

# OWEN COUNTY GOVERNMENT

AN ORDINANCE RELATED TO THE ESTABLISHMENT OF THE OWEN COUNTY ADMINISTRATIVE CODE AND HEREBY REPEALS ALL PREVIOUS ORDINANCES, NAMELY ORDINANCE #180 AND 195 AND 219 AND 222.

INTRODUCED AND GIVEN FIRST READING on this 13<sup>th</sup> day of December 2022 at the duly convened meeting of the Owen County Fiscal Court on a motion made by Harris and seconded by Bowling.

GIVEN SECOND READING on this 27<sup>th</sup> day of December 2022 at the duly convened meeting of the Owen County Fiscal Court, Owenton, Kentucky on a motion made by Todd Spurgeon and second by Stuart Bowling and a vote of  yes and  no.



R. Casey Ellis  
County Judge/Executive

ATTEST:



Laurel Stivers  
Fiscal Court Clerk

ADMINISTRATIVE CODE  
Ordinance 237

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Adopted December 2022

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## ADMINISTRATIVE CODE ACKNOWLEDGEMENT

The Owen County Government Administrative Codes is promulgated by the authority of *KRS 68.005 County administrative code*.

The Owen County Judge/Executive (CJE) serves as the chief executive of Owen County Government (OCG) and responsible for establishing and administrating the County Administrative Code (CAC). The Owen County Fiscal Court (OCFC) is the elected legislative governing body of Owen County (hereinafter referred to as "Owen County Government or OCG" for non-specific statutory action). With a 2/3 majority of legislative members, OCG shall be responsible for adopting the CAC.

This manual is designed to assist supervisors and employees successfully navigate employment practices within OCG. Whether you are a new employee or have been an Owen County employee for many years, we believe you will find the information contained in the OAC useful in understanding your responsibilities.

OCG provides a framework to promote consistent Human Resource management administration practices and procedures throughout all county departments. We believe these policies promote a work environment which will help employees perform their duties to the best of their abilities in services to the citizens of Owen County.

Employees are responsible for becoming familiar and complying with the content of these policies. If you have questions about any of the policies and how they apply to you, you are encouraged to contact your immediate supervisor or the Owen County Human Resources Administrator (HRA) for more information.

Owen County Human Resources  
100 North Thomas Street  
Owenton, Kentucky 40359  
Office: 502-484-3405  
Email: [hr@owencountyky.us](mailto:hr@owencountyky.us)

The CAC does not constitute a guarantee or contract of employment and the county reserves the right to change, revoke, interpret, or add to any of these policies at any time at its sole discretion without prior notice.

***Owen County Government is an "at-will" employer and retains the right to terminate employment at any time and for any reason not prohibited by law.***

The policies and procedures noted in the CAC cannot cover every possible situation that may arise. There may be amendments at any time. As policies are amended, employees shall be provided a

copy of the either the amendments or an entire updated administrative code. The CAC may also be viewed from the OCG website at [www.owencountyky.us](http://www.owencountyky.us).

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## VISION

OCG is committed to fostering an environment of equality, understanding and compassion to public service; while imploring fiscal prudence and expanding opportunities for intellectual and social growth, by improving the quality of life for all individuals residing or engaging in business with Owen County.

## MISSION

The Human Resources Department develops and implements the strategic direction for OCG, by providing managers and employees with innovative solutions to organizational and human resource issues. The department exists to provide services which help county government to attract, retain, and reward a competent and dedicated staff who shares a commitment to the values of excellence and innovation in managing, educating, and promoting opportunities to employees and the community. We are committed to promoting a quality work environment for our staff that positively influences the advancement of services through county government and the citizenry of Owen County.

## GUIDING PRINCIPLES

- We will work for the benefit of all citizens, regardless of ethnicity, race, gender, political beliefs, or socioeconomic status.
- We will maintain the trust of our citizens through prudent management of public funds.
- We will employ and support a workforce that possesses the skills, knowledge, and professionalism necessary to serve our citizens in an efficient and effective manner.
- We will foster innovation, which leads to continuous improvement of county services.
- We will create a work environment where innovation, creativity and initiative are encouraged and fostered.
- We will encourage economic growth consistent with the preservation of our natural, cultural, and historical resources.
- We will be committed to the provision of services to promote the health, welfare, and safety of our citizens.

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## HISTORICAL & CENSUS COUNTY INFORMATION

Owen County was formed as the 63rd county by the Commonwealth of Kentucky and approved February 6, 1819. It was formed from the counties of Franklin, Scott, Gallatin, and Pendleton. Owen County was named after Abraham Owen, an Indian fighter and Kentucky legislator, who was killed at the Battle of Tippecanoe. Colonel Owen also surveyed and mapped the region that became Owen County. On January 15, 1822, the county court ordered that the seat of justice be removed, and the town Owenton was developed. Court was held at the new county seat on February 11, 1822. In 1844, after Kentucky began to construct locks and dams on the Kentucky River, packet boats on regular trips between Frankfort and Louisville made stops in Owen County at Monterey, Moxley, Gratz, and other towns. New Liberty was founded before 1800 and was the site of one of the first churches.

## FEDERAL MERIT PERSONNEL STANDARDS

The CAC has been written in compliance with the Standards for a Merit System of Personnel Administration (42 USC 4728, 4763). Title 5, Subpart F - Code of Federal Regulations.

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## SECTION 1 - GENERAL PURPOSE AND SCOPE

### 1.01 Purpose

The policies and procedures contained in this Administrative Code are adopted by OCG, with the expressed purpose in establishing a human resources system which provides for the recruitment, selection, and continuous development of an effective and responsive workforce to meet the needs of Owen County. The policies are adopted pursuant to Kentucky Revised Statutes (KRS) Section 68, 153A and 126 (as applicable).

OCG recognizes that periodic updates and revisions of this administrative code will be necessary. Changes in personnel policies adopted by OCG shall be communicated promptly to all employees. OCG shall review the administrative code annually during the month of June. The County CJE may at any time submit recommendations, amendments or revisions for review or approval by OCG.

### 1.02 Definitions

1. Benefit:
  - a. Regular full-time employees (FTE) who are regularly scheduled to work a minimum of 37.5 hours per week are eligible for at least a pro-rated portion of employer provided benefits.
  - b. Regular part-time employees who are regularly scheduled to work less than 37.5) hours per week, temporary and seasonal employees are not eligible to receive County benefits.
2. Benefit Time Leave:
  - a. Sick Time:
  - b. Vacation Time:
  - c. Paid Time Off (PTO)
3. Business Associate:
  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.
4. Business Organization: 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.

5. Candidate: An individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:
  - a. Files a notification and declaration for nomination for office with a county clerk or the Secretary of State; or
  - b. Is nominated for office by a political party under KRS 118.105, KRS 118.115, KRS 118.325, or KRS 118.760.
6. Classification: Assigns each employment positions to a series of job classes.
7. Cost of Living Adjustment (COLA): Typically, equal to the percentage increase in the consumer price index for urban wage earners and clerical workers (CPI-W) for a specific period.
8. Corrective Action: A process of communicating with the employee to improve performance expectations.
9. County Employee: Any individual who is appointed as an employee by the County CJE approved by the OCFC relating to a County agency, office, department, council, board, commission or other separate unit or division of OCG, however designated, but does not include employees of the County's judicial branch, or an elected outlined in Section 1.04.
10. Demotion: Movement of an employee from one job class to another within the county, where the pay grade for the new position is generally lower than that of the former position. Generally, a demotion is a result of disciplinary action due to unacceptable personal conduct, unacceptable job performance, or grossly inefficient job performance. It can also be the result of a Reduction-in-Force (Section 9.06).
11. Department: A business unit task to perform directed and specific tasks, goals, and services as directed by OCG.
12. Division: Consists of multiple departments.
13. Exempt Employee: An employee specifically exempted from the overtime compensation provisions of applicable Fair Labor Standards Act (FLSA) as defined and limited by administrative rules and regulations; these employees generally have as their primary duty management administration, or work of a professional nature.
14. Fair Labor Standards Act (FLSA): FLSA is a federal statute defining minimum wage and overtime compensation and classifying positions as exempt or non-exempt.
15. Immediate Family: Unless otherwise specified, immediate family means spouse, mother, father, guardian, children; sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named.

16. Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.
17. Non-Exempt Employee: An employee who is entitled to minimum wage and overtime compensation pursuant to the Fair Labor Standards Act.
18. Ordinance: Means an official written act of the OCFC, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of Owen County, or a lawful appropriation of money.
19. Overtime: Work performed at the express authorization of the county more than forty (40) hours per week as defined by the Fair Labor Standards Act.
20. Owen County Fiscal Court (OCFC): Name given to the county legislature and governing body of each of the counties in Kentucky.
21. Pay Grade: A level within a salary schedule into which job classes with similar job evaluation factors are placed for compensation purposes. Pay grades have a minimum rate, a midpoint rate, and a maximum rate and define what an employer is willing to pay for a particular job.
22. Probationary Period: A working test normally established the first 90 or 180 days of employment, 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 Supervisor may extend the probationary period beyond six (6) months.
23. Promotion: Movement of an employee from one job class to another within the county, where the pay grade for the new position is generally higher than that of the former position.
24. Reclassification: A change in an employee's classification due to a change in pay grade or change/modification of the employee's classification or job description.
25. Resignation: The voluntary termination of employment by an employee.
26. Retirement: The termination of employment and transfer to retired status of an employee.
27. Separation: No longer employed or serving OCG in an official capacity by resignation, retirement, layoff, non-reappointment, or death.

28. **Standard Operating Guidelines (SOG):** Is a set of step-by-step instructions compiled by an organization to help workers carry out complex routine operations within a division, department, or entity under the governing authority of OCG.
29. **Supervisor:** An individual responsible for managing the annual activities of employees of county government (i.e., Division Administrator, Department Head, Supervisor, Manager, etc.).
30. **Termination:** The dismissal of an employee from the county personnel system authorized by the CJE.
31. **Time Limited Appointment:** A full or part-time appointment which is approved for a specific period not to exceed 2 years. Time-limited appointments are made, but are not limited to, filling vacancies due to an incumbent's leave of absence, in response to unusual workload demands, vacancies in the workforce, or specific to position funding such as grants which expire after a specified time.
32. **Trainee:** An employee designated as such, appointed to a position in any class for which the Supervisor and/or the Human Resources Administrator has authorized "trainee" appointments. An individual may not be appointed as a trainee if he/she possesses the acceptable training and experience for the regular class and must be appointed to the regular class when he/she gains the acceptable training and experience.
33. **Transfer:** Movement of an employee from a new job class to another within the County where the pay grade remains the same as the former position.
34. **Voluntary Reassignment:** A voluntary reassignment is a change in employment to a position in a lower or in the same pay grade that is mutually agreed to by the employee and the employer.

*Nothing in these policies shall change the "at-will" employment status of employees of Owen County nor create a vested right of employment or a property right in continued employment with the county.*

### 1.03 Employee Classifications

1. **Full-time Employee (FTE):** An employee, who is regularly scheduled to work 37.5-40 hours per week of regular hours as defined under the Fair Labor Standards Act (FLSA).
2. **Part-time Employee (PTE):** An employee, who is regularly scheduled less than 37.5 hours per week of regular hours as defined under the Fair Labor Standards Act (FLSA).

- 3. Probationary Employee: A person appointed to a budgeted position who has not yet completed the probationary period.
- 4. Regular Employee: An employee that has successfully completed the prescribed probationary period. All county positions are subject to budget review and approval each year by the OCG, and all employees' work and conduct must meet standards of performance and behavior. Therefore, any reference to "regular" employees is not to be construed as a contract or right to perpetual funding or employment and does not affect the "at-will" status of the employment relationship.
- 5. Temporary Employee: A person appointed to serve in a position for a definite period not to exceed 364 calendar days from the employee's hire date.
- 6. Seasonal Employee: A temporary employee who works at one or more County approved department programs which are operated for not more than seven months in any calendar year, and who is exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.
- 7. Volunteer Employee: A person selected to serve in a non-compensated and non-benefit position for a defined period not to exceed 364 calendar days from the volunteer's appointment date.

1.04 Coverage

All personnel in the county's service are subject to this and other county policies, guidelines, policy, or directives, except for elected officials as specified below:

- |                 |                                  |
|-----------------|----------------------------------|
| Coroner         | OCFC Magistrate                  |
| County Attorney | Jailer                           |
| County Clerk    | Property Valuation Administrator |
| County CJE      | Sheriff                          |
| County Surveyor |                                  |

Members of advisory boards, special commissions and boards, task forces, or specified in a contract, agreement, or Memorandum of Understanding; consultants, advisors and counsel rendering temporary professional advice, independent contractors, or otherwise required by federal or state laws and regulations are exempted from the CAC.

1.05 Responsibilities of Elected Officials falling under County Administrative Code

*County CJE:*

Pursuant to KRS 67.710, the County CJE (CJE) is designated as the chief executive of the county. The CJE is specifically charged with executing all ordinances, contracts, and resolutions of OCG. The CJE has the primary responsibility for the administration of county government. The CJE is also responsible for keeping OCG informed of the operations of county departments, boards, and commissions (KRS 67.710). Further, the CJE must assure the representation of the county consistent with KRS Chapter 68.

*Fiscal Court Magistrate (FCM):*

The FCM is authorized pursuant to.

- KRS 67.080(1)(a) Appropriate County funds in accordance to provisions set in KRS 68.210 to 68.360.
- KRS 67.080(1)(c) Regulate and control the county fiscal affairs.
- KRS 67.080(1)(e) Exercise all the corporate powers of the county unless otherwise provided by law.
- KRS 67.080(2)(c) Adopt and maintain an administrative code for the county.
- KRS 67.080(3) The OCFC shall not exercise executive authority except as specifically assigned by KRS.

1.06 Inclusion of CAC by Sheriff and County Clerk offices (only)

The Owen County Sheriff and the County Clerk have the exclusive authority to hire, discharge, and supervise the employees of their respective departments. Under a Memorandum of Agreement, the County Sheriff and/or the County Clerk may choose to adopt the CAC and apply these policies to the respective employees falling under their authority, to the extent that the CAC does not conflict or usurp the authority granted under Kentucky Revised Statutes. Fee pooling adoption by any elected office holder, shall automatically apply the CAC to all employees of said elected office stated in Section 1.04.

1.07 Responsibilities of the Human Resources Administrator

The Human Resources Administrator (HRA), as directed by the CJE, is authorized to:

- Establish and maintain a record of all persons employed by the county, including job class title, salary, date of appointment, and other data necessary to promote a fair and equitable human resources system.
- Review and evaluate staffing levels in consultation with the CJE and department directors.
- Establish and administer recruitment and selection process and the county's equal opportunity and affirmative action programs.
- Maintain a classification plan including all county positions and recommend revisions as needed.



- Designate those employees who are exempt from the overtime provisions of the Fair Labor Standards Act.
- Serves as the Equal Opportunity Officer and is responsible for carrying out the Equal Employment Opportunity (EOE) policy.
- Serves as county American Disability Act (ADA) Coordinator.
- Establish, maintain, and administer compensation and benefit programs.
- Develop and administer a performance review program.
- Review and evaluate training, development, and educational programs for county employees.
- Review and evaluate the county's worker's compensation program.
- Maintain consistent implementation of the county's personnel policies.
- Report annually to the CJE on the operations of the county's personnel system.
- Report any employee claim or potential claim to the CJE immediately upon notification.
- Coordinate personnel action processes.
- Facilitate and document appropriate grievance processes to ensure the county provides adequate consideration in resolving personnel actions.

### 1.08 Operation of Fiscal Court

1. *Procedures for Meetings of Fiscal Court:*
  - a. The CJE 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 OCFC 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 Chapter. 61).
  - c. The CJE may call a Special Meeting of the OCFC for transacting any business over which the OCFC has jurisdiction.
  - d. Whenever the CJE is unable, or refuses to call a Special Meeting, a majority of the OCFC may call a Special Meeting.
  - e. Special Meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chapter 61).
2. *Presiding Officer:*
  - a. The CJE shall serve as the presiding officer of the OCFC at all regular and special meetings.
  - b. When the CJE is not present or able to preside, a majority of the magistrates shall elect one of their members to preside.
3. *Quorum:*

- a. Not less than a majority of the members of the OCFC shall constitute a quorum for the transaction of official business as sanctioned through Executive Order or Special Meeting notice.
  - 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 OCFC.
4. *Disturbing Meetings:*
- a. It shall be unlawful to disturb any meeting of the OCFC or government agency 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.
5. *Order of Business:*
- a. At each regular meeting of the OCFC an agenda will be presented prior to the meeting. It shall be the duty of the CJE's office to have the agenda ready for the OCFC members on the Friday before the 2nd and 4th Tuesdays of each month. This agenda shall be followed unless dispensed with by a majority vote of OCFC members present.
  - b. At each Special Meeting of the OCFC, the agenda shall be followed with no other topics presented or discussed during the Special Meeting.
  - c. The CJE shall prepare an itemized list of all valid expenditure(s) or claims requiring OCFC approval.
  - d. ALL expenditures or claims shall be approved by the OCFC.
  - e. A majority action of the OCFC may forgo Section 1.08(5) (Operation of Fiscal Court) and approve the inclusion of an expenditure addendum to the itemized list prior to approving any itemized expenditure(s) by majority action of the OCFC
  - f. The OCFC may approve payment of the list of valid bills unless there is an objection voiced to any specific item.
6. *Fiscal Court Minutes:*
- a. The clerk of the OCFC shall attend all meetings of the OCFC and keep a full and complete record of its actions.
  - b. The clerk of the OCFC shall keep an index of all OCFC records and shall make such index of all records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chapter 61).
7. *Rules of Order:*
- a. Except when in conflict with the foregoing provisions, Robert's Rules of Order 11th Edition shall govern the deliberations of the OCFC and OCG.
  - b. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the OCFC present at the meeting.
8. *Ordinances, Orders and Resolutions*

- a. An "ordinance" means an official written act of the OCFC, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of Owen 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. All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of OCFC.
- g. An order or resolution may be utilized for action by the OCFC where the action is specific in nature, not for an uncertain time, and which is enforceable within county boundaries. Examples of where an order or resolution may be appropriately used include:
  - i. Approval of claims against the county.
  - ii. 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.

## 1.09 Owen County Fiscal Budget

### 1. *Budget Preparation Procedures:*

- a. By the first (1st) of March of each fiscal year, the CJE shall obtain budget proposals prepared by each department, agencies, elected office holder or community organization requesting funding from the OCFC.
- b. The CJE shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
- c. The CJE shall receive and review from the Owen County Treasurer receipts and expenditures for each Fund or elected offices each classification of each fund for two (2) fiscal years proceeding and actual financial reports for the current fiscal year.
- d. The CJE shall project receipts and expenditures for the remainder of the current year, noting any surplus or deficit by each fund line item.
- e. The CJE shall obtain from the sheriff an annual settlement showing county taxes collected, not later than the first (1st) of October of each fiscal year of the current year and by the first (1st) of April of each year of the Owen County Property Assessment levels from the Owen County Property Valuation Administrator (PVA).

### 2. *Owen County Budget:*

- a. The Budget Committee shall consist of the CJE; County Attorney; the County Treasurer and Finance Officer.
- b. The Budget Committee shall review, amend, or submit a draft for the CJE to present to the OCFC as the "Executive Budget" by the second (2nd) Tuesday in April of each fiscal year.
- c. The OCFC may choose to engage in public workshop session to discuss, amend, or take public comment regarding the Executive Budget. OCG shall follow all required open meeting regulations and notice requirements as prescribed by KRS Chapter 61.
- d. Upon approval from Department of Local Government, the "OCG Fiscal Budget for FY ..." shall be submitted to the OCFC for ratification in the form of an ordinance not later than the first (1st) day of July.
- e. The CJE shall cause a copy of the proposed budget to be posted in conspicuous public area within the Owen County Courthouse near the front door not less than seven (7) days before final adoption.
- f. A summary of the "OCG Fiscal Budget for FY ..." shall be published immediately following the adoption by the OCFC according to KRS Chapter 424.
- g. The CJE shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection in accordance with KRS Chapter 61.

3. *County Road Aid Fund (CRA):*

- a. 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 CJE shall conduct the proposed use hearing.
- c. Copies of the published notice and written minutes of the hearing shall be maintained by the CJE as public record.

1.10 Procurement and Surplus

1. *Authorization of Government Contracts:*

- a. Every contract, change or amendment thereto, shall be authorized or approved by the OCFC before being executed by the CJE, except for small purchases (less than thirty thousand dollars (\$30,000)) not requiring competitive bidding, the use of the State Master Contract Agreement(s) or a Request for Proposal (RFP). The County Attorney shall review every contract of OCG, as to form and legality, except for contracts for small purchases.

2. *Selection of Vendors and Contractors:*

- a. The agency, department or person requiring supplies, services or construction shall submit to the CJE a request containing specifications and quantities desired.

- b. The CJE shall determine the need for each item requested the approximate cost and whether 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 thirty thousand dollars (\$30,000) shall be subject to RFP procurement.
- d. The CJE shall place an advertisement in the OCG website and newspaper of the largest circulation in the county at least once not less than seven (7) days not more than twenty-one (21) days before bid opening. The advertisement shall include the time and place where the RFP proposal may be obtained.
- e. The CJE 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.
- f. The CJE shall submit the bid selected to OCFC for approval with justification.
- g. The CJE shall sign all contracts, when ratified by the OCFC.
- h. The Owen OCFC has adopted the Kentucky Procurement Code as stated in chapter 45A, Kentucky Model Procurement Code.
- i. The Owen OCFC 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 Federal Transit Authority (FTA) Circular 4220. F-third Party Contracting Guidelines for Federal Transit projects. (Said policy adopted by attached order of 10- 9-2012)

3. *Procedures for Determination of Qualification of Bidders:*

- a. All RFP proposal shall outline specific requirements for all bidders to successfully be considered as a qualified bidder. Each RFP shall have specific qualifications to the project.

4. *Prerequisite to Use of Negotiated Process:*

- a. The negotiated process may be used instead of advertisement for bids if the amount exceeds \$30,000 in the following circumstances:
  - i. An emergency exists.
  - ii. Bids exceed available funds.
- b. Professional Service contracts. Before an emergency is declared, the CJE shall determine whether the delay in obtaining bids will result in danger to health, safety, or property.
- c. The CJE shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of OCG (the Treasurer).
- d. In the event all bids submitted are more than funds available, the CJE shall prepare a written determination that there are no additional funds available as to permit an award to the selected bidder and delay in advertising for additional bids is not in the best interest OCG.
- e. The OCFC shall approve all circumstances in which the Negotiation Process is used.

5. *Procedures for Negotiated Process:*

- a. When the prerequisites have been met for use of the negotiated process, the CJE shall proceed to negotiate with one or more suppliers to obtain the most advantageous terms for OCG.
- b. The CJE 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 (1) bid was received and all were more than the amount available, the lowest three (3) bidders shall be notified that OCG 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 CJE shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to OCG.
- f. The best negotiated proposal shall be submitted to the OCFC for approval and award.

6. *Small Purchase Procedures:*

- a. All expenditures of less than \$30,000 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 OCFC shall direct otherwise.
- b. The CJE determines the need for any item requested and whether the contract is for less than \$30,000 and the expenditure is provided for in the budget.

7. *Hold Harmless Clause:*

- a. All contracts executed on behalf of the OCG 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 OCG harmless from any liability concerning the use of their product or the receipt of their service.

8. *Asset Control Management:*

- a. Please refer to the Capitalization & Asset Control Policy for specific policy & procedures.

9. *Disposition of County Surplus Property:*

- a. Real Property:  
The CJE shall determine that OCG retains surplus real property and that it will be in the best interest of OCG to dispose of said real property, the CJE shall make a written statement inclusive of the following:
  - i. The real or personal property.

- ii. Its intended use at the time of acquisition.
  - iii. The reasons why it is in the public interest to dispose of it; and v. The method of disposition to be used.
- b. The property may be transferred via the following method:
    - i. Transferred, with or without compensation, to another governmental agency
    - ii. Sold at public auction following publication of the auction in accordance with KRS 424.130(1) (b).
    - iii. 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)
    - iv. Sold by sealed bids
  - c. In the event there are no bids for the property, the property shall be sold by the CJE in the best interests of the County.
  - d. No OCG real property shall be sold on a negotiated basis for less than the appraised value.

*10. Tangible Property:*

- a. OCG office, agency, or person to which responsibility has been assigned by the CJE to use and take care of a tangible property or items will notify the CJE that a property is no longer needed or serviceable.
- b. CJE shall inquire of other OCG offices to determine if they have need of, or want to use, the item.
- c. 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.

**1.11 Personnel Standard of Conduct**

1. No county employee or elected official 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 designated duties in the public interest.
2. No county employee or elected official shall act in their official capacity in any matter where they, a member of their immediate family, or a business organization in which they have an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair objectivity or independence of judgment, if said employee or elected official has actual knowledge of said involvement.
3. No county employee or elected official shall undertake any employment or service, compensated or not, which might reasonably be expected to prejudice their independence of judgment in the exercise of official duties.

4. No county employee or elected official, member of their immediate family, or business organization in which they have 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 them, directly or indirectly, in the discharge of 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.
5. No county employee or elected official 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.
6. No county employee or elected official shall be prohibited from accepting a gratuity for solemnizing a marriage.
7. No county employee or elected official 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 they receive or acquire during securing financial gain for themselves, any member of their immediate family, or any business organization with which they are associated or anyone else.
8. No county employee or elected official or business organization in which they have 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 they serve if the county has an interest in the outcome of such matter.
9. No county employee or elected official shall be deemed in conflict with these provisions if, by reason of 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 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.
10. No county employee or elected official shall be prohibited from making an inquiry for information or aiding 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.
11. Nothing shall prohibit any county employee or elected official, or an immediate family member, from representing themselves, in negotiations or proceedings concerning their own interests.

#### 1.12 Ethics Commission

OCG is a member and participates The Northern Kentucky Regional Ethics Authority (NKREA) was established in December 1994. The NKREA was created through an interlocal agreement and is



governed by representatives from participating jurisdictions. The NKREA enforces city/county ethics ordinances, acts as an oversight board, appoints an Enforcement Committee to rule on potential violations, and reviews financial disclosure reporting compliance.

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## SECTION 2 - EMPLOYMENT

### 2.01 Statement of Equal Employment Opportunity and Affirmative Action

It is the policy of OCG to provide equal employment opportunity for all employees and applicants seeking employment. All employment policies and practices will be nondiscriminatory in compliance with federal laws, state statutes, and local ordinances.

OCG implores affirmative action to ensure that all employment practices are administered without regard to race, religion, color, creed, national origin, sex, age, political affiliation, handicapping condition, or any other protected category under local, state, or federal law. These employment practices include but are not limited to recruitment, selection, compensation, transfer, promotion, demotion, layoff, recall, benefits, training, and termination. OCG's policy is to ensure that all employment decisions, including promotions, are based solely on individual qualifications and suitability for the job.

The HRA serves as the Equal Opportunity Officer and is responsible for carrying out the Equal Employment Opportunity policy. Employees and applicants can bring grievances or complaints, ask questions, and raise concerns without fear of reprisal as described in Section 10.01 (Purpose). OCG will not tolerate retaliation, harassment, intimidation, threats, coercion, or discrimination against anyone who files a grievance or complaint, exercises a right, opposes improper conduct, or assists in an investigation.

### 2.02 Reasonable Accommodations under the Americans with Disabilities Act (ADA)

OCG shall not discriminate against a qualified individual because of disability regarding job application procedures, selection, promotion, compensation, job training, employee benefits, discharge of employees, and other terms or conditions of employment. Disability means having a physical or mental impairment that substantially limits one or more of the major life activities of such individuals, having a record of such impairment or being regarded as having such impairment.

Reasonable accommodations, which do not present an undue hardship to the county, will be provided for testing and job placement upon request from an applicant. OCG will provide reasonable accommodations, which do not present an undue hardship to OCG, for the continued employment of individuals who become disabled while employed by OCG, if employees notify the HRA in writing of their need for an accommodation as soon as possible, but not more than 180 days after the employee knew or should have known the accommodation was needed. Examples of reasonable accommodations to be considered by OCG include reassigning non-essential duties, modifying work schedules, acquisition or modification of assistive equipment or devices; and/or other similar actions, unless it can be demonstrated that a adjustment or alteration would impose an undue hardship on OCG. The HRA serves as OCG's ADA Coordinator.

### 2.03 "At-Will" Employment

The CJE shall be responsible for the supervision of county personnel. This responsibility may be delegated to appropriate Supervisors/administrator or mid-level supervisors. Each constitutional officer or elected officer holder shall be responsible for the supervision of all employees working within their office.

Employment with OCG is "at-will", which means that continued employment and the conditions of employment are solely at the county's discretion, consistent with the terms of any applicable employment agreement.

Employment is "at-will" and either the employee or OCG may choose to terminate the employment relationship at any time, and for any reason, not prohibited by law.

### 2.04 Recruitment

Recruitment practices are conducted solely based on ability, merit, qualifications, and competence without regard to race, religion, color, creed, national origin, sex, age, political affiliation, handicapping condition, or any other protected category under local, state, or federal law. All advertisements for employment must include the following Equal Opportunity Statement (EOS) assurance:

*Owen County Government is an equal opportunity employer and does not discriminate based on race, color, national origin, religion, sex, age, disability, genetic information, or veteran status.*

When a position becomes vacant, and prior to the posting or advertisement of any position, the Supervisor must prepare and submit a request to fill the position to the HRA. The request to advertise the position must explain the continuing need for this position and suggest any revisions to the position that should be made prior to posting or advertisement of the position. A position will not be posted or advertised if it has not been previously budgeted and authorized by OCG.

### 2.05 Vacancy Announcements

OCG reserves the right to advertise positions internally only when qualified applicants are already employed with OCG. Employment opportunities may be advertised publicly. When a vacancy announcement is to be posted publicly, the OCG website ([www.owencountyky.us](http://www.owencountyky.us)) shall serve as the minimum standard for such public announcements. Job postings may be advertised with local, state, or national organizations, in newspapers and professional publications, and on websites as deemed appropriate by the HRA. In general, it is OCG's practice to post vacant positions for a minimum of five (5) to a maximum of thirty (30) calendar business days. All announcements may state the following:

- Position Title & Department
- FSLA status (Exempt or Non-Exempt)
- Employment Status (FTE, PTE, Seasonal, etc.)
- Required Licensures/Certifications (if applicable)
- Educational Requirements
- HRA contact information
- Application availability
- Announcement closing date
- EOE statement (mandatory)

## 2.06 Application for Employment

All qualified persons expressing interest in a career position with OCG, including current employees, will be given the opportunity to file an application for employment when the county is advertising to fill such positions. All applicants for a position must complete the county's official employment application.

Applicants may be required to submit certificates from educational and training institutions, proof of licensure, and other documentation requested by the county which provides reasonable proof of any statement made on the application.

Any false statements within the application may be cause for rejection of the application or disciplinary action up to and including termination.

Applicants who are not employed with the county and not selected for positions have no appeal rights unless they are alleging that their rights to Equal Employment Opportunity have been violated.

## 2.07 Minimum Qualification Standards

The minimum qualification standards for applicants seeking county employment and for current county employees seeking a promotion or transfer, shall be consistent with the established job class requirements and with any specialized requirements for a specific posting. Minimum qualification standards include the specified education, experience, physical capabilities, and other knowledge, skills, and abilities defined for the job class as established by federal labor standards, and the Supervisor in consultation with the HRA. All job classification and career descriptions may be obtained from the HRA.

## 2.08 Selection

OCG will select the best qualified person for each available position from among the applicants who meet the minimum qualifications established for the position. Evaluation of qualifications is

based upon job-related criteria and without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability, or any other protected category under local, state, or federal law.

It is the responsibility of the CJE, HRA and the affected supervisor to manage the selection process to ensure compliance with state and federal laws, and consistency with OCG's employment practices.

Selection procedures used to determine the qualifications of applicants for any position may include but are not limited to:

- An evaluation of the employment application and other submitted materials.
- Structured interviews.
- Reference checks.
- Driver's license checks.
- Academic verifications.
- Criminal background and credit checks.
- Alcohol/Chemical Dependency testing.
- Competency testing specific to issued license or certification by state or federal agencies.
- Other appropriate means.

OCG reserves the right to condition an offer of employment on the results of a medical examination or screening. The purpose of a medical examination and/or screening is to determine if a candidate is physically able to perform the essential functions of the position and to ensure that an individual's physical condition will not endanger the health, safety, or well-being of other employees or the public.

All written offers of employment shall be submitted by the CJE for OCG ratification.

All employees whose positions are funded through state or federal programs shall be recruited and selected in accordance with the appropriate program guidelines.

Where a declaration of emergency has been declared in accordance with KRS 398, CJE may hire candidates on a temporary basis for emergency purposes without OCFC approval. Approval must be granted within fourteen (14) days of any declaration.

## 2.09 Employment Probationary Period

OCG requires all employees who are appointed to full-time or part-time employment to serve a "new hire" or employment probationary period. Due to programs and services provide by OCG, certain county departments may extend employment probationary employment periods beyond the standard employment probationary period. These exceptions are noted in Section 2.09.1 (Department's with Extended Employment Probationary Period).

The standard employment probationary period is ninety (90) days from the employee's date of hire. The employee's hire date, also referred to as an anniversary date only after the first year of employment, shall be established through an affirmative vote by OCG. When a new employee is appointed to a position, the employment probationary period is regarded as an integral part of the selection process. It affords the employee an opportunity to become acquainted with the new position and provides the county with a period during which the employee's work will be closely evaluated. OCG may terminate any employee without cause at any time during the probationary period. Employees terminated during their employment probationary period have no appeals rights.

Upon the successful completion of the employment probationary period, the employee's classification will be changed to regular employee.

*1. Divisions/Departments with Extended Employment Probationary Period:*

- a. Owen County Emergency Medical Services (OCEMS):
  - i. Employees who are initially appointed to OCEMS are subject to a six (6) month or 180-days employment probationary period to complete minimum training requirements, and must remain in good standing with the OCG, Kentucky Board of EMS (KBEMS) and the OCEMS Medical Director.
  - ii. The OCEMS Medical Director may perform a separate and independent interview and review of the probationary employee within the last fourteen (14) days of the employment probationary period. The Medical Director may make a recommendation to CJE to endorse, limit or revoke medical control sponsorship.
  - iii. Failure to obtain or retain medical control sponsorship regarding all approved Kentucky Board of EMS certification/licensure levels shall be cause for immediate termination of employment with OCG.

## 2.10 Promotions, Demotions or Transfer Probationary Period

Existing employees who are promoted, demoted, or transferred shall serve a ninety (90) day probationary period in the new position. After the probationary period is completed, the employee shall be classified accordingly to the findings and final action chosen.

## 2.11 Promotions and Transfers

Employees are encouraged to apply for vacant positions for which they are qualified. Promotions and transfers are competitive. Reclassifications that result in a promotion or transfer are not considered competitive. The county has the right to make the final selection decision based on qualifications, abilities, experience, and requirements and does not make a guarantee of a promotion or transfer to existing employees.

Promotion and transfer decisions will be made based on job-related criteria and without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability, or any other protected category under local, state, or federal law. The CJE reserves the right to effect promotions or transfers without regard to the recruitment process, if it is determined by the CJE to be in the best interest of the county and with OCG approval.

This policy does not limit the county's right to transfer employees to another position within the same job class considering the needs of the county and the employee.

## 2.12 Demotion

A demotion is an adverse personnel action resulting in a change in employment to a lower grade and/or pay rate. Generally, a demotion is a result of remediation action due to but limited to unacceptable personal conduct, ineffective job performance, or any other conduct not in the best interest of Owen County.

A demotion within the Department of EMS may result from the EMS Medical Director limiting sponsorship or scope of practice to various levels of certification permitted under the authority of KBEMS and are not eligible for appeal or review

## 2.13 Interim Appointment

The CJE may designate a county employee to serve in an acting capacity when a supervisor or supervisory position is vacant due to a forced or voluntary leave of absence of more than four (4) weeks, or as deemed appropriate.

Employees serving in an acting capacity may be compensated to reflect the increased duties they have assumed

When an employee is appointed to an interim position due to a vacancy, the salary for that interim service will be based on their education, special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions.

When the employee is selected for the vacancy at the completion of recruitment for that position, the salary established while serving in the interim capacity will continue and no additional salary increase will occur. When the employee is not appointed because of the recruitment, the salary will revert to the previous salary in force prior to the interim appointment.

## 2.14 Voluntary Reassignment

A voluntary reassignment is a change in employment resulting from assignment to a position in a lower or like pay grade. This change is the result of an agreement between the employee and the county, or it may be the result of an employee applying for and being selected for a position at the

same or a lower grade. If the reassignment is to a lower grade, a letter Request for Voluntary Reassignment must be completed by the employee and forwarded to HRA.

## 2.15 Re-employment

Owen County may consider former employees for re-employment. Employees who are dismissed or who resign in lieu of termination shall not be eligible for rehire. In addition, employees who fail to give a required two-week (2) notice shall not be eligible for rehire. Employees leaving the county for any other reason, including performance reasons or position elimination, are eligible to apply for rehire.

When an employee reapplies, the county will review performance and employment history, as well current qualifications. As with all applicants for employment with OCG, a review of the requirements for the open position and a determination whether to proceed with the interview process will be conducted based on qualifications and position requirements.

Rehired former employees will be subject to serving an employment probationary period.

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## SECTION 3 - EMPLOYEE RESPONSIBILITIES

### 3.01 Work Schedules

The CJE is authorized to establish standard hours of operation for OCG departments as needed and may alter operational hours to meet services and operational needs.

### 3.02 Modified Work Schedules

Authorization of temporary modified work schedules for individual employees is at the discretion of the Supervisor if there is no interruption to a department's operational performance. Supervisors may not change their own work schedules without the authority of the CJE.

The CJE has the final authority to approve permanent modified work schedules. Once the modification is approved, it is the Supervisor's responsibility to inform the HRA in writing of such changes.

### 3.03 Breaks

Per KRS 337.365, OCG recognizes that certain breaks in the daily schedule promote employee health and productivity. Employees may take one (1) ten (10) minute paid break for every four (4) hours worked. All breaks must be arranged so that they do not interfere with county business or continuous service to the public.

Per KRS 337.355, Employees may take a 30–60-minute unpaid meal-break depending on department Standard Operating Guidelines (SOG). Meal-breaks must be scheduled with the approval of the employee's Supervisor or immediate supervisor. The scheduling of meal-breaks may vary depending on department workload.

Employees within the Department of EMS are exempted from this section due to the variances in the workplace environment and workload while serving a twenty-four (24) hour shift. Employees within EMS are encouraged to take breaks, rest and meal periods when feasible, with minimal to no interference or interruption to operational performance.

### 3.04 Gifts and Favors

Public employees shall serve all persons fairly and equitably without regard to personal or financial benefit. Therefore, all county employees are prohibited from accepting a non-monetary gift that exceeds a nominal value of \$25.00. Non-monetary gifts may include advertising items or souvenirs, honoraria for participating in meetings, and meals at banquets. Non-monetary free meals not provided at banquets are prohibited from being accepted by county employees. Any non-monetary gift received by a county employee must be reported to their respective Supervisor.

All county employees are strictly prohibited from accepting any type of direct or implied cash or monetary payment, gift, or reward. All county employees are strictly prohibited from soliciting or receiving any gift, reward, promise of reward, or anything of value, directly or indirectly, in exchange at or consideration for, some action to be taken or not taken in the performance of the employee's duties.

All county employees are strictly prohibited from disclosing confidential information concerning the property, government, or affairs of the county or using such information to advance the financial or other private interest of themselves or others.

Nominal gifts that are provided to a department or group of county employees, such as meals, fruit baskets, cookie tins, candy assortments, etc., may be accepted provided they are approved by the Supervisor and made available to all the employees in the department or group.

Monetary gifts to OCG not more than \$100 may be accepted by the CJE on behalf of the county.

Monetary gifts of more than \$100 shall be forwarded to the county treasurer for deposited into appropriate budgetary line item. If the monetary gift was made to a specific county department, the Supervisor may apply to the CJE for disbursement of the funds for welfare or morale activities benefiting the department.

Any monetary currency fund(s) found on or within OCG property by employees, must be forwarded to the county treasurer for deposit. A minimum of fourteen (14) days must pass without an inquiry from an individual inquiring about lost funds before consideration may be given by the CJE for disbursement.

No county employee who is involved in making or administering a contract on behalf of the county may receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award.

Any county employee who violates this policy is subject to disciplinary action up to and including termination.

### 3.05 Political Activity

Each county employee has a civic responsibility to support good government by every available means and in an appropriate manner. The public has the right to expect excellent service from all county employees on an equal basis without regard to political affiliation. Further, the public should be free from the appearance that support, or non-support, of a person's candidacy for political office may influence the services provided by county employees.

County employees are not restricted from affiliating with organizations of political or partisan nature. While off-duty, county employees may attend political meetings, support and advocate political policies and positions make financial contributions to a political organization and support candidates of their choice in accordance with the U.S. Constitution and the laws of the State of Kentucky. However, all county employees are prohibited from:

1. Engaging in any political or partisan activity while on duty.
2. Using official authority or influence for interfering with or affecting the result of an election or nomination for office.
3. Coercing, soliciting or compelling contributions for political or partisan purposes by another employee of the county.
4. Use of supplies, equipment, or county uniforms for political or partisan purposes.
5. Participating in activities as a candidate for a political office in any local, state, or federal partisan election while actively at work. This section will not apply to individuals holding elected office because of partisan elections as outlined in Section 1.04 (Coverage).

No employee can be required to contribute funds for political or partisan purposes as a duty or condition of employment, promotion, or tenure of office.

Any employee who violates this policy is subject to disciplinary action up to and including termination.

### 3.06 Outside or Secondary Employment

Outside or secondary employment that creates or is perceived to be a conflict of interest is prohibited. The CJE shall be responsible for final interpretation. Conflicting outside or secondary employment will be grounds for disciplinary action up to and including termination.

### 3.07 Employment of Relatives

For purposes of this policy, immediate family is defined as spouse, mother, father, guardian, children, sister, uncle, aunt, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named. The following provisions are applicable to all employees:

1. Members of an immediate family may be employed in the same department, provided that an employee is not supervised by a member of his/her immediate family.
2. Members of an immediate family may not fall under any aspect of a supervisor's scope of responsibility. This restriction includes involvement of family members in writing or reviewing employee performance evaluations.
3. Supervisors may not hire members of their immediate family to work in departments under their scope of responsibility.

### 3.08 Workplace Environment

OCG is committed to establishing, maintaining, and enforcing policies and procedures which ensure each work environment provides a positive, productive, and educational environment for employee success.

The purpose of this policy is to prohibit any form of workplace harassment, hostile work environment or violence by employees. This policy also prohibits retaliation against employees who file complaints, act as witnesses to workplace harassment, and provide evidence in relation to harassment complaints. Retaliation is adverse treatment which occurs because of an employee's opposition to workplace harassment.

All employees are guaranteed the right to work in an environment free from workplace harassment and retaliation. The desired standard of employee behavior is one of cooperation and respect for each other despite any differences.

OCG prohibits any negative action against any employee for reporting a possible violation of this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

All classification of employees, including appointed and elected officials are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related settings outside the workplace, such as during business trips, business meetings and business-related social events.

### 3.09 Safety and Health

OCG is committed to providing a safe and healthy working environment for all employees. It is our policy to ensure that every reasonable precaution is taken to prevent the incidence of accidents, injuries, and illnesses for all employees. We feel there is no job or task that cannot be performed safely, and we expect each employee to follow safe working procedures and use good common safety sense when at work.

Employees must report unsafe conditions or practices to their supervisor immediately. If a work-related accident, injury, or illness occurs, employees must report it to a supervisor immediately.

### 3.10 Drug Testing & Criminal Background Checks

Pre-employment Drug Testing and Criminal Background checks shall be conducted with each candidate seeking career opportunities with OCG.

Random Drug Testing shall be conducted in accordance with federal and state statutes or regulations when applicable and OCG CAC.

Criminal and sexual offender background checks shall be conducted bi-annual thirty days prior to or after an employee's anniversary date.

Employees classified in safety-sensitive position shall have annual criminal and sexual offender background checks conducted each calendar year as appropriate with department or classification requirements, or unless superseded by federal or state statutes or regulations.

Employees that hold Commercial Driver's License (CDL) are subject to guidelines, rules and requirements of the Kentucky Transportation Clearinghouse, and any additional federal and state regulatory agencies.

### 3.11 Maintaining County Security

Keys, security codes and employee identification badges are issued to county employees and representatives to promote the security of county facilities, equipment, and records, and to protect the County from theft or damage to these assets.

#### 1. *Keys & Security Codes:*

- a. County employees will be given only those keys & security codes necessary for work-related purposes. Approval of the issuance of keys & security codes must be given by the appropriate Supervisor. Keys to county buildings and other county facilities and equipment are the property of OCG and must be returned immediately upon request by the county or separation from county employment. An employee who loses or misplaces a county-provided key must report this situation the supervisor.
- b. Employees will be responsible for maintaining their county-provided keys in a safe manner. Unauthorized copying of keys is prohibited. If additional keys are needed, a request must be made through the employee's supervisor. Keys shall not be issued to persons who are not county employees, unless approved by the department supervisor or CJE.

#### 2. *Employee identification badges:*

- a. Employee identification badges are issued to all employees, volunteers, and interns. All these persons listed herein are required to wear an employee identification badge always when conducting county business at county facilities or in the field. The only exception to the requirement to wear county identification badges is when the wearing of the badge constitutes a potential safety hazard or seriously impedes upon the satisfactory performance of duties or when a potential breach of confidentiality of a patient, consumer, or client exists in the performance of official duties by an employee. Anyone who loses or

misplaces his or her county-issued employee identification badge must report this situation immediately to his or her supervisor and arrange for reissue.

### 3.12 Use of County Vehicles or Motorized Equipment

Employees authorized to operate county vehicles or motorized equipment must use these strictly for county business. County vehicles or motorized equipment must be kept on the county's grounds or in its facilities when not in use. The county may allow certain employees to commute to and from work in county vehicles that are covered by certain IRS regulations or county mandated operational requirements. In accordance with federal and state law, an employee may not use a county-owned vehicle for personal use other than commuting. Under these conditions the county will account for commuting use as required in IRS regulations.

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 termination 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.

Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a county vehicle or equipment will be subject to immediate termination from employment.

It is against county policy to allow any non-employee to be transported by county vehicles unless approved by the CJE or Department Manager/Administrator.

Any employee operating or riding in county vehicle or other motorized equipment shall:

1. Operate the vehicle or equipment in accordance with county policy.
2. Operate vehicles and equipment according to local, state, and federal regulations.
3. Wear seat belts or safety equipment always.
4. Refrain from smoking or texting always while operating a vehicle or equipment.

Failure to operate county vehicles or equipment as prescribed by policies, procedures, work rules, or federal and state law, may result in disciplinary action up to and including termination.

County vehicles which serve in an emergency services capacity shall be operated with dew care and within the guidelines established by federal and state regulations, and any further safety guidelines adopted by a department or agency.

### 3.13 Driver's License Requirements and Driving Record

Employees, who operate county vehicles or privately-owned vehicles while conducting official county business as part of the essential duties of their position, are required to have an appropriate driver's license valid in the State of Kentucky, and proof of coverage as an insured driver for personal vehicle use. Any employee whose license is revoked, suspended, or lost, or whose insurance coverage is terminated for their private vehicle used for county business, must notify his/her supervisor immediately. The employee will be unable to resume operating a county vehicle or utilize his/her privately owned vehicle for county business until providing proof of a valid driver's license and insurance coverage to the Supervisor.

Employees who are not able to perform essential job duties due to the suspension or revocation of their driver's license, may be reassigned to a non-driving position or dismissed.

### 3.14 Failure to Obtain or Maintain Required Licenses, Registrations, or Certifications

Employees who fail to obtain or maintain any license, registration, or certification required by relevant law, rule, or provision when the duties of the position require that license, registration, or certification may result in termination. Employees are required to obtain or maintain current, valid credentials as required by law, rule, regulation, and occupational boards.

### 3.15 Smoking and Tobacco Use

Employees are permitted to smoke or use tobacco products in designated smoking or tobacco use areas only.

The use of tobacco products (smoking, dipping, chewing tobacco, snuff, etc.) or alternative products (e-cigarettes, vaping, etc.) is strictly prohibited in all county vehicles.

### 3.16 Information Technology Use

This Information Security Guidelines (ISG) covers the use of all technology resources belonging to OCG, whether individually controlled or shared, stand-alone or networked. It includes, but is not limited to pagers, radios, all computer systems of any size and function and their attached peripherals, telephones, cellular phones, copiers, scanners, fax machines, voice mail systems, e-mail systems, network, and Internet resources, etc.

All technology resources owned by OCG are in place to enable the county to provide its services in a timely and efficient manner. This is the primary function of these resources and any activity or action that interferes with this purpose is prohibited. Ethical and legal standards that apply to information technology resources derive directly from standards of common sense and common courtesy that apply to the use of any shared resource. Because technology systems are constantly evolving, OCG requires its employees to use a common-sense approach to the rules set forth below, complying not only with the letter, but also the spirit, of this policy.

### 3.17 County Property

Employees may be issued or have access to county property in the course and scope of employment. Employees are expected to maintain county property in proper and safe working condition and report any loss or damage to their supervisor immediately. Employees may be held responsible when in their charge for assigned county property that is lost or damaged due to negligence, misuse, or abuse. Employees are expected to return any county property that is assigned or otherwise in their possession upon separation of employment.

### 3.18 Confidentiality of Records and Information

All employees of OCG are reminded that personnel information gathered by the county in any form, relating to any employee, by way of illustration and not limitation, applications for employment, selection or non-selection for employment, and performance and certain other personnel actions. Personnel information includes information about applicants as well as former employees. Failure to maintain information confidential is cause for criminal penalties.

Employees working in healthcare environments or law enforcement, shall be required to read and sign the EMPLOYEE PRIVACY AND SECURITY OF PROTECTED HEALTH, CONFIDENTIAL & SENSITIVE INFORMATION AGREEMENT (OCG Form-006).

Employees, who fail to comply with known work rules, including the privacy of personnel and health information pursuant to applicable state and federal laws, are subject to discipline up to and including termination.

### 3.19 Social Media

OCG understands that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. The use of social media also carries with it certain responsibilities and presents certain risks. To assist you in making responsible decisions about your use of social media, we have incorporated guidelines regarding the appropriate use of social media as an employee of OCG.

- a. Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly.
- b. Be open about any previous posts you have altered.
- c. Remember that the Internet archives almost everything; therefore, be advised that even deleted postings can be searched.
- d. Never post any information or rumors that you know to be false about Owen County, fellow employees, citizens, clients, vendors, or people working on behalf of OCG.
- e. Post only appropriate and respectful content.



- f. Maintain the confidentiality of Owen County private or confidential information (specifically information related to confidential personnel information or confidential health information protected by HIPAA).
- g. Do not disclose information that you gain because of your trusted position as an employee of OCG that you would not have access to otherwise.
- h. Do not create a link from your blog, website, or other social networking site to an Owen County website without identifying yourself as an Owen County employee.
- i. Express only your personal opinions.
- j. Never represent yourself as a spokesperson for OCG. If OCG is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of OCG, fellow employees, citizens, clients, vendors, or people working on behalf of OCG.
- k. If you do publish a blog or post online related to the work you do, or subjects associated with OCG, make it clear that you are not speaking on behalf of OCG. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of OCG."

### 3.20 Social Media at Work

Refrain from engaging in social media while on duty, and it is strictly forbidden to use county equipment for social media activities unless it is work-related or authorized by your supervisor consistent with [Section 3.16](#) (Information Technology) and [Section 3.19](#) (Social Media). Employee's may use personal equipment to access social media sites during authorized breaks. Employees shall not utilize OCG email addresses, mailboxes, or other assigned electronic identification addresses to register on social networks, blogs or other online tools utilized for personal use.

### 3.21 Media Contacts

Employees shall refrain from speak with the media on behalf of OCG's without first contacting the designated county Public Information Officer (PIO) or CJE.

All media inquiries should be directed to the CJE or PIO.

### 3.22 Alcohol and Chemical Dependency Free Workplace Guidelines

Refer to Alcohol & Chemical Dependency Free Workplace Guidelines for specific policy details.

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## SECTION 4 - CLASSIFICATION PLAN

### 4.01 Adoption

OCG is responsible for adopting a classification plan which assigns each employment positions to a series of job classes. The classification plan is the official system of grouping positions into appropriate classes. The classification plan encompasses all positions available for employment in Owen County.

### 4.02 Maintenance of the Classification Plan

The Human Resources Administrator, as directed by the CJE, is responsible for maintaining the classification plan to ensure that it accurately reflects the duties performed by employees in the job classes to which their positions are assigned. Supervisors are responsible for providing the HRA with documentation of substantive changes duties, responsibilities, working conditions or other factors that could affect the classification of any existing position under their supervision.

When the HRA determines through job audit and/or job evaluation that substantial change has occurred in the nature or level of duties and responsibilities of an existing position, a recommendation is prepared for the CJE to revise or reassign the existing position to the appropriate job class within the existing classification plan, to amend the classification plan by establishing a new job class to which the position may be assigned, or to take other action as needed.

The Human Resources department maintains all official class descriptions for all county positions as well as a record of all budgeted and authorized positions.

### 4.03 Classification of New Positions

The HRA, as directed by the CJE, is responsible for reviewing and making recommendations to assign a new position to an existing job class or to a newly created job class. The recommendation must consider documentation furnished by the supervisor outlining the duties, responsibilities, typical tasks, and qualifications proposed for the position and the results of a job audit and job evaluation to be conducted by the HRA or the Supervisor.

### 4.04 Amendment of the Position Classification Plan

The CJE will recommend amendments to the classification plan to the OCFC as needed. Any position classification amendments shall be approved by OCG.

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## SECTION 5 - COMPENSATION PLAN

### 5.01 Adoption

The compensation plan refers to the schedule of compensation ranges established for all job classes within the county's classification plan. Each pay range may consist of a minimum, midpoint, and maximum rate of pay. The pay range defines the lower and upper limits that the county is willing to compensate for positions assigned to the pay range. Each compensation range is assigned a pay grade number that is unique to the county's compensation plan. The compensation plan is designed to promote employee progression through the pay range, so long as the employee's performance is consistently satisfactory or better. OCG is responsible for adopting the compensation plan.

### 5.02 Maintenance of the Compensation Plan

The Human Resources Administrator, as directed by the CJE, is responsible for the administration and maintenance of the compensation plan. The compensation plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the rates of pay for comparable positions in private and public employment in the area, changes in the cost of living, the financial conditions of the county, and other factors. The CJE is authorized to make comparative studies of all factors affecting the compensation plan.

When the HRA determines through periodic market analysis and/or salary surveys that a reasonable change has occurred in the pay level of an existing position, a recommendation may be prepared for the CJE to revise or reassign the respective position to the appropriate pay range within the existing pay range table, or to take other action as needed.

### 5.03 Starting Salaries

Starting salaries will be established using the guidelines of the compensation plan. The starting salary recommendation for internal and external candidates may consider factors including but not limited to employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions.

Prior to making an offer of employment, the HRA in consultation with the selection committee (when applicable), will submit a recommended starting salary to the CJE for approval. Appointment of an employee at a salary rate above the midpoint rate established for the job class shall be approved by the CJE.

### 5.04 Annual Pay Rate Adjustments

OCG may annually address the compensation of its workforce and officials (statutorily regulated elected official's salaries exempted) by considering an adjusting the base salary of each official or accepting an annual recommended Cost of Living Adjustment (COLA) or a combination thereof. The intent of this action is to assure the compensation for all the county's elected officials remains consistent with those of other government jurisdictions of comparable size and structure.

Overall recommended department adjustments shall be presented by supervisors by the first Monday of March to the HRA and CJE for review. These recommendations will be considered while formulating a department's budget during the budget process.

### 5.05 Pay for Part-Time Work

An employee appointed for less than fulltime service shall be compensated according to approved compensation rates.

### 5.06 Overtime Compensation

It is OCG's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and Kentucky Labor Cabinet. Each job description shall be designated as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act (FLSA).

Employees in an exempt job class may not be paid for hours worked over 40 hours in a work week.

Exempt classified employees shall earn compensatory time equal to all hours worked over forty (40) hours per work week at a regular rate of compensation.

Employees in non-exempt job class who work more than forty (40) hours in a work week will be compensated at an overtime rate of one and one-half (1.5) hours for every hour worked, except for nonexempt law enforcement employees.

All overtime must be authorized in advance by the employee's Supervisor, supervisor or CJE.

Paid holidays or hours on which an employee does not physically work including paid vacation and sick leave, will not be counted as hours worked in computing overtime unless authorized by the CJE due to emergency situations.

Non-exempt employees who work overtime will be paid for all overtime incurred during the pay period in which the overtime was worked.

### 5.07 Payroll Deductions

Only payroll deductions mandated or authorized by applicable federal, state, and local statues, regulations or ordinances, or judicial order, shall be payroll deducted as prescribed by order of the

authorizing agency. All voluntary deductions must be authorized by the employee and approved by the HRA, and CJE.

When OCG becomes aware of a deduction which may have been made improperly, OCG will fully investigate the situation and reimburse an employee(s) approval of the CJE. The HRA shall be charged with formulating an action plan(s) to prevent improper deductions from reoccurring.

#### 5.08 Time & Attendance Records

OCG will provide a time record management system for employees to access twenty-four hours a day, 365 days a year securely and safely, to appropriately manage their work schedule and report their work hours accurately. It is the employee's responsibility to provide a true and accurate time record for each pay period. All-time records shall be verified and signed by the employee according to established payroll operating guidelines.

Each employee is responsible to verify their hours by each departments designated verification date. Verification validates that employee concurs that the hours recorded and that will be submitted to HR for payroll processing are correct. Errors identified after payroll has been submitted, shall be rectified prior to the next pay period, and pay not later the second pay period following the correction.

It is the responsibility of the employee's supervisor to verify and approve time records for each pay period. Authorization of a department's time records shall be the responsibility of the Supervisor.

Falsification or misrepresentation of time records may result in disciplinary action, up to and including termination of employment. Time records must be submitted on a timely basis for each respective pay period.

Time record errors, whether clerical, mathematical or in conflict with policy, shall be brought to the attention of the employee's supervisor, who shall validate and authorize any changes to the time record, which shall indicate the employee's acknowledgement and verification of the change.

Time record errors identified during payroll processing by the HRA shall be brought to the attention of the supervisor and the CJE.

#### 5.09 Pay Periods and Pay Process

OCG employees shall be compensated bi-weekly. Each employee will receive an "Earning Statement" detailing their compensation for the specified time-period worked and additional information referencing benefit time earned and earnings summary for the calendar year.

Earning statement will be made available at the employees designated department administrative office.

Discrepancies identified within a payroll record shall be reported to the employee's immediate supervisor.

#### 5.10 Direct Deposit

OCG mandates that all employees receive payment in electronic format or direct deposit. OCG administers payroll fund distribution through a direct deposit system that allows employees to receive deposit payments directly to savings or checking accounts.

Each employee may select the accounts for direct deposit of payments through the HR Department, and is responsible for maintaining accurate, up to date, direct deposit information.

Any erroneously deposited funds resulting from the failure of the employee to communicate updated information to the county may cause a delay in payment, while the erroneously deposited funds are recovered from the incorrect financial institution.

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## SECTION 6 - COUNTY RETIREMENT, WORKER'S COMPENSATION & FAMILY AND MEDICAL LEAVE ACT (FMLA)

### 6.01 Retirement Benefits

OCG shall provide retirement contribution as determined by the County Employee Retirement System (CERS) for non-hazardous and hazardous retirement programs.

Full details of any of these employee benefits are available from Human Resources.

### 6.02 Workers' Compensation

OCG strives to provide and maintain safe and healthful working conditions, and to follow operating practices that will result in safe working conditions and efficient operations. OCG expects all personnel to be safety-conscious and to assist in finding conditions in work environments which might pose a potential risk or harm. When a risk has been identified, personnel shall report their concerns or the risk in the work environment to their supervisor. Employees shall never conduct themselves in an activity which is not within their job description or specifically sanctioned by their supervisor.

The Workers' Compensation Program is administered by the Kentucky Department of Workers' Claims (DWC) within the Kentucky Labor Cabinet in accordance with state law. Workers' Compensation generally covers employees for sickness and injuries that are deemed job-related under Kentucky Revised Statutes Chapter 342. The Workers Compensation Act provides medical care benefits and management, provisions for disability rating and pay, and death benefits when appropriate. OCG pays the total cost of this program for its employees. General provisions for coverage compliance are:

DIAL 911 WHEN ANY INJURY WHICH THREATENS LIFE, LIMB OR THE WORK ENVIRONMENT OF THE EFFECTED EMPLOYEE OR OTHERS.

Immediately reporting any work-related injury or illness to their supervisor regardless of whether medical treatment is needed. Failure to report a work-related injury or illness in a timely manner could result in the denial of the workers' compensation benefits.

In the event an employee is injured at work or becomes ill due to a workplace condition, the employee must immediately report this to their supervisor and follow the Worker's Compensation Claim Intake procedure outline in Table 1.0.

All employees injured while performing a sanctioned work activity, shall follow the following procedures as outlined in Table 1.0.

Written documentation of any work restrictions, time away from work and/or changes in restrictions or work status; shall be reported immediately to an employee's supervisor, and the HRA Documentation may be submitted to the supervisor in person, by fax, or by any other means which ensures OCG will receive the documentation promptly.

Reporting back to work after receiving medical treatment, if seen during normal working hours, unless otherwise instructed and documented by the physician. If seen after normal working hours, the employee is expected to return to work at their regular starting time the following day, unless documented as unable to return to work by the authorized treating healthcare provider. Failure to report to work promptly after receiving medical treatment may result in disciplinary action, up to and including termination.

An employee shall follow any physical restrictions imposed by the authorized healthcare provider during non-working hours as well as working hours.

Completing time records for any hours worked and any time away from work while receiving workers' compensation benefits, shall be reported to the employee's supervisor.

The supervisor shall note "Workers' Comp." on the employee's time record for any time missed due to their work-related injury or illness.

(Employees involved in any work-related accident or injury shall submit to a drug and alcohol test in accordance with Section 3.11 (Drug Testing and Criminal Background).

### 6.03 Family and Medical Leave Act

OCG is a qualified employer subject to the provisions of the federal Family and Medical Leave Act of 1993 (FMLA). Considering the complexity of the FMLA's eligibility and benefits provisions, employees are encouraged to schedule an appointment with a HRA for detailed information regarding the FMLA. In addition, supervisors who become aware of a potential need for FMLA should refer the employee to HRA.

It is the policy of OCG not to discharge or discriminate against any employee exercising his/her rights under the FMLA. Any employee that feels he/she has been treated unfairly should follow the grievance procedure outlined in Section 10 of this policy manual.

BLT is not accrued while receiving FMLA benefits.

Holiday pay is suspended during the period of unpaid leave until the employee returns to work.

An employee shall utilize BLT during any period of FMLA to cover the cost associated with elected benefits provided by OCG.



## 6.04 Maximum Leave of Absence

All employees will be subject to a maximum leave of absence (paid or unpaid) up to twelve (12) weeks for qualifying FMLA leave and up to twenty-six (26) weeks for military caregiver FMLA leave. Leave may be extended up to a maximum of twelve (12) consecutive months at the discretion of the CJE unless preempted by state or federal regulations. Employee's leave status will be reviewed periodically; however, once an employee has been on leave for six (6) consecutive months, the employee's status will be reviewed in detail to determine if the employee is to be separated from employment with OCG.

Except for FMLA leave, an employee must request a leave of absence in writing from the employee's department director/administrator. All requests for non-FMLA leave of absence require the affirmative recommendation of the Supervisor/administrator, HRA and the approval of the CJE.

During any period of leave exceeding twelve (12) weeks for FMLA (twenty-six (26) weeks for military caregiver FMLA leave), OCG reserves the right to fill, change or eliminate a vacant position if required by the needs of OCG.

When the employee fails to return to work on the agreed date, the continued absence will be viewed as a voluntary resignation.

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## SECTION 7 -BENEFIT LEAVE TIME (BLT)

### 7.01 Holidays

OCG grants classified employees paid holiday leave as an additional benefit of employment. No later than December 31st of each year, OCG shall adopt a holiday schedule for the upcoming fiscal year. The holidays adopted by OCG shall generally follow the holidays observed by the Commonwealth of Kentucky. OCG reserves discretion to modify the holiday schedule.

Certain OCG departments (i.e., Emergency Services, Public Works, etc.) are unable to close for observed holidays. In addition, under some circumstances, employees of departments that are closed for the holiday may be required to report to work.

All full-time employee classifications shall receive eight (8) hours of holiday compensation at regular pay. Holiday compensation is not subject to overtime compensation rates.

The CJE may change the day on which a holiday is observed by a department when the change is required to serve the needs of the citizens of Owen County.

The CJE may reduce or reschedule hours of operation for departments whose functions regularly require extended hours of operation. Employees of departments whose observed days or hours of operation are changed shall be responsible for full work week(s) and shall gain no additional benefit not granted to other county employees. Those employees who cannot be rescheduled must use approved annual leave to complete their work week(s). Affected employees without annual leave balances shall utilize leave without pay.

Regular holidays that occur during any selected paid leave period, will not be charged to the employee as vacation, sick or other paid leave.

Holiday pay is also suspended during the period of unpaid leave until the employee returns to work.

### 7.02 Vacation, Sick & Paid-Time-Off (PTO)

Benefit Leave Time (BLT) (Vacation, Sick and Paid-Time-Off) is a benefit granted by OCG to eligible regular full-time classified employees working a minimum of 162.5 hours per month.

All non-FTE classified employees are not eligible for benefit leave time.

BLT is classified into two separate programs.

- a. Personnel not associated with the Department for Emergency Medical Services (EMS) shall be granted vacation and sick leave time.

- b. Personnel associated with the Department for Emergency Medical Services shall be granted Paid-Time-Off (PTO) leave.

OCG encourages employees to utilize BLT throughout their employment. Employees are responsible for monitoring and utilizing BLT appropriately while adhering with specific county or department policies or guidelines regarding the usage of BLT.

All BLT shall carryover from each fiscal year with no accrual limit.

BLT accrual begins from the date of hire. An employee may request BLT only after a thirty (30) day wait period from the date of hire, and only when BLT is reported on or after the first day of the month preceding the thirty (30) day wait period.

- Example:  
Date of Hire: Aug 15, 2022  
Waiting Period (30 days): August 15 to September 15, 2022  
BLT available for usage: October 1, 2022

Employees separating from employment in good standing:

- a. An employee that separates in good standing prior to 20<sup>th</sup> of that month, shall not accrue BLT during the month of the separation
- b. An employee separating in good standing may roll over a maximum of 1000 hour of accrued of Sick or PTO time toward their CERS account.
- c. An employee separating in good standing, shall receive a maximum payout balance of two hundred and forty (240) calculated at a regular hourly rate of pay at the time of separation. To qualify for BLT payout, the following criteria shall be met:
  - i. FTE shall be in good standing upon separation
  - ii. FTE shall be employed greater than three-hundred and sixty-five (365) days with OCG FTE's that separate employment prior to completing the employment probationary period, are not eligible for BLT payout.

Any employee that separates from OCG negatively or not in good standing, shall forfeit all accrued benefit leave time upon separation.

Any employee in good standing may request a disbursement of vacation or PTO BLT time (sick time not included) when an employee has accrued more than two-hundred and forty (240) hours. Employee's may request in writing; a disbursement amount up to fifty (50%) of the accrued time over the two-hundred and forty (240) hour baseline.

- Example:  
480 hours accrued by September 31<sup>st</sup>.  
240 hours accrued over the 240-hour base line  
120 hours (50%) are eligible for disbursement

Written request must be submitted between October 1<sup>st</sup> and October 15<sup>th</sup> in a calendar year.

## PTO Leave Accrual Rate Non-Exempt Emergency Medical Services Personnel (2912 hours/year)

Accrual Per Month	Accrual Per Year	Maximum Carry Over
24	288	Unlimited

## Vacation &amp; Sick Leave Accrual Rate Exempt &amp; Non-Exempt Regular Full-time (2080 hours/year) for Non-Emergency Medical Service Personnel

Years of Continuous Service	Vacation		Sick		Maximum Carry Over
	Accrual Per Month	Accrual Per Year	Accrual Per Month	Accrual Per Year	
5 yrs. or less	8	96	8	96	Unlimited
6 > 10 yrs.	10	120	8	96	Unlimited
11 > 15 yrs.	12	144	8	96	Unlimited
16 years >	14	168	8	96	Unlimited

## 7.03 Paid-Time-Off (PTO)

PTO is granted to personnel assigned to the Department for Emergency Medical Services and may be expended as vacation or sick time. PTO shall also be utilized to meet the FMLA requirement for expending earned BLT to cover employee selected coverages.

The Department for Emergency Medical Services shall promulgate directs as to the proper use and recording of the utilizations of PTO by department personnel.

## 7.04 Vacation Leave

Vacation leave procedures shall be outlined by each department's SOG. Accrued vacation leave may be used by employee's subject to eligibility and upon approval from the immediate supervisor.

Scheduling employee vacation leave shall be achieved without undue disruption to department operations.

## 7.05 Sick Leave

Sick leave may be granted to an employee absent from work for any of the reasons such as, sickness, bodily injury, required physical or dental examination or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of the immediate family but may not exceed five (5) days for any one occurrence. Immediate family for the purposes of this policy means; spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named.

*Physician's Certificate for Sick Leave for Non-EMS Employees:*

- a. The employee's supervisor or Supervisor may require a physician's certificate concerning the nature of the illness and the employee's physical capacity to resume duties for each occasion on which an employee uses sick leave more than three (3) consecutive days. Any restrictions of duty must be prescribed (in detail) by the employee's physician and submitted on the treating physician's letterhead.
- b. The supervisor or Supervisor may also require a physician's certificate for less than three (3) days if they suspect abuse of sick leave privileges. Supervisors and Supervisors will submit all physician certificates and other medical data pertaining to an employee to Human Resources for filing.

*Physician's Certificate for Sick Leave for EMS Employees:*

- a. The employee's supervisor or Supervisor may require a physician's certificate concerning the nature of the illness and the employee's physical capacity to resume duties for each occasion on which an employee uses sick leave more than two (2) consecutive days. Any restrictions of duty must be prescribed (in detail) by the employee's physician and submitted on the treating physician's letterhead.
- b. The supervisor or Supervisor may also require a physician's certificate for less than two (2) consecutive days if they suspect abuse of sick leave privileges. Supervisors and Supervisors will submit all physician certificates and other medical data pertaining to an employee to Human Resources for filing.

## 7.06 Leave without Pay

Regular full-time personnel may request a leave of absence without pay, for absence(s) not covered by any other type of eligible paid leave, or if other paid leave balances are exhausted.

Requests for leave without pay shall be submitted in writing to the employee's immediate supervisor. If the leave is approved by the supervisor, then the request will be forwarded to the HRA and the CJE for final approval.

The following requirements apply:

1. Leave may be granted to an employee for a period of up to ninety (90) consecutive days.
2. Accrued BLT must be exhausted prior to taking any leave without pay, when the leave without pay request does not follow the guidelines under Section 7.05 (Sick Leave).
3. An employee's BLT accrual are suspended during the period of unpaid leave until the employee returns to work.
4. Holiday pay is also suspended during the period of unpaid leave until the employee returns to work.
5. Leave without pay will run concurrent with any eligible Family and Medical Leave Act (FMLA)
6. An employee that fails to report promptly at the end of the unpaid leave, unless otherwise prohibited by law or regulation, shall be classified as terminated.
7. While out on leave without pay, the employee is not earning compensation, therefore the county is unable to contribute or match contributions for the employee's CERS account.
8. Employees granted leave without pay are responsible for paying all elected benefit plan premiums, including the employee's health and dental insurance costs that the county typically pays as a benefit to the employee. Failure of the employee to pay any required benefit plan premium timely will result in termination of the benefit due to non-payment of premium.

### 7.07 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 federal fiscal year (FY), 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

### 7.08 Civil Leave

Civil leave will be granted to regular employees who are summoned to attend court as a juror or witness, except when involved in personal litigation.

OCG employees called for jury duty or as a court witness for federal, state governments or a subdivision thereof; shall receive leave with pay for such duty during the required absence without using accumulated vacation or sick leave, provided that the employee returns to work immediately upon release from court. An employee(s) shall accrue benefit leave as though on regular duty.

Employees who are subpoenaed for court appearance as witnesses because of their official duties with the county shall not suffer loss of pay for compliance with the subpoena. The employee must notify the supervisor of the date and time of the appearance, provide a copy of the subpoena, and return to work immediately after release from court and submit proof of appearance to the supervisor upon request.

Any court salary paid to the employee for jury duty can be retained by the employee.

An employee required to serve as a witness because of his or her official duties shall remit to OCG any witness fees paid by the court.

Employees on Jury Duty which are sequestered and are scheduled for work shall be protected from loss of pay for the entire twenty-four (24) hour period, minus the jury duty salary received by the court.

### 7.09 Parent Involvement in Schools

OCG employees who are parents, guardians, or persons "standing in loco parentis" of a school-aged child will be granted four (4) hours per year of unpaid leave to attend or otherwise be involved at their child's school.

For the purposes of this section, "school" means any public school, private church school, church of religious charter, non-public school, preschool and child daycare facilities.

Leave for Parent Involvement in Schools is subject to the following conditions:

1. The leave shall be at a mutually agreed upon time between the supervisor and the employee.
2. A written request must be submitted to the supervisor for the leave at two (2) weeks before the time desired for the leave.
3. Written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave.

### 7.10 Emergency Office Closures

It is the policy of OCG to remain open for business whenever possible during regularly scheduled hours of operation (CJE Office hours 8am to 4pm Monday thru Friday), to the maximum extent allowable by weather conditions.

The CJE may at their discretion close government offices to the community for the safety of the employees and the public. The Supervisor will assess the situation and may allow all or a select group of employees to work after government offices are closed to meet operational needs for public services.

Whether OCG offices are open or closed, employees are encouraged to use their judgment in determining their safety needs during severe weather and to act accordingly. Employees who are not able to report due to weather conditions are required to notify their supervisor, and to report to work when safety permits. Employees must also notify their immediate supervisors prior to leaving work during severe weather.

Non-exempt employees will be compensated for those hours worked. Hours not worked due to inclement weather or emergencies may be compensated with one of the following:

- Accrued Vacation Leave
- Working additional hours within the same work week to make up for lost time, provided work is available, subject to approval of the employee's immediate supervisor.

Exempt employees who are not eligible for overtime and who do not report to work will be allowed the same options noted above for non-exempt employees.

### 7.11 Bereavement Leave

OCG recognizes that bereavement is a difficult life event, requiring time to grieve and fulfill family obligations. OCG further recognizes that failure to take this time may negatively impact work and the employee's transition back to a normal routine.

It is OCG's intent to provide eligible regular full-time employees with eight (8) hours per day of bereavement leave, for three (3) consecutive days.

OCG's bereavement leave policy is intended to be administered in a respectful and flexible manner. An employee shall notify their immediate supervisor of the need to take bereavement leave as soon as possible. The immediate supervisor and the employee should agree on how much time is needed. The basis for the decision might include the employee's relationship to the deceased, travel distance, and his or her involvement in funeral arrangements.

The Supervisor/administrator may at their discretion in compelling circumstances grant additional paid bereavement leave beyond the twenty-four (24) hours granted. Paid time off and leave without pay are also options that may be used to extend bereavement leave beyond five days.

When employee leaves work early on the day he or she is notified of the death, the time is not counted as bereavement leave.



Employees with active personnel actions issues may be asked to provide documentation regarding their request for bereavement leave.

Employees are responsible for adherence to OCG's bereavement policy. Failure to do so may result in disciplinary action up to and including termination.

### 7.12 Voluntary Sick Leave Time Donation Program Purpose

There are occurrences brought about by prolonged medical conditions that cause employees to exhaust all available leave and therefore be placed on leave-without-pay. OCG recognizes that such employees could be without income at the most critical point in their work life. OCG also recognizes that fellow employees may wish to donate some of their vacation leave voluntarily to aid fellow employees.

This program provides an opportunity for employees to assist another affected by a medical condition that requires absence from duty for a prolonged period resulting in possible loss of income.

In those cases of prolonged medical condition, an employee may apply for or be nominated to become a recipient of leave transferred from the sick or PTO leave account of one or more employees. Both the employee recipient(s) and donor(s) shall be current employees of the OCG.

1. The following definitions shall only apply to this section (Section 7.12).
  - a. Qualifying Condition: A medical condition shall be a non-work-related illness or injury.
  - b. Employee: A regular classified employee, the employee's spouse, or an employee's legally dependent children.
  - c. Medical Certified Condition: A medical illness or injury which shall be certified by a licensed professional healthcare provider.
  - d. Healthcare Provider: A licensed Medical Physician, Doctor of Osteopathic Medicine, Dentist, Physician Assistant or Family Nurse Practitioner.
2. Any regular classified employee shall be eligible to receive donated sick leave time based on the following criteria:
  - a. The employee recipient's need for absence is certified by a healthcare professional.
  - b. The employee recipient has exhausted all available sick leave time.
  - c. The employee recipient provides documentation for a medically qualifying condition which requires the use of sick time leave more than.
  - d. The employee has complied with the policies governing the use of sick leave time.
3. Limits for Sick Leave or PTO time donation:
  - a. Sick Leave donation: Employee donor(s) may donate unlimited amount of accrued sick leave time to employee recipient(s). The donating employee may not follow below ninety-six (96) of accrued sick time

- b. PTO donation: Employee donor(s) may donate unlimited amount of accrued PTO time to employee recipient(s). The donating employee may not follow below one-hundred and forty-four (144) hours of accrued PTO time.

Sick or PTO leave time shall be donated as a lump sum and may not be donated by pay periods or as needed.

As the employee recipient accrues earned sick leave time, the employee recipient shall utilize earned leave prior to utilizing donated BLT leave time. The employee recipient shall use donated leave in the order in which was received.

All donated sick leave time shall be paid as regular hours for sick leave. Overtime rate compensation is prohibited.

All requests for donated time shall be made in writing by the donating employee(s) to the department's supervisor and HRA.

Participation in the Sick Leave Sharing Program shall be at the discretion of the employee recipient and requires approval from the CJE or the elected office holder.

The employee recipient may retain the donated sick leave time upon return to regular work status, only when the employee recipient has submitted proper documentation verifying sporadic continued care shall be required and has obtained approval from the HRA and the CJE or Elected Office holder for the usage of donated sick leave time.

Recipient employee(s) shall not retain the excess leave to be used for unrelated conditions.

Sequence of restoring unused leave to donors. When the employee recipient(s) returns to regular work and the donated sick leave time is no longer needed for a qualifying condition, excess sick leave time may be returned to employee donor(s) in reverse order of donation (last employee donor(s) leave is returned first.)

#### 7.12 Elected Benefits – Other

OCG provides the additional benefits or Elected Benefits to regular full-time employees. Please consult the HRA for further information.

Health, Dental and Vision Insurance coverage are made available to regular full-time employees.

#### 7.15 Employer covered health coverage opt-out program

OCG offers employees the ability to opt-out of county paid health coverage for a single plan employee only. To qualify for the opt-out health program, and employee must receive verified

health coverage through another health insurance provider through a qualifying event. To learn about qualifying events, employees should contact the HRA.

Employees that do qualify for the county health opt-out program, will receive in lieu of monthly health coverage, a monthly monetary disbursement equal to the net cost of the healthcare coverage for an individual plan, which varies each fiscal year. Health opt-out program disbursed funds are taxed.

Employees that have a qualified event that prevents continuance of the opt-out healthcare program, will be permitted to enroll and receive single coverage through OCG.

#### 7.14 Educational or Training Benefits

OCG encourages participation in personnel training and development programs, which enhance employees' skills, assure high quality performance, and promote effective public service. Attendance at training and development programs will be provided for all employees, without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability, or any other protected category under local, state, or federal law.

Full details of any of these employee benefits are available from the HRA.

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## SECTION 8 - REMEDIATION ACTION

The CJE serves as the chief executive personnel manager, permitted to recruit personnel, offer recommendations for hire to the OCFC and has sole discretion to impose actions on personnel such as remediation, suspension, or termination action without OCFC approval.

Supervisors are responsible for maintaining the proper conduct and performance standards of employees under their supervision. When a manager determines that an employee's performance or conduct is unacceptable, they may impose appropriate remediation action to secure the employee's job performance.

All employees are categorized as "at will" and serve at the pleasure of the CJE. Special employment contracts, federal and state program personnel may not be subject to all administrative policies established by OCG and will be so noted during contract negotiations.

Temporary and probationary employees shall be terminated without notice or cause and without any hearing or right of appeal, except when the employee alleges unlawful employment discrimination based on race, age, color, gender, national origin, religion, or disability.

Any employee, regardless of occupation, position, or profession may be remediated, demoted, suspended, or terminated by the authority granted by the CJE. The degree and type of action taken shall be based upon the sound and considered judgment of the CJE, supervisor and the HRA in accordance with the provisions of this policy.

All EMS medical control sponsorship actions, remediations, separations or terminations are not subject for review by the CJE or OCFC.

### 8.01 Performance Improvement Plan

Each department within OCG shall establish a performance improvement guideline. The guidelines outline a method to help improve conduct or performance that is less than acceptable and provides special direction intended to help an employee achieve and sustain satisfactory conduct and/or performance.

A performance improvement plan, which normally covers a thirty (30) day period, must state the process and timetable that will be used to determine if less than satisfactory conduct and/or performance have improved. Performance Improvement Plans shall be signed by the employee, supervisor and filed with the Department of Human Resources.

When the employee successfully or unsuccessfully fulfills the conditions of the Performance Improvement Plan, the supervisor will submit written documentation to the Division/Department Administrator and the Human Resources Administrator.

When an employee fails to complete or meet a performance improvement plan, final disposition action to retain or terminate an employee shall be determined by the CJE and HRA.

#### 8.04 Suspension

A suspension is the temporary removal of an employee from duty for investigative reasons and may be sanctioned with pay.

Prior to placing an employee on suspension, the following steps must be taken:

1. The employee's supervisor will inform the employee of their recommendation for the suspension and the reasons supporting that recommendation. The employee shall respond in writing and to add any additional information.
2. All documentation will be presented to the HRA for CJE review and action.
3. The CJE shall render a decision in writing under following conditions:
  - a. Suspension: Letter notifying the employee of the specific reasons for the suspension, the effective dates, and a statement of the employee's appeal rights.
  - b. No action taken: Letter notifying the employee that no action is taken.

A copy of the written notice shall be made part of the employee's personnel record.

**Note:** In accordance with FLSA requirements, an exempt status employee may not be suspended without pay, except for safety reasons, for less than one full workday.

#### 8.05 Demotion

Demotions may be proposed for several different reasons, including employee performance, position elimination or organizational restructuring, and at times an employee- desired reduction in responsibility.

A demotion is the reassignment of an employee to a classified position.

Demotion for unsatisfactory job performance may be made only after the employee has received three (3) performance improvement plans within an eighteen (18) month period.

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## SECTION 9 – TYPES OF SEPARATION FROM EMPLOYMENT

### 9.01 Purpose

Separation from OCG occurs when an employee or OCG have determined that either party independently or mutually agree to discontinue an employment relationship and stated an intent to no longer continue an association.

The employee's separation date should be the actual last day worked; it may not be on a county holiday unless the holiday is an actual workday for the employee.

### 9.02 Voluntary Resignation with Notice

1. A minimum of a two (2) week written notice is expected of all resigning non-management employees. Such notice should be given to the employee's immediate supervisor, to be forwarded to the Supervisor Administrator.
2. In the case of management employees, a four (4) week minimum notice of resignation shall be given to the County CJE.
3. Vacation time shall not be utilized for the two (2) week resignation period. If the full two (2) week notice period is not completed by the employee, the separation shall be classified as non-compliant; the employee forfeits all accrued BLT and will be classified to be in negative standing and so noted in the employee's permanent record.

### 9.03 Resignation without Notice:

Resignation action without notification shall be classified as a termination, and result in loss of all accrued BLT and shall result in a negative action noted to the employee's personnel file.

An employee that leaves their work environment while performing their duties without authorization, shall be separated by termination.

### 9.04 Separation Due to Unavailability

An employee may be separated based on unavailability when the employee becomes or remains unavailable for work.

Individual departments of OCG shall promulgate guidelines outlining the requirements for department workforce availability.

### 9.05 Retirement:



An employee may retire when he or she is eligible and applies for retirement benefits from the appropriate Kentucky Retirement System program. A four (4) week minimum retirement notification shall be provided to OCG.

#### 9.06 Reduction-in-Force

Employees that are separated from OCG due to a reduction-in-force will be given a minimum two (2) weeks written notice of the anticipated separation.

#### 9.07 Termination

Termination is a personnel action which is warranted to preserve and protect the safety and well-being of all individuals engaged with or are serviced by OCG. This is the most severe personnel action which may be imposed by management and requires approval from the supervisor, HRA and CJE.

The County is an "at-will" employer and retains the right to terminate employment at any time and for any reason not prohibited by law.

Before an employee may be separated, the following procedure shall be followed:

1. The department supervisor and head shall investigate the circumstances which may lead to the separation action.
2. All findings along with a summary and recommendation shall be presented to the CJE and HRA for review.
3. The CJE shall render a decision in writing informing the supervisor to proceed with the termination.
4. A copy of the written notice shall be made part of the employee's personnel record.
5. No legal counsel may be present during the pre-demotion hearing.

#### 9.08 Death:

Payment for unpaid compensation, reimbursement payments, other county expenses or accrued vacation time, may be made by OCG upon establishment of a valid claim by the deceased employee's administrator or executor.

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## SECTION 10 -GRIEVANCE PROCESS

### 10.01 Purpose

A grievance is a dispute concerning the terms and conditions of certain personnel actions, workplace environmental conditions, employee disputes, etc. or as described in Section 3.08 (Workplace Environment), Section 2.01 (Statement of Equal Employment Opportunity and Affirmative Action) or Section 3.09 (Safety & Health).

It is a principle of OCG to provide a process to discuss and resolve problems and differences that may arise between employees, management, or both. Every employee has the right to present grievances in accordance with Section 10.02 (Coverage).

All supervisors are responsible for promptly considering and taking fair and appropriate action on a grievance brought by any OCG employee. In adopting this policy, OCG sets forth the following objectives:

- Provide employees with a procedure to address problems or complaints promptly, fairly and without fear of reprisal.
- Encourage employees to express their opinions about conditions of employment that affect them as employees.
- Develop a better understanding of policies, practices and procedures and promote their consistent application throughout the County.
- Give supervisors a greater sense of responsibility in their dealings with employees.

### 10.02 Coverage

A grievance may be filed by an employee for any reason with the HRA.

While every grievance may not fall under the purview of OCG to be investigate or resolved, every attempt to seek a resolution will be attempted by OCG.

### 10.03 Grievance Procedure

A Grievance Committee shall consist of one (1) member of OCFC, Human Resource Administrator and the County Attorney.

Any grievance or dispute which may arise from employment with the county shall be settled in the following manner:



1. The employee shall present the grievance to a supervisor within three (3) working days of its occurrence or within three (3) working days of knowledge of the occurrence by the employee.
2. The supervisor should attempt to respond to the employee within seven (7) days of the receipt of the complaint.
3. Should the grievance remain unadjudicated, it may then be submitted by the employee to the HRA for review by the Grievance Committee within a fourteen (14) day period. The Grievance Committee may make a recommendation for possible action to the County Judge after review.

#### 10.04 Grievance Procedure for Complaints Relating Too Suspected or Alleged Discrimination on Basis of Handicapped Status

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 HRA. A person who has not personally been subjected to discrimination may also file a complaint in accordance with the following procedure:

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## SECTION 11- OPEN RECORDS REQUESTS

In accordance with KRS 61.871, OCG must respond effectively and efficiently to records requests in a consistent and coordinated manner. Therefore, the guidelines set forth in this section when a record(s) request is received and ensures compliance with all applicable open records laws.

### 11.01 Applicability

This section supersedes any relevant policy that previously existed.

### 11.02 Records Custodian

The CJE shall designate an employee as its Records Custodian. The Records Custodian shall review the Kentucky Open Records Act, 200 KAR 1:020, and "Your Duty Under the Law the Kentucky Open Records Act and Open Meetings Act," published by the Office of the Attorney General. The Records Custodian shall ensure compliance with the Kentucky Open Records Act, 200 KAR 1:020, this Policy, and all relevant requests. The Records Custodian shall not participate in the adjudication of an appeal under the Act.

Owen County Records Custodian  
100 North Thomas Street  
O: 502-484-3405  
F: 502-484-1004  
E: orr@owencountyky.us

### 11.03 Tracking Records Requests

The Records Custodian shall date-stamp any request to inspect or otherwise receive records upon receipt. If the Records Custodian is absent on the date of receipt, the request shall be delivered to an alternate records custodian.

If the Records Custodian is uncertain whether a request qualifies as an Open Records Request or does not specifically invoke the Open Records Act but appears to request records, the Records Custodian shall immediately refer the request to the County Attorney for a preliminary determination.

The Records Custodian shall notify the Communications Director of requests made by any member of the media. In addition, the Records Custodian shall determine whether the request relates to pending litigation. If so, the Records Custodian shall notify the County Attorney or designated county legal counsel handling such litigation.

The Records Custodian shall maintain a records request tracking spreadsheet to organize and track records requests. The Records Custodian shall update the records request spreadsheet with a new request no later than the close of business on the date the request is received by the Records Custodian. The Records Custodian shall assign a specific identification number to the request (e.g., 2023-ORR-#####).

#### 11.04 Responding to Records Requests

All requests for copies or review of public records in the custody of OCG must be made in writing. A request may be sent electronically to orr@owencountyky.us utilizing the Open Records Request Form available at the Owen County Government website (www.owencountyky.us) under the "Transparency" tab. Email requests for records should include a mailing address and electronic signature. Requests may also be mailed to the Office or hand delivered to the County Judge/Executives Office, Old Courthouse, 100 North Thomas Street, Owenton, Kentucky, 40359, from 8:00 a.m. to 4:00 p.m., Monday through Friday, each week, except holidays (Attn.: Records Custodian).

The Records Custodian shall provide a response to the records request that is postmarked or electronically transmitted within the number of business days required by law.

The Records Custodian shall promptly notify the requesting party if additional time is needed under KRS Chapter 61. When a response is delayed, the notice shall specifically indicate that additional time is required to process the request and explain the circumstances justifying additional processing time.

The Records Custodian shall determine whether the requester has reasonably described records within the possession of the Office. If no such records are identified, the request may be denied on those grounds. However, if it is reasonably believed that another agency is in possession of the records described in the request, the Records Custodian shall refer the requester to the appropriate records custodian, providing both their name and contact information.

If it is determined that the records are within the Office's possession, the Records Custodian shall gather them for processing. Records that are responsive shall be segregated from nonresponsive records (i.e., records that were not requested). The Records Custodian shall then examine responsive records to determine which records, if any, are exempt from disclosure and make appropriate redactions.

If the Records Custodian determines that the records request should be denied in whole or in part, the Records Custodian shall notify the requester with an explanation for the decision to withhold any responsive records, citing the specific exemption in statute as the basis for withholding. If any part of a request for records is denied, the Records Custodian shall confer with legal counsel to ensure accuracy in applying the law.

If the request places an unreasonable burden for producing public records, or if the Records Custodian has reason to believe that repeated requests are intended to disrupt other essential functions of OCG, the Records Custodian may refuse to produce the records upon conferring with legal counsel prior to denying the request.

#### 11.05 Records Production

When responsive records are to be transmitted electronically to the requester, there is no charge to the requester.

If the responsive material is more than 8 megabytes ("MB"), the documents will automatically be produced via compact disc ("CD") and mailed to the requester. Prior to mailing, the Records Custodian shall provide an invoice to the requester for the production and postage. The CD will be mailed upon receipt of payment.

When responsive records are to be mailed to the requester, the Records Custodian shall first provide an invoice to the requester for the production and postage. Printing costs are \$0.10 per page, and additional fees shall be justified on any invoice.

Copies of photographs, maps, and other such records shall be furnished to any person requesting them on payment of a fee equal to the OCG's actual cost to produce the copies. Estimated costs shall be communicated to the requester before costs are incurred. After the invoice is paid, the Records Custodian shall produce the responsive records to the requester.

If the requester wishes to personally inspect responsive records at the location where the records are maintained, the Records Custodian shall facilitate with the requester the scheduling of a convenient time and place for inspection. The Records Custodian, or an employee of the OCG, shall be present and personally monitor the inspection.

#### 11.06 Remedies of Employees Objecting to Material in File

An employee who objects to material in his or her file may place in the file a statement relating to the material considered being inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures as described in Section 10 (Grievance Procedure).

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## SECTION 12 - IMPLEMENTATION OF COUNTY ADMINISTRATIVE CODE & POLICIES

### 12.01 Conflicting Policies Superseded

In the event of a conflict, between the positions of this Administrative Code and any other personnel policies in effect in Owen County, on the date of adoption, the provisions of this Administrative Code shall control.

### 12.02 Severability

When any provision of these policies or application of such provision, to any person is held invalid by any court of competent jurisdiction, the remaining provisions of these policies and the application of such remaining provisions will remain in effect and will not be affected thereby.

### 12.03 Adoption by Resolution and Effective Date

These policies have been adopted by resolution by the OCG. The effective date of these policies is specified in the adopted resolution.

### 12.04 Administrative Modifications to Comply with Federal or State Changes in Labor and Employment Laws and Regulations

The CJE may amend provisions of the CAC manual where modification is necessary to remain in compliance with federal or state laws and regulations.

All other amendments and modifications shall be made by resolution of the OCG.

These policies are not intended to create vested rights of employment and may be amended without prior notice to employees.

The County is an "at-will" employer and retains the right to terminate employment at any time and for any reason not prohibited by law.

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# TABLE 1.0 WORKER'S COMPENSATION CLAIM INTAKE PROCEDURE

## KACo Access24 - Workers' Compensation Claim Intake Nurse Triage - Starting 7/1/2019

