in this section, and who upon retirement was also providing additional spousal or dependent coverage, may continue that coverage until such time as the retiree is no longer covered under the policy because of a shift to a Medicare supplement policy, termination of coverage by insured, death, or other reason. The retiree must assume financial responsibility for payment of the entire premium associated with the dependent coverage. Failure to pay for the dependent coverage in a timely manner will result in the termination of the dependent coverage.

### SECTION 3. GROUP LIFE INSURANCE

The County provides paid life insurance to full and eligible part-time employees. Information on costs, coverage, and benefits are available from the human resources department.

#### **SECTION 4. OTHER OPTIONAL GROUP INSURANCE PLANS**

The County may make other group insurance plans available to employees upon authorization of the county manager or Board of Commissioners. For information about optional group benefit programs, employees should contact the human resources department.

#### **SECTION 5. RETIREMENT**

As a condition of employment, each employee in a permanent position who is expected to work more than 1,000 hours in a calendar year shall join the North Carolina Local Governmental Employees' Retirement System and make the stipulated contribution.

The County may provide supplemental retirement benefits for full and eligible part-time employees. As required by North Carolina State Law, the County will contribute a percentage of salary to the State 401(k) plan for each sworn certified law enforcement officer (currently set at 5%). All full and eligible part-time employees may make voluntary contributions up to the limits established by law and the 401(k) provider.

#### **SECTION 6. SOCIAL SECURITY**

To the extent of its lawful authority and power, the County extends Social Security benefits to eligible employees.

#### **SECTION 7. WORKER'S COMPENSATION**

All County employees are covered by the North Carolina Worker's Compensation Act and are required to report any injuries arising in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken. Supervisors are required to report and provide records of such injuries to the human resources department within five days of the injury.

Employees may use available sick and/or annual leave during the 7-day waiting period before workers' compensation benefits begin. This provision also applies to reactions to smallpox vaccinations administered to employees under Section 304 of the Homeland Security Act. Such reactions will be treated the same as any other workers compensation claim as regards leave and salary continuation.

The injured employee is responsible for claiming compensation under the Workers' Comp Act. Injury claims must be filed with the North Carolina Industrial Commission within two years from date of injury. The human resources department will coordinate the filing of such claims.

#### **SECTION 8. UNEMPLOYMENT COMPENSATION**

County employees are covered for unemployment compensation. County employees who are terminated due to a reduction in force or released from County service may apply for benefits through the local Division of Employment Security office where a determination of eligibility will be made.

#### **SECTION 9. LAW ENFORCEMENT SEPARATION ALLOWANCE**

**Legislatively Mandated Separation Allowance.** Every sworn law enforcement officer, as defined by NC General Statute 128-21(11b) or NC General Statute 143-166.50, shall be eligible for a separation allowance as provided and in the amount specified by NC General Statute 143-166.42 and 143-166.41(a).

Eligibility and continuation of these benefits are subject to the following conditions:

- (a) The officer shall have completed 30 or more years of creditable service, or have attained 55 years of age and completed five or more years of creditable service (as defined in General Statute 143-166.42); and
- (b) The officer shall not have attained 62 years of age; and
- (c) The officer shall have completed at least five years of continuous service as a law enforcement officer immediately preceding a service retirement, as defined by G.S. 143-166.41(a)(3) and 143-166.41(b).

- (d) The law enforcement officer, after separation from County employment, notifies the County of any new employment involving local law enforcement duties. Such notification shall include the nature and extent of the employment, and any change of employment status.

Payment of separation allowance benefits to a retired officer shall cease at the first of:

- (a) The death of the officer;
- (b) The last day of the month in which the officer attains 62 years of age; or
- (c) The first day of re-employment in any position in any local government in North Carolina where the employee is required to join the local government retirement system (working 1000 hours or more in a calendar year).

Should the legislatively mandated separation allowance for law enforcement officers be rescinded, the separation allowance referenced above shall be rescinded at the same time.

The County may employ retired officers in a public safety position in a capacity not requiring participation in the Local Government Employees Retirement System and doing so shall not cause payment to cease under these benefits. Participation in the retirement system is required by anyone scheduled to work 1,000 hours in a calendar year.

**Locally Authorized Separation Allowance.** Sworn law enforcement officers retiring from County service who are eligible for retirement benefits from the Local Government Employee's Retirement System, Teachers and State Employee's Retirement System, or the former Law Enforcement Officers' Retirement System may be eligible for a local separation allowance. To be eligible for this allowance, retiring officers must have either:

- (a) completed at least twenty years actual service with the Granville County Sheriff's Office;
- (b) be age sixty-five or older with a minimum of five years of service; or
- (c) qualify for disability retirement resulting from an on-the-job injury.

The request must be in writing and submitted along with the retiring employee's final timesheet. The allowance will be disbursed through payroll as a one-time payment of \$500.

This section of policy shall not be retroactive concerning anyone who retired from the County prior to the policy's adoption date of January 16, 2021.

## **SECTION 10. TUITION REIMBURSEMENT**

Granville County encourages and supports employees in pursuit of educational and training experiences which not only enhance the employee's knowledge but also benefit the County by providing for a continually increasing level of service excellence to the public.

Subject to availability of funds, the County will reimburse regular (non-probationary) full-time employees up to 50% of tuition costs capped at a maximum of \$2,000 per fiscal year and a maximum of \$10,000 total reimbursement over the course of their employment with Granville County. Eligible costs include tuition and textbooks for courses deemed appropriate by the department head or his/her designee, provided the employee maintains at least a 2.0 or higher GPA. The selected curriculum should include that which will improve the employee's skills for their current job or prepare the employee for promotional opportunities within County service. Proof of satisfactory completion of the courses and payment receipts will be required for reimbursement.

To be eligible for tuition reimbursement, employees must enter into a contractual agreement with the County wherein the employee agrees to continue their employment for a minimum of 12 months following issue of each reimbursement check. The County will not require any period of employment exceeding the 12 months beyond the last reimbursement check issued. If the employee has not yet met the 12-month employment period obligation and (1) the employee voluntarily ends their employment; or (2) the County ends the employee's employment due to reasons addressed in Article IX of this Policy, the employee will be required to pay back a prorated amount which will be determined by the County.

Course work and any other responsibilities involved with the pursuit of further education must be performed outside of the employee's regular work hours. If necessary, an employee may request to use compensatory time or annual leave or may request to be placed on leave without pay status as long as the leave does not interfere with the employee's work obligations or adversely affect service delivery for the County. All such leave requests will be reviewed and approved in accordance with other policies and procedures spelled out in other Articles in this Policy.

**Procedures.** Procedures for submitting an application for tuition assistance are outlined on the Tuition Reimbursement Application form.

#### **SECTION 11. EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) helps restore employees to acceptable job performance levels in situations where employees have been overcome with behavioral or health problems that are affecting their job performance. The program is designed to identify the problem at the earliest possible stage, motivate the employee to seek help, and direct the employee to the appropriate assistance. Because employee work performance can be affected by the problems of an employee's spouse or other dependents, the program is also available to their family members.

There is no cost to employees or family members for the initial evaluation, counseling, or referral services. The EAP maintains strict confidentiality and preserves all employee records related to the program in the same manner as all other medical records.

Employees may independently utilize the EAP to voluntarily seek professional guidance, or supervisors may require an employee's participation based on observable work or behavior patterns which are detrimentally affecting the employee's job performance, or which are overly disruptive or unsettling to the workplace and immediate interaction is warranted.

Prior to referring an employee to the EAP, the supervisor should record specific instances in which an employee's job performance or behavior fails to meet minimum established standards or in which their individual pattern seems to be changing or deteriorating. The employee may also be encouraged to voluntarily use the confidential services of the EAP.

If the employee's performance continues to deteriorate, the employee may be offered a firm choice of seeking EAP services and/or private assistance or accepting the consequences of the unsatisfactory performance. The employee will be responsible for cooperating in any required treatment or rehabilitation plan. After a reasonable time and opportunity to review the employee's progress, if noticeable improvement has not been observed, appropriate disciplinary action as outlined in Article IX of this Policy will be considered.



**ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE**

**SECTION 1. POLICY**

The County’s policy is to provide annual leave, sick leave, and holiday leave to all full-time employees and a pro-rated amount to eligible part-time employees in regular positions. Eligibility for part-time employee leave applies only to employees hired after adoption of this Policy.

**SECTION 2. HOLIDAYS**

All full-time employees will be paid 7.5 hours of holiday pay at the employee’s regular rate for each County-observed holiday. Eligible part-time employees will be paid a prorated amount (see Section 16 of this Article). Employees scheduled to work the day before, day of, and/or the day after a holiday (including Friday or Monday) must work those days to be eligible to receive pay for the holiday(s) unless granted approved leave at least 24 hours in advance. In certain circumstances, based on the employee’s established responsible use of sick leave, the department head may authorize payment of the holiday pay while ensuring fair and consistent application across the department.

The paid holidays listed below and such others as the Board of Commissioners may designate will be observed by county offices. For holidays that do not fall on the same day of the week each year, see exceptions noted below with an \* for shift employees. Employees will receive holiday pay providing the employee is on active pay status the day before and the day after the holiday period. For record keeping purposes, holidays begin at 12:00 a.m. and end at 12:00 p.m. on the observed day.

- |                                    |   |
|------------------------------------|---|
| New Year’s Day*                    | Labor Day   |
| Martin Luther King, Jr.’s Birthday | Veterans’ Day*  |
| Good Friday                        | Thanksgiving Day and Thanksgiving Friday                  |
| Memorial Day                       | Christmas Day ( <i>according to the schedule below</i> )* |
| Fourth of July*                    |   |

<b>When Christmas Falls On</b>	<b>County Employees Observe</b>	<b>On These Days</b>
Sunday*	December 23, 26, and 27	Friday, Monday, Tuesday
Monday	December 25, 26, and 27	Monday, Tuesday, Wednesday
Tuesday	December 24, 25, and 26	Monday, Tuesday, Wednesday
Wednesday	December 24, 25, and 26	Tuesday, Wednesday, Thursday
Thursday	December 24, 25, and 26	Wednesday, Thursday, Friday
Friday	December 24, 25, and 28	Thursday, Friday, Monday
Saturday*	December 23, 24, and 27	Thursday, Friday, Monday

**\* Holiday Exception for Shift Employees.** If the holidays listed below fall on Saturday or Sunday, the respective holidays will be as follows:

- New Year’s:** New Year’s Day  
**Fourth of July:** July 4

- Veteran’s Day:** November 11  
**Christmas:** The day before, Christmas Day, and the day after

**Flex Holiday.** In addition to the 12 County-observed paid holidays listed above, all eligible regular full-time employees may take one additional “flex” holiday to observe their birthday on any day during their birth month or on a federally recognized holiday for which the County’s general offices would normally remain open. The “flex” holiday will be non-cumulative and available beginning in January and ending in December of each year. All requests must be submitted in advance to the employee’s supervisor who may approve or deny the request

based on departmental staff coverage and implications regarding service delivery for the County.

**Observance of Weekend Holidays.** For all non-shift personnel, if a holiday falls on Saturday or Sunday the following Monday will be observed as the holiday, except if in the discretion of the county manager, the county’s best interest will be served by observing the holiday on the Friday before.

Full-time library personnel will receive the same number of holiday hours as other full-time county employees. It will be the responsibility of the library director to schedule employees in compliance with this section and, at the same time, meet the holiday schedule as approved by the Library Board of Trustees.

**Other Religious Holidays.** Employees may wish to be away from work on certain days for religious observances. Department heads should attempt to arrange the work schedule so that an employee may be granted annual leave when requested as a major religious observance for that employee. Annual leave should be denied only when granting such leave would adversely affect County service delivery.

**SECTION 3. HOLIDAYS: EFFECT ON OTHER TYPES OF LEAVE**

Regular holidays which occur during an annual, sick, or other leave period of any employee in active pay status will not be considered as annual, sick, or other leave.

**SECTION 4. HOLIDAYS: COMPENSATION WHEN WORK IS REQUIRED**

If a non-exempt employee is required to work on a County-designated holiday, the hours worked on that day will be either paid at a rate of one and one-half the regular rate or compensatory time will accrue at the rate of one and one-half times the hours worked on the holiday.

If a holiday falls on a regularly scheduled off-duty day for shift personnel, the employee will receive the hours paid for the proportionately equivalent holiday leave. Whether holiday time is provided in time or pay for shift employees is determined by the County.

**SECTION 5. ANNUAL LEAVE**

Annual leave is a privilege granted by the County that may be used in half-hour increments for rest and relaxation, school appointments, personal needs, and to observe religious holidays other than those granted by the County. Elected sheriff or register of deeds positions are not eligible for annual leave.

Annual leave requests must be submitted to the employee’s supervisor in advance. Supervisors are responsible for ensuring proper staff coverage and may refuse annual leave requests when they create a hardship or hinder the effectiveness of service delivery for the County.

Employees must use any earned compensatory time before using accrued annual or sick leave.

**SECTION 6. ANNUAL LEAVE: ACCRUAL RATE**

Each full-time and eligible part-time County employee will earn annual leave according to the following schedule with accrual rates for eligible part-time employees prorated as shown in Section 16. The amount of annual leave accrued per pay date is calculated by dividing the number of hours accrued per year by the number of pay dates in the year based on the employee’s position (sworn law enforcement and detention officers have 13 pay dates per year and all other full-time employees have 26 pay dates per year).

<b>Years of Service</b>	<b>Hours Accrued Per Year</b>
0 – 2	90
2 – 5	108
5 – 10	126
10 – 15	150
15 – 20	174
20 plus	198

## **SECTION 7. ANNUAL LEAVE: TRANSFER FROM PREVIOUS EMPLOYER**

The County will accept up to 37.5 hours of annual leave balances documented by a previous employer covered by the North Carolina State or Local Government Retirement System. The annual leave will be treated as though it were earned with the County and may be used in the same manner as all other accrued annual leave.

The annual leave balance must be certified by the previous employer. It is the employee's responsibility to provide documentation from the previous employer within 30 days of beginning employment. Transferred annual leave will be credited to the employee's County annual leave account upon receipt.

## **SECTION 8. ANNUAL LEAVE: MAXIMUM ACCUMULATION**

Annual leave may be accumulated without any applicable maximum until the last pay period of the calendar year. Any employee with a balance exceeding 225 hours will have the excess accumulation transferred to sick leave so that only a balance of 225 hours is carried forward to the next calendar year.

Employees are cautioned not to retain excess accumulated annual leave until late in the year. Because of the necessity to keep County functions in operation, large numbers of employees cannot be granted annual leave at any one time. If an employee has accumulated excess leave and is unable to take such leave because of staffing demands, the employee will receive no special consideration either in having annual leave scheduled or in receiving any exception to the maximum accumulation.

## **SECTION 9. ANNUAL LEAVE: BUY-BACK PROGRAM**

Under certain conditions, the County will permit employees to "sell back" a maximum of 37.5 hours of annual leave and will provide compensation for those hours at the employee's current hourly rate of pay. To be eligible to sell back annual leave, the employee's remaining annual leave balance must be at least 100 hours after the sell back hours have been deducted.

Eligible employees must submit their request to sell back annual leave on the second pay period in October of each year, or other published date determined by the county manager. A standardized buy-back request form will be provided by human resources.

## **SECTION 10. ANNUAL LEAVE: PAYMENT UPON SEPARATION**

An employee who has successfully completed six months of the probationary period will usually be paid for accumulated annual leave upon separation subject to the 225-hour maximum, provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation. Any hours the employee has accumulated above the 225-hour maximum will be transferred to the employee's sick leave balance. Any employee failing to give notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the county manager when deemed to be in the County's best interest.

Regular employees who are involuntarily separated will receive payment for accumulated annual leave subject to the 225-hour maximum and any hours above the 225-hour maximum will be transferred to the employee's sick leave balance. At the county manager's discretion, employees dismissed for serious violations of personal or criminal conduct may be determined ineligible to receive annual leave pay.

Employees eligible to receive annual leave pay and who resign or are involuntarily separated from County service may elect to transfer a portion of their accumulated annual leave balance to a new employer who is covered by the State or Local Government Employees' Retirement System if the new employer accepts such transfers. The employee must authorize the transfer request by notification to the human resources department.

## **SECTION 11. ANNUAL LEAVE: PAYMENT UPON DEATH**

The estate of an employee who dies while employed by the County will be entitled to payment of all accumulated annual leave credited to the employee's account and subject to the 225-hour maximum.

## **SECTION 12. SICK LEAVE**

Sick leave with pay is not a right which an employee may demand, but a privilege granted for the benefit of an employee. Sick leave may be granted in half-hour increments to an employee absent from work for any of the following reasons: sickness, bodily injury, physical or dental examinations or treatment, or exposure to a contagious disease when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of his or her immediate family who is sick but may not be used to care for healthy children when the regular care giver is sick.

"Immediate family" is defined in this Article as spouse, parent, guardian, children, sister, brother, grandparents, grandchildren, the various combinations of half, step, in-law, and adopted relationships that can be derived from the aforementioned, and anyone living in the household.

Sick leave may also be used to supplement Workers' Compensation Disability Leave during the initial 7-day waiting period before Workers' Compensation benefits begin.

Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or not later than the beginning of the scheduled shift/workday. Failure to do so appropriately may result in disciplinary action.

When an employee's sick leave balance has been exhausted, the employee's annual leave balance will be charged for any hours claimed as sick leave on his or her time sheet. The finance department will provide notice to the department head.

Sick leave will only be approved for use during the final two weeks of a resignation with a physician's certification or comparable documentation stating that the leave was required because of illness or injury which was not anticipated at the time notice of resignation was given.

Employees must use any earned compensatory time before using accrued annual or sick leave.

## **SECTION 13. SICK LEAVE: ACCRUAL RATE AND ACCUMULATION**

Sick leave for full-time employees will accrue at a rate of 90 hours per year. Sick leave for eligible part-time employees will be pro-rated as described in Section 16 of this Article.

Sick leave will be cumulative for an indefinite period and upon retirement may be converted for service credit consistent with the provisions of the North Carolina Local Government Employees' Retirement System.

All sick leave accumulated by an employee will end and terminate without compensation when the employee resigns or is separated from the County, except as stated above for retirement or upon reinstatement within one year of separation after a reduction in force or upon reinstatement within five years from the date of a resignation. A former employee who is reemployed within five years from the date of separation will be credited with the balance of sick leave at the time of separation, except when the employee retired under the Local Governmental Employees' Retirement System or transferred their sick leave balance to another employer covered by the state or local retirement system. If a retired employee returns to regular employment with the county, sick leave will begin with a zero balance.

Employees who resign or who are involuntarily separated from County service may elect to transfer their accumulated sick leave balance to a new employer who is covered by the State or Local Government Employees' Retirement System. The employee must authorize the transfer request by notification to the human resources department.

## **SECTION 14. SICK LEAVE: TRANSFER FROM PREVIOUS EMPLOYER**

The County will accept all hours of sick leave balances documented by a previous employer covered by the North Carolina State or Local Government Retirement System when the employee did not withdraw accumulated retirement contributions when leaving employment. The sick leave will be treated as though it were earned with the County and may be used in the same manner as all other accrued sick leave.

The sick leave balance must be certified by the previous employer. It is the employee's responsibility to provide

documentation from the previous employer within 30 days of beginning employment. Transferred sick leave will not immediately be credited to the employee's County sick leave balance but will be held by human resources until after the employee has successfully completed their probationary period.

This section of policy shall become effective upon the date of adoption and applies only to employees hired on or after February 25, 2022. The policy shall not be retroactive concerning anyone employed by Granville County prior to the adoption date.

**SECTION 15. SICK LEAVE: MEDICAL CERTIFICATION**

The employee's supervisor or department head may require a physician's certificate stating the employee's or immediate family member's capacity to resume duties, for each occasion an employee uses sick leave or whenever the supervisor observes a pattern of absenteeism. The employee may be required to submit to such medical examination or inquiry as the department head deems desirable. The department head will be responsible for the application of this provision to the end that:

- (a) Employees shall not be on duty when they might endanger their health or the health of other employees; and
- (b) There will be no abuse of leave privileges.

Claiming sick leave under false pretense to obtain a day off with pay shall subject the employee to disciplinary action.

**SECTION 16. LEAVE PRO-RATED**

Holiday, annual, and sick leave earned by eligible part-time employees who work fewer than a 37.5-hour basic work week will be determined by the following formula:

- (a) Divide the number of work hours scheduled per week by the number of hours in a basic 37.5-hour work week to obtain the ratio.
- (b) Multiply the ratio by the number of leave hours earned annually by employees working a basic 37.5-hour work week to obtain the leave hours earned annually by employees working other than the basic work week.
- (c) Divide the result of step (b) by 26 to obtain the number of leave hours earned biweekly.
- (d) For the purposes of calculating leave, a "day" is defined as the number of hours obtained by multiplying the ratio from step (a) by 7.5 (the number of hours in a day based on a basic 37.5-hour work week).

**SECTION 17. BEREAVEMENT LEAVE**

For a death in the family, full-time employees may be granted up to two days at full pay and eligible part-time employees may be granted up to two days at the hours determined by calculating their "day" as shown in Section 16. For the purposes of this benefit, family is defined as parents of spouse, grandparent, grandchild, brother or sister, someone living in the home, or in-law or step relations of same.

For the death of a spouse or legal domestic partner, child, stepchild, or child which the employee has legal guardianship, parents of employee or stepparents of employee, full-time employees may be granted up to five days at full pay and eligible part-time employees may be granted up to five days at the hours determined by calculating their "day" as shown in Section 16.

Additional time or time to attend funerals of other family members may be charged to sick leave, annual leave, compensatory time, or leave without pay. Time may be requested and will be granted based upon needs criteria such as travel time, time to make arrangements, etc.

## **SECTION 18. FAMILY AND MEDICAL LEAVE**

In accordance with the Family and Medical Leave Act of 1993 (FMLA), the County will grant eligible employees up to 12 weeks of family and medical leave during a rolling 12-month period beginning on the date leave is first used (up to 26 weeks is allowed for military caregiver leave). Note: FMLA and Workers' Compensation will normally run concurrently.

Eligible employees must have regular status, been employed at least 12 months, and worked at least 1,250 hours during the previous 12 months. The leave is unpaid unless the employee has available annual or sick leave. Additional time away from the job beyond the 12-week period may be considered in accordance with the County's Leave Without Pay policy. Employees may be required to exhaust eligible paid leave before going on a leave without pay status.

FMLA leave may be taken for the following reasons:

- (a) to care for the employee's child after birth or placement for adoption or foster care;
- (b) to care for the employee's spouse, child, or parent who has a serious health condition;
- (c) for a serious health condition that makes the employee unable to perform the job; or
- (d) for military related leave, as outlined below.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. This policy covers illness of a serious and long-term nature resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition which results in a period of incapacity for more than three days would be considered a serious health condition.

If a husband and wife both work for the County and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (not parent in-law) with a serious health condition, the husband and wife together may only take a total of 12 weeks leave under FMLA.

An employee taking leave for the birth of a child may use paid sick leave for the period of actual disability, based on medical certification. The employee will then use paid annual leave and/or leave without pay for the remainder of the 12-week period. In either situation, the employee must exhaust any accrued compensatory time before using any other leave.

"Military Exigency" is a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military service member (Reserve or National Guard) under a call or order to federal active duty in support of a contingency operation. Qualifying events are:

- (1) deployment of service member with seven or fewer days' notice;
- (2) military ceremonies and events such as family-assistance or informational programs related to the family member's active duty or call to active duty;
- (3) urgent, immediate childcare or arranging for alternative childcare for the children of service members;
- (4) attending school or daycare meetings relating to the child of service member;
- (5) making financial or legal arrangements related to a family member's active duty status or call to active duty;
- (6) taking up to five days leave to spend with a covered military member who is on short-term temporary rest and recuperation leave during deployment;
- (7) attending counseling provided by someone other than a health provider for oneself, the covered military member, or the child of the military member, the need for which arises from the active duty service or call to active duty status or the covered military member; or
- (8) post-deployment activities for a period of ninety days after the termination of the service member's active duty status.

**Military Caregiver Leave.** An employee whose spouse, son, daughter, parent, or next of kin is a current service member who is undergoing treatment, therapy, recuperation, or outpatient treatment or has temporary

disability retirement for injury or illness sustained in the line of duty is eligible for 26 weeks of FMLA leave in a single 12-month period. During a single 12-month period, the employee is eligible for a total of 26 weeks of all types of FMLA leave combined.

A request for leave must be made in writing by the employee and approved by the department head and human resources director or county manager. The county may designate qualified leave as FMLA leave by notifying the employee of such action.

An employee who takes leave under this policy will return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one which entails substantially equivalent skill, effort, responsibility, and authority.

**Intermittent or Reduced Schedule:** An employee may take up to 12 weeks of leave throughout the course of a 12-month rolling period. Intermittent leave may be requested but is not guaranteed, unless medically necessary. For intermittent leave, which is not medically necessary, the leave must be agreed upon with the supervisor's consent. In all cases, employees must make a reasonable effort to schedule intermittent or set reduced schedules. The supervisor will make all efforts to accommodate intermittent requests.

#### **SECTION 19. FAMILY AND MEDICAL LEAVE: MEDICAL CERTIFICATION**

In order to qualify for leave under this law, the County requires medical certification on the U.S. Department of Labor form available on the County website (Form WH-380-E). This statement from the employee's or the family member's physician should include the date when the condition began, its expected duration, diagnosis, and brief statement of treatment. For the employee's own health condition, it should state that the employee is unable to perform the essential functions of his/her position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and the employee's presence would be beneficial or desirable.

This certification should be furnished at least 30 days prior to the needed leave unless the employee's or family member's condition is sudden. The certification should be furnished as soon as possible (no longer than 15 days from the date of the employee's request). The leave request and certification must be submitted to the department head and filed with the human resources director.

**Return to Work.** The employee is expected to return to work at the end of the time frame stated in the medical certification unless he or she has requested additional time under the Leave Without Pay policy.

An employee taking FMLA for their own serious health condition is required to provide documentation before returning to work. A "Return to Work" certification form can be found on the County website or written documentation from the medical provider is acceptable.

If an employee is released to return to work with restrictions by their treating physician, the employee must provide the medical certification with the restrictions to human resources at least 5 days before their anticipated return. Human resources will review the restrictions as they relate to the position and consult with the department head/supervisor to determine if the restrictions can be accommodated or determine if modifications can be made under the Americans with Disabilities Act (ADA).

**Failure to Return.** Employees who fail to return to work after three days of the expiration of an approved leave without providing notification to the County will be considered to have voluntarily resigned (Also see Article VIII. Section 2).

#### **SECTION 20. FAMILY AND MEDICAL LEAVE AND LEAVE WITHOUT PAY: RETENTION AND CONTINUATION OF BENEFITS**

When an employee is on FMLA leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the County will require reimbursement of the amount paid for the employee's health insurance premiums during the FMLA leave period.

Other insurance and payroll deductions are the responsibility of the employee, and the employee must make those payments by the first of each month for continued coverage.

After using all paid leave for which the employee qualifies, the employee on FMLA may use Leave Without Pay for the remainder of the FMLA 12/26-week entitlement. An employee ceases to earn holiday or leave credits on the date leave without pay begins.

### **SECTION 21. PREGNANCY ACCOMMODATIONS**

The County will provide reasonable accommodations to qualified applicants or employees for known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodations will impose an undue hardship on the County.

The County will not require employees affected by pregnancy, physical recovery from childbirth, or a related condition to accept an accommodation if they did not request an accommodation or if the accommodation is not necessary for them to perform the essential functions of their job or if the accommodation was not arrived at through an interactive process, nor will the County require a pregnant employee to take leave if another reasonable accommodation is available that will permit them to continue working.

Individuals seeking reasonable accommodations for limitations related to pregnancy, childbirth, or related medical conditions are responsible for requesting reasonable accommodations by notifying the human resources department and providing all medical documentation to verify the existence of the limitations and to assess potential reasonable accommodations.

### **SECTION 22. LEAVE WITHOUT PAY**

A full-time employee may be granted a leave of absence without pay for a period lasting from two weeks to up to six months upon recommendation of the department head and approval of the county manager or human resources director. The leave may be used for reasons of personal disability, sickness or disability of immediate family members (FMLA), continuation of education, special work that will permit the County to benefit by the experience gained or the work performed, or for other reasons deemed justified by the county manager.

The employee must submit a Request for Leave of Absence form to human resources for the county manager or human resources director's signature.

Before leave without pay may be granted, accumulated annual leave must be exhausted and accumulated sick leave must be exhausted in cases of illness where disability is not a factor. An employee ceases to earn holiday or leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the County's group insurance plans at his or her own expense, subject to any regulation adopted by the Board of Commissioners and the regulations of the insurance carrier. If the Leave Without Pay is for a circumstance that coincides with FMLA or USERRA, the provisions of those policies will apply.

The employee is obligated to return to duty within or at the end of the time determined appropriate by the county manager. Upon returning to duty, the employee will be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the department head will be notified immediately. Failure to report at the expiration of a leave of absence will be considered a resignation unless an extension has been requested and granted.

### **SECTION 23. WORKERS' COMPENSATION LEAVE**

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may elect to use accrued sick leave, annual leave, or compensatory time during the initial seven day waiting period. The employee will not be required to reimburse the County for this paid leave in the event the absence extends beyond 21 days and the first seven days is paid by worker's compensation. If the employee elects to use accrued sick leave, annual leave, or compensatory time for the initial waiting period, he or she will be placed on leave without pay at the end of the seven days; limited service employees as well



as full-time and leave-eligible part-time employees who do not elect to use paid leave for the initial waiting period will be placed on Leave Without Pay effective with the date of injury. Once the waiting period is over, workers' compensation covers two thirds of regular pay.

A workers' compensation disability that qualifies under the requirements of FMLA shall run concurrently with FMLA. An employee on workers' compensation Leave Without Pay will continue to be eligible for benefits under the County's group Insurance plans during the period of worker's compensation leave that is concurrent with FMLA. Other insurance and payroll deductions are the responsibility of the employee, and the employee must make those payments by the first of each month for continued coverage.

An employee will retain all unused annual and sick leave while on Worker's Compensation Leave Without Pay; however, an employee ceases to earn holiday or leave credits on the date Worker's Compensation Leave Without Pay begins. After the FMLA eligibility period ends, the employee may continue to be eligible for benefits under the County's group insurance plans at his or her own expense subject to the regulations of the insurance carrier.

#### **SECTION 24. MILITARY AND OTHER USERRA LEAVE**

The County will fully comply with the requirements of the 1994 Uniformed Services Employment and Re-Employment Rights Act (USERRA) and related federal regulations.

For the purposes of USERRA covered employees are the following:

- (a) Armed Forces Active and Reserve (Army, Navy, Marine Corps, Air Force, Coast Guard)
- (b) Army National Guard and Air National Guard
- (c) FEMA's Disaster Assistance Teams
- (d) Commissioned Corps of the Public Health Service
- (e) Military Service Academies
- (f) Reserve Officer's Training Corps (ROTC)

Employees taking USERRA leave will be eligible to take accumulated annual leave, accrued compensatory time, or be placed in Leave Without Pay status and the provisions of that leave will apply. While taking USERRA leave, the employee's unused leave balances will be retained and any seniority-based benefits such as leave accrual rates will continue to accrue.

Employees whose USERRA duty is less than 31 days will have their health insurance coverage paid as if they were at work. Employees performing USERRA duty of 31 or more days may elect to continue under the County's health plan for up to 24 months but will be responsible for paying 100% of the premium costs.

**Military Training.** Beyond complying with USERRA, the County provides additional benefits for military training. Full-time employees who are members of an Armed Forces Reserve organization or National Guard will be granted fifteen calendar days per year for military leave. If the military leave compensation is less than the salary that would have been earned during the same period as a County employee, the employee will receive partial compensation equal to the difference. The effect will be to maintain the employee's salary at the normal level during this period.

While on military leave, seniority-based benefits such as leave accrual rates will continue to accrue as if the employee was actively at work. If such duty is required beyond fifteen calendar days, the employee will be eligible to take accumulated annual leave or be placed in Leave Without Pay status, and the provisions of that leave will apply. Employees on extended military leave may elect to continue under the County's health plan for up to 24 months but will be responsible for paying 100% of the premium costs.

Part-time employees not eligible for annual leave and limited service employees will be granted time off without pay to meet their military reserve or National Guard training obligations.

## **SECTION 25. REINSTATEMENT FOLLOWING MILITARY SERVICE**

An employee who volunteers or is called to active duty with the United States military forces and who returns to work in less than five years will be returned to the same or like position he or she occupied prior to the active duty enlistment with full seniority, status, leave accrual rates, and pay as if there had not been a break in employment. A military discharge form "DD214" with an honorable discharge must be submitted with the notification of intent to return to work.

Time limits for employees to reapply for return to work after release from military service are:

- (a) Less than 31 days absence, employee must report to employer by the next business day.
- (b) 31 - 180 days absence, notification to the supervisor must be submitted within 14 days.
- (c) More than 180 days absence, notification to the supervisor must be submitted within 90 days.

All reporting deadlines are extended for two years if the employee is injured during USERRA service.

## **SECTION 26. CIVIL LEAVE**

A full-time employee called for jury duty or as a court witness for the federal or state government, or a subdivision thereof, will receive leave with pay for such duty during the required absence without charge to accumulated leave. In addition to regular compensation, the employee may keep fees and travel allowances received for jury or witness duty except when court appearances are in connection with the employee's official duties in which case all witness fees or travel allowances must be turned over to the County. While on civil leave, benefits and leave will accrue as though on regular duty.

## **SECTION 27. COMMUNITY SERVICE LEAVE**

Full-time employees may take paid community service leave up to a maximum of sixteen hours annually to serve others by volunteering with a public sector entity, non-profit organization, or recognized educational institution.

For purposes of this section, volunteering is defined as a commitment of time and energy for civic, charitable, educational, or humanitarian reasons without compensation.

Leave is granted upon hire and the leave period is established as January 1 - December 31; unused leave expires at the end of the calendar year and cannot be carried over to the following year. Leave shall be authorized only for the time that would fall on a scheduled workday during scheduled work hours and must be reported separately under the "Community Leave" pay code in Time and Attendance. Payment for leave hours in excess of the employee's standard scheduled workweek is not permitted.

Leave will not be counted against the employee's annual leave balance subject to the following conditions:

- (a) Leave must be requested in a minimum of 2-hour increments.
- (b) The leave must be taken at a time mutually agreed upon by the employee and the County; Employees should give supervisors sufficient opportunity to arrange schedules to accommodate the employee's request and adequately staff the workplace. The County may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave.
- (c) Supervisors may deny the request if it is not feasible for the department at that time and/or may approve or deny the request on a discretionary basis in consideration of the employee's personal conduct, disciplinary record, and/or job performance.
- (d) The County may require written verification from the organization served in advance of approving the leave.
- (e) Abuse of Community Service Leave may be subject to disciplinary action.

## **SECTION 28. VOLUNTARY SHARED LEAVE**

When an employee has been approved for FMLA leave due to a medical condition of the employee or an employee's family member requiring his or her prolonged absence from work which may result in possible loss of income due to lack of accumulated leave, fellow employees may voluntarily donate some of their annual or sick leave upon receiving official notification of the need from human resources. The notification will not name the beneficiary unless the beneficiary requests to be named in writing and signs a written release allowing the sharing of the beneficiary's name. The reason for needing shared leave will not be revealed. Department heads and supervisors are not authorized to approve or initiate voluntary shared leave procedures.

For purposes of this policy, medical condition means the medical condition of an employee or their spouse, parents, children, or other dependents (including step and in-law relationships) that is likely to require an employee's absence from duty for a prolonged period, generally considered to be at least 20 consecutive workdays. If an employee has had previous random absences for the same condition that has caused excess absences, or if the employee has had a previous, but different, prolonged medical condition within the last 12 months, the county manager may make an exception to the 20-day period.

The policy will not ordinarily apply to short-term or sporadic conditions or illnesses such as chronic allergies, contagious diseases, medical or therapeutic treatments, etc. These examples are not all inclusive and are provided for illustrative purposes only. Each case must be examined and decided based on its conformity to policy intent and must be handled consistently and equitably.

Leave must be donated on a one-to-one personal basis. Establishment of a leave bank for use by unnamed employees is expressly prohibited. To facilitate administration of the program, the County may establish a specific time period during which leave can be donated. Leave transferred under this program will be available for use on a current basis or may be retroactive for up to 30 calendar days to substitute for leave without pay or advanced annual or sick leave already granted to the leave recipient.

An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right that such employee may have with respect to donating, receiving, or using leave under this program. Such action shall be grounds for disciplinary action up to and including dismissal based on personal conduct.

Human resources will make the employee's need known in as discreet a manner as possible. Gifts of shared leave will be anonymous to the beneficiary.

Requests for shared leave may be denied based on previous attendance patterns, work performance issues, or County operational needs.

**Recipient Eligibility.** Only regular full-time employees who have worked for the County for at least one year and who worked at least 1,250 hours in the preceding year are eligible to receive shared leave subject to a maximum of 450 hours. The number of donated leave hours an employee can receive is equal to the projected recovery or treatment period, less the employee's combined annual and sick leave balance as of the beginning of the recovery or treatment period. The employee must exhaust all of their own available leave before using donated leave.

An employee needing shared leave must not solicit fellow employees but may make human resources aware of their need by completing the appropriate section on the Request for Leave of Absence form.

At the expiration of the medical condition, any unused leave in the recipient's donated leave account will be treated as follows:

- (a) The recipient's annual and sick leave account balance must not exceed a combined total of 37.5 hours.
- (b) Any additional unused donated leave will be returned to the donor(s) on a prorated basis and credited to the leave account from which it was donated. Fractions of one hour will not be returned to an individual donor.

If a recipient separates due to resignation, death, or retirement from the County, participation in the program

ends. Donated leave will be returned to the donor(s) on a prorated basis.

**Donor Eligibility.** An employee donating leave under this program may donate a minimum of four hours and up to a maximum of 90 hours per year; however, the employee's annual or sick leave accruals cannot drop below 37.5 hours each. An employee wishing to donate to a qualified family member who is also employed with Granville County may donate up to a maximum of 450 hours; however, the donating employee's annual or sick leave accruals cannot drop below 37.5 hours each.

Employees who wish to donate leave may file a Voluntary Shared Leave Authorization form with the human resources department. The employee donating leave cannot receive compensation for donated leave.

## **SECTION 29. ADVERSE WEATHER AND EMERGENCY CONDITIONS**

County government has responsibility for providing emergency services and adequate staff to operate critical services 7 days per week and 24 hours per day in all weather. The county manager, upon recommendation of department heads, shall designate which staff are in critical positions required to report to work regardless of weather or other hazardous conditions in order to ensure adequate staffing for critical services.

The adverse weather/hazardous conditions policy is established to be as fair as possible to all employees applying the following principles:

- (a) To maintain adequate staffing of emergency services at all times;
- (b) To provide for as much safety as possible for employees traveling to and from work in hazardous conditions; and
- (c) To not pay regular salaries to some employees for not working when others are required to be at work.

County offices and departments will remain open for the full scheduled workday unless authorization for closure or other deviation from the regular schedule is announced through the county manager's office. Consideration will be given to the hazard of driving conditions and other relevant factors. To the extent possible, all departments and offices will be given sufficient advance notice of any authorized closure of non-critical County functions.

In the event of an inclement weather closure, employees on previously approved leave will remain on that leave, not inclement weather leave.

In an adverse weather event, the following procedures shall apply:

- (a) Employees in non-critical positions are to report any regularly scheduled hours not worked due to a County office closure as Inclement Weather Leave on their official work record.
- (b) Employees in non-critical positions who leave work before an official early closing time and/or who report for work late or do not report for work because of hazardous conditions may use earned compensatory leave or annual leave for days or hours not worked.
- (c) Employees in non-critical positions will be eligible for two hours of call-back pay for each day they are required to report to work in order to care for departmental needs when County offices are closed. This provision is in addition to the paid closure hours reported as Inclement Weather Leave on their official work record. The amount is fixed at two hours maximum; however, other provisions of the call-back pay policy found in [Article III, Section 13](#) apply.
- (d) Employees in critical positions may be subject to disciplinary action up to and including dismissal for failure to report to work as required. Such responsibility is inherent in the critical nature of those positions.

## **ARTICLE VIII. SEPARATION AND REINSTATEMENT**

### **SECTION 1. TYPES OF SEPARATIONS**

Employee separations from County service will be designated as resignation, reduction in force, disability, voluntary retirement, dismissal, or death and shall be accomplished in the manner indicated in this Article.

### **SECTION 2. RESIGNATION**

An employee may resign by submitting the reasons for resignation and effective date in writing to the immediate supervisor as far in advance as possible. In all instances, the minimum notice requirement is two calendar weeks. Failure to provide minimum notice will result in forfeiture of accumulated annual leave payment unless the notification requirement is waived upon recommendation of the department head or human resource director and approval by the county manager.

Three consecutive days of absence without contacting the immediate supervisor or department head may be considered a voluntary resignation. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation that the leave was taken because of illness or injury and was not anticipated at the time notice of resignation was given.

The county manager may negotiate a resignation with an employee when it is determined to be in the best interest of the County. Such negotiated resignation may include a severance package consisting of salary, benefits, and/or accumulated leave.

### **SECTION 3. REDUCTION IN FORCE**

If a reduction in force becomes necessary, consideration will be given to the quality of each employee's performance, organizational needs, and seniority in determining employees to be retained. Employees separated because of a reduction in force will be given at least two weeks' notice of the anticipated action.

No regular employee will be separated because of a reduction in force while there are limited service or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the limited service or probationary employee.

### **SECTION 4. DISABILITY**

The County will comply with the Americans with Disabilities Act (ADA) and will make all responsible efforts to provide reasonable accommodation to employees who may be or become disabled. Action may be initiated by the employee or the County.

In all cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the department head, human resource director, and county manager. The County may require an examination by a physician of its choice and at its expense.

An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated for disability.

Employees who meet the requirements of the North Carolina Local Governmental Employees Retirement System may qualify for disability retirement. Information about this option is available from the human resources director or the retirement system.

### **SECTION 5. VOLUNTARY RETIREMENT**

An employee who meets the conditions under provisions of the North Carolina Local Government Employee's Retirement System may elect to retire and receive all benefits earned under the plan.

### **SECTION 6. DEATH**

Separation will be effective as of the date of death. All compensation due will be paid to the estate of the employee.

**SECTION 7. DISMISSAL**

An employee may be dismissed in accordance with the provisions and procedures of [Article IX](#).

**SECTION 8. REINSTATEMENT**

An employee who is separated because of a reduction in force may be reinstated within one year of the date of separation, upon recommendation of the department head and approval of the appointing authority. An employee who is reinstated in this manner will be credited with his or her previously accrued sick leave and will accrue annual leave at a rate that reflects previous service with the County. If the employee retired or transferred the sick leave to another employer, sick leave will begin at a zero balance.

**SECTION 9. REHIRING**

An employee who resigns while in good standing may be rehired within five years of the date of separation upon recommendation of the department head and approval of the appointing authority. The employee will be regarded as a new employee subject to all provisions of this Policy except the employee will be credited with his or her previously accrued sick leave and will accrue annual leave at a rate that reflects previous service with the County. If the employee retired or transferred the sick leave to another employer, sick leave will begin at a zero balance.

An employee in good standing who is separated due to a reduction in force will be given the first opportunity to be rehired in the same or a similar position.

**ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE  
AND DETRIMENTAL PERSONAL CONDUCT**

**SECTION 1. DISCIPLINARY ACTION FOR UNSATISFACTORY JOB PERFORMANCE**

After following the procedures in this Article, an employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance if performance is still deemed unsatisfactory. The human resources director will assist all parties with the procedures in taking or responding to disciplinary actions. All cases of disciplinary suspension, demotion, or dismissal must be reviewed by the human resources director and approved by the county manager or hiring authority prior to giving final notice to the employee.

**SECTION 2. UNSATISFACTORY JOB PERFORMANCE DEFINED**

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the department head or county manager.

Examples of unsatisfactory job performance include, but are not limited to, the following:

- (a) Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
- (b) Careless, negligent, or improper use of County property or equipment;
- (c) Physical or mental incapacity to perform duties after reasonable accommodation;
- (d) Discourteous treatment of the public or other employees;
- (e) Absence without approved leave;
- (f) Improper use of leave privileges;
- (g) Pattern of failure to report for duty at the assigned time and place;
- (h) Failure to complete work within time frames established in work plan or work standards;
- (i) Failure to meet work standards over a period of time;
- (j) Failure to follow the chain of command to address work-related issues; or
- (k) Failure to maintain certifications required by the job.

**SECTION 3. COMMUNICATION AND WARNING PROCEDURES PRECEDING DISCIPLINARY ACTION FOR  
UNSATISFACTORY JOB PERFORMANCE**

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor should meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems. The supervisor should prepare a brief summary of these counseling sessions for inclusion in the employee's personnel file.

An employee whose job performance is unsatisfactory over a period of time should normally receive at least two documented warnings from the supervisor, one of which may be a final written warning, before disciplinary action resulting in dismissal is taken by the county manager or hiring authority. In each case, the supervisor should complete a Performance Improvement Plan to record the dates of discussions, performance deficiencies discussed, corrective actions recommended, and time limits established.

If the employee's performance continues to be unsatisfactory, the supervisor should use the following disciplinary steps:

- (a) A final written warning from the supervisor serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- (b) If performance does not improve, a written recommendation for disciplinary action such as suspension, demotion, or dismissal should be sent to the department head, human resources director, and county manager or hiring authority. Suspension and/or demotion are not required steps prior to dismissal.

Disciplinary suspensions for unsatisfactory job performance are for the purpose of communicating the seriousness of the performance deficiency, not for the purpose of punishment, and should not generally exceed

three days (36 hours) for non-exempt employees. Suspensions for exempt employees shall be for one full work week to maintain exempt status in accordance with FLSA requirements; however, suspensions of less than a week are authorized under FLSA for major safety violations or infractions of workplace conduct rules (i.e., detrimental personal conduct).

Demotions are appropriate when an employee has demonstrated an inability to perform successfully in the current job but shows promise and commitment to performing successfully in a lower level job. If no other options are available, dismissal is appropriate.

If the employee's performance does not reach an acceptable level after suspension or demotion, the employee may be dismissed. Dismissals are appropriate when the employee has shown to be unwilling or unable to perform work in a manner that meets the work and/or conduct standards of the County.

#### **SECTION 4. DISCIPLINARY ACTION FOR DETRIMENTAL PERSONAL CONDUCT**

After consulting with human resources, the department head, county manager, or hiring authority may place the employee on investigatory leave prior to making a disciplinary determination to allow time to gather facts regarding the detrimental personal conduct and make a determination regarding the severity of the conduct. However, an employee may be placed on disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to County service when such action is recommended by the human resources director and approved by the county manager or hiring authority. This action may be taken in order to:

- (a) avoid undue disruption of work;
- (b) to protect the safety of persons or property; or
- (c) for other serious reasons.

#### **SECTION 5. DETRIMENTAL PERSONAL CONDUCT DEFINED**

Detrimental personal conduct includes behavior of such a serious detrimental nature that the functioning of the County may be or has been impaired; the safety of persons or property may be or have been threatened; or the laws of the government may be or have been violated.

Examples of detrimental personal conduct include, but are not limited to, the following:

- (a) Fraud or theft;
- (b) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- (c) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- (d) Willful misuse or gross negligence in the handling of County funds or personal use of equipment or supplies;
- (e) Willful or wanton damage or destruction to property;
- (f) Willful or wanton acts that endanger the lives and property of others;
- (g) Possession of unauthorized firearms or other lethal weapons on the job;
- (h) Brutality in the performance of duties;
- (i) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty. Prescribed medication may be taken within the limits set by a physician as long as medically necessary;
- (j) Engaging in incompatible employment or serving a conflicting interest;
- (k) Request or acceptance of gifts in exchange for favors or influence;
- (l) Engaging in political activity prohibited by this Policy;
- (m) Harassment of an employee and/or the public on the basis of sex or any other protected class status;
- (n) Harassment of an employee or the public with threatening or obscene language and/or gestures or any incidence of workplace violence; or
- (o) Stated refusal to perform assigned duties or flagrant violation of work rules and regulations, or serious malfeasance of work.



## **SECTION 6. PRE-DISMISSAL CONFERENCE**

Before dismissal action is taken for unsatisfactory job performance or detrimental personal conduct, the department head and human resources director and/or county manager or hiring authority will conduct a pre-dismissal conference. At this conference, the employee may present any response to the proposed dismissal. The department head and human resources director and/or county manager or hiring authority will consider the employee's response, if any, to the proposed dismissal and will notify the employee in writing of the final decision within three working days following the pre-dismissal conference. If the employee is dismissed, a written dismissal notice will be prepared by human resources that contains a statement of the policy violation and the employee's appeal rights under the County's grievance procedure.

## **SECTION 7. INVESTIGATORY LEAVE**

During the investigation, hearing, or trial of an employee on any criminal charge, during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee, when suspension would be in the best interest of the County, the department head and/or county manager or hiring authority may suspend the employee as a non-disciplinary action for part or all of the duration of the proceedings after consultation with human resources. In such cases, the County may:

- (a) Temporarily relieve the employee of all duties and responsibilities and place the employee on paid or unpaid leave for the duration of the suspension; or
- (b) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

If the employee is reinstated following the suspension, he or she will not lose any compensation or benefits to which they otherwise would have been entitled had the suspension not occurred.

If the employee is terminated following suspension, he or she will not be eligible for any pay nor accrued annual leave or sick leave from the date of suspension. All other benefits will be maintained during the period of suspension.

## **SECTION 8. NAME CLEARING HEARING**

Following the decision to dismiss or demote an employee, including a probationary employee, the employee will be afforded an opportunity for a name-clearing hearing to be conducted by the human resources director. The employee must request the hearing within ten calendar days of the employment action.

If requested by the employee, a time and date for the hearing will be established such that the hearing takes place prior to the release of any negative or stigmatizing information about the employee that could inhibit future employment. The employee may invite anyone they wish to the hearing (including the media). At this name-clearing hearing, the employee may present any response to information that the employee believes to be false and/or stigmatizing to their reputation with respect to his or her work performance or the reasons for the dismissal or demotion.

Any written comments submitted by the demoted or dismissed employee in person or through other means of transmittal will be placed in the employee's personnel file, and a copy will be provided to anyone who requests the termination notice for that employee. If the employee speaks at the hearing but does not provide written comments, the person conducting the hearing will take notes and place a copy of the notes in the employee's personnel file, and a copy will be provided to anyone who requests the termination notice for that employee.

There is no requirement for the County or the hearing officer to respond in any way to the comments of the employee. The name clearing hearing is not a substitute nor a second opportunity for a pre-dismissal hearing at which the employee may contest the proposed disciplinary action. Information presented at the name clearing hearing will not be used by the County to reconsider the disciplinary action.

## ARTICLE X. GRIEVANCE PROCEDURE AND ADVERSE ACTION APPEAL

### SECTION 1. POLICY

It is Granville County's policy to provide a just and prompt procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair. The human resources director will be available to assist parties in all departments during the grievance process.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or other employees for exercising their rights under this Policy. Supervisors or other employees who violate this Policy will be subject to disciplinary action up to and including dismissal.

### SECTION 2. GRIEVANCE DEFINED

A grievance is a claim or complaint by a current or former employee based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions and which resulted in the employee receiving a disciplinary suspension, demotion, or dismissal. Employees may also use the grievance procedure for situations directly specified in other Articles in this Policy (i.e., harassment complaints).

### SECTION 3. PURPOSES OF THE GRIEVANCE PROCEDURE

The purposes of the grievance procedure include, but are not limited to:

- (a) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- (b) Encouraging employees to express themselves about the conditions of work that affect them;
- (c) Promoting better understanding of policies, practices, and procedures that affect employees;
- (d) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- (e) Increasing the sense of responsibility exercised by supervisors in dealing with their employees;
- (f) Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible in the chain of command; and
- (g) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the County or its leaders, thus freeing up employee motivation, productivity, and creativity.

### SECTION 4. GRIEVANCE PROCEDURE

When an employee or group of employees has a grievance, the following successive steps are to be taken. The number of calendar days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process although the time limits set forth may be extended by mutual consent. The last step initiated by an employee will be considered as the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion, or dismissal must be approved by the department head and county manager or appointing authority before the decision becomes effective.

**Informal Resolution.** Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek an informal resolution. The employee or supervisor may involve the human resources department as a resource to help resolve the grievance.

**Step 1.** If an informal resolution is not reached, the employee who wishes to pursue a grievance will present the grievance to the supervisor in writing. The grievance must be presented within fifteen calendar days of the event or within fifteen calendar days of learning of the event or condition.

The supervisor should consult with any relevant County employees in order to reach a correct, impartial,

fair, and equitable determination or decision concerning the grievance. Employees consulted by the supervisor are required to cooperate to the fullest extent possible.

The supervisor will respond to the grievance within ten calendar days of receipt. The response from each supervisory level for each step in the formal grievance process will be in writing and signed and dated by the supervisor. In addition, the employee must sign a copy to acknowledge receipt thereof. The responder at each step will send copies of the grievance and response to the human resources department.

**Step 2.** If the grievance is not resolved by the supervisor to the employee's satisfaction, the employee may appeal in writing to the department head within ten calendar days after receipt of the supervisor's response from Step 1. The department head will respond to the appeal, stating the determination of his or her decision, within ten calendar days after receipt of the appeal.

**Step 3 (For general County employees only).** If the grievance is not resolved by the department head to the employee's satisfaction, the employee may appeal in writing to the county manager or hiring authority within ten calendar days after receipt of the department head's response from Step 2. The county manager or hiring authority will respond to the appeal, stating the determination of his or her decision, within ten calendar days after receipt of the appeal.

The county manager's or hiring authority's decision is final; however, the county manager should inform the Board of Commissioners of any potential legal action. Any appeal of this decision must be made through the North Carolina Court System.

Special Note: The sheriff and register of deeds will carry out the responsibilities designated to the county manager in their respective departments.

**Step 3 (For employees in the Social Services Department only).** If the grievance is not resolved by the County to the employee's satisfaction, the employee may appeal the decision to the North Carolina Office of Administrative Hearings (OAH) within thirty calendar days of the receipt of the County's decision. The findings of the OAH will be forwarded to the State Human Resources Commission. The decision of the State Human Resources Commission will be advisory only and the County will have the final decision. Discrimination cases may be appealed directly to the OAH.

**Department Heads.** In the case of department heads or other employees where the county manager or hiring authority has been significantly involved in determining disciplinary action including dismissal, the County may wish to obtain a neutral outside party to either:

- (a) provide mediation between the grieving department head and the county manager or hiring authority; or
- (b) consider the appeal and make recommendations back to the county manager or hiring authority concerning the appeal. Such parties might consist of human resource professionals, attorneys trained in mediation, mediators, or other parties appropriate to the situation.

The county manager or hiring authority's decision regarding the disposition of the grievance will be final. The county manager will notify the Board of Commissioners of any impending legal action.

## **SECTION 5. ROLE OF THE HUMAN RESOURCES DIRECTOR**

Throughout the grievance procedure, the role of the human resources director will be as follows:

- (a) To advise parties (including employee, supervisors, and county manager) of their rights and responsibilities under this Policy including interpreting the grievance and other policies for consistent application;
- (b) To be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents;

- (c) To give notices to parties concerning timetables of the process, etc.;
- (d) To assist employees and supervisors in drafting statements;
- (e) To facilitate the resolution of conflicts at any step in the process; and
- (f) To help locate mediation or other resources as needed.

In unusual circumstances, the human resources director will also determine whether additional time will be allowed to either side if the parties cannot agree upon extensions when needed or indicated.

#### **SECTION 6. GRIEVANCE AND ADVERSE ACTION APPEAL PROCEDURE FOR DISCRIMINATION**

When an employee, former employee, or applicant believes that any employment action discriminates illegally (i.e., is based on age, sex, race, color, national origin, religion, creed, political affiliation, disability, veteran status, or genetic information), he or she has the right to appeal such action using the grievance procedure outlined in this Policy. While such persons are encouraged to use the grievance procedure, they also have the right to appeal directly to the human resources director and the county manager or hiring authority.

Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty calendar days of the alleged discriminatory action but may appeal for up to three months following the action.

## **ARTICLE XI. PERSONNEL RECORDS AND REPORTS**

### **SECTION 1. PUBLIC INFORMATION**

Per NCGS 153A-98, the following information with respect to each employee is a matter of public record:

- (1) name;
- (2) age;
- (3) date of original employment or appointment to the service;
- (4) the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the County has the written contract or a record of the oral contract in its possession;
- (5) current position title; current salary; date and amount of the most each increase or decrease in salary;
- (6) date of the most recent promotion, demotion, transfer, suspension, separation, or other change in position classification;
- (7) date and general description of the reasons for each promotion;
- (8) date and type of each dismissal, suspension, or demotion for disciplinary reasons. If the disciplinary action was a dismissal, a copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis of the dismissal; and
- (9) the office to which the employee is currently assigned. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the County may adopt. The cost of copying may be assessed to the individual who requests the copies.

For the purposes of this subsection, the term “salary” includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the County.

A record will be maintained of all disclosures of personnel records except for disclosures to authorized personnel processing personnel actions or supervisors in the line of authority of the employee. Upon request, the records of disclosure will be made available to the employee to whom it pertains.

### **SECTION 2. ACCESS TO CONFIDENTIAL RECORDS**

All information contained in an employee's personnel file other than the information mentioned above is confidential and shall be open to inspection only as permitted by NC General Statute §153A-98.

### **SECTION 3. PERSONNEL ACTIONS**

Human resources will prescribe forms and reports for personnel actions and retain records necessary to administer the personnel system. Official personnel files are those which are maintained by human resources and contain employment applications and related materials, records of personnel actions, documentation of employee warnings, disciplinary actions, performance evaluations, retirement and insurance records, letters of recommendation, and related documents. Any documents not contained in these files or maintained as designated by the human resources director are not part of the official file.

### **SECTION 4. RECORDS OF FORMER EMPLOYEES**

The provisions for access to records apply to former employees as they apply to present employees.

### **SECTION 5. REMEDIES OF EMPLOYEES OBJECTING TO MATERIAL IN FILE**

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. In accordance with established grievance procedures, the employee may seek to have a record of upheld grievances placed in the file and/or may seek removal of material in the file contingent upon approval of the North Carolina Department of Cultural Resources.

**SECTION 6. PENALTIES FOR PERMITTING ACCESS TO CONFIDENTIAL RECORDS**

NCGS Section 153A-98 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount consistent with the General Statutes.

**SECTION 7. EXAMINING AND/OR COPYING CONFIDENTIAL MATERIAL WITHOUT AUTHORIZATION**

NCGS Section 153A-98 provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove, or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined consistent with the General Statutes.

**SECTION 8. DESTRUCTION OF RECORDS REGULATED**

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with NCGS Section 121.5 (b), without the consent of the Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever, alters, defaces, mutilates, or destroys it will be guilty of a misdemeanor and upon conviction will be fined in an amount provided in NCGS Chapter 132.3.

## **ARTICLE XII. IMPLEMENTATION OF POLICIES**

### **SECTION 1. CONFLICTING POLICIES REPEALED**

All policies, ordinances, or resolutions that conflict with the provisions of this Policy are hereby repealed.

### **SECTION 2. SEPARABILITY**

If any provision of this Policy or any rule, regulation, or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of these policies and the application of such remaining provisions of these policies of such rules, regulations, or orders to persons or circumstances other than those held invalid will not be affected thereby.

### **SECTION 3. EFFECTIVE DATE**

This Policy shall become effective on a date approved by the Board of Commissioners.

### **SECTION 4. AMENDMENTS AND REVISIONS**

This Policy may be amended or revised by action of the Board of Commissioners and by resolution appropriately approved. Notice of any suggested amendments or revisions to the Policy, or any portion thereof, will be provided to employees and opportunities for employee comment and reaction will be made available prior to them being submitted to the Board of Commissioners for action. Proposed amendments or revisions may be announced and circulated to all employees via the County email system, uploaded to an employee document portal, and/or an announcement published in the employee newsletter.

Any amendments or revisions adopted in conformance with this procedure will become effective as of the date of such adoption unless otherwise specified in the resolution.