

OWEN COUNTY ADMINISTRATIVE CODE

**Adopted by:
Action of Owen Fiscal Court**

Ordinance # 180

**BE IT ORDAINED BY THE FISCAL COURT OF OWEN COUNTY:
COMMONWEALTH OF KENTUCKY**

The Owen Fiscal Court does hereby establish a new County Administrative Code by doing so dividing the administrative service of Owen County into departments under the County Judge; prescribing administrative policy and procedure; prescribing the functions and duties of administrative units and officials of the government; prescribing the administration of fiscal affairs and procurement procedures; and prescribing for the delivery of County services; hereby repeals the previous Administrative Code found in Fiscal Court Order book 13 page 442 and any and all amendments to said code, namely Ordinances # 116, 120, 132, and 138

OWEN COUNTY ADMINISTRATIVE CODE

EMPLOYEE AGREEMENT

I have received a copy of Owen County Fiscal Court's Administrative Code, Ordinance # _____, dated _____.

I understand that it is my obligation to read the Owen County Administrative Code and agree to follow all policies and procedures that are set forth therein. I agree to abide by the standards outlined in the document for the duration of my employment with Owen County Fiscal Court. I understand that this Administrative Code, and my signature below, does not constitute an employment contract and that the County is an at-will employer. Should I have any questions related to the Owen County Administrative Code, it is my obligation to seek assistance from my supervisor, director or Department Head.

Furthermore, I understand that this Ordinance may be amended at any time.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or designee

Date

OWEN COUNTY E-MAIL AND INTERNET USER AGREEMENT

EMPLOYEE AGREEMENT

I have received a copy of Owen County Fiscal Court's Policy Guidelines on e-mail/internet acceptable use (Chp. 13). I recognize that the County's e-mail/Internet is to be used for conducting the County's business only. I understand that use of this equipment for private purposes is strictly prohibited.

As part of Owen County and user of Owen County's gateway to the internet and e-mail system, I understand that this e-mail/internet County guideline applies to me.

I understand that it is my obligation to read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Owen County Fiscal Court. Should I have any questions related to the Owen County Administrative Code, it is my obligation to seek assistance from my supervisor, director or Department Head.

I am aware that violations of this County guideline on acceptable e-mail/internet use may subject me to disciplinary action, up to and including dismissal from employment.

I further understand that my communications on the internet and e-mail reflect on Owen County Fiscal Court. Furthermore, I understand that this policy can be amended at any time or that I may receive further direction from my superiors related to proper e-mail/internet usage.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or designee

Date

INTRODUCTION

PURPOSE AND AUTHORITY

The General Assembly of the Commonwealth of Kentucky enacted KRS 68.005 in 1978 for the purpose of promoting efficient administration of County government. KRS 68.005 requires the Fiscal Court to adopt a County administrative code which includes, but not limited to, procedures and designation of responsibility for the following:

- (1) General administration of the office of County Judge-Executive, County administrative agencies and public authorities;
- (2) Administration of County fiscal affairs, including budget formulation; receipt and disbursement of County funds, preparation of records required for the County audit, and for filing of claims against the County
- (3) Personnel administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the County affirmative action program;
- (4) County purchasing and award of contracts; and
- (5) Delivery of County services.

The County Judge, as the chief executive officer of the County, is responsible for the organization and management of the administrative functions of County government. The Fiscal Court sets the County's policies and priorities. The County Judge must execute these policies and priorities. The statute provides only general guidance as to the form and substance of a County's internal administrative organization. For this reason, the Fiscal Court of Owen County enacts the following County Administrative Code.

Owen County Administrative Code

Owen County Fiscal Court does hereby establish a County Administrative Code; dividing the administrative service of Owen County into departments under the County Judge; prescribing administrative policy and procedure; prescribing the function and duties of administrative units and officials of the government; prescribing the administration of fiscal affairs and procurement procedures; and prescribing for the delivery of County services.

CHAPTER 1 GENERAL PROVISIONS

SECTION 1.1 Short Title

- A. This document shall be known and may be cited as the “Owen County Administrative Code”.

SECTION 1.2 Definitions

- A. As used in this Code, unless the context otherwise requires:
 - (1) *Chief Executive* is the County Judge of Owen County.
 - (2) *County* is Owen County, Kentucky, a governmental entity.
 - (3) *Fiscal Court* is the County body vested with the legislative powers of Owen County.
 - (4) *Elected Official* means the County Clerk, Sheriff, Jailer and County Attorney.

SECTION 1.3 Amendments

- A. The Fiscal Court shall review the Owen County Administrative Code annually during the month of June and may by two-thirds (2/3) majority of the entire Fiscal Court amend the Owen County Administrative Code at that time. The County Judge may at other times prepare and submit amendments to the Owen County Administrative Code for approval by the majority of the Fiscal Court.

CHAPTER 2 GENERAL ADMINISTRATION

SECTION 2.1 County Judge

- A. The Owen County Judge shall be the Chief Executive and Administrative Officer of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution, Kentucky Revised Statutes and the Fiscal Court.

- B. The responsibilities and/or duties of the Owen County Judge, as defined by KRS 67.710, are as follows:
 - (1) Provide for the execution of all ordinances and resolutions of the Fiscal Court, execute all contracts entered into by the Fiscal Court, and provide for the execution of all laws by the state subject to enforcement by him or by officers who are under his direction and supervision;
 - (2) Prepare and submit to the Fiscal Court for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revisions periodically or at the request of the Fiscal Court;
 - (3) Furnish the Fiscal Court with information concerning the operations of the County departments, boards, or commissions, necessary for the Fiscal Court to exercise its powers or as requested by the Fiscal Court;
 - (4) Require all officials, elected or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County to make a detailed annual financial report to the Fiscal Court concerning the business and condition of their office, department, board, commission, or special districts;
 - (5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the Fiscal Court an annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
 - (6) Keep the Fiscal Court fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the Fiscal Court or as he deems necessary;
 - (7) Exercise with the approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); and
 - (8) With the approval of the Fiscal Court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the Fiscal Court, charter, law or ordinance may create. The

requirement of Fiscal Court approval must be designated as such in the County administrative code or the County charter.

SECTION 2.2 Procedures for Organization/Reorganization of County Departments and Agencies

- A. The County Judge may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that the County Judge submits a written plan for the reorganization to the Fiscal Court.
- B. The reorganization plan shall state the need, how the reorganization will meet the need, the services and functions to be expanded, abolished, or reduced as a result of the plan, the long and short term costs, and the plan's impact on existing and/or proposed personnel and services.
- C. The plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court. If not disapproved within sixty (60) days, the plan shall become effective. The plan shall be subject to public inspection at least 60 days prior to its effective date.
- D. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

SECTION 2.3 Special Districts

- A. The County Judge may, with approval of the Fiscal Court, create any special district; or abolish or combine any special districts, provided such district was created solely by the County.

SECTION 2.4 County Representation on Boards and Commissions

- A. The County Judge shall assure the representation of the County on all boards, commissions, special districts, and joint city-County programs in which County participation is required.
- B. Every independent board, commission, agency or special district which requires participation by County government shall submit a copy of its by-laws and a list of its governing body members to the County Judge and the Fiscal Court within thirty (30) days of the start of the County term of office. The independent board, commission, agency or special district shall submit a revised copy of its by-laws within 30 days of their approval when amended. When a vacancy exists, the list of governing body members should be submitted to the County Judge no later than thirty (30) days before the County Judge nominates a candidate for the vacancy.

SECTION 2.5 Appointed Positions

- A. The County Judge may appoint an executive secretary to assist with the execution of his administrative duties.
- B. The County Judge may appoint a Deputy County Judge/Executive.
- C. The County Judge may appoint, subject to the approval of the Fiscal Court, a budget officer to assist with the County fiscal affairs.
- D. The County Judge may appoint, subject to the approval of the Fiscal Court, other personnel to assist with the County administrative and fiscal duties.
- E. A member of the Fiscal Court may be appointed by a majority of the Fiscal Court to temporarily assume the duties of the County Judge, where both the County Judge and the Deputy County Judge/Executive, if a Deputy County Judge/Executive has been appointed, are absent from the County during an Emergency, or where both are incapacitated due to sickness, injury, or mental incompetence.

SECTION 2.6 Procedures for Appointment/Removal of Administrative Personnel and Members of Boards and Commissions

- A. The County Judge shall inform the Fiscal Court of any open position on County Boards or Commissions, or in designated administrative positions.
- B. The County Judge shall appoint qualified individuals to administrative positions and to Boards and Commissions. The Judge Executive shall inform the Fiscal Court, at a regular meeting, in writing of his intention to make an appointment to any County Board, Commission or other appointed position. If Fiscal Court approval of the appointment is required, the Fiscal Court shall act on such nomination within (30) days. If the Fiscal Court does not act on the nomination within the (30) day period, said appointment shall be deemed approved by the Fiscal Court.
- C. If the Fiscal Court rejects the nomination, the County Judge shall submit an additional nomination(s) for each position.
- D. The appointment shall be filed and entered into by index into the Owen County Executive Order Book which shall be maintained in the Office of the County Judge.
- E. The Owen County Fiscal Court may require a nominee to appear at a public hearing for the purpose of questioning the nominee about matters relating to the appointed position. The nominee shall be notified by mail if this is the intention of the Fiscal Court. The Fiscal Court shall provide the nominee with an opportunity to make a statement to the Fiscal Court concerning his nomination and qualifications.

- F. No person shall be selected as a member of a board or commission or for an administrative position if the person holds or is employed in an incompatible position.

SECTION 2.7 Owen County Procedures for Administrative Agencies

- A. Each Owen County Agency shall maintain the following records:
 - (1) A financial record of the agency's activities.
 - (2) Within thirty (30) days after the close of each fiscal year, each administrative agency shall make full report to the County Judge and to the Fiscal Court. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.
 - (3) Each administrative agency requesting Owen County budget funds shall submit a detailed annual budget request to the County Judge by April 1st of each year.
 - (4) Each administrative agency of Owen County shall keep minutes of its meetings to reflect on record its official actions.

CHAPTER 3 OPERATION OF FISCAL COURT

SECTION 3.1 Procedures for Meetings of Fiscal Court

- A. The County Judge shall annually set the dates and times for all regular Fiscal Court meetings via Executive Order. The Executive Order shall be issued no later than January 1st of each year, except in the first year of the term of office, when the Executive Order shall be entered no later than one week from the date the term begins.

- B. All meetings of members of Fiscal Court at which any public business is discussed or any action taken shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).

- C. The County Judge may call a Special Meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.

- D. Whenever the County Judge is unable, or refuses to call a Special Meeting, a majority of the Fiscal Court may call a Special Meeting.

- E. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).

SECTION 3.2 Presiding Officer

- A. The County Judge shall be the presiding officer of the Fiscal Court at all regular and special meetings.

- B. If the County Judge is not present or able to preside, a majority of the magistrates shall elect one of their members to preside.

SECTION 3.3 Quorum

- A. Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business.

- B. No proposition shall be adopted except with the concurrence of at least a majority of the members present; with the exception that passage of an ordinance requires a majority of the entire Fiscal Court.

SECTION 3.4 Disturbing Meetings

- A. It shall be unlawful to disturb any meeting of the Fiscal Court or to behave in a disorderly manner at any such meeting.

- B. Any person violating any provision of this section may be prosecuted under the appropriate provisions of the Kentucky Penal Code.

SECTION 3.5 Order of Business

- A. At each regular meeting of the Fiscal Court an agenda will be presented prior to the meeting. It shall be the duty of the Judge Executive's office to have the agenda ready for the magistrates on Friday before the 2nd and 4th Tuesdays of each month. This agenda shall be followed unless dispensed with by a majority vote of the members presented.
- B. At each Special or Emergency Meeting of the Fiscal Court, the agenda shall be followed with no other topics presented or discussed during the Special or Emergency Meeting.
- C. The County Judge shall prepare an itemized list of all valid bills requiring Fiscal Court approval.
- D. No bill shall be approved for payment unless contained in the itemized list for the meeting.
- E. A majority of the Fiscal Court members may vote to forgo Section 3.5(D) and approve payment of bills not included on the itemized list as long as the bill is presented to Fiscal Court.
- F. The Fiscal Court may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

SECTION 3.6 Fiscal Court Minutes

- A. The clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keep a full and complete record of its proceedings.
- B. The clerk of the Fiscal Court shall keep an index of all Fiscal Court records and make such index of all Fiscal Court records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chp. 61).

SECTION 3.7 Rules of Order

- A. Except when in conflict with the foregoing provisions, Robert's Rules of Order shall govern the deliberations of the Fiscal Court.
- B. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the members present at the meeting.

SECTION 3.8 Ordinances, Orders and Resolutions

- A. An "ordinance" means an official written act of the Fiscal Court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the County; or a lawful appropriation of money.

- B. All ordinances shall be introduced in writing; relate to one subject only; and contain a title which expresses the subject; such as, "An Ordinance relating to. . . ."
- C. There shall be inserted between the title and the body of each County ordinance an enacting clause written in the following manner: "Be It Ordained by the Fiscal Court of the County of Owen Commonwealth of Kentucky;"
- D. County ordinances shall be amended by ordinance and only by setting out in full each amended section;
- E. No County ordinance shall be passed until it has been read on two separate days, unless an emergency is properly declared, but ordinances may be read by title and a summary only.
- F. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. Publication shall include the time, date and place at which the County ordinance will be considered, and the place within the County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial meeting to a subsequent date, no further publication is necessary provided that each meeting, the time, date and place of the next meeting is announced.
- G. All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the Fiscal Court.
- H. An order or resolution may be utilized for action by the Fiscal Court where the action is specific in nature, not for an uncertain time period, and which is enforceable within county boundaries. Examples of where an order or resolution may be appropriately used include: (1) Approval of claims against the county; and (2) Approval of a question to be submitted to the electorate for the creation of a taxing district where there is statutory authority for a referendum.

CHAPTER 4 FINANCIAL MANAGEMENT

SECTION 4.1 Budget Preparation Procedures

- A. By April 1st of each fiscal year, the County Judge shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.
- B. The County Judge shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
- C. The County Judge shall review the expenditures in each classification of each fund for the preceding year and for the current year.
- D. The County Judge may obtain from the Owen County Treasurer receipts for actual expenditures made during the current fiscal year.
- E. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.
- F. The County Judge shall obtain from the sheriff an annual settlement showing County taxes collected, not later than October 1 of the current year and by April 1 of each year of the Owen County Property Assessment levels from the Owen County Property Valuation Administrator.
- G. The County Judge shall submit the completed proposed budget to the Fiscal Court not later than the 2nd Tuesday in May of each fiscal year.

SECTION 4.2 Duties and Procedures of the Owen County Budget Committee

- A. The Budget Committee shall consist of the County Judge, the County Attorney, the County Treasurer, and Finance officer. After preparation the County Judge, Finance Officer and County Treasurer shall submit a draft to the Fiscal Court. There may be workshops all open to the public before the first reading. The 1st reading of the budget should be on or before the 2nd Tuesday in May. The Court may wish to have additional special meetings for the purpose of discussing the budget. Proper notice of these meeting must be given to the public and the press.
- B. The Budget Committee shall review in detail the proposed budget that the County Judge has prepared and submitted to the Fiscal Court.
- C. The Budget Committee shall include such budgets as may be required by the activities of the County.
- D. The review shall be conducted at a meeting or meetings held not later than May 21 of each year.

- E. Immediately upon approving a proposed budget for the County, the Budget Committee shall forward a copy of the proposed budget to the Fiscal Court. The Owen County Fiscal Court shall make comments, amendments, and tentatively adopt the proposed budget prior to the County Judge submitting the budget to the Kentucky State Local Finance Officer.
- F. Following action by the Fiscal Court, but not later than June 10, the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification.
- G. The Owen County budget approved by the State Local Finance Officer shall be submitted to Fiscal Court for adoption, in the form of an ordinance not later than July 1.
- H. The County Judge shall cause a copy of the proposed budget to be posted in conspicuous place in the courthouse near the front door not less than seven (7) days before final adoption.
 - (1) A summary of the County budget shall be published immediately following the adoption by the Fiscal Court according to KRS Chp. 424.
 - (2) A copy of the new budget shall be posted for the public to view in the Courthouse (7) days before passage by the Court.
 - (3) The County Judge shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

SECTION 4.3 County Budget Hearing Procedures and Requirements

- A. County Road Aid Fund (CRA):
 - a. Publish notice of the proposed use hearing on the CRA fund shall be published not less than seven (7) days in advance of the scheduled hearing.
 - b. The County Judge shall conduct the proposed use hearing.
 - c. Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge as public record.
- B. Prior to adoption of the County Road budget and submittal to the State Local Finance Officer, the Fiscal Court shall conduct a budget hearing on the entire County budget to show the relationship of LGEA fund uses to other funds and uses. The date of the final budget hearing may be immediately prior to the first reading of the budget ordinance.
- C. Notice of the budget hearing shall be published in at least one (1) newspaper of general circulation and other news media in the community shall be advised. The preceding shall be as follows:

- a. Published notice of budget hearing not less than ten (10) days prior to the scheduled hearing;
- b. The Fiscal Court shall conduct the budget hearing;
- c. Copies of the published notice and written minutes of the hearing shall
 - i. Be maintained by County Judge as public record.
- d. Publish budget ordinance immediately after adoption.

SECTION 4.4 County Procedures for County Treasurer

- A. County Treasurer shall receive and deposit all funds due the County.
- B. County funds shall be paid out only on order of Fiscal Court.
- C. No expenditures may be made in excess of revenues or for purposes other than appropriated.
- D. No appropriations may be made which exceed adopted budget amounts.
- E. The Treasurer shall keep an Appropriation Expenditure Ledger. The ledger shall be a record of each budget appropriation, all expenditures from the appropriation and each budget fund.
- F. The Treasurer shall maintain general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Local Government Economic Aide, etc.) has a complete balancing set of general ledger accounts. Control accounts are established for the Cash Receipts Register and the Appropriation Expenditure Ledger.
- G. The Treasurer shall maintain a Cash Receipt Register containing columns for total cash received, source of revenue and miscellaneous revenue for each fund
- H. The Treasurer and budget officer shall maintain an Appropriation Expenditure Ledger. This ledger is a group of accounts supporting in detail the appropriation and expenditure accounts of the General Ledger. An account must be provided for each appropriation made in the budget. The original appropriation and all amendments and transfers authorized by order of the Fiscal Court shall be entered. All expenditures shall be charged to an appropriation account.
- I. The Treasurer and budget officer shall maintain a record of all warrants paid (except payroll) in chronological order in a Warrant Distribution Register. Columns shall provide for date, payee, warrant number, appropriation expenditure account number and amount. Separate columns shall provide for each fund so that one register serves all funds.

- J. The Treasurer or Finance Officer shall maintain a Payroll Authorization Book, designed to facilitate convenient preparation and certification of the payroll. One order of the Fiscal Court may be made to authorize payment for all employees for more than one payroll period.
- K. The Treasurer or Finance Officer shall maintain an Individual Earnings Record for each employee, including gross earnings, deductions and net pay at the time computed.
- L. The Treasurer shall maintain a Notes Payable Register which provides information on notes for temporary loans in anticipation of the current year's revenue, indicating the principal amount, interest rate, due date, fund and other necessary details.
- M. The Treasurer shall maintain a Bond Register which records the history and authorization of each bond issue, whether general obligation bonds, revenue bonds or special levy bonds. A separate sheet shall be prepared for each issue.

SECTION 4.5 Owen County Procedures for Fiscal Court Administration by the County Judge

- A. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each account.
- B. As expenditures are made during the year, the amount of the expenditure is subtracted from the free balance to keep an accurate record of the exact amount of the unused appropriation at any time.
- C. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.
- D. The County Judge shall write and sign all warrants directing the Treasurer to make payments authorized by Fiscal Court. The County Judge shall maintain a record of all warrants.
- E. At the close of each fiscal year the County Judge will be responsible for the preparation of records necessitated by the annual County audit and audit of the County Judge's office. The annual audits of the books, accounts, and papers of the County and the County Judge shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

SECTION 4.6 Claims Against Owen County

- A. The County Judge shall account for all claims against the County.
- B. All claims for payment from the County shall be filed in writing with the County Judge.

- C. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.
- D. Each order of Fiscal Court approving a claim shall designate the budget fund and classification from which the claim will be paid and each warrant shall, specify the budget fund and classification.
- E. The payroll for County officials and regular County employees and recurring utility expenses are hereby preapproved. Other recurring expenses may be preapproved by the Fiscal Court upon authorization of the State Local Finance Officer.
- F. The depositor of Owen County funds shall not honor any warrant on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign. The Fiscal Court may also authorize someone other than the Deputy County Judge in the absence of the County Judge.
- G. All offices collecting County or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County. County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless a written waiver is given by Fiscal Court.

CHAPTER 5 PERSONNEL ADMINISTRATION

It shall be the policy of the County to maintain equal employment opportunities for its labor force which will be in compliance with applicable federal and state laws. The County is an at-will employer and is not subject to merit system governance or regulations.

The County is an Equal Opportunity Employer and shall not discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, national origin, sex, age forty (40) and over, because the person is a qualified individual with a disability, or because the individual is a smoker or nonsmoker, as long as the person complies with any workplace policy concerning smoking.

SECTION 5.1 Job Classifications

- A. The County Judge will be responsible for the preparation of a descriptive job classification plan for all non-elected positions.
- B. Each job classification shall be in writing and include:
 - (1) A concise, descriptive title;
 - (2) Description of the duties and responsibilities of each position in each classification;
 - (3) State of minimum and desirable qualifications for each position.
 - (4) Each employee shall sign their job description.
- C. All positions in a single class shall be sufficiently alike to permit use of a single title, Owen County job description, and qualifications.

SECTION 5.2 Personnel Policy of Constitutional Officers

- A. Each Elected Official shall develop a personnel policy for the operation of their respective office.
- B. In the alternative, each Elected Official may choose to adopt the personnel policies approved by Fiscal Court for the operation of their office (Chp. 5). Should the Elected Official elect to utilize the personnel policies of the Fiscal Court, the Elected Official shall designate same, in writing, and deliver same to the County Judge.

A. SECTION 5.3 Applicants

- B. Each applicant shall fill out and sign a standard written job application form, and each application shall be kept on file for at least twelve (12) months. All applicants shall sign a release authorizing the County to download and review the applicant's Kentucky Driving History Record or the

Driving History Record for the state in which the applicant is licensed and a criminal record check from the AOC in Frankfort.

- C. Each qualified applicant shall be interviewed by the person who is to be the immediate supervisor of such employee and the Judge/Executive.
- D. The County Judge shall make the selection, subject to approval of Fiscal Court, and notify the applicant and supervisor in writing of the selection.
- E. Equal Employment Opportunity (EEO) information shall be obtained from the applicant but shall not be used to exclude any person from employment.
- F. All part-time and temporary employees, funded through state or federal programs, shall be recruited and selected in accordance with the appropriate program guidelines.

SECTION 5.4 Supervision

The County Judge is responsible for the supervision of County employees. This responsibility may be delegated to appropriate department heads and supervisors. Each elected official shall be responsible for the supervision of all employees working within their particular office.

SECTION 5.5 Discipline Procedures

All department heads shall report all incidents of miss conduct to the County Judge or Deputy Judge. A written incident report should be placed in the employee's personnel file. Recommended procedure steps for documenting employee misconduct are as follows:

- (1) Verbal reprimand
- (2) Written reprimand
- (3) Suspension with pay
- (4) Suspension without pay
- (5) Dismissal

All actions must be approved by the Court. In a situation in which the Judge Executive believes it is in the best interest of the County, he or she may take disciplinary action before approval of the Court.

SECTION 5.6 Affirmative Action

- A. The County Judge shall develop and maintain an Affirmative Action Plan consisting of
 - (1) A statement of Policy
 - (2) Methods of Dissemination of the Policy
 - (3) Workforce Analysis

(4) Goals and Timetables

B. The County Judge is responsible for the implementation of the affirmative action policy of the County.

SECTION 5.7 Scope of Coverage

A. The following County employees are expressly exempted from coverage:

(1) The County Judge, Fiscal Court members, Constables and all Elected Officials.

(2) All members of boards and commissions of the County.

(3) Consultants, advisors and counsel rendering temporary professional advice.

(4) Independent contractors.

(5) Employees of the Sheriff's Office and County Clerk's Office (Elected Officials).

(6) Employees made available to County by other agencies.

B. All County employment positions not expressly exempted from coverage by this section shall be subject to the provisions herein.

SECTION 5.8 Definitions

Where used within these personnel rules, the following works and terms shall have the meaning indicated below:

Allocation: The assignment of an individual position to specific class of work based on the kind, difficulty, skill and responsibility of the work performed.

Appointing Authority: That person or body having authority under the laws of the Commonwealth of Kentucky to make appointments to positions. Unless otherwise specified, the Appointing Authority shall be construed to mean the County Judge.

Appointment: The act of appointing authority by which a position is filled.

County Employees: Those employees supervised by the County Judge.

Demotion: Changing one employee from one class of work to a different class of at a lower pay grade.

Elected Official: Any elected official holding one of the constitutional County offices.

Performance Rating: An appraisal or evaluation of an employee's work performance.

Position: An individual job within the County's personnel system.

Position Description: A detailed written description of the specified duties assigned to and performed by a particular employee.

Probationary Period: A working test normally established as six (6) months, during which an employee is required to demonstrate by actual performance, his or her fitness to perform the duties of the position to which appointed. Upon justification to the appointing authority and written notification to the employee involved, a department head may extend the Probationary period beyond six (6) months. The probationary period does not apply to transfers from another department.

Termination: The separation of an employee from the County personnel system by resignation, retirement, layoff, dismissal or death.

Dismissal: The termination of an employee.

Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.

Resignation: The voluntary termination of employment by an employee.

Retirement: The termination of employment and transfer to retired status of an employee

SECTION 5.9 Classification of Employees

- A. All employees of the County workforce shall be classified as full-time, part-time seasonal or temporary.
- (1) Full-Time. Employee: An employee who works 37 ½ - 40 hours per week on a regular scheduled basis. (Benefits provided)
 - (2) Adjusted full-time Employee: Working 26 to 37 hours. (Limited benefits)
 - (3) Part-Time Employee: An employee who works less than 100 hours per month. (No benefits)
 - (4) Seasonal Employees: Temporary positions which coincide in duration with a particular season or seasons of the year and that may recur regularly from year to year, in which case the period of time shall not exceed six (6) months in any event. (No benefits)
 - (5) Temporary Employee: are positions of employment with a participating agency for a period of time not to exceed twelve (12) months and not renewable (No benefits)

SECTION 5.10 Hours of Work

- A. County offices shall be open during the following hours: 8:00 a.m. to 4:00 p.m.
- B. An employee's work hours shall be assigned by the Department Head or Direct Supervisor. (Work time per day must be at least 7 1/2 hours for full time employees.
- C. Overtime (over 8 hours per day) work shall be approved in advance by the County Judge or Supervisor except in necessary circumstances where the County Judge shall be required to approve the overtime work after the overtime work has occurred. Employees must actually work 40 hours per week to qualify for overtime pay. Vacation or sick leave can not count toward the 40 hour total.

SECTION 5.11 Personnel Records

Beginning the first day of employment, all new employees shall report to an office designated by the County Judge to supply any information needed to complete personnel records, execute payroll withholding authorization and enroll in the employee benefit program. Any time the Judge or Deputy Judge request an employee to complete needed personnel forms the employee must report within 24 hours with the needed information.

SECTION 5.12 Employee Records

It shall be the obligation of the employee to maintain current information by notifying his or her Department Head of all changes in personal or family status, home address, home telephone number, or any other changes which would affect payroll withholding or employee benefits.

SECTION 5.13 Personal Conduct

Images presented and statements made by all employees of the County can affect the entire organization; therefore, employees are expected to be friendly, courteous, appropriately dressed at all times and acting in accordance with the County Drug Policy.

SECTION 5.14 Safety

The health and safety of all County employees is of major importance. The County is striving to make everyone's job safe in all respects; therefore, all employees shall report in writing all hazardous conditions in their work area at once to their immediate supervisor. All injuries should be reported immediately to their supervisor and within 24 hours to the County Judge's office.

SECTION 5.15 Credentials

If it should come to the attention of the County Judge that an employee was hired on the basis of false credentials, said employee will be subject to immediate demotion or dismissal. As stated in the Owen County Job Descriptions it is desired that all employees have a high school diploma or be a GED recipient.

SECTION 5.16 Selection and Appointment

- A. Each applicant shall fill out and sign a standard written job application and each application shall be kept for twelve (12) months.
- B. County Employees. The County Judge shall select job candidates to be submitted to Fiscal Court for approval. Fiscal Court shall approve all salaries or appropriate salary schedules.
- C. All employees whose positions are funded through state or federal programs shall be recruited and selected in accordance with the appropriate program guidelines.

SECTION 5.17 Methods of Filling Vacancies

The County Judge may transfer or promote an existing employee into a vacant position where that employee meets all qualifications for that position. The County Judge is not mandated to fill open positions with internal candidates. The County Judge may fill vacant positions from applications already at hand or by any means which does not violate state law. The County is not required to advertise any employment vacancies prior to filling a position. In compliance with state law, all employee appointments made by the County Judge require Fiscal Court approval or the employment shall be considered invalid.

SECTION 5.18 Recruitment, Evaluation, and Certification

The County Judge or designee shall be responsible for:

- (1) Accepting complete application forms from the applicants.
- (2) Conducting interviews, reference checks, and evaluating training, experience and credentials.

SECTION 5.19 Announcements of Vacancies

- A. Notice of employment opportunity and necessary examinations, if any, may be publicized at the County Judge's discretion.
- B. Such notices shall:
 - (1) List the vacant position(s).
 - (2) Specify for each position its position title, nature of work to be performed, and qualifications for employment in the position.

- (3) Tell when and where to file applications for employment in the position.

SECTION 5.20 Applications

- A. All applicants shall utilize the Owen County Application form. The applicant shall provide:
 - (1) Information about the applicant's training, experience and character.
 - (2) Whatever additional information the County Judge deems pertinent to an evaluation of the applicant's fitness for the position for which he applies.
- B. The County Judge shall review each application to ascertain the applicant's qualifications for the position.

SECTION 5.21 Appointments

- A. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:
 - (1) Job related performance (internal candidates);
 - (2) Information provide on the Application;
 - (3) Interview(s);
 - (4) References;
 - (5) Other appropriate means;
- B. Where a declaration of emergency has been declared in accordance with KRS 39B, the County may hire employees on a temporary basis for emergency purposes without Fiscal Court approval. All other employees are to be recommended by the County Judge to the Fiscal Court with Fiscal Court approval required for all hiring decisions. No employee should start work prior to Fiscal Court Approval being granted, except in accordance with KRS 39.B.

SECTION 5.22 Promotions

- A. An employee may be promoted from one position to another only if the employee has the qualifications for the higher position. These qualifications shall be ascertained on the basis of job related information, interview, and evaluations of performance, training and experience. The same procedures as those authorized for ascertaining his qualifications for initial appointment to a position shall be followed.
- B. In the filling of a vacancy in a position above the entrance level, preference shall be given to promotion of present employees at the time the vacancy

occurs. If, however, the County Judge deems that the best interests be outside the current workforce, he may fill the position by appointment of a person from outside the current workforce.

SECTION 5.23 Attendance, Leave and Fringe Benefit Provisions

- A. The standard work week for County employees shall be forty 40 hours per week, unless otherwise prescribed by the Fiscal Court. Specific departmental work schedules shall be prescribed by department heads, with the approval of the County Judge. Work schedules for seasonal, temporary and part-time employees shall be specified by the County Judge according to the needs of the County and the rules and schedule stipulated for regular employees.
- B. Employees shall be at their places of work in accordance with prescribed schedules. The direct job supervisor shall maintain daily attendance records of all employees. Failure to correctly report attendance can result in termination of employment.

SECTION 5.24 Holidays

- A. The Fiscal Court shall adopt a holiday schedule prior to commencement of each calendar year and shall distribute same to all County employees and department heads. The current holiday schedule is:
 - (1) The first day of January (New Year's Day), plus one extra day
 - (2) The First Monday following the 15th day of January (Martin Luther King Birthday)
 - (3) All County offices will be closed at noon on the Friday before Easter.
 - (4) Memorial Day in May
 - (5) The fourth day of July (Independence Day)
 - (6) The first Monday in September (Labor Day)
 - (7) The 11th day of November (Veteran's Day)
 - (8) The fourth Thursday in November (Thanksgiving Day)
 - (9) The fourth Friday in November (day after Thanksgiving Day)
 - (10) The 24th day of December (Christmas Eve)
 - (11) The 25th day of December (Christmas Day)

* County employees will also receive 4 hours off to vote on all election days. It is the intent of the Owen Fiscal Court to have the same holiday schedule as the Kentucky State Government.

- B. Each elected County Official shall follow the same holiday schedule for its employees as adopted by the Fiscal Court.
- C. Employees that are required to work on any holiday will receive a Vacation day that may be utilized in accordance with Section 5.25. An employee in

the employee's first year of service may utilize the Vacation day prior to achieving one year of service. All Vacation days earned under this Subsection must be utilized within one (1) month of the holiday, unless the Department Head authorizes an extension of the time in which the day may be utilized. In no circumstance may the time allowed for the Vacation Day extend beyond three (3) months from the date the Vacation Day was earned.

SECTION 5.25 Vacations

- A. Full-time employees shall begin to accrue time after working 30 days. All regular full-time employees shall begin to accrue time after working 30 days.

Full-time employees shall receive vacation days based upon length of service as follows:

Years of Service	Vacation days per year
0-5	12
6-10	15
11-15	18
16 and above	21

Annual leave may be accumulated subject to the following maximums:

<u>Years of Service</u>	<u>Maximum Amount</u>
0-5	30 work days
6-10	37 work days
11-15	45 work days
16-20	52 work days
Over 20	60 work days

***Annual leave request forms must be signed by the supervisor and be turned into the Deputy Judge Executive along with the time sheets at the end of the week.**

- B. Adjusted full-time employees, part-time employees, seasonal employees and temporary employees shall not be eligible to earn Vacation leave.
- C. No employee will be permitted to take leave that has not been earned. Vacations shall be at full pay at the current rate of salary.
- D. Vacations will be scheduled on anticipated "slack" time in a manner that does not interfere with the functions and services of the office. Employees shall select vacation dates that do not coincide with dates of other employees. Senior employees shall have first preference. The Department Head shall review all Vacation leave requests and shall forward the Department Head's recommendation to the County Judge. Approval by the County Judge is mandatory. All vacations should be scheduled two (2) weeks in advance.

- E. The County Judge's office or its designee shall keep records of vacation leave for each individual employee.
- F. All employees may take leave without pay if the leave is approved by the Department Head and County Judge.
- G. Absences on account of sickness, injury, or disability in excess of that authorized for such purposes may, at the request of the employee with the approval of the County Judge, be charged to vacation leave credit.

SECTION 5.26 Sick Leave

- A. Accumulation of Sick Leave:
 - (1) Sick leave is a benefit, not a right. Paid sick leave entitles employees to time off to recuperate from illness or accident, while retaining their employment rights and pay for the time off. Its main purpose is to provide income for employees absent a relatively short time because of personal illness or injury.
 - (2) Full-time employees shall be eligible for sick leave at the rate of 8 hours, per month. Adjusted Full-time, Part-time, Seasonal and Temporary employees are not eligible for sick leave.
 - (3) Owen County employees may count up to 1000 hours of sick leave toward retirement.
 - (4) Sick leave may be accumulated, but an employee leaving Owen County government may not transfer their sick leave. If employed with Owen County Government at time of retirement their 1000 hours will be sent to the County Retirement System. If the employee resigns from Owen County Government before retirement, their sick leave will not be transferred.
- B. Use of Sick Leave:
 - (1) Personal illness, injury, or visits to the physician which cannot be accomplished during off-duty hours.
 - (2) Enforced quarantine of the employee in accordance with community health regulations.
 - (3) Illness in the immediate family (spouse, children, parents, or relatives living in the employee's home), when approved by the office holder.
 - (4) A County official may allow three (3) consecutive days of sick leave without a doctor's excuse, but any days over a three (3) day period must be accompanied by a doctor's excuse unless otherwise authorized by the Department Head or the County Judge. A repeated pattern for the request for sick leave will result in request for Doctor's excuse.

C. Reporting Sick Leave:

- (1) To be paid sick leave, the employee has the responsibility to report their inability to be on the job. Failure to notify his office or Department Head prior to the established work time may result in loss of pay for that day and may result in disciplinary action against the employee. If notification is not possible prior to the start of the established work time, the employee shall notify the Department Head as soon as is possible.
- (2) Sick leave time used will be subtracted on a hour-for-hour basis.
- (3) Upon return to work the employee shall file a Notice of Leave form stating the reasons for the absence, unless the employee filed the form prior to taking Sick leave. The form must be approved by the Department Head before being charged to sick leave. Individual records of all sick leave credit shall be maintained by the County.
- (4) A Department Head may require the employee to submit a medical statement, period of treatment, and date that the employee may return to work from sick leave when it occurs before or after a holiday or other scheduled day off or when an employee has a record of repetitious usage of short amounts of sick leave over an extended time period. The employee may be required to take a medical examination on returning from sick leave or on such occasions that it is in the best interest of the County. The medical examination shall be given by a physician designated by the County.
- (5) The County Judge, an Elected Official or a designee may investigate the alleged illness of an employee under the Elected Official's supervision absent from work on sick leave. False or fraudulent use of sick leave shall be cause for disciplinary action, up to, and including, dismissal.

D. Sick Leave Donation Program

ELIGIBILITY

- Both recipients and donors must be current employees of the County.
- A donor may not donate an amount of sick leave which would cause his/her sick leave balance to go below 75 hours.
- An employee becomes eligible to receive donated sick leave at the point in time when all four of the criteria below are met:
 1. The employee or member of his/her immediate family suffers from a "medically certified" illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to go on leave for at least ten consecutive working days;

2. The employee's need for absence is certified by a licensed practicing physician;
3. The employee has exhausted all of his/her available paid leave: and
4. The employee has complied with administrative regulations governing the use of sick leave.

Participation in the Sick Leave Sharing Program is at the discretion of the employee and requires approval of the County Judge or Elected Official.

Guidelines on Sick Leave Sharing Regulations

In the event of a prolonged or catastrophic illness or injury, or an extended absence due to illness of a family member, eligible employees who accrue sick leave and who have exhausted their leave balances may have sick leave donated to them by other eligible County employees. The forms needed to receive or donate leave may be obtained from the County Judge's or the Elected Official's office. Listed below is the chronological flow of actions and documents.

1. RECIPIENT COMPLETES APPLICATION AND SUBMITS IT ALONG WITH THE PHYSICIAN'S CERTIFICATION TO HIS PAYROLL OFFICER. The payroll officer collects all information, and transmits the appropriate documents to the Appointing Authority.
2. THE APPLICATION IS REVIEWED TO ENSURE THAT THE CERTIFICATION OF THE PHYSICIAN IS COMPLETE AND THE FORM IS CORRECTLY FILLED OUT. Verify that the employee will exhaust his leave during the projected absence. Note that the employee does not have to have exhausted his leave before he submits the application. Also, note that the employee does not have to have already been off for 10 days in order to apply, but must have a situation where it is likely to cause an absence for at least 10 consecutive days. A file is created for the recipient by the payroll officer. All medical information must be kept in a locked file separate from the personnel files.
3. DONOR(S) COMPLETES DONATION FORM AND SUBMITS TO HIS PAYROLL OFFICER. The donor's payroll officer verifies the donor's leave balance for eligibility. After the form is signed by the appointing authority, a copy is sent to the recipient's payroll officer. The donor's payroll officer must reduce the donor's sick leave balance upon receipt of the memo from the recipient's payroll officer.
4. RECEIVE AND FILE FORMS. As the donation forms are received by the recipient's payroll officer, they are stamped with a received date, and the time of receipt is recorded on the form. The recipient's payroll officer will file the donor forms in the file for the appropriate recipient.
5. PREPARE AND PROCESS PAYROLLS. Upon certification of eligibility, all donated leave is to be added to recipient's sick leave balance. As the employee utilizes leave for the Sick Leave Sharing qualifying condition he will be paid as usual, reporting sick leave used.

6. SEQUENCE OF LEAVE USAGE. Transfer all leave donated to the recipient at the time of donation, not on a pay period basis, up to the amount requested. As the recipient accrues leave of his own, his leave time must be used first. He can then use time donated to him. The recipient uses donated leave in the order in which it is received.

7. RECIPIENT CAN RETAIN LEAVE AFTER RETURN TO WORK. The recipient may retain the donated leave upon return to work only if the recipient documents that leave will be needed for continuing treatment relating to the condition which caused the individual's absence. For example, if the employee was absent due to surgery to remove a malignant tumor and returns to work, but will require periodic absences for radiation therapy, the excess leave may be retained for that purpose. However, the employee may not retain the excess leave to be used for any unrelated condition.

8. SEQUENCE OF RESTORING UNUSED LEAVE TO DONORS. When the recipient returns to work and the donated leave is no longer needed for the qualifying condition, excess leave shall be returned to donors in reverse order of donation (last donor's leave is returned first.) If the donor has left employment, the returned hours should be credited to the inactive record for restoration if the employee is rehired.

SECTION 5.27 Family and Medical Leave Act (FMLA)

- A. FMLA provides entitlement for up to 12 weeks of job protected, unpaid leave, during any twelve month period for the following reasons:
 1. The birth of a son/daughter or care for newborn child;
 2. The placement of a son/daughter for adoption or foster care;

- B. Care for the employee's spouse, son/daughter, or parent with a serious health condition;

- C. The employee's own serious health condition.

- D. **Qualifying Exigency Leave:** The FMLA requires that employers provide employees up to 12 weeks of leave in a 12-month period to tend to any "exigency" resulting from a service member's call to duty. The new FMLA regulations clarify that exigency leave may be taken by eligible employees (consisting of not only a spouse, son, daughter, or parent, but also "next of kin" — the next nearest blood relative) while their spouse, son, daughter, or parent is on active duty or call to active duty status in the National Guard or Reserves, or if the family member is a retired member of the Regular Armed Forces or the Reserves. An employee whose family member is on active duty or call to active duty for the Regular Armed Forces does not qualify for this leave. Qualifying exigencies include short-notice deployment, military events and related activities, childcare and school activities, financial

and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.

- E. **Military Caregiver Leave:** An eligible employee is entitled to 26 workweeks of leave in a 12-month period to care for a covered service member in the Armed Forces (including the National Guard and Reserves) who becomes ill or injured as a result of his or her military service. The 12-month period begins when the employee starts using her or his leave. This leave may only be taken once per injury, but may be taken again if there are additional injuries. More than one family member may qualify for the leave.
- F. If the employee was qualified for health insurance benefits when leave begins, the employer shall maintain health benefits for the employee in the same manner during periods of FMLA leave as if the employee continued to work.
- G. However, the employee must exhaust all accumulated sick leave and annual leave time prior to receiving unpaid FMLA leave.
- H. Upon employee being granted FMLA leave, the employee must continue to pay his/her own employee contribution to the health insurance plan ordinarily required of an employee. The employer will continue to pay the contribution ordinarily paid by the employer under the current health insurance plan. If the employee contribution payment is not paid by the employee, in such event, the employer may terminate the health insurance benefits of the employee during FMLA leave. However, the employee may exercise their rights for COBRA benefits.
- I. In order to qualify for FMLA benefits, the employee must have worked for the employer for at least 12 months prior to the commencement of benefits and worked at least 1,250 hours in the prior year. The 12 month period need not be consecutive. Employment prior to a break in service of more than 7 years need not be counted unless the break in service was occasioned by the fulfillment of National Guard or Reserve Military Service Obligations.
- J. Upon the employer granting FMLA leave, the employee receives an entitlement up to 12 weeks of job protected unpaid leave during any 12 month period. The fixed 12 month "leave year" shall commence January 1 of each year and conclude on December 31 of each year.
- K. When the need for leave is foreseeable, the employee must give the employer at least 30 days written notice of his/her intent to receive FMLA leave benefits. If the leave is not foreseeable, the employee must provide written notice as soon as possible. The employer reserves the right to require medical certification of a serious health condition for the employee's health or a member of his/her family as defined herein. The employer may also require periodic written

medical reports during the leave of the employee's health status, health status of his/her family as defined herein, as well as "fitness-for-duty" certification upon return to work from a health care provider.

- L. "Serious health condition" means an illness, impairment, injury, or physical/mental condition that involves either:
 - i) any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
 - ii) continuing treatment by a health care provider which includes any period of incapacity that prevents the employee or family member from working, attending school, or any other regular daily activity.
- M. Any employee desiring to benefit from "donated sick leave" must be granted same and utilize same prior to applying for leave without pay under FMLA. Upon FMLA leave being granted to the employee, the employee may not participate in the donated sick leave plan until the employee has returned to work on a regular paid basis with a letter from a physician or health care provider stating that the employee is fit for duty.
- N. Upon the employer granting leave without pay under FMLA, as provided for herein, the County Judge, Elected Official or department head shall authorize same in writing and provide the employee and the County Treasurer a copy of the written approval. All applications for leave without pay and all approvals of same, not in writing, shall disqualify the employee from health benefits otherwise provided herein.

SECTION 5.28 Special Leave

- A. In addition to authorized leaves, the office holder may authorize an employee to be absent, without pay, for personal reasons for a period or periods not to exceed 120 working days.
- B. Leave of absence without pay will not be granted until all vacation leave has been exhausted.
- C. Request for leave for personal reasons shall be submitted in writing to the County Judge or Elected Official, stating reasons for the request, the date the leave shall begin and the probable date of return.
- D. An employee who has been on leave without pay status for thirty (30) calendar days may be terminated.

SECTION 5.29 Maternity Leave

- A. The County Judge or Elected Official may grant maternity leave for full-time permanent employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage for a period not to exceed six weeks. An additional period may be extended if requested by the employee's physician.
- B. An employee granted maternity leave shall use any accrued sick leave and vacation time with the remaining periods as time off without pay.
- C. The employee must notify the County Judge or Elected Official as far as possible in advance of the employee's intention to request Maternity Leave, including approximate dates, in order to allow the County Judge or Elected Official time to prepare for any staff adjustments.
- D. The maximum allowable Maternity Leave, including the use of sick leave, sick leave without pay, and leave of absence without pay is six (6) months. If the employee returns to work at any time prior to the six (6) months maximum, she will return to full time pay status at the regular salary without loss of seniority or fringe benefits.

SECTION 5.30 Military Leave

Pursuant to KRS 61.394 and 61.396, all employees of this county, or of any department or agency thereof, who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or of the United States under competent orders as specified in this section. In any one (1) federal fiscal year, officers or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued.

The employee shall give the County two (2) weeks notice prior to the scheduled leave if time permits.

SECTION 5.31 Civil Leave

- A. Jury Duty: Upon receipt of the order requiring the employee to report for jury duty, the employee must show the order to the Office Holder. There will be no deduction from accumulated leave.
- B. The employee will be allowed to keep pay received for serving on a jury without deduction from full regular salary.

SECTION 5.32 Court Appearances

- A. Upon receipt of the order requiring the employee to make a court appearance, the employee shall make arrangements with the employee's Department Head to comply with the order.
- B. If appearing in an official capacity in connection with the County as an expert witness because of professional or observed knowledge, the employee's court time is considered working time and no charge is made against leave time.
- C. If the employee is involved in a personal case, either as plaintiff or defendant in a suit not resulting from his duties with the County, he may be granted leave, but the time off he takes must be charged to his accrued vacation time or to leave of absence without pay.

SECTION 5.33 Overtime/Compensation Time

- A. The County does not contemplate the granting of compensatory time or the payment of overtime compensation. The supervisor or office holder shall not require overtime of their employees except in extraordinary situations. These situations should be discussed with the Judge or Deputy Judge.
- B. Supervisors are salaried and can anticipate overtime at various times. All supervisors will be entitled to comp time on an hour for hour basis. Compensation time must be used within a three month period.

OVERTIME PAY

A County employee paid on an hourly basis and who is authorized to work one (1) or more hours in excess of the prescribed hours per week may be paid overtime pay at the rate of one and one-half (1-1/2) hours for each hour the County employee is authorized to work in excess of forty (40) hours in a work week.

SECTION 5.34 County Vehicles

- A. Anyone driving a County vehicle will be responsible for that vehicle. In case of an accident a breathalyzer test and/or blood test will be required and refusal will result in automatic dismissal of the County employee. Anyone driving a County vehicle must stay in good standing with the Department of Transportation and further maintain a valid operator's license. Any accident, traffic citation, or driving arrest of an employee in a County vehicle must be reported immediately to the supervisor or office holder.

- B. Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a County vehicle or equipment shall be the subject of immediate dismissal from employment.
- C. It is against county policy to allow non authorized individuals to be transported by county vehicles. For the County Transportation Service only the authorized patients can be transported.

SECTION 5.35 Health and Hospital Insurance

All full-time employees of the County shall be provided with a health and hospital insurance coverage plan as provided by the Fiscal Court. The single plan coverage will be paid by the County, but will be reviewed yearly and the amount of payment will be based upon the financial status of the County. If the employee desires to have family plan coverage, he or she will be required to pay the difference.

SECTION 5.36 Kentucky County Employees Retirement Program

The provision of this program may change from time-to-time. The County shall conduct the retirement program in accordance with the guidelines and directives of the Kentucky Retirement System (CER).

SECTION 5.37 Employee Relation Provisions Training and Career Development

The County Judge may permit or direct the attendance of employees at meetings, conferences, workshops or seminars intended to improve the knowledge, abilities and skills of County employees. The County Judge may release an employee from his regular duties during work days to attend classes at a recognized institution of learning if, in the department head's judgment, such classes contribute favorably to the County's goals and objectives and the career development of the employees.

SECTION 5.38 Performance Evaluations

The County Judge and each supervisor are responsible for appraising the performance and merit of personnel under their respective jurisdiction.

SECTION 5.39 Disciplinary Action

Grounds for disciplinary action of County employees, ranging from warnings to immediate discharge, depending upon the seriousness of the offense in the judgment of the office holder and the Fiscal Court, shall include, but not be limited to the following:

- (1) Dishonesty or falsification of records;

- (2) Use of alcoholic beverages or drugs which affect job performance. This shall include the consumption of alcoholic beverages or drugs during working hours as well as the abuse of alcoholic beverages or drugs during non-working hours which, as a result of said abuse, affect the job performance of the employee during actual working hours;
- (3) Unauthorized use or abuse of County equipment or property;
- (4) Theft or destruction of County equipment or property;
- (5) Habitual tardiness, unauthorized or excessive absence or abuse of sick leave;
- (6) Disregard or repeated violations of safety rules and regulations;
- (7) Unsatisfactory performance of duties;
- (8) Disobeying a supervisor;
- (9) Performing outside work during working hours established by the County; or
- (10) Displaying or distributing campaign material for a political campaign during normal working hours; the placement of any campaign or political material on a County vehicle; or participating in political activities while on the job site or during normal working hours.

SECTION 5.40 Demotion

- A. The County Judge may, with Fiscal Court approval, demote an employee provided the employee possesses the minimum qualifications for the position to which he is demoted.
 - (1) For his inability to carry out his duties in accordance with the standards prescribed for his position or these rules;
 - (2) For disciplinary reasons;
 - (3) With the consent of the employee, to a vacant position in lieu of layoff.
- B. Written notice shall be given to the employee prior to the demotion.

SECTION 5.41 Suspension

- A. The County Judge may suspend, with Fiscal Court approval, any County employee, with or without pay, for not more than thirty (30) calendar days, for the following reasons:
 - (1) For disciplinary reasons;

- (2) While investigating charges or allegations against an employee.
- B. Any suspended employee shall receive written notice of suspension. The notice shall state:
 - (1) The reasons for the suspension;
 - (2) The duration of the suspension.

SECTION 5.42 Separation

An employee may be separated by:

- (1) Dismissal;
- (2) Resignation
- (3) Retirement;
- (4) Lay off due to lack of work or funds or abolishment of position.

SECTION 5.43 Dismissal

- A. The County Judge, with Fiscal Court approval, may dismiss an employee. The employee has the right to appeal to the Fiscal Court. Before dismissal of an employee the County Attorney should be consulted.
- B. Written notice shall be given to the employee prior to dismissal.

SECTION 5.44 Resignation

- A. An employee shall, in order to resign in good standing, give the County Judge written notice at least two weeks before the date of the resignation is to take effect. The County Judge may agree to a shorter notice because of extenuating circumstances.
- B. A resignation made without the notice required by these rules may be regarded as cause for denying the resigning employee future employment by the County.
- C. An employee's resignation and the circumstances pertinent to it shall be recorded in his personnel file.
- D. The employment date of an employee who resigns and is reinstated or is dismissed and is re-employed shall be the date of re-employment.

SECTION 5.45 Layoff

- A. The County Judge shall submit in writing to the Fiscal Court whenever the County Judge thinks a layoff of County workers is needed. If the court does not act in any manner within thirty (30) days, the County Judge may go ahead with layoff procedures as prescribed herein.
- B. In layoff
 - (1) The order of layoff shall be established by the Fiscal Court on the basis of the needs of the County;
 - (2) Consideration shall be given to both the seniority and merit of the persons considered for layoff;
 - (3) Part-time, temporary and seasonal employees in a class of positions shall be laid off before other persons in the class are laid off.
- C. Two weeks before the effective date of the layoff of a full-time employee, the County Judge shall:
 - (1) Notify the employee of the layoff;
 - (2) Explain the reason for the layoff;
 - (3) Certify whether his service has been satisfactory.
- D. A copy of the notice shall be retained in the employee's personnel file.
- E. An employee who has given satisfactory service, and is laid off, shall be eligible for re-employment in other positions for which the employee qualifies.

SECTION 5.46 Reinstatement

The County Judge with the Fiscal Court's approval:

- (1) May re-employ any former employee:
 - a. Who has resigned from County employment with a good record;
 - b. Who has been laid off because of lack of work or funds;
- (2) Shall reinstate any employee who has been demoted or dismissed for a reason prohibited by local, state or federal employment regulations.

SECTION 5.47 Grievances

- A. A Grievance Committee will be set up on request of a complaining employee. The committee will consist of one (1) member of the Fiscal Court, the County Judge, and the County Attorney.
- B. Grievance Procedure: Any grievance or dispute which may arise from employment with the County shall be settled in the following manner:
 - (1) The employees shall present the grievance to his/her immediate supervisor within three (3) working days of its occurrence or within three (3) working days of knowledge of the occurrence by the employee. The supervisor should then attempt to respond to the employee within seven (7) days of the receipt of the complaint.
 - (2) If the grievance remains unadjusted, it may then be presented by the employee to the County Judge for review by the grievance committee within a reasonable period of time.

SECTION 5.48 Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on Basis of Handicapped Status

- A. Any person (employee or citizen) who believes that he or she has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973, may personally or by representative, file a complaint with the Office of the County Judge. A person who has not personally been subjected to discrimination may also file a complaint.
- B. When any person, (employee, citizen or applicant) who believes he or she has been adversely affected by an act or decision by the County and that such act or decision was based on handicapped status said person shall have the right to process a complaint or grievance in accordance with the following procedure:

Step One: An aggrieved person must submit a written statement to the County Judge setting forth the nature of the discrimination alleged and facts upon which the allegation is based.

Step Two: The County Judge shall contact the complainant no later than twenty (20) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days no more than forty-five (45) days after receiving the written statement. The County Judge and the County Attorney or the County Attorney's designee shall represent the County during the informal meeting. There shall be prepared written documentation of the discussions at the informal meeting, which shall be preserved in the records of the County.

Step Three: Within fifteen (15) days of the informal meeting, the County Judge shall present to the Fiscal Court a proposed remedy.

Step Four: The Fiscal Court shall approve the proposed remedy, approve a different remedy or choose to take no action. The Fiscal Court shall issue a written decision on the matter within fifteen (15) days

In the discussion of the grievance, the complainant may designate any person of his choice to appear with him and participate in the discussion. The Fiscal Court shall require the County Judge and the County Attorney or the County Attorney's designee to participate in the discussion of the grievance, when it is brought before the Fiscal Court. The decision shall be the final procedure for the complainant at the local level. However, should the complainant not be satisfied with the remedy, the complainant may offer an alternate remedy within fifteen (15) days of receipt of the Fiscal Court's written decision. The Fiscal Court has fifteen (15) days to act upon the complainant's alternate remedy or the earlier written decision shall be considered final.

SECTION 5.49 Miscellaneous Provisions

Personnel Records:

- A. For each County employee, a personnel file shall be maintained in the office of the Owen County Judge.
- B. The file shall include, but not limited to:
 - (1) The employee's name;
 - (2) The title of his position;
 - (3) The department or office to which he is assigned;
 - (4) Salary;
 - (5) Past changes in his status as a County employee;
 - (6) Whatever additional information deemed relevant or required by this Administrative Code;
 - (7) Employee's application for employment.

SECTION 5.50 Political Activity

Any employee while in the service of the County is not required to contribute to any political fund or be denied the rights of political activity, as specified by the Kentucky Revised Statutes.

SECTION 5.51 Sexual Harassment

- A. Purpose

- (1) To advise employees that sexual harassment is a violation of law.
- (2) To clearly state that employees or employee applicants should not be subjected to unwelcome sexual conduct, on or off the job, regardless of whether such action results from conduct of co employees, supervisory staff, department heads, the public or others.
- (3) To provide for disciplinary action in the event this policy is not followed.

B. Policy

- (1) 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 any such conduct by an individual is used as the basis for employment decisions; or
 - c. Such conduct has the result of unreasonably interfering with an individual's work performance or creating an intimidating or offensive work environment.
- (2) Examples of specific conduct include but are not limited to:
 - a. Visual displays of sexually explicit or suggestive materials;
 - b. Sexually explicit or suggestive comments, jokes, etc...;
 - c. Sexually explicit or suggestive gestures;
 - d. Sexually explicit or suggestive e-mail;
 - e. Using the internet to view sexually explicit or suggestive material;
 - f. Viewing or showing sexually explicit videos;
 - g. Touching co-workers in sexually suggestive or explicit manners;
 - h. Removal of clothing that involves actual or threatened physical conduct or that involves a sexually explicit or suggestive element.

- (3) The activities described above are prohibited on the part of all employees, Department Heads, supervisors and all elected county officials. It is not necessary that there be a supervisory relationship between the involved persons for the activity to be unlawful.
- (4) Any employee or employee applicant who feels that he or she has been subjected to any prohibited activity described above, should report the incident immediately to his or her immediate supervisor or the County Judge. If the immediate supervisor is involved in the activity, the violation should be reported immediately to the County Judge. In the event the County Judge is the subject of the problem, the employees should notify the County Attorney. All resulting investigations shall be kept confidential; to the extent possible consistent with taking appropriate steps to stop the behavior that is the subject of the complaint.
- (5) Any employee violating this policy will be subjected immediately to disciplinary action ranging from a written warning to discharge, depending upon the nature and severity of the violation in this case.
- (6) In addition, capricious and unfounded charges of sexual harassment by an employee may be a cause for disciplinary action. Refusal by a supervisor to act in legitimate cases of harassment may be a cause for disciplinary action.

SECTION 5.52 Drug Free Workplace

A. Policy Reasons:

- (1) The Fiscal Court has determined that a comprehensive and effective drug use education, training, control and testing program will deter drug abuse and aid in ensuring a work environment that is as productive and as safe as possible to all employees and to the public. Abuse of drugs and use of illegal drugs is dangerous to employee health and safety and, in many cases, dangerous to the public as well. Drugs can interfere with an employee's effectiveness on the job and with clear and quick thinking. The effects of drug abuse linger and fester.
- (2) In addition, the Federal Highway Administration (FHA) has issued regulations which require that mandatory alcohol testing procedures be applied to all County employees subject to Commercial Driver License (CDL) testing and licensing procedures.

B. Drug and Alcohol Test Policy :

Introduction

1. The County has determined that the safety of its employees, the general public and its citizenry is of paramount importance.

2. The County also believes that healthy, fit employees contribute to a productive atmosphere and one that promotes an efficient responsible delivery of services; that employees who are physically fit and who project a positive mental attitude have the greatest potential for success with the County and those individuals generally incur less health problems and medical costs.

3. It is in the best interest of the County to institute drug and alcohol testing to ensure that employees are free from drug and alcohol impairments, and are capable of fulfilling their job requirements and contributing their best to the County.

4. The general physical condition, positive mental attitude and a fit appearance indicate positive personal habits that will carry over to job performance of all employees, and lifestyles tends to reflect working style;

5. Certain positions within County employment require more mental and physical alertness and coordination so as to not subject the employee filling said position, other employees and the general public and citizenry of the County to potential physical harm, injury or death or result in significant property damage from lack of such alertness and coordination due to the use of drugs or alcohol.

STATEMENT OF PURPOSE.

1. INTRODUCTION. The purpose of this drug and alcohol test policy is to intervene with employees who may be working in an impaired condition or under the influence that may harm themselves, fellow employees, the public or the County. "Drug or alcohol induced impairment" or "under the influence" under this policy includes impairment as a result of: (a) over-the-counter drugs; (b) prescribed drugs; (c) illegal drugs; or (d) alcohol.

2. POLICY STATEMENT. It shall be the policy of the County that an employee found to be in the possession of, under the influence of, impaired by, using,

selling, offering for sale, or trading (whether or not for profit or pecuniary gain) drugs or alcohol during working hours or on County property will be subject to disciplinary action, up to and including immediate discharge. Nothing contained in this policy shall make an employee subject to discipline for mere possession of an over-the-counter drug or prescribed drug for an employee.

All employees shall be provided a copy of this policy and procedure. The policy shall be posted on all employee bulletin boards.

DEFINITIONS.

1. "Alcohol" means any liquid that has an alcoholic content in excess of one percent (1%) by volume.
2. "CDL Employee" means any employee who is required to have any type of commercial motor vehicle operator's license to perform his or her job.
3. "Candidate" means any individual tentatively selected for employment with the County or a "CDL" or "designated" employee.
4. "Designated Employee" means any deputy jailer employed by the Owen County Jailer, any deputy sheriff with law enforcement responsibilities and/or in possession of firearms for the purpose of carrying out the employment duties and any County police officer.
5. "Drug" means any substance (other than alcohol) capable of altering the mood, perception, pain level, or judgment of the individual consuming it.
6. "Employee" means all hourly and salaried County personnel and employees of the Owen County Sheriff's Office, Owen County Jailer, Owen County Clerk's Office, Owen County Coroner's Office, and the Owen County Attorney's Office.
7. "He" or "His" also means "She" or "Hers" in appropriate context.
8. "Illegal Drug" means any drug or controlled substance including, but not limited to, substances controlled or prohibited by Federal or State law, the sale or possession of which is illegal.

9. "Positive Alcohol Screen" means positive identification of an alcohol concentration of 0.02 or greater which has been confirmed by the testing procedure described herein.

10. "Positive Drug Screen" means positive identification of an illegal drug which has been confirmed by the testing procedures described herein.

11. "Prescribed Drug" means any substance prescribed for the individual consuming it by a licensed medical practitioner.

12. "Random Testing" means a system of drug testing imposed without reasonable suspicion in which the designated employee to be tested is selected from a statistically random sampling of designated employees.

13. "Reasonable Suspicion" means an articulated belief that an employee is using alcohol or drugs which is based on specific and particularized facts and reasonable inferences from those facts.

14. "Reasonable Suspicion Testing" means a test where an employee will be tested when there is a reasonable suspicion that the employee is under the influence of drugs or alcohol.

TESTING TIMES.

1. Pre-employment Testing. All candidates shall be subjected to the drug and alcohol testing described herein.

2. Reasonable Suspicion Testing. When, through observation, a department head has reasonable suspicion to suspect that an employee is under the influence of drugs or alcohol, the department head, when feasible, will arrange to have another department head, supervisor, or assistant supervisor observe and evaluate the employee's condition. Documentation of the employee's condition or behavior should be made part of the evaluation process. Examples of objective observation influencing work-related behavior include, but are not limited to, any of the following:

a. Drowsiness and/or sleepiness;

- b. Odor of alcohol on breath;
- c. Slurred or incoherent speech;
- d. Disorientation;
- e. Aggressive behavior;
- f. Work errors;
- g. Difficulty in performing normal or routine duties;
- h. Changes in mood;
- i. Lack of coordination in walking or performing tasks; or
- j. Observation of use or possession of any of the prohibited substances.

If an employee has reasonable suspicion to suspect another employee is under the influence of alcohol or drugs he shall contact the department head of the employee under suspicion or, the office holder if applicable, or if the department head is unavailable, or if the office holder is unavailable, the employee shall contact the County Judge.

3. Random Testing. Since a designated employee or CDL employee is employed in a position where the consequences of alcohol and drug use would be particularly damaging to said designated employee's safety, the safety of other employees, the general public and citizenry of the County may result in significant property loss or damage, unscheduled drug testing shall be utilized.

4. Designated Employees. Each designated employee of the County shall be assigned a number at random by the County Judge who shall keep said list and numbers confidential and on file in his office.

The County Judge shall maintain 3 separate listings or pools. One pool shall be for the County Jail, the second pool shall be for the County Sheriff's Office and County Police Force, and the third pool shall be for CDL employees employed by

County Government. Once each calendar quarter, the County Judge shall select numbers at random for drug and alcohol testing. Four numbers per quarter shall be selected, at random, from the County Jail pool. Three numbers per quarter, at random, shall be selected from the County Sheriff's pool. Two numbers, at random, shall be selected each quarter from the CDL pool (subject to the specific requirements set out in paragraph 3b herein). No designated employee or CDL employee shall be subject to random testing if he has been tested twice during the preceding 12 months.

5. CDL Employees. Federal law requires the County to administer a number of random drug tests equal to at least 50% of the average number of CDL employees every year. For that reason, the County Road Engineer/Supervisor shall assign each CDL employee a number at random which shall keep said list of names and numbers confidential and on file in his office. The CDL employees shall be placed in a separate pool from the designated employees.

6. Post-Accident Testing. All designated employees and all CDL employees involved in any work-related accident involving a vehicle or resulting in personal injury to himself or others in which his job performance could have contributed to the accident shall be immediately tested for drugs and alcohol.

7. Initial Testing. During the first year of this policy, all designated employees and all CDL employees who have not previously been tested shall be required to undergo a drug and alcohol test arranged by the County.

TEST PROCEDURE. The procedure for directing employees to the testing facility for initial, random and reasonable suspicion drug and alcohol testing and evaluation are:

1. The Department Head shall inform the employees of their need to report for testing at the facility selected by the County.
2. County Judge contacts the testing center to inform of the referral.

3. Department Head or designee transports the employee to the testing center designated by the County.

4. The employee shall be asked to sign consent forms to undergo testing and release information to the County. The evaluation will include a breathalyzer test and urine screen.

5. Refusal to sign consent forms or to undergo such testing and evaluation constitutes insubordination and may result in discipline, up to and including discharge.

6. Results of the evaluation and tests will be provided to the County, and to the employee, upon written request.

TESTS. The drug testing will be a urine sampling process conducted by a recognized and certified testing source as selected by the County.

The alcohol testing will be a breathalyzer conducted by recognized and certified testing source selected by the County.

POST-TEST PROCEDURE. Any employee who has a positive drug screen or positive alcohol screen shall be relieved of duty, without pay, and transported home by taxi, County representative, friend, family, or co-worker. If an employee insists on driving, the department head or County Judge shall: (a) inform the employee that the County will immediately contact law enforcement agencies to report the circumstances and (b) call the law enforcement agencies, should the employee drive despite the warning. The County reserves the right to require a second testing for any positive drug screen or positive alcohol screen in the County's absolute discretion. The County further reserves the right to require a second testing for any drug screen or alcohol screen that the testing center has determined to be inconclusive or suspicious.

SEVERABILITY. The provisions of this Drug and Alcohol Test Policy are severable. If any provision hereof or the application thereof to any person or

circumstance is held invalid, such invalidity shall not affect other provisions hereof or applications hereunder which can be given effect without the invalid provisions or application.

PARTICIPATION. Nothing herein shall prevent or prohibit any employee who voluntarily agrees to participate in the random testing program from so participating; nor shall it prevent or prohibit a requirement that any employee who has tested positive on a drug and alcohol test from being required to participate in the random testing program as a condition of continued employment.

SECTION 5.53 Expense Reimbursement

A. Subject to budgetary limitations, any officer or employee of the County incurring expenses for approved travel on behalf of the County shall be reimbursed for allowable out-of-County travel expenses as follows:

- (1) Room Costs: Reimbursement for actual amount on receipt (conference rate). Non-conference rate shall not exceed \$65.00 per day, unless the County Judge or Fiscal Court approves reimbursement at a higher rate.
- (2) Meal Costs: Not to exceed \$40.00 per day (upon presentation of receipt(s)).
- (3) Mileage: Rate paid by the Commonwealth of Kentucky if travel by personal vehicle is required.
- (4) Other Expenses: Tolls, parking and similar expenses. Expenses shall be necessary and reasonable. No expenses shall be reimbursed which are not directly related to job related purposes or other County business purpose.
- (5) Higher reimbursement rates may be authorized due to travel site (i.e. high rate areas). Commonwealth of Kentucky regulations shall be utilized for guidance.

B. Authorization

All travel by County employees must be approved in advance by the employee's supervisor and the County Judge. Meeting notices supporting travel shall be submitted with the travel request, when available.

C. Reimbursement

- (1) The Request for Reimbursement Form must be completed (including required receipts) and submitted to the County Judge within (30) thirty days after returning from travel.
- (2) The Request for Reimbursement Form must be signed by the employee requesting reimbursement, the department director, and the County Judge.

CHAPTER 6 COUNTY ROAD DEPARTMENT

SECTION 6.1 Establishment of Department

- A. There is hereby created and established an Owen County Road Department consisting of a County Road Engineer or County Road Supervisor and such other employees of said department as may from time to time be provided for by the County Judge and the Fiscal Court.
- B. The County Road Engineer/Supervisor shall be appointed by the County Judge with the approval of Fiscal Court, and shall serve a period of two to four years

SECTION 6.2 Duties of Road Supervisor

- A. The County Road Engineer/Supervisor shall be the head of the road department subject to the order and direction of the County Judge.
- B. The County Road Engineer/Supervisor shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the County Road Engineer/Supervisor.

SECTION 6.3 Road Department Property

- A. Employees of the department shall be responsible for the good care of departmental equipment and property, assigned to their use and keeping and shall promptly report to their supervisor the loss or damage to our unserviceable condition of such property.
- B. No departmental property or equipment shall be used for private purposes or on private property. School bus turnarounds and public cemetery work must be approved, in advance, by the County Judge, after consultation with the County Attorney and only where the turnaround or cemetery road has been placed in the County road system.
- C. Equipment and materials for the road department shall be acquired in accordance with the provisions of this code.
- D. All employees of the road department shall immediately report to their supervisor the loss of any departmental property or equipment that has been furnished to the individual.
- E. No departmental property or equipment shall be used for private purposes or on private property without the prior written authorization of the County Judge.

- F. Any employee found to be using alcoholic beverages during work hours, while using County equipment or on County property, will be dismissed immediately.
- G. Uniforms are furnished to employees of the Road Department by the County. Road Department employees shall wear said uniforms at all times during regular working hours. Exemptions will be made with a Doctor's recommendation.
- H. Each employee shall be responsible for servicing the equipment operated by the said employee on a regular basis including a regular check for oil levels and the necessity for an oil change. Any equipment problems or deficiencies should be reported immediately to the equipment supervisor. Trucks and equipment shall be cleaned at least once a week or more often as such need arises.

SECTION 6.4 County Road Inventory/Condition

- A. The County Judge shall maintain a map(s) that clearly identifies all County maintained roads.
- B. The County Judge and Road Engineer/Supervisor shall inventory and review all County roads for identification and condition at least annually.
- C. The inventory shall identify all roads by name and/or number; list the number and location of all bridges; and any other information that may identify County roads and the condition thereof.
- D. The Road Engineer/Supervisor shall contact all area utilities relative to their planned activities prior to surfacing or resurfacing any County road.

SECTION 6.5 Procedures for County Road Repairs and Maintenance

- A. Each magistrate shall inspect roads in his district periodically to determine needs.
- B. Each magistrate shall file a road report with the Road Committee, including, but not limited to, the following information:
 - (1) Road name and number;
 - (2) Description of work to be performed;
 - (3) Any additional information, which shall be deemed necessary.
- C. The Road Committee shall compile all reports from magistrates and present a final report to the Fiscal Court for their action.

- D. When the Fiscal Court makes approval of County road work, the County Judge shall direct the Road Engineer/Supervisor to perform these activities subject to budgetary constraints.
- E. The Road Supervisor shall report on a monthly basis to the Fiscal Court as to the work that has been completed and work that needs to be done.

SECTION 6.6 Miscellaneous Requirements

- A. Vacation time for Road Department employees will be scheduled two weeks in advance. During emergencies due to weather conditions the request for vacation may not be granted at the requested time.
- B. Any Road Department employee who notices any deficiencies in the roads maintained by the County shall report them to the Road Department office as soon as possible and no later than the end of the same workday. Any problems noticed during off duty hours shall be reported to the Department office during the following workday.

CHAPTER 7 COUNTY PROPERTY

- A. Any County employee found guilty of damages to, or destruction of County property or equipment, either through willfulness or negligence, shall be required to pay all costs of repairs or replacement of the property and may be subject to discipline, up to and including dismissal.

- B. Each office holder or supervisor is responsible for the equipment that is used in their office. A list of each office's equipment is to be kept current. A copy of the list shall be sent to the County Judge's office annually or as any changes are made.

- C. It shall be the general policy that no County employee shall allow a "passenger" to ride in a County vehicle unless that passenger is a County employee or the passenger represents County Government. Should an emergency exist or extraordinary circumstances exist, it shall be permissible for a passenger to ride in a County vehicle. However, should such an event exist, the County employee allowing the passenger to ride in the County vehicle shall report same to his/her supervisor as soon as possible.

CHAPTER 8 PURCHASES AND CONTRACTS

SECTION 8.1 Authorization of County Contracts

Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge, except for small purchases. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

SECTION 8.2 Selection of Vendors and Contractors (Procedures for Sealed Bidding)

- A. The agency, department or person requiring supplies, services or construction shall submit to the County Judge a request containing specifications and quantities desired.
- B. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.
- C. Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure of more than Twenty Thousand Dollars (\$20,000) shall be subject to competitive bidding.
- D. The County Judge shall place an advertisement in the newspaper of the largest circulation in the County at least once not less than seven days not more than twenty-one days before bid opening. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors are to be considered in bid selection, such factors shall be stated in the advertisement.
- E. The County Judge shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.
- F. The County Judge shall submit the bid selected to Fiscal Court for approval.

The County Judge shall sign the contract, if one is used.

- H. The Owen Fiscal Court has adopted the Kentucky Procurement Code as stated in chapter 45A, Kentucky Model Procurement Code.
- I. *The Owen Fiscal Court has also adopted the guidelines for procurement*

involving USDOT/Federal transit Administration projects including 49 CFR part 18-Uniform Administration requirements for Grants and Cooperative Agreement to State and Local Governments and to FTA Circular 4220.1F –third Party Contracting Guidelines for Federal Transit projects. (Said policy adopted by attached order of 10-9-2012)

SECTION 8.3 Procedures for Determination of Qualification of Bidders

- A. The County Judge may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bidding.
- B. Contractors who have demonstrated, by past performance, the ability to perform satisfactory in accordance with the contracts on a timely basis and have shown a sound financial structure may be determined to be qualified and responsible bidders without additional documentation otherwise required of other potential bidders.

SECTION 8.4 Procedures Prerequisite to Use of Negotiated Process

- A. The negotiated process may be used instead of advertisement for bids if the amount exceeds \$20,000 in the following circumstances:
 - (1) An emergency exists;
 - (2) Bids exceed available funds; or
 - (3) The contract is for professional services.
- B. Before an emergency is declared the County Judge shall determine whether or not the delay in obtaining bids will result in danger to health, safety or property.
- C. The County Judge shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of the County (the Treasurer).
- D. In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and delay in advertising for additional bids is not in the best interest of the County .
- E. The Fiscal Court must approve all circumstances in which the negotiation process is used.

SECTION 8.5 Procedures for Negotiated Process

- A. When the prerequisites have been met for use of the negotiated process, the County Judge shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
- B. The County Judge shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost and date of contract.
- C. Professional services shall be negotiated with such persons as are properly licensed to perform such services.
- D. Where more than one bid was received and all were in excess of the amount available, the lowest three bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
- E. The County Judge shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.
- F. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.

SECTION 8.6 Small Purchase Procedures

- A. All expenditures of less than \$20,000 shall be considered a “small purchase”, which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise.
- B. The County Judge determines the need for any item requested and whether or not the contract is for less than \$20,000 and the expenditure is provided for in the budget.

SECTION 8.7 Hold Harmless Clause

All contracts executed on behalf of the County concerning the purchase of services or products shall contain a “hold harmless clause”, whereby the vendor, provider of services, or seller agrees to hold the County harmless from any liability concerning the use of their product or the receipt of their service.

SECTION 8.8 Storage and Inventory Control (Procedures for Receiving, Storing and Disbursing Repetitive use Items) (new)

The inventory file shall contain an item inventory number, item description, date purchased, condition, purchase amount and office assigned for use.

SECTION 8.9 Disposition of County Surplus Property

A. Real Property:

(1) In the event the County Judge determines that the County retains surplus real property and that it will be in the best interest of the County to dispose of said real property, the County Judge shall make a written statement:

- (a) The real or personal property;
- (b) Its intended use at the time of acquisition;
- (c) The reasons why it is in the public interest to dispose of it; and
- (d) The method of disposition to be used.

The property may be transferred via the following method:

- (a) Transferred, with or without compensation, to another governmental agency;
- (b) Sold at public auction following publication of the auction in accordance with KRS 424.130(1) (b);
- (c) Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1) (b); or
- (d) Sold by sealed bids.

(2) The aforementioned statement shall be submitted to the Fiscal Court for their action.

(3) In the event there are no bids for the property, the property shall be sold by the County Judge in the best interests of the County. No County real property shall be sold on a negotiated basis for less than the appraised value.

B. Tangible Property:

(1) The County office, agency, or person to which responsibility has been assigned by the County Judge to use and take care of a particular tangible item or items will notify the County Judge that a particular item is no longer needed or serviceable. The County Judge shall inquire of other County offices to determine if they have need of, or want to use, the item.

(2) If no use for the property can be found, the property shall be disposed of in the same manner as Real Property except that no appraisal is required.

CHAPTER 9 BOARDS AND COMMISSIONS

SECTION 9.1 Maintenance of Records of Administrative Agencies and County Departments

- A. All agencies which receive county funding, including the special taxing districts, shall file a copy of the agency's annual budget with the County Judge. It shall also file a copy of each audit required by law with the County Judge and the Owen County Clerk.

- B. All agencies which receive county funding, including the special taxing districts, shall maintain a financial record of the agency activities containing the amount budgeted for the year, the amount expended to date and the balance available. By the fifth business day following the end of the quarter, the head of each County agency and each County department shall provide the County Judge with the following information:
 - (1) A statement which describes the agencies or departments activities during the quarter;

 - (2) A financial statement for each agency. The financial statement shall contain the total amount of appropriations for the agency, the amount spent and encumbered by the agency during the preceding quarter, the total amount encumbered during the fiscal year, and the amount of the total appropriation, which is still available for spending;

 - (3) A list of any citizen complaints made about the department during the preceding quarter and the steps taken to correct the situation.

SECTION 9.2 Regular Meetings

- A. All meetings at which County business is discussed by an agency which receives County funds, or any action taken by said agency, shall be open to the public, unless exempt by KRS 61.810.

- B. A majority of the members of the agency board shall constitute a quorum for the conduct of official business.

- C. A record of all motions on official actions taken by the agency shall be kept and made available to the County Judge upon his request.

CHAPTER 10 SPECIAL DISTRICTS

SECTION 10.1 Procedures for Dissemination of Information

For the purpose of efficient and successful administration of County boards, districts, and commissions, the governing body of such board, district, or commission shall develop and present copies of minutes, audits, and fiscal year budgets to the County Judge for the purpose of sharing information.

SECTION 10.2 Procedures for Dissolution

- A. A plan of dissolution of any special district shall be made by the County Judge in writing and shall be submitted to the Fiscal Court for approval for any district which was created by the County (KRS 67.715).
- B. The County Judge shall notify the Chairperson of the special district which is the subject of the plan of dissolution. The notice shall be in writing and shall be provided at least five (5) days before the plan of dissolution is submitted to the Fiscal Court.
- C. All plans of dissolution shall contain:
 - (1) A list of the reasons for dissolving the special district;
 - (2) A list of the services and functions, if any, which are to be transferred to another special district, agency, board, commission, or department, and the names of which agency, board, etc., is to receive the transferred services or functions;
 - (3) A list of all property owned or controlled by the special district and the method of disposing of such property;
 - (4) A list of all creditors of the special district and a plan for satisfying all creditors.
- D. If a plan of dissolution transfers services or functions to another special district, the goals and objectives (or charter of the recipient district) shall require amendment in order to provide the services transferred.
- E. The Fiscal Court shall vote on the plan of dissolution within sixty (60) days of its submission to the Fiscal Court by the County Judge, provided the Fiscal Court shall not vote on said plan of dissolution during the meeting in which it shall be submitted by the County Judge. If the plan is not disapproved within sixty (60) days, the plan shall become effective.

SECTION 10.3 Removal and Appeal Process

- A. Unless otherwise provided by state law, an appointed member of the governing body of a special district may be removed from office by the appointing authority after a hearing with notice as required by KRS

Chapter 424 for inefficiency, neglect of duty, malfeasance, or conflict of interest. The hearing shall be initiated and chaired by the appointing authority, who shall prepare a written statement setting forth the reason for the removal. The member to be removed shall be notified of the proposed removal and the reasons therefore by registered mail sent to their last known address at least ten (10) days prior to the hearing. The person to be removed may be represented by counsel at their own expense. The official record of the hearing shall be made by the appointing authority.

- B. Where the removal of an appointed member of a special district governing body is by the County Judge pursuant to the preceding section, the removal shall be subject to approval by the Fiscal Court.
- C. A member removed pursuant to this section may appeal within ten (10) days of the rendering of a decision or the approval of the Fiscal Court, if required, to the Circuit Court of the County of the appointing authority. The scope of the appeal shall be limited to whether the appointing authority or the Fiscal Court abused their discretion in removing the member.

SECTION 10.4 Single County Special Districts

- A. The governing body of each special district shall annually prepare a budget and shall classify budget units in the same fashion as County budgets are classified pursuant to KRS 68.240 (2) through (5). The state local finance officer shall prepare standard budget forms for district use and shall furnish them to County Clerks for distribution to the district officers.
- B. The governing body of each special district shall at least once every four years, employ an independent certified public accountant, or contact with the auditor of public accounts to perform an audit of the funds in the district budget. The audit shall conform to standard audit programs for governmental accounting which are approved by the Auditor of Public Accounts or to other generally accepted accounting procedures as set forth by the Kentucky Board of Accountancy.
- C. At least once every twelve (12) months, a district shall:
 - (1) File with the County Clerk of each County with territory in the district, a certification showing the name of the district, a map or general description of its service area, the statutory authority under which it was created, and the names and addresses of the members of its governing body and chief executive officer.
 - (2) File a copy of the district budget, financial statement if prepared, and audit when performed, with the County Judge.

- D. Each district commission shall elect from its membership a chairman, secretary, and treasurer.
- E. Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment.

SECTION 10.5 Multicounty Special Districts

- A. Upon approval of the Fiscal Court, the County may join another County to form a special purpose district to fulfill any purpose which the County is authorized by State law to fulfill or may be authorized to fulfill in the future.
- B. Before the County may participate in a multicounty special purpose district, the Fiscal Court shall determine that participation is feasible and necessary. The determination shall be made only after a duly advertised public hearing has been held by the Fiscal Court.
- C. The membership of the governing body of any new multicounty special districts are to be appointed among the counties in ratio to their population which each County having at least one (1) member on the board.

CHAPTER 11 COUNTY SERVICES

SECTION 11.1 Public Works Department (Road Department)

Goals and Objectives: The Public Works Department shall be responsible for the maintenance, construction, and upkeep of all roads and bridges in the County Road System. The maintenance of the county road system shall be the first priority of the public works department. This department will also help with maintenance and upkeep of the Owen County Park and County buildings. This department may also be required to aid various county offices when requested by the County Judge. The County Road Supervisor shall head this Department.

SECTION 11.2 County Road System

The Fiscal Court shall designate by Resolution which roads in the County will be on the County Road System and maintained by the Public Works Department. Those roads so designated shall include for County maintenance all appurtenant bridges, side ditches, headwalls, culverts, guard rail systems, and traffic control devices unless specifically excluded by an agreement.

SECTION 11.3 Parks and Recreation

Goals and Objectives: To provide an adequate amount and variety of recreational opportunities to satisfy the full range of needs of the population. The provision of recreation services by the Fiscal Court shall be through joint efforts of the City of Owenton, Owen County School Board, and the Owen Fiscal Court through the formation of the Owen County Recreation Commission. The amount of financial assistance contributed to the Commission will vary according to the funding available.

SECTION 11.4 Building Inspections

Building Inspections, as required by state law and County Ordinance, shall be provided by the Fiscal Court through contract or agreement with duly appointed inspectors.

CHAPTER 12 ETHICS OF COUNTY OFFICIALS AND EMPLOYEES

SECTION 12.1 DEFINITIONS

“Business associate” includes the following:

- (1) A private employer;
- (2) A general or limited partnership, or a general or limited partner within the partnership;
- (3) A corporation that is family-owned or in which all shares or stock is closely-held, and the shareholders, owners, and officers of such a corporation;
- (4) A corporation, business association, or other business entity in which the county government officer or employee serves as a compensated agent or representative.

“Business Organization” means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.

“Candidate” means an individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:

- (1) Files a notification and declaration for nomination for office with a county clerk or the Secretary of State; or
- (2) Is nominated for office by a political party under KRS 118.105, KRS 118.115, KRS 118.325, or KRS 118.760.

“County government agency” means any board, commission, authority, nonstock corporation, or other entity formed by the county government or a combination of local governments.

“County government officer” means any person, whether compensated or not, whether full-time or part-time, employed by or serving the county government or county government agency who is not a county government officer, but shall not mean any employee of a school district or school board.

“County government officer” means any person, whether compensated or not, whether full-time or part-time, who is elected to any county government office; or any person who serves as a member or the governing body of any county government agency or special taxing or no taxing district.

“Family member” means a spouse, parent, child, brother, sister, grandparent, grandchild, father-in-law, son-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

SECTION 12.2 Standards of Conduct

- A. No county government officer shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is insubstantial conflict with the proper discharge of his duties in the public interest.

- B. No county government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment, if said officer or employee has actual knowledge of said involvement.
- C. No county government officer or employee shall undertake any employment or service, compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties.
- D. No county government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, political contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office as governed by the Kentucky Revised Statutes.
- E. No county government officer or employee shall be prohibited from giving or receiving an award publicly presented in recognition of public service, commercially reasonable loans made in the ordinary course of the lender's business, or reasonable hosting, including travel and expenses, entertainment, meals or refreshments, furnished in connection with public events, appearance, ceremonies.
- F. No county government officer shall be prohibited from accepting a gratuity for solemnizing a marriage.
- G. No county government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated or anyone else;
- H. No county government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves if the county has an interest in the outcome of such matter.
- I. No county government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any

ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.

- J. No elected county government officer shall be prohibited from making an inquiry for information or providing assistance on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefore; and
- K. Nothing shall prohibit any county government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his or their own interests.

SECTION 12.3 Nepotism

No person by reason of family or other personal relationship shall gain an advantage by reason of such relationship in hiring or appointment or other business opportunity with the county. However any such relationship shall be disclosed to the commission at the time of appointment or hiring or securing of county business.

SECTION 12.4 Financial Disclosure

- A. The following individuals shall be required to file a financial disclosure statement:
 - (1) Elected officers;
 - (2) Candidates for elected office;
 - (3) Management personnel such as chief deputies, department heads;
 - (4) Officers and employees with procurement authority exceeding five hundred dollars (\$500.00) per purchase;
 - (5) None of the above shall include unpaid appointees.
- B. The financial disclosure statement should include the following information:
 - (1) Name of filer;
 - (2) Current business address, business telephone number, and home address of filer;
 - (3) Title of the filer's public office or office sought;
 - (4) Occupations of filer and spouse
 - (5) Positions held by the filer and any member of filer's immediate family in any business organization or nonprofit entity from which the filer or any member of the filer's immediate family received compensation in excess of \$1,000.00 during the preceding calendar year, and the name, address, and telephone number of the business organization or nonprofit entity, if said business organization or nonprofit entity, if said

business organization or nonprofit entity does business with the county of more than \$1,000.00 per calendar year;

(6) Name, address, and telephone number of each business organization located within the Commonwealth in which the filer or any member of the filer's immediate family had an interest of one thousand dollars (\$1,000.00) at fair market value or five percent (5%) ownership interest or more during the preceding year, if said business organization or nonprofit entity does business with the county of more than \$1,000.00 per calendar year;

(7) The location and type (commercial, residential, agricultural) of all real property within the county, other than the filer's primary residence, in which the filer or any member of the filer's immediate family had an interest of one thousand dollars (\$1,000.00) or more during the past year;

(8) Any officer or employee, or any member of his immediate family of the county government who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within any department or agency of the county government shall disclose such private interest to the Fiscal Court or the local ethics commission.

(9) Any county Judge/Executive, magistrate or commissioner, sheriff, jailer, coroner, constable, surveyor, county attorney, county clerk, or a member of his immediate family, who has a private interest in any matter pending before the court shall disclose such private interest on the records of the court and shall disqualify him from participating in any decision or vote relating thereto.

(10) Any officer or employee, or their family members, of an independent agency or special district who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such independent agency or special district shall disclose such private interest to the governing body of such agency or district and file a financial disclosure statement with the Commission and County Clerk and, further, same shall be noted in the minutes of the agency or district.

(11) Any disclosure required which requires information not within the possession of the filer shall not be required of the filer but shall be required from the person or entity having possession of said information and if the required disclosure is not made by the person or entity in the possession thereof, said person or entity shall forfeit any position or business relationship with the county.

- C. The financial disclosure statement shall be on a form setting forth the above. The financial disclosure statement shall be filed annually by officers and employees no later than July 1. Candidates shall be required to file the statement no later than twenty-one (21) days after the filing date or the date of nomination. Newly-appointed officers and employees should be required to file their initial statement no later than twenty-one (21) days after the date of appointment.

- D. Each statement shall be signed and dated by the individual filing the statement of financial interest. Signing a fraudulent statement shall be a Class A misdemeanor.
- E. All pay and benefits shall be withheld until a non-complying officer or employee is in compliance with the filing requirements. Candidates and nominees who fail to comply with these filing requirements shall be fined \$25.00 for each day they are in noncompliance.
- F. All financial disclosure statements shall be open records. Each individual or organization requesting to view financial disclosure statements shall complete a form giving full name, address, telephone number and organization/individual represented if other than individual making request. One copy of this form shall be attached to the statement so requested and shall become a part of the record. A copy of the request shall be forwarded to the person who is the subject of the request.
- G. The financial disclosure statements shall be filed with the Owen County Clerk.

SECTION 12.5 County Ethics Commission

- A. The county ethics commission shall consist of three (3) members; not more than one (1) member may be a public official. The commission member selected as chairperson shall be a citizen member. The members shall be appointed by the Judge/Executive with the approval of the Fiscal Court. Members shall receive no compensation but may be reimbursed all necessary expenses. The terms of members shall be staggered and no longer than four (4) years.
- B. Powers and Duties:
 - (1) The commission shall have jurisdiction over the administration of this code and enforcement of the civil penalties prescribed by this code.
 - (2) The commission may receive and initiate complaints; initiate investigations on its own motion; and conduct investigations, inquiries, and hearings concerning any matter covered by this code.
 - (3) The commission may administer oaths; issue subpoenas; compel the attendance of witnesses and the production of papers, books, accounts, documents, and testimony; and have the deposition of the witnesses taken in the manner prescribed by the Kentucky Rules of Civil Procedure for taking depositions in civil actions.

(4) The commission may render advisory opinions whether or not a given set of facts and circumstances constitute a violation of any provision of this code.

(5) The commission shall prescribe and provide forms for reports, statements, notices, and other documents required by this code.

(6) The commission shall determine whether the required statements and reports have been filed and, if filed, whether they conform with the requirements of this code. The commission shall promptly give notice to the filer to correct or explain any omission or deficiency.

(7) The commission may retain private counsel at the expense of the county if the county attorney has an actual or potential conflict.

C. Complaint procedure; preliminary investigations:

(1) (a) Upon a complaint signed under penalty or perjury by any person, or upon its own motion, the commission shall investigate any alleged violation of this code.

(b) Not later than ten (10) days after the commission receives the complaint, the commission shall initiate a preliminary inquiry into any alleged violation of this code.

(c) Within thirty (30) days of the commencement of the inquiry, the commission shall forward a copy of the complaint and a general statement of the applicable law to the person alleged to have committed a violation.

(2) All commission proceedings and records relating to a preliminary investigation shall be confidential until a final determination is made by the commission, except:

(a) The commission may turn over to the commonwealth's attorney or county attorney of the jurisdiction in which the offense allegedly occurred, evidence which may be used in criminal proceedings; and

(3) The complainant or alleged violator shall not publicly disclose the existence of a preliminary investigation; the commission shall not publicly confirm the existence of the inquiry nor make public any documents which were issued to either party.

(4) The commission shall afford a person who is the subject of a preliminary investigation an opportunity to respond to the allegations in the complaint. The person shall have the right to be represented by counsel, to appear and be heard under oath, and to offer evidence in response to the allegations in the complaint.

(5) If the commission determines in the preliminary investigation that the complaint does not allege facts sufficient to constitute a violation of this code, the commission shall immediately terminate the inquiry and notify in writing the complainant and the person alleged to have committed a violation. The commission may confidentially inform the alleged violator of potential violations and provide information to ensure future compliance with the law.

(6) If the commission, during the course of the preliminary investigation, finds probable cause to believe that a violation of this code has occurred, the commission shall notify the alleged violator of the finding, and the commission may, upon majority vote:

(a) Due to mitigating circumstances such as lack of significant economic advantage or gain by the alleged violator, lack of significant economic loss to the county, or lack of significant impact on public confidence in government, confidentially reprimand, in writing, the alleged violator for potential violations of the law and provide a copy of the reprimand to the county judge.

(b) Initiate an adjudicatory proceeding to determine whether there has been a violation.

(7) Any person who knowingly files with the commission a false official complaint of misconduct on the part of any elected or appointed official or other person shall be guilty of a Class A misdemeanor.

D. Adjudicatory proceedings; action by commission; appeal:

(1) The Kentucky Rules of Civil Procedure and the Kentucky Rules of Evidence shall apply to all commission adjudicatory hearings. All testimony in a commission adjudicatory proceeding shall be under oath. All parties shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine witnesses, to submit evidence, and to be represented by counsel and any other due process rights, privileges, and responsibilities of a witness appearing before the courts of the Commonwealth of Kentucky. All witnesses shall be entitled to be represented by counsel.

(2) Any person whose name is mentioned during adjudicatory proceedings of the commission and who may be adversely affected thereby may appear personally before the commission on the person's own behalf, with or without attorney, to give a statement in opposition to such adverse mention or file a written statement of that opposition for incorporation into the record of proceedings.

(3) All adjudicatory proceedings of the commission carried out pursuant to the provisions of this section shall be public, unless

the members vote to go into executive session in accordance with KRS 61.810.

(4) Within thirty (30) days after the end of an adjudicatory proceeding pursuant to the provisions of this section, the commission shall meet in executive session for the purpose of reviewing the evidence before it. Within thirty (30) days after completion of deliberations, the commission shall publish a written report of its findings and conclusions.

(5) The commission, upon a finding pursuant to an adjudicatory proceeding that there has been clear and convincing proof of a violation of this code, may:

(a) Issue an order requiring the violator to cease and desist the violation.

(b) Issue an order requiring the violator to file any report, statement, or other information as required by this code;

(c) In writing, publicly reprimand the violator for potential violations of the law and provide a copy of the reprimand to the county judge.

(d) Issue an order requiring the violator to pay a civil penalty or not more than five hundred dollars (\$500.00).

(6) The commission may refer to the county attorney, or commonwealth's attorney for prosecution evidence of criminal violations of this code.

(7) Findings of fact of final determination by the commission that a violation of this code has been committed, or any testimony related to the commission's findings of fact or final determinations, shall not be admissible in criminal proceedings in the courts of the Commonwealth of Kentucky. Evidence collected by the commission may be used in a criminal proceeding if otherwise relevant.

(8) Any person found by the commission to have committed a violation of this code may appeal the action to the Owen Circuit Court. The appeal shall be initiated within thirty (30) days after the date of the final action of the commission by filing a petition with the court against the commission. The commission shall transmit to the clerk of the court all evidence considered by the commission at the public hearing. The court shall hear the appeal upon records as certified by the commission.

CHAPTER 13 INTERNET & E-MAIL POLICY

Section 13.1 Acceptable Uses of the Internet and County E-mail

The County-provided internet and e-mail access is intended for business purposes only. The County encourages the use of the internet and e-mail because it makes communication more efficient and effective. However, internet service and e-mail are County property, and their purpose is to facilitate County business. Every staff member has a responsibility to maintain and enhance the county's public image and to use County e-mail and access to the Internet in a productive manner. To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the internet. Any improper use of the internet or e-mail is not acceptable and will result in appropriate disciplinary action, up to and including dismissal.

Section 13.2 Unacceptable uses of the Internet and County E-mail

The County internet and e-mail access may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is allowed to be transmitted through the County's e-mail or Internet system. Electronic media may not be used for any purpose which is illegal, deceptive or against County policy or contrary to the County's best interest. Solicitation of non-county e-mail or Internet for personal gain is prohibited. Employees are prohibited from chat room interchange unless established by government agencies.

Section 13.3 Communications

Each employee is personally responsible for the content of all text, audio or images that they place or send over the county's e-mail/internet system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another entity. All messages communicated on the County's e-mail/internet system should contain the employee's name. Excessive personal communications are prohibited.

Any messages or information sent by an employee to another individual outside the County via an electronic network (e.g., bulletin board, online service or Internet) are statements that reflect on the County. While some users include personal "disclaimers" in electronic messages, there is still a connection to the County and the statements may be tied to the County.

All communications sent by employees via the County's e-mail/internet system must comply with this and other County policies and may not disclose any confidential or proprietary information.

Section 13.4 Software

To prevent computer viruses from being transmitted through the County's e-mail/internet system, there will be no unauthorized downloading of any unauthorized software. All software downloaded must be registered to the County. Employees should contact the County Judge/Executive if they have any questions.

Section 13.5 Copyright Issues

Copyrighted material belonging to entities other than Owen County may not be transmitted by employees on the County's e-mail/internet system. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and shall not copy, retrieve, modify or forward copyrighted materials, except with permission, or as a single copy, to reference only. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

Section 13.6 Security

The County routinely monitors usage patterns for its e-mail/internet communications. The reasons for this monitoring are many, including cost analysis/allocation and the management of the County's gateway to the internet. All messages created, sent or retrieved over the county's e-mail/internet are the property of the County and should be considered public information. The County reserves the right to access and monitor all messages and files on the County's e-mail/internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways. Passwords and sign-on access codes shall not be shared with anyone including co-workers, family members, or other unauthorized personnel. A county employee will be designated as system administrator for e-mail/internet purposes.

Section 13.7 Violations

Any employee who abuses the privilege of County-facilitated access to e-mail or the internet will be subject to corrective action up to and including termination. If necessary, the County reserves the right to advise appropriate officials of any suspected illegal violations.

CHAPTER 14 OWEN COUNTY AMBULANCE

Section 14.1 Establishment of County Ambulance

- A. There is hereby created and established a county ambulance Life Squad staff consisting of a Life Squad Supervisor and such other employees of said department may from time to time be provided by the Judge/Executive and Fiscal Court.
- B. The supervisor shall be appointed by the Judge/Executive with the consent of the Fiscal Court.
- C. The Fiscal Court shall set the number and compensation of all employees of the county ambulance service.
- D. All appointments to the county ambulance service and removals therefrom, shall be made by the Judge/Executive in accordance with the provisions of this code and any state statutes pertaining thereto.
- E. The county Ambulance Supervisor shall possess such qualifications as set forth in KRS 311.652 through KRS 311.658.

Section 14.2 Duties of Life Squad Supervisor

- A. The Life Squad Supervisor shall follow the duties as explained in the job descriptions as adopted by the Fiscal Court on March 22, 2011.
- B. The county Life Squad Supervisor shall be the head of the county ambulance subject to the order and direction of the Judge/Executive and Fiscal Court.
- C. The Life Squad Supervisor shall keep such records and make such reports concerning the activities of his department as may be required by statute or by the Judge/Executive.
- D. The Life Squad Supervisor shall be responsible for the performance of the county ambulance service and all persons who are employees of the county ambulance service shall be subject to the supervision and directions of the Life Squad Supervisor.
- E. The Life Squad Supervisor shall be responsible for providing the regulations to all employees in regards to transporting of patient medications.
 - a. Patient medications shall not be transported in the ambulance unless:
 - i. Patient has had an overdose and medication cannot be transported by any other means such as law enforcement or patient's family.
 - ii. Medical emergencies: medications shall be transported to the emergency room department by family member or emergency personnel can obtain a copy of patient's medication list.
 - iii. If there is no other means of transportation of patient's medications and they must be transported by ambulance personnel, there shall be written documentation detailing the reason.

- iv. Medications shall not be opened or counted unless it has to be done in the emergency room department and under the supervision of ER nurse or physician.
- F. If any of the regulations for transporting of medications are violated, the employee shall be put on suspension and review of said incident shall be brought forth before the Judge/Executive and the Life Squad Supervisor for disciplinary action.

Section 14.3 EMT/Paramedic Duties and Requirements

- A. EMT and Paramedic duties will be described in job descriptions as adopted by the Fiscal Court on March 22, 2011. Job descriptions must be followed as stated and must be signed by each EMT and Paramedic.
- B. Good personal hygiene is required along with proper dress being a uniform as provided by the Owen Fiscal Court. Exceptions may apply if “off duty” and responding by POV or being on backup.
- C. Orientation of New Employees will be provided as stated in the Orientation Policy.
- D. EMT and Paramedic will follow all policies including infection control, maintenance, scheduled and non-scheduled drugs, inventory of supplies and all billing information requirements which include face sheet, HIPPA, entering run forms and patients insurance information when applicable.
- E. Cleaning of the Life Squad Building and Ambulances will be performed on each shift as directed by shift supervisor or Life Squad Supervisor.
- F. All employees of the Owen County Life Squad will act professional and respectful while in uniform performing their duties as EMT/Paramedic. If any discrepancies noted, Life Squad Supervisor shall be notified for handling such issues.

Section 14.4 County Ambulance Property

- A. Equipment and materials for the County Ambulance service shall be acquired in accordance with the provisions of this code and other applicable law.
- B. Employees of the County Ambulance service shall be responsible for the good care of the equipment and property, whether fixed or movable, assigned to their use and keeping and shall promptly report to their supervisor the loss or damage to or unserviceable condition of such property.
- C. Any employee found guilty of damages to or destruction of ambulance property or equipment, either through willfulness or negligence, shall be required to pay all costs of repairs or replacements thereto.
- D. All employees of the ambulance department shall immediately report to their supervisor the loss of any ambulance property or equipment that has been furnished to the individual.

- E. No ambulance property or equipment shall be used for private purposes or on private property.

Section 14.5 Random Alcohol and Drug Testing

A. Statement of Philosophy:

- i. Drug and Alcohol in the Workplace – The objective and purpose is to ensure a safe, drug-free and alcohol-free, working environment for the employees and citizens we serve. It is our intention to prohibit drug use and alcohol use in the work place.
- ii. Employment Terms – Any employee who receives a positive result from one or both of the testing procedures (alcohol and drugs) will be suspended for a period of thirty (30) days, without pay during which the employee must undergo professional counseling for the problem and possible grounds for dismissal. The employee must submit to retesting before resuming employment. Compliance with this policy is a condition for initial and /or continuing employment with the Owen County Government.

B. Scope

- i. Employees Subject to Testing – All employees are subject to testing and other requirements of this policy.
- ii. Controlled Substances – The regulations prohibit any drug use that could affect performance of employee duties, including:
 - a. Use of any drug, except by doctor’s prescription, and then only if the doctor has advised the employee that the drug will not adversely affect the employee’s ability to safely perform his duties.
 - b. Testing positive for drugs.
 - c. Refusal to take a required test.
- iii. All employees will inform the Life Squad Supervisor of any therapeutic drug use prior to performing their duties.

C. Qualifications for Employment and Prohibited Conduct:

- i. Pre-employment/Pre-Duty Testing – All applicants will be required to be certified First Responder or Emergency Medical Tech-Basic and licensed through the state of Kentucky following all regulations relating to KRS 311.652 through KRS 311.658, KRS 311.990; shall submit to and pass a breath alcohol test and a urine drug test; complete a full physical examination, TB test and a criminal background check as a condition of employment. Offers of employment are made contingent upon passing the County’s medical review, including the alcohol and drug test.

- ii. Random Testing – The County will conduct random alcohol and drug testing for all ambulance employees at the discretion of the Judge/Executive and the Life Squad Supervisor.
- iii. Random Criminal Checks – The County will conduct random criminal background checks at the discretion of the Judge/Executive and the Life Squad Supervisor.

Section 14.6 Standard Operating Procedures

- A. Reference: Interfacility Non-Emergency and Emergency Transport
 - i. Owen County Life Squad is licensed thru the Kentucky Board of Emergency Medical Services in Frankfort, KY for emergency pre-hospital care and transport in our geographical area which is Owen County. Emergency coverage is based on a 24 hour 7 day week; 365 days a year.
 - ii. Owen County Life Squad shall not be responsible for interfacility non-emergency out of town transport from a transferring facility, whether it may be from a nursing home or hospital in Owen County or any other county.
 - iii. Owen County Life Squad shall be given a 24 hour or more notice for scheduled or non-scheduled non-emergency transport, in regards to follow up care on pre-existing illness, injury or doctor’s appointment for testing. (Remember: medical necessity forms must be followed for ambulance payment to be made for transport).
 - iv. Owen County Life Squad shall have the right to refuse a non-emergency transport and or an emergency transport out of town, if the shift supervisor deems it necessary due to not having sufficient coverage, for backup unit, while primary unit is out of town.
 - v. Owen County Life Squad shall follow the KBEMS regulations set forth in emergency transport situations, in the activation of mutual aid agreements for surrounding ambulance services, if Owen County cannot make the transfer.
 - vi. All transferring facilities shall follow medical necessity guidelines before requesting ambulance transport. If there is a question in whether medical necessity can or cannot be met, you should contact the patient’s insurance company for prior approval before requesting the ambulance services.
 - vii. All medical necessity forms shall be filled out in complete format, with all questions and explanations answered to the fullest, before ambulance transport is requested.
 - viii. This protocol shall be followed to the fullest without question.

- ix. Owen County Life Squad has adopted the state EMS Protocols with approved exceptions and additions. Protocols may be revised by the EMS Medical Director and approved of the Life Squad Supervisor within guidelines and approval of KBEMS Medical Director. EMS personnel will follow protocols unless directed by Medical Director or Medical Control and meets within the scope of practice within the EMT or Paramedic. This must be documented as to the procedure ordered with time and signature of the ordering doctor with NO exceptions.

Section 14.7 Payroll

- A. Owen County Life Squad shall employ both full time and part time employees. The full time employees shall work a rotation of 24 hours on duty and 48 hours off. The Life Squad Supervisor has the authority to revise schedules to provide coverage as needed. Shifts may vary from 24 hours to 12 hours or day or night shift as needed to meet required coverage.
- B. The Owen County Life Squad shall employ both Paramedics and Emergency Medical Technicians as an Advance Life Support Service.
- C. The Life Squad Supervisor is a salaried position and shall work 45 hours per calendar week for the salary given.
- D. The part time employees' roster is used to work as fill-in when full time is on a transfer or when more help is needed.
- E. Both hourly and salaried positions rate of pay shall be set by the Fiscal Court. The employees paid per hour shall be compensated at a rate of one and one half times their pay for any hours worked over 40 per week.

**OWEN COUNTY
ADMINISTRATIVE CODE
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Owen County Clerk's Office

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OWEN COUNTY CLERK'S OFFICE

Introduction

This hand book is designed to furnish you with information about personnel administration and to answer questions that you may have concerning policies of the Owen County Clerk's Office. If you have questions that this book does not answer, please feel free to talk to the County Clerk.

It is your responsibility to be familiar with the content of these policies and procedures. Your job performance and behavior should always be a credit to you and Owen County.

The Owen County Clerk seeks to provide equal opportunity to all employees and applicants and to prohibit discrimination based on race, color, religion, sex, national origin, political affiliation, handicap, age or marital status.

The deputies are the principal assets of this office. All deputies will be treated with the highest respect. All deputies will be expected to treat customers with the same respect and dignity. If a customer becomes abusive or argumentative and you become uncomfortable in handling the situation, refer the customer to the County Clerk. If possible, try to inform the County Clerk privately of the circumstances so it may be properly assessed.

Professionalism requires all of us to put aside personal feelings. Courtesy, in person or over the phone, is essential. Rudeness will not be tolerated toward the public or a co-worker. All personnel shall conduct themselves so as to reflect credit upon themselves and this office. Never tell a citizen that you are too busy to do something for them or that it is not your job. If you need to do so, take the information and their phone number so that you may return the needed information as soon as possible. If it is not possible for you to fill their request, make sure you try to provide them with the appropriate resources.

Watch what you say in the office especially when a customer is present. Deputies handle information which may be deemed confidential to the citizen. Everyone has the responsibility to safeguard such information. Remember customers listen when we don't realize it. Always remember there may be a customer in the deed room out of sight of the deputies!!

General Information

Terms of employment:

Every individual employed by the Owen County Clerk's Office shall be a high school graduate or equivalent, a registered voter, and resident of Owen County during their employment. A person employed here who moves out of Owen County becomes ineligible for employment here and must terminate their employment.

Each person employed by the Clerk's Office serves at the discretion of the incumbent Clerk. They may be terminated and replaced by the incumbent Clerk, with or without cause, at will.

The incumbent Clerk is elected on a partisan basis for four year terms and is eligible for re-election without limitation.

Personnel Records:

Records shall be maintained by the Clerk. Please complete a personal information form and keep it updated with any new information. In the event of emergency or illness your family or physician may need to be contacted.

Public Relations:

It is imperative that you deal with each citizen in a pleasant manner. The job of each individual and the Clerk is dependent upon pleasant, friendly demeanor to our citizens. Each person employed here must conduct themselves as ladies and gentlemen and shall not argue with the public nor be rude or obnoxious.

Any employee who resorts to verbal or physical misconduct is subject to dismissal if at any time you have a customer that is rude or abusive to you, let the Clerk deal with the customer.

Conduct Outside Office:

Any conduct in or out of the office considered by the Clerk to be detrimental to the best interest of the office may be grounds for dismissal. A felony conviction of any type will require automatic dismissal.

Any non-office charges brought against any employee will be reviewed by the Clerk. Any employee may be suspended without pay pending the resolution of any charges at the discretion of the Clerk.

Office Hours:

The office hours to the public are currently:

Motor Vehicle and Deed Room – Weekdays 8:00 AM – 4:00 PM
With the exception of Monday – 8:00 AM – 6:00 PM
Saturday 8:00 AM – 12:00 PM

It is important to remember that you are employed by one office. At times you may be needed to work in all areas. In other words, work where you are needed. We are all a team! No one is done until all has completed their jobs. Please use common sense in helping to see that the office work is done in an appropriate manner and time table. Remember, the deputies are the principal assets of the Clerk's Office. The Clerk will assign to each deputy what their main responsibility will be.

See Clerk for details on Saturday rotation.

The office hours may be changed at the discretion of the Clerk.

Timeliness:

Each person is expected to be at their assigned work station at least 15 minutes prior to opening the office each workday. Chronic tardiness is unacceptable and will be addressed by the Clerk.

Lunch Period:

Lunch period is one hour. A lunch period is set aside for you to relax and have lunch. Don't take an hour for lunch and then come back to the office to eat.

You may use your lunch hour at 3:00pm twice per month if there is a legitimate reason. A legitimate reason would be to allow for a doctor appointment, in Lexington, etc.

If you plan a 3:00pm lunch hour, bring your lunch and chose an appropriate time to eat it. Try not to schedule an appointment for 3:00pm on the last day of the month. Asking for a 3:00pm lunch hour would not be appropriate just because you would like to leave early every Friday.

Lunch hour will be on rotation unless staff absence, then the office will be closed from 12:00 to 1:00pm. Notice will be posted on door.

Lunch policy may be changed at the discretion of the Clerk.

Work Station Activities

Please refrain from eating at work stations. If you want to eat a snack, do it when you have finished with your customer. Go to the area in the back or election room out of customer view. It is rude to eat while talking to a customer whether they are there with you or on the phone. It is your responsibility to keep the area clean, especially keyboards. Don't encourage customers to smoke, but if they ask you for an ashtray explain due to health conditions of customers we ask that they refrain from smoking. Smoking at work stations is prohibited for all employees.

Do not encourage customers to bring their pets into the office. If a customer brings a pet into the office, don't make an issue about it. Even though we all enjoy animals, some customers have allergies or may be frightened. We certainly do not need a law suite because a customer has been bitten.

Magazines and catalogs must not be read during work hours.

The radio should be at a moderate level. No employees may use headsets to listen to music.

The speaker phone should not be used unless it is something that everyone present needs to hear. (Remember when using phone for personal reasons the office is small and people can hear).

Personal items may be kept on your desk. Do not hang pictures, cartoons, etc, on the walls. Make all efforts to keep the office clean and orderly. Use folders, filing cabinets, and etc to keep any needed information available to employees. It does not have to hang on a wall around your desk.

Employees are prohibited from selling to our customers while at the office. Sell it to them on your own time. If you are selling to co-workers, do not let it interfere with your work or others' work.

Outside solicitors are allowed to sell in our office (Schwan's, Avon, Candles, etc). If you wish to place an order with someone do not leave a customer waiting to take care of it. The customer comes first!

Phones:

Sending or receiving cell phone calls during the day are prohibited. They must be turned off during the working hours. Personal phone calls (incoming or outgoing) must be limited. You must inform family and friends of this policy. Make every effort to make all personal phone calls before or after business hours.

Pay Schedule:

Pay is received every two weeks. Your pay rate is a confidential matter. Discussing your compensation with others is not encouraged. Your pay is to be divided equally among 26 pay periods.

Probationary Period:

Your first three months (90 days) of employment are considered a training and probationary period. Your probationary status gives you and your employer the opportunity to determine if your employment is mutually satisfactory. There is no extension of the probation period. If your probation is successfully completed, you become a permanent employee subject to the general terms of employment. If not, your employment may terminate during this period.

During the probation period, employees will accrue vacation and sick time. However, if the probation period is not successfully completed, vacation and sick time will not be considered earned. Employees on probation cannot use vacation or sick time. Any work time missed before the probation has been successfully completed will be leave without pay.

Absent or Tardy Reporting:

If you are going to be absent or late, call the Clerk first at home or work as soon as possible. In the event that you cannot reach the Clerk call the Chief Deputy.

Snow or Inclement Weather Plan:

During inclement weather, employees are expected to arrive at work at the regular time unless the Owen County Government is closed or on a delayed reporting time schedule. The Clerk will make every effort to call each deputy about closing or delayed

reporting time schedule. Each person must put forth responsible efforts to arrive at work on time such leaving home earlier than usual. If you determine that you cannot safely arrive on time, call in to report that information. Use your common sense, keeping your safety in mind. If you decide that it is too dangerous for you to come to work, it certainly would not make sense for you to be seen somewhere else that day. Your particular area of roads may not be safe at 8:00am, but if they are safe to travel at a later hour make an effort to report to work if we stay open.

Overtime:

Whenever overtime occurs, work hour pay is calculated at regular pay until you reach over forty (40) hours in a work week (Saturday - Friday). After forty (40) work hours worked per week, the balance of overtime hours will be at the rate of one and one half hours for each overtime hour past forty worked. If you take a sick leave (including time off for medical appointments), funeral leave, jury duty leave, maternity leave, or miss work time for any other reason, your overtime calculation will be at straight time until you have worked forty hours during the work week (Saturday - Friday). Remember that you are paid from office fees. Overtime will not be encouraged and should not be abused. We should be able to complete our work in the regular 40 or less working hours per week.

Compensation Increase:

Cost of living – Since this office operates from the fees and commissions it receives for the services performed, there are no guaranteed pay increases. Whenever revenue is available, cost of living adjustments are granted for all employees. This increase usually occurs once per year. You will be notified whenever a cost of living pay increase is authorized. All cost of living will be given at the discretion of the Clerk.

Resignation:

It is a policy of the Owen County Clerk's Office that employees give at least two (2) weeks (10 working days) written notice of resignation and to cooperate in assuring a smooth transition. Vacation time should not be taken during this 10 day period. Failure to provide the required notice of resignation will have adverse effect on benefits. Vacation time will not be paid to employees who fail to give proper notice.

Sexual Harassment:

No person shall engage in sexual harassment of another person employed here. It is the duty of the individual who feels harassed to first tell the other party that their comments and/or attention is unwelcome or offensive or both. Thereafter, it is the duty of the person who feels harassed to report the situation to the Clerk.

Sexual harassment of employees will not be tolerated. Sexual harassment includes, but is not limited to, the following:

- A. Verbal conversation of a sexual nature, sexually degrading words or comments
- B. Sexual flirtation, touching, advances, or propositions.
- C. Graphic sexual or suggestive comments about a person's dress or body.

D. Any other unwelcome verbal or physical contact of a sexual nature.

Remember, all deputies will be expected to treat each other with respect and dignity. A sharp tongue will cause hurt and does not show professionalism. We shall treat each other with the highest respect!

Election Day:

All employees must be at work on Election Days (Primary, General, Special). If needed, you may be asked to report at 5:00am. Be prepared to stay late.

Nepotism:

It is the policy of this office not to employ close relatives, husbands/wives, brother/sister, mother/father, grandparents/grandchildren.

Health Insurance:

The county furnishes Health Insurance to regular, full-time employees. Continuation of this benefit is at the discretion of the county due to the rising cost of health care. It may become necessary to place a “cap” at coverage paid by the county and the employee may need to pick up additional costs.

Life Insurance:

Each eligible individual is awarded a \$20,000 life insurance policy paid for by the County.

Pension:

This office is required by statute to participate in the County Employee Retirement System (CERS). Details may be received by contacting the CERS.

Vacation:

Each employee accumulates vacation days each calendar month of service according to the following schedule:

0 – 9 Years of Service Completed	1 Day per month (12)
10 -19 Years of Service Completed	1 ¼ Days per month (15)
20 + Years of Service Completed	1 ½ Days per month (18)

Vacations must be scheduled two weeks in advance. If a special opportunity arises that you were not previously aware of, the Clerk may grant permission to take a vacation day without the two weeks notice when no one else is already scheduled. Vacations should be scheduled with consideration of the workload of the office. Please do not schedule vacation on any election day or the month of March.

Each calendar year at least one week of vacation must be taken at one increment.

No more than one employee shall be scheduled for vacation at the same time.

Jury Duty:

Each employee must honor their jury duty. No reduction in pay will occur provided the employee comes to work whenever not actively required to be in court.

Sick Leave:

Regular full-time employees shall receive one day leave per month. For absences of three or more consecutive days, a doctor's written excuse will be required.

Sick leave authorized for:

- A. Medical, dental, or optical examinations or treatments.
- B. Disability by sickness or injury.
- C. Care for a sick or injured member of his/her immediate family for a reasonable period of time (immediate family shall include children, spouse, and parents).
- D. Disability with a contagious disease.

Sick leave may be carried over to another year. Any employee proven to be using sick leave fraudulently may be suspended or dismissed.

Absence due to illness of immediate family is charged against your sick leave.

If you leave during the business day due to illness, time will be considered rounded to the nearest half hour.

Maternity Leave:

A leave of up to six weeks is granted for normal childbirth.

Funeral Leave:

Each employee is encouraged to use the night and weekend visitation periods as much as possible to avoid absences. An employee may be absent up to three days with pay as necessary if the death is in the immediate family – such as spouse, children, and parents.

Family and Medical Leave:

Any request for family and/or medical leave of absence should be submitted in writing to the Clerk. You will be required to provide medical certification to support the request for leave because of a serious health condition. The request will be properly assessed by the Clerk.

Personal Appointments (non-medical):

It is best to schedule appointments that are other than medically related on your vacation time, day off, or during your one hour lunch period. If this is not possible, the Clerk must be informed as soon as possible in order to make an accommodation for appointments.

Dress Code:

All employees are required to dress in appropriate casual business attire. Each employee shall conform to the dress code for their biological gender. Clothing should be properly laundered and pressed.

- A. No jeans during work week. (Occasionally Saturday is allowed)
- B. Visible body piercing (except for ears) is prohibited.
- C. Tattoos must be covered.

There will be special days when the dress code is waived if warranted (UK days or Owen County Days if the school is participating in a special tournament or event, Halloween, delivering voting booths, physical activities while performing office duties, etc.

Holidays:

This office recognizes holidays as set by the current county Judge/Executive. However, at the discretion of the Clerk if for any reason a scheduled holiday has to be canceled, no additional compensation will be provided. The office will not close early on any day not previously advertised to the public unless deemed a necessary; emergency, funeral in which case there would not be sufficient time to advertise it to the public.

Employee birthdays are to be considered a free day. The employee shall take the actual day of their birthday. If the birthday falls on Saturday the employee must take off the previous Friday. If the birthday falls on Sunday the employee must take off the next scheduled working day. If the birthday falls on a day off, it must be taken the following scheduled working day.

Gifts:

We will continue to draw names for the exchange of Christmas gifts if agreeable to all employees. Christmas is a fun time and should be enjoyed by all employees.

Flowers to be sent to a deceased family member (immediate) will have Clerk's name as well as each Deputy's name sent on the card. Any other arrangements, gifts, food, etc may be handled by the individual employee as desired. The office will be closed for the funeral service of employee's spouse or child.

Complaint/Problem:

Please feel free to talk to the Clerk. Remember unless you let the Clerk know there is a problem, the Clerk cannot solve the issue. Do not complain among yourselves (Deputies). The Clerk needs to know and wants to know if there is a problem. If possible, try to inform the Clerk privately of the circumstances so it may be properly assessed. The Clerk does not want to hear about the complaint on the street (public). We are a team and everyone needs to work together to be a credit to the Clerk's office and Owen County.

Definition of Employee:

Established positions are defined as those positions, either full-time (30 hours + each week) or part-time (100 hours or less each month) established by the Owen County Clerk's Office.

Owen County Deputy County Clerk Duties:**General Statement of Duties:**

Performs work of moderate to complex difficulty requiring the performance of various administrative office duties of a specialized nature with a high degree of accuracy. Duties require the ability to multitask, and do so at a fast pace.

Distinguishing features of the class:

Must perform work assignment with a high degree of accuracy. Most work assignments are performed face to face with the general public, lawyers, lending agents, etc. Many encounters are contentious due to the application of existing laws which requires the ability to maintain poise under adverse situations. It is the combination of skills and the ability to constantly switch subjects that distinguishes this class.

Examples of work:

- Types correspondence, memoranda, requisitions, reports, bid specifications, legal notices from various sources.
- Composes routine correspondence.
- Answers incoming calls and makes connections with appropriate parties.
- Answers questions from general public regarding tax assessment, tax collection, titling and registration of motor vehicles, motorboats and liens on same.
- Examines documents such as motor vehicle titles, registrations, insurance cards, insurance policies and compliance to law and processes renewals, tax collections and transfers of title to motor vehicles, motorboats and trailers.

- Processes various transactions and accepts payment in the form of cash check, money order, etc and processes the paperwork therefrom in large amounts and volume. Handles large amounts of cash in various denominations.
- Inspects documents relating to land records for recording and interprets their compliance to the law regarding recording, collects taxes and fees and accounts for same.
- Processes land record documents by photostating, book and page assignments and placing in proper binders.
- Creates and maintains an alphabetical and/or numerical index to real estate documents by interpreting documents filed and extracting the proper information into the index.
- Issues marriage licenses, gathers the information from the parties, collects the fees due and accounts for same. Maintains index of parties.
- Prepares daily, weekly, and monthly financial reports and assists in the transmittal of documents and money to state and local government.
- Registers voters and maintains voter registration roll. Prepares and assembles supplies for delivery to polling places for the conduct of elections.
- Processes absentee ballot applications and ballots.
- Performs a wide variety of tasks regarding multiple subjects as necessary.

Supervision Received:

Work is performed under general supervision. Independent judgment is required in analyzing legal documents, ownership documents and their compliance with existing state law, administrative regulations, etc. Work is performed near paraprofessional level.

Supervision Exercised:

Persons in this class are not assigned direct supervisory responsibilities, however, proofreading and checking of work of others may be a requirement.

Required Knowledge, Skills and Abilities:

- Good knowledge of operating policies and procedures, laws, regulations pertaining to several specialized areas of assignment.
- Good knowledge of sources of information available pertaining to several specialized areas of assignments performed simultaneously.

- Ability to perform assigned administrative tasks with a minimum of supervision. Ability to establish and maintain working relationships with governmental officials, other employees and the general public.
- Good knowledge of business, English, spelling, filing and possession of a good vocabulary.
- Good knowledge of modern office practices, procedures and the operation of standard office machines.
- Ability to handle substantial amounts of cash, checks, money orders and to balance and account for same with a very high degree of accuracy.
- Ability to deal with the public and all concerned courteously, tactfully, and to convey concise and accurate explanations of the law, policies, procedures and requirements many times in an adverse environment.
- Ability to make arithmetical computations of moderate complexity quickly and accurately and to be able to explain same to the general public.
- Ability to make decisions after interpretations of laws, regulations, policies, and procedures.
- Ability to interpret laws, regulations and policies and to explain same to the general public.
- Ability to understand and to explain to the general public the laws and regulations relative to ad valorem taxes on motor vehicles, motorboats, real estate, tangible personal property and intangible property.
- Ability to understand and apply laws regarding the assessment and collection of ad valorem taxes on motorboats, motor vehicles and real estate.
- Ability to understand and identify land record documents such as deeds, mortgages, liens, etc. in order to make a decision on filibility, to collect taxes and fees required, to extract information necessary to process and maintain an index to the same. Work to be performed with a very high degree of accuracy.
- Ability to understand and explain the hunting and fishing licensing laws of the state and to explain same to the general public.
- Ability to understand, apply and explain the voter registration laws of the state and to assist in the maintenance of the voter registration roll for the county with very high degree of accuracy under severe scrutiny by the public, candidates and other governmental regulatory agencies.
- Ability to understand, apply and explain the laws relating to filing for public office with a very high degree of accuracy under general supervision.

- Ability to understand, apply and explain to the general public the laws relating to the issuance of marriage licenses and the maintenance of an index of same for the county.

Desirable Experience, Education, and Training:

You must have completed a standard high school course including or supplemented by business school, paralegal school, associates college degree, etc. Experience in an office setting in bookkeeping, paralegal work, or bank teller are very desirable.

Owen County Clerk's Office Employee Acknowledgment

I acknowledge I have received a copy of the Owen County Clerk's Personnel Policies and understand that I am responsible for becoming familiar with the contents. I understand the policies do not constitute an employment contract and may be amended or revised at the discretion of the Owen County Clerk.

Employee Signature

Date

Note: this form should be signed and returned to the Clerk.

Personal Information File

Name _____

Address _____

Home Phone _____ Cell phone (optional) _____

E-mail (optional) _____

Social Security Number _____ Date of Birth _____

Health Insurance Coverage (include any identification numbers, etc.) _____

Contact person or persons in case of emergency (Please list in order of preference) List area codes

Name/relationship _____ Daytime phones _____

Name/relationship _____ Daytime phones _____

Name/relationship _____ Daytime phones _____

Name/relationship _____ Daytime phones _____

Name/relationship _____ Daytime phones _____

.....

In case of an emergency would you agree to be transported to the hospital by an ambulance _____

.....

DOCTORS we may need to contact:

Name _____ Daytime phone _____

Name _____ Daytime phone _____

Name _____ Daytime phone _____

Known allergies _____

Any medications or conditions an emergency technician may need to be aware of _____

Signed: _____ Date: _____

Please be sure to update this information if any changes

Owen County Snow Emergency Policy:

Pursuant to the provisions of KRS 67.083, KRS 39A.100(2) and county ordinance_____, the county Judge Executive or their designee may declare a state of emergency, when conditions caused by a natural or man made occurrence warrant such actions.

A snow emergency may be declared after consultation between the: Owen County Police, Owen County Public works, Owen County Emergency Management and the County Judge/Executive Office. The Owen County public information officer shall contact all media outlets and other governmental jurisdictions and school district authorities in Owen County, of the snow emergency.

Snow Emergencies shall be defined at one of the following levels:

Level One: Roadways are hazardous with blowing snow and drifting snow, roadways may be icy, cautious driving is advised.

Level Two: Roadways are hazardous with blowing snow and drifting snow. Only motorist whose travel is absolutely necessary should be on roadways. Residents are urged to contact their employers to see if they should report to work.

Level Three: All roadways are restricted to non-emergency personnel, and travel for work provisions, medical supplies, or medical treatment. All employees should contact their employer concerning work schedules. Essential travel only advised. Violators are subject to prosecution.

During snow emergencies, where snowfall is 2” or greater, it will be required that motor vehicle not be parked or abandoned on street or roadways, as to impede the removal of snow or ice.

During snow emergencies, the Owen County Public Works Department may, at its discretion or as ordered by the office of the Judge/Executive, assist in the clearing of non-county or state owned roadways in order to facilitate emergency traffic or the rendering of aid to sick, stranded or injured persons.

ATTACHMENTS

APPLICATION FOR SICK LEAVE SHARING

Name of Recipient: _____

Department: _____

Social Security Number: _____

Amount of Sick Leave Needed: _____

Please provide a reason transferred leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical emergency. (If this is an amended request, provide reason for extension.)

Please attach certification by one or more physicians of the medical reason that employee will be unable to perform the duties and responsibilities of his/her position for ten (10) or more consecutive working days or the reason for extension, if an amended request.

_____, 20__
Recipient or Representative Date

_____, 20__
Department Head/Supervisor Date

The above named employee has been approved to receive donated sick leave in accordance with the provisions of the sick leave sharing policy.

_____, 20__
Appointing Authority Date

*The original should be kept by the Recipient's Payroll Officer.

SICK LEAVE DONATION FORM

Name of Donor: _____

Department: _____

Soc. Sec. #: _____

Amount of Donation to be credited to Recipient: _____

(Employee must have 80 hours remaining after donation. Minimum amount employee may donate is 8.0 hours.)

Recipient: _____

Department: _____

I hereby certify that this donation is given without expectation or promise for any purpose other than that authorized by the sick leave sharing policy.

_____, 20__
Donor

_____, 20__
Appointing Authority

*The original should remain with the Donor's payroll officer. A copy should be transmitted to the Recipient's Payroll Officer so that Sick Leave balances may be adjusted.

RETURN OF UNUSED DONATED SICK LEAVE

This is to certify that ____ hours of sick leave donated by:

Donor

Soc. Sec. #

Department

were unused by:

Recipient

Soc. Sec. #

Department

Credit the Donor's sick leave balance accordingly.

Recipient Payroll Officer

Payroll Officer Phone

Date

*The original should be sent to Donor's Payroll Officer.

SICK LEAVE REQUEST FORM

Employee Name and Address: _____

I request sick leave for the following dates and for the following reason:

A doctor's note is attached: **Yes** **No**

_____, 20__
Signature

Recommended for Approval By:

_____, 20__
Signature

Approved By:

_____, 20__
Signature