

INTRODUCTION

This Jefferson County Employee Guideline of recommended rules and regulations is intended for use by Department Heads within Jefferson County at their discretion. These guidelines do not create any contractual rights in favor of the employee or Jefferson County Commission nor do they preclude the at will and pleasure nature of employment with Jefferson County.

Each employee will receive a copy of these Guidelines and shall acknowledge receipt of same to his/her respective department head.

EQUAL OPPORTUNITY EMPLOYER

Jefferson County is an Equal Opportunity Employer. It is the policy of Jefferson County to assure equal employment opportunities and comply with all Federal and State Laws and Regulations pertaining to personnel functions contained in the Jefferson County Employee Guidelines. Jefferson County Department Heads will adhere to all Federal and State Laws and Regulations for equal employment opportunity in the selection and hiring of personnel, promotion, training, compensation and condition of employment. Jefferson County seeks to employ the most qualified applicant without regard to race, religion, color, national origin, sex, age, politics, handicap, or disability.

SEXUAL HARASSMENT

It is the policy of the Jefferson County Commission that all employees are responsible for assuring that the work place is free from sexual harassment in any form. All employees are required to avoid any action or conduct that could be viewed by either sex as sexual harassment, including: (a) unwelcome sexual advances; (b) expressed or

implied request for sexual acts or favors; (c) other verbal or physical conduct of harassing or degrading nature. Any employee who has a complaint of sexual harassment by anyone including supervisors, co-workers, or visitors is required to bring the problem to the attention of Jefferson County officials

If the complaint involves someone in the employee's direct line of command, the employee may go to another supervisor or department head. All complaints will be promptly handled. Privacy safeguards will be applied in handling sexual harassment complaints. The privacy of the party being accused and that of the person bringing the charge will be kept strictly confidential. All documentation of allegations and investigations will be retained by the County. Corrective action and/or disciplinary measures will be taken where justified to remedy any violation.

DEFINITIONS

Applicant means an individual who has completed an application for employment with Jefferson County.

Appointment means the offer of employment and acceptance by an individual of a position with Jefferson County.

Compensation means money, thing of value or financial benefit. The term compensation does not include reimbursement for actual reasonable and necessary expenses incurred in the performance of one's official duties.

Compensatory Leave means paid time off from work in lieu of monetary payment for overtime worked.

Dismissal means separation from employment with Jefferson County.

Employee means any person in the service of the County under any contract of hire, whether express or implied, oral or written, where the employer or an agent of the employer or a public official has the right or power to control and direct such person in the material details of how work is to be performed and who is not responsible for the making of policy nor for recommending official action.

Full-Time Employee means any employee who regularly works a minimum of thirty-five (35) hours per week. To be paid overtime, an employee must work in excess of the employee's fixed work week (See overtime section). Full-Time Employees are eligible for all benefits offered by the County.

Part-Time Employee means any employee who regularly works less than thirty-five (35) hours per week. Part-time employees are paid at an hourly rate for the number of hours worked each week. Part-time employees who work more than 20 but less than 35 hours per week must be enrolled in the West Virginia Public Employees Retirement System.

A part-time employee is not eligible for holiday pay, vacation accrual or sick leave, or any other County benefits, other than West Virginia Public Employee Retirement System and Worker's Compensation. Part-time employees may elect to receive insurance benefits at their own expense and at the discretion of the insurance carrier.

Part-Time/Seasonal/Temporary Employees means any employee hired for specific periods of time or for a specific assignment. These employees are paid on an hourly basis according to the hours worked and are not eligible for County benefits except worker's compensation.

Ethics Act means the West Virginia Governmental Ethics Act.

Ethics Commission means the West Virginia Ethics Commission.

Immediate Family with respect to an individual, means a spouse, children, stepchildren, grandchildren, father, mother, legal guardian, sister, brother, mother-in-law, father-in-law, son-in-law or daughter-in-law.

Leave means approved absence from work whether paid or unpaid.

Ministerial Function means actions or functions performed by an individual under a given state of acts in a prescribed manner in accordance with a mandate of legal authority, without regard to, or without the exercise of, such individual's own judgment as to the propriety of the action being taken.

Overtime means Department Head-authorized time worked by an employee in excess of the employee's fixed work week.

Overtime Pay means monetary compensation paid to an employee for overtime work performed.

Person means an individual, corporation, business entity, labor union, association, firm, partnership, limited partnership, committee, club or other organization or group of persons, irrespective of the denomination given such organization or group.

Political Contribution means and has the same definition as is given that term under the provision of article eight [§3-8-1 et seq.], chapter three of the West Virginia Code.

Probationary Period means a ninety (90) day trial period of employment.

Public Employee means any full-time or part-time employee of any governmental body or any political subdivision thereof, including county school boards.

Public Official means any person who is elected or appointed and who is responsible for the making of policy or takes official action which is either ministerial or non ministerial, or both, with respect to (i) contracting for, or procurement of, goods or services, (ii) administering or monitoring grants or subsidies, (iii) planning or zoning, (iv) inspecting, licensing, regulating or auditing any person, or (v) any other activity where the official action has an economic impact of greater than a de minimis nature on the interest or interests of any person.

Suspension means a forced leave of absence for disciplinary purposes.

Thing of Value, Other Thing of Value, or Anything of Value means and includes (i) money, bank bills or notes, United States treasury notes, and other bills, bonds or notes issued by lawful authority and intended to pass and circulate as money; (ii) goods and chattels; (iii) promissory notes, bills of exchange, orders, drafts, warrants, checks, bonds given for the payment of money or forbearance of money due or owing; (iv) receipts given for the payment of money or other property; (v) any right or chose in action; (vi) chattels real or personal or things which savor of realty and are, at the time taken, a part of a freehold, whether they are of the substance or produce thereof or affixed thereto, although there may be no interval between the severing and the taking away thereof; (vii) any interest in realty, including, but not limited to, fee simple estates, life estates, estates for a term or period of time, joint tenancies, cotenancies, tenancies in common, partial interests, present or future interest, contingent or vested interest,

beneficial interests, leasehold interests, or any other interest or interest in realty of whatsoever nature: (viii) any promise of employment, present or future; (ix) donation or gift; (x) rendering of services or the payment thereof; (xi) any advance or pledge; (xii) a promise of present or future interest in any business or contract or other agreement; or (xiii) every other thing or item, whether tangible or intangible, having economic worth.

SCOPE OF COVERAGE

The Jefferson County Employee Guidelines are available to any Department Head who desires to use them. The following employees are expressly exempt from coverage:

Elected Officials

Department Heads

Members of Boards, Authorities and Commissions

SAVING CLAUSE

If any portion of these guidelines is found to be inconsistent with any duly constituted authority, adherence will be made to the constituted authority but will not affect the validity of the balance of the guidelines.

DEPARTMENT HEADS

It shall be incumbent upon Department Heads to perform service in excess of normal working hours as the need arises. Appointment to the position of Department Head shall be deemed agreement and recognition of this necessity because of the supervisory nature of the position. In consideration of said requirements, the Department

Head may take time off subject to the immediate requirements of his/her department. Said time off shall not be considered annual leave, compensatory leave or overtime.

APPOINTMENT/APPROVAL PROCEDURES

All vacant or newly created employment positions shall be advertised in local newspapers and/or in professional journals and other newspapers as appropriate. Department Heads shall arrange for advertisement informing the public of job vacancies. Selection for the vacancy shall be based on applicants best qualified for the position. All applicants must complete an employment application which will become a permanent part of the employee record. (Jefferson County utilizes the State of West Virginia employment Application Form) Each Department Head will submit the selection for employment to the County Commission prior to being placed on the payroll in accordance with West Virginia Code 7-7-7. In the case of an emergency, a Department Head may hire a temporary part-time employee without advertising subject to funding approval. Employees will be classified as a permanent full-time employee, full-time/part-time employee or part-time/seasonal/temporary employee as contained in the definitions section of this guideline.

PROBATIONARY PERIOD

Each employee will be considered probationary for the first ninety (90) days of employment. The probationary period shall enable the Department Head to monitor the employee's response to training, ability to perform work assignments and interpersonal

job-related activities. If employee performance is satisfactory after completing the probationary period, the employee will be accorded full-time status and will serve at the will and pleasure of the Department Head. At any time during the probationary period, an employee may be dismissed at the sole discretion of the Department Head.

A probationary period may be extended at the discretion of the Department Head if additional training qualification/certification is required.

EMPLOYEE STATUS CHANGE

The Department Head shall notify the payroll clerk immediately of any change of employee status.

HOURS OF WORK

The work week for Jefferson County employees is from 12:01 a.m. Sunday until 12:00 p.m. (midnight) Saturday. The normal week for most County employees is 9:00 a.m. to 5:00 p.m. Monday through Thursday and 9:00 a.m. to 7:00 p.m. Friday. Department Heads will designate meal periods for each employee. Offices that require twenty-four (24) hour service or irregular work hours may maintain different work weeks and work hours which will be scheduled by the Department Head.

An employee shall be in regular attendance during all scheduled hours of work in accordance with times set by the Department Head. All employees are to be at their appointed work areas at the beginning of the regular work day. By accepting employment, the employee agrees to be available to work at the set hours of operation. Each Department Head shall keep daily attendance records of his/her employees.

Department Heads realize there are unforeseen circumstances that may delay an employee getting to work on time. If an employee recognizes he/she will be late reporting for work, it is incumbent upon the employee to notify the Department Head.

Department Heads shall periodically review employee attendance/tardiness records to determine if they are consistent with prescribed hours of work.

Tardiness for personal, avoidable reasons will not be excused and will result in a deduction from employee's annual leave. If annual leave is exhausted, it will be deducted from employee's salary.

COMPENSATION METHOD

All employees of Jefferson County will be paid biweekly on every other Thursday beginning Thursday, January 11, 1996. The County Commission may from time to time modify the pay date to accommodate holidays.

OVERTIME

Any overtime must have prior approval from the Department Head and be subject to budgetary constraints. Wage and hour laws are based on a forty (40) hour week.

OVERTIME COMPENSATION METHODS

Hourly Employee

The regular rate for an employee hired to work on an hourly basis is the hourly rate times the number of hours worked up to 40 hours per week. For all hours worked

over 40 in a week, the employee will be paid at least one-and-one-half (1.5) the regular rate.

Salaried Employee Working Fixed Work Week of 40 Hours

If an employee is hired to work a fixed work week of 40 hours per week, 5 days per week, 52 weeks per year, the annual salary is divided by 26 (the number of bi-weekly pay periods in a year) to calculate the salary paid bi-weekly.

An hourly rate is determined by dividing the salary by the number of hours for which the salary is intended to compensate. If an employee works in excess of 40 hours in one week, the overtime hourly rate is one-and-one-half (1.5) the regular rate.

Salaried Employees Working Fixed Work Week Under 40 Hours

If an employee is hired to work a fixed work week under 40 hours per week, 5 days per week, 52 weeks per year, the annual salary is divided by 26 (the number of bi-weekly pay periods in a year) to calculate the salary paid bi-weekly.

An hourly rate is determined by dividing the annual salary by the number of hours for which the salary is intended to compensate. If an employee works in excess of the fixed work week, the employee will be paid the regular hourly rate of straight-time pay up to 40 hours per week. If an employee works in excess of 40 hours in one week, the employee will be paid an overtime hourly rate of one-and-one-half (1.5) the regular rate.

HOLIDAY COMPENSATION

If an employee works a holiday in accordance with Chapter 2, Article 2, of the West Virginia Code, as amended, for purposes of pay calculation, each employee will be credited the number of hours normally worked in a day for a holiday. Such hours are in

addition to any hours actually worked on such holiday. Total weekly hours for calculation of pay are hours actually worked, plus hours credit for holiday observance, plus hours not worked but credited as leave (sick, annual, etc.)

If an employee works in excess of hours normally worked in a week with a holiday, the holiday counts as time worked for excess hours or overtime hours. The same calculation applies if the employee is on annual or sick leave in a work week.

COMPENSATORY TIME

Employees of Jefferson County may receive compensatory time off in lieu of overtime compensation. Compensatory time is calculated in the same manner as overtime compensation methods.

Compensatory time must be agreed to in writing by both employee and department head before the performance of work and must be recorded in the employee record of hours.

The written agreement can be modified at the request of the employee or department head.

No agreement can deny compensatory time the employee has acquired.

An employee can accrue up to four hundred eighty (480) hours if the employee's work is public safety or emergency response activities. All other employees may accrue up to two hundred forty (240) hours of compensatory time.

For overtime work over the 480 hours or 240 hours, employees must be paid overtime compensation.

An employee who has accrued compensatory time off, shall upon termination of employment, be paid for the unused compensatory time at straight time.

Compensatory time must be used within one year from the time it was acquired or is lost.

With respect to the use of accrued compensatory time by the employee, the employee may request the use of compensatory time at anytime, provided the request is made in writing to the department head 3 days in advance of anticipated use. The department head must allow for the use of compensatory time off within a reasonable time of the request unless the employee's absence would disrupt the operations of the department.

The department head may require an employee to use his/her compensatory time periodically to reduce the employee's total accumulated time off.

Employees exempt from overtime can be found in West Virginia Code 21-5c-1 et. seq.

HOLIDAYS

In accordance with Chapter 2, Article 2, of the West Virginia Code as amended, official holidays for Jefferson County are New Year's Day, Martin Luther King's Birthday, Lincoln's Birthday, Washington's Birthday, Memorial Day, West Virginia Day, Independence Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day and any day on which an election (primary or general) is held and all days which may be appointed or recommended by the Governor, of this State, or the President of the United States, as days of thanksgiving, or for the general cessation of business, any day or part

thereof designated by the Governor as time off, without charge against accrued annual leave, for state employees statewide may also be time off for county employees if the County Commission elects to designate the day or part thereof as time off, without charge against accrued annual leave for county employees. Any entire or part statewide day off designated by the Governor may, for all courts, be treated as if it were a legal holiday, as provided for in 2-2-1 of the West Virginia Code, as amended.

When a holiday falls on a Sunday, the following Monday shall be observed as the official holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday.

SENIORITY

Seniority is based on the length of full-time service time in the employment of Jefferson County.

When necessary, senior employees will be given preference in granting vacations and scheduling. In granting promotions or salary increases, seniority will be considered but the determining factor will be merit and ability.

SEPARATION/TERMINATION FROM EMPLOYMENT

Separation from employment occurs when employment ends with Jefferson County.

Retirement

Each employee shall notify the Department Head of his/her intentions to retire as soon as possible in order that plans may be made to prepare for transition and training of a new employee.

Upon retirement, all employees will receive 100% compensation of all accrued annual vacation leave up to 26 days. All retired employees are eligible to participate in the County Health Plan for retirees at their own expense.

Resignation

All employees are expected to give two (2) weeks notice to the Department Head of an intent to resign. Employees that resign will receive 100% compensation of all accrued annual vacation leave up to 26 days and will be eligible to continue health insurance benefits through COBRA at their own expense.

Dismissal

Dismissal from employment occurs when employment ends with Jefferson County for reason such as but not limited to end of seasonal employment, reduction in the work force, or unsatisfactory job performance. When an employee is dismissed for any disciplinary reason, a final pay will be given to the employee within seventy-two (72) hours of the separation of employment (West Virginia Code Chapter 21). The final pay amount will be calculated and prorated according to the time worked.

DISCIPLINARY ACTION

Causes of disciplinary action and corrective measures are at the discretion of the Department Head. Employment rules are to afford a safe, efficient and pleasant work place. It is the responsibility of all employees to observe rules and regulations necessary for the proper operation and administration of governmental functions, to assure compliance with Federal and State Laws and to respect the rights of fellow employees.

Employee behavior which is unacceptable will be subject to corrective and/or disciplinary action and may result in termination.

An employee will correct any performance faults when called to attention by the Department Head. Department Heads shall discuss with employees any improper or inadequate performance in order to correct deficiencies, and avoid disciplinary action.

The steps for disciplinary action are verbal warning, written reprimand, suspension and/or dismissal.

The following list, which is not all inclusive, outlines acts and behavior that are not acceptable during work time or on work premises. Unacceptable behavior makes an employee subject to disciplinary action, up to and including discharge.

First level offenses are unacceptable acts and behavior that are subject to disciplinary action.

Often, due to the nature of the offense, discussions between the employee and his/her supervisor will occur to allow the employee to correct the situation before it reaches the stage of a warning notice. These discussions are documented by a memo which becomes part of the employee's record.

When a warning notice is issued, it becomes a part of an employee's record and will be considered when evaluating an employee for promotion, transfer, training or additional discipline.

It is the responsibility of the department head or supervisor to review the employee's work performance or conduct within six-months to assure that corrective action has been taken. Written documentation of the review shall be made part of the employee's record.

Three warning notices within twelve (12) months time, regardless of the type of first level offense, will result in discharge. The department head or supervisor is responsible for evaluating each case on its facts.

First Level Offenses

Unauthorized or excessive absence, tardiness or early quitting.

Unauthorized time away from work station.

Failure to notify supervisor promptly of completion of assigned work.

Failure to meet established work quality standards.

Failure to meet assigned housekeeping responsibilities.

Obscene, abusive, harassing, or disruptive language or behavior.

Failure to perform all assigned job responsibilities.

Failure to follow prescribed work procedures.

Failure to notify supervisor of absences.

Second Level Offenses

Behavior that is of such a nature that violation may result in both a warning notice and suspension without pay. Repetition of this type of offense usually results in discharge. An employee may be suspended, demoted, or dismissed by a department head or his/her designee for a second level offense, which include, but is not limited to:

Reoccurring tardiness without reasonable explanation.

Absences without approved leave.

Refusal to comply with instructions of a supervisor.

Deliberate or careless conduct endangering the safety of the employee or co-workers.

Neglect of major safety rules.

Violating major safety rules.

Reporting to work, or working, while intoxicated or when ability is impaired by the use of alcohol, or other drugs including abuse of prescription drugs.

Leaving the work place at times other than regularly scheduled breaks (such as lunch hour) without informing supervisor.

Unauthorized use of county materials and supplies.

Third Level Offenses

Behavior of such a serious nature that a first occurrence can be just cause for discharge, without prior notice or warning. Third level include, but are not limited to:

Sexual Harassment

Refusal to comply with the specific instructions of a supervisor in the context of an assigned job duty, otherwise known as insubordination.

Intentional falsification of personnel records, time records, or any other County documents and records.

Fighting during work time or on work premises.

Use of alcohol or illegal drugs during work time or on work property, or bringing alcohol or illegal drugs on the County property.

Deliberately damaging, defacing, or misusing County property or the property of co-workers.

Theft, misappropriation, embezzlement, unauthorized possession or removal of County property or the property of co-workers.

Immoral or indecent conduct which occurs on County property or the property or premises and interferes with the performance of an employee's duties which said behavior reflects negatively upon the professional atmosphere of County government and is inappropriate to the work place.

Sleeping during work hours.

Unauthorized or illegal possession of explosives, firearms, or other dangerous weapons on work premises, including parking areas.

Failure to report an absence for a three-day period without a satisfactory explanation.

Conviction of a felony.

Violating any confidentiality requirements which may be established by statute or by a department head.

Continued unsatisfactory job performance.

Violation of the County's conflict of interest/ethical standards set forth herein.

These examples of first level, second level, and third level offenses are not to be construed in any way as a comprehensive list of all possible violations.

GRIEVANCES

It is the policy of Jefferson County to treat all employees fairly and equitably in matters affecting their employment with the County. An employee who feels he/she has been unjustly aggrieved by a Department Head may submit in writing a request to be heard by the Jefferson County Employee Guideline Review Board. The request must be received within ten (10) working days of the aggrieving action.

The Jefferson County Employee Guidelines Review Board shall consist of 1 employee from each department participating in the Jefferson County Employee Guidelines program.

A hearing request must be submitted by an employee to the Department Head who shall notify the Review Board of the hearing request. The Review Board will schedule a hearing within three (3) working days of the employee's written request.

The Review Board shall have the right of access to any files, correspondence, etc. pertinent to the employee hearing.

After completion of the hearing, the Review Board will have five (5) working days to render a final determination. Affected employees will be provided, notification in writing, of all decisions and suggestions made by the Review Board.

If an employee, department head, supervisor, or County Commissioner is not satisfied with the decision of the board, he/she may pursue any legal remedy which may be available.

FRINGE BENEFITS

Fringe benefits are supplemental compensation and are provided to all full-time employees of Jefferson County.

Deductions

The Clerk of the County Commission and the payroll clerk are authorized to make established deductions from an employee's gross or adjusted pay to cover Federal and State taxes and retirement system contributions. With employee authorization, the Clerk of the County Commission and the payroll clerk may make payroll deductions for any optional programs afforded by County employees.

Public Employees Retirement System

All full-time employees of Jefferson County are participants in the West Virginia Public Employees Retirement System. Each employee contributes four and one-half percent (4.5%) of employee salary to the pension fund, while Jefferson County contributes nine and one-half percent (9.5%) of employee gross salary. The rate of contribution is set by the West Virginia Public Employees Retirement System and is

subject to change. If an employee leaves employment with Jefferson County for any reason, he/she may withdraw the employee contribution amount.

Group Health and Life Insurance

All full-time employees are eligible for group health and life insurance which is provided by Jefferson County and its chosen carrier. The insurance is fully paid by the County for each eligible employee. If an employee wishes to have family coverage, arrangements must be made with the payroll clerk to make appropriate payroll deduction according to the established rate. Additional life insurance may be acquired for an employee, spouse or dependent through employee deductions. Insurance coverage will become effective for each eligible employee on the first day of the month after the first month of employment.

If an employee terminated employment with Jefferson County for any reason, he/she may continue coverage at his/her expense. Insurance coverage paid by Jefferson County ceases when the employee leaves employment with the County. Any employee granted a leave of absence is responsible for the cost of insurance during the entire leave of absence.

Part-time employees may elect to receive insurance benefits at their own expense and at the discretion of the insurance carrier.

Workers' Compensation

All employees of Jefferson County are protected by Workers' Compensation for work related injury. Workers' Compensation coverage is provided by the County and is of no cost to an employee.

If an accident or injury occurs on the job, an employee shall notify the department Head as soon as possible. In no event should an employee delay notification longer than twenty-four (24) hours. Detailed information regarding Workers' Compensation claims may be obtained from the payroll clerk.

Long Term Disability

Workers' Compensation benefits will not be provided by Jefferson County for any injuries resulting from an injury while working for an employer other than Jefferson County.

LEAVE POLICIES

Annual Leave

The annual leave period is the calendar year July 1 to June 30. All full-time non civil service employees are entitled to annual leave. Civil Service employees are governed by West Virginia Code 7-14-1 et. seq.

Annual leave shall be granted to employees at the discretion of the Department Head. It shall be the responsibility of the Department Head to schedule employee annual leave with particular regard to operational requirements of the department. Every attempt will be made to accommodate employee leave requests. Leave requests should be presented to the Department Head as soon as possible after the beginning of the annual leave period (July 1). The request for leave will serve as a guideline for the Department Head in planning for adequate staffing levels and may be modified by mutual consent of the Department Head and employee.

In the event employees request leave for the same time and the conflict will create inadequate staffing levels, it shall be the responsibility of the Department Head to grant

leave taking into account years of service and amount of advance notice given by the employee.

Annual leave shall be earned and accrued from the most recent date of employment. For the purpose of annual leave accrual, actual time of service in years to Jefferson County will be used. This amount will be computed using the employee hire date. An employee may carry forward to another leave period accumulated annual leave up to five (5) days.

Annual leave days exceeding 26 will be lost.

Additional pay in lieu of taking annual leave will not be allowed.

Illness during scheduled annual leave may not be converted to sick leave.

If a paid holiday occurs during an employee's vacation, the employee may extend that vacation by another day upon advance approval, or agree to take the day at another time.

Except as otherwise noted, the amount of paid annual leave time each permanent full-time employee shall be entitled to is based on length of service to Jefferson County and shall be computed as follows:

<u>County Service</u>	<u>Earned Annual Leave</u>
0-2 years	.75 days per month
2-5 years	1.00 days per month
5-12 years	1.25 days per month
12-15 years	1.50 days per month
15+ years	1.75 days per month

If an employee is terminated for any reason, compensation will be made for accumulated (terminal) annual leave not to exceed twenty-six (26) days to be paid over the ensuing pay periods. The County may elect payment in one lump sum.

Annual leave shall not be provided for temporary, irregular part-time, per diem or seasonal employees.

Annual leave shall not be granted to an employee during the probationary period. However, at the completion of the probationary period, the employee will receive retroactive accrual of annual leave.

Annual leave shall not accrue if an employee is on a granted leave of absence. The Department Head is responsible for annual leave record keeping in conjunction with attendance and sick leave records.

Sick Leave

The sick leave period is the calendar year July 1 to June 30.

An employee may use sick leave in case of illness or injury which is not work related or covered by Workers' Compensation.

Jefferson County provides sick leave for employees for absences from work for short term personal illness or injury, when the employee has a medical, dental or eye appointment/examination for which arrangements cannot be made outside of working hours, when the employee is required to care for a sick or injured spouse, child or immediate family member within the same household, or when the employee has been exposed to a contagious disease which may jeopardize the health of other employees.

An incapacity because of pregnancy shall be charged to sick leave under the same conditions applying to any illness.

Except as otherwise noted, each employee shall be entitled to one (1) day per month, except for Civil Service employees. An employee may carry forward an unlimited amount of accumulated sick leave.

Illness or injury which requires the use of sick leave should be reported to the Department Head as early as possible on the first day of absence. For an absence in excess of three (3) working days, a medical certificate stating the nature of illness shall be required by the Department Head.

In the event all accumulated sick leave is used because of an extended illness, accumulated annual leave may be used. After all accumulated sick and annual leave has been used due to an extended illness, other arrangements may be made according to the family leave act.

Sick leave shall not accrue if an employee is on a granted leave of absence.

The Department Head is responsible for sick leave record keeping in conjunction with attendance and annual leave records.

Employees will not be compensated for sick leave not used.

Sick leave, with pay, shall not be provided for temporary, part-time, per diem or seasonal employees.

Sick leave will be accrued for prior years of service at a rate of 6 days per year for each year of full time service to Jefferson County until the time of adoption of the Jefferson County Employee Guidelines on July 1, 1994, amended May 2, 1996.

Parental Leave

Full-time employees who have worked for at least twelve (12) consecutive weeks and have exhausted all accumulated annual leave, and upon two (2) weeks written notice to the department head, shall be granted requests for unpaid parental/family leave. Total parental leave taken shall not exceed twelve (12) weeks during any twelve (12) month period.

Requests for unpaid parental/family leave shall be granted for (1) the birth of a son or daughter of the employee, or (2) the placement of a son or daughter with the employee for adoption or (3) to take care for the employee's son, daughter, spouse, parent or dependent who has a serious health condition.

In the case of a son, daughter, spouse, parent or dependent who has a serious health condition, such family leave may be taken intermittently when medically necessary. An employee may take family leave on a part-time basis and on a part-time leave schedule, but the period during which the number of work weeks of leave may be taken may not exceed twelve consecutive months, and such leave shall be scheduled so as not to disrupt unduly the operations of the employer.

If a leave because of birth or adoption is foreseeable, the employee shall provide the employer with two-week notice of such expected birth or adoption. If a leave under this section is foreseeable because of planned medical treatment or supervision, the employee shall make a reasonable effort to schedule the treatment or supervision so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider of the employee's son, daughter, parent or dependent and shall provide the employer with a two-week written notice of the treatment or supervision.

The employer may require the employee provide certification by a health care provider that the child, dependent, parent or employee has a serious health condition, the date the condition commenced, its probable duration, and other pertinent medical facts regarding the serious health condition.

Bereavement Leave

An employee may be granted up to three (3) days paid leave for a death in the immediate family. Immediate family shall refer to the employee's spouse, children, grandchildren, stepchildren, father, mother, legal guardian, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law. Leave may commence upon notice of the death.

An employee may be granted up to two (2) days paid leave upon the death of an employee's grandparent, spouse's grandparents, brother-in-law or sister-in-law. Leave may commence upon notice of the death at the Department Head's discretion.

An employee may be granted up to two (2) days paid leave upon the death of an aunt, uncle, cousin, niece or nephew. Leave may commence upon notice of the death at the Department Head's discretion.

One day funeral leave with pay may be granted at the discretion of the Department Head.

Employees who must attend a family member's funeral which does not fall within the immediate family category and must travel in excess of two hundred (200) miles may be granted paid leave upon the discretion of the Department Head.

Military Leave

Military Leave will be granted to full-time employees who are called to serve for a domestic emergency or to attend summer camp which requires time off, and will receive full pay differential for a period not to exceed thirty (30) calendar days. Each military leave of absence will be granted up to the limit set by law and the employee will be eligible for employment in accordance with the applicable Federal laws.

Benefits shall not be applicable when individuals are ordered or called to active duty by the President. (West Virginia code 15-1F-1).

The military leave will be granted for the duration of the required active service.

Leave of Absence Without Pay

Department Heads may grant up to thirty (30) days leave of absence without pay at their own discretion.

Leaves of absence without pay for more than thirty (30) days must be submitted in writing through the Department Head to the County Commission. The request should contain the reasons for the request and time period requested.

The Department Head and County Commission will review the request in order to make a decision on the request. The employee will be notified in writing of the decision of the County Commission and Department Head. Employees on leave of absence without pay shall be required to pay the premium or cost for hospitalization insurance and other benefits.

Jury Duty

All full-time employees will be granted time off with pay for jury duty.

Administrative Leave

In the event the Courthouse is closed because of natural disaster, adverse weather conditions, etc. an employee will be excused from attending work without loss of compensation.

Liberal Leave

In the event adverse weather conditions exist and an employee feels that it is unsafe to travel to work, liberal leave will be in effect. Liberal leave allows an employee to take a day's vacation or a day off without pay if unable to get to work.

RECORD KEEPING

Department Heads or their designee will be responsible for record keeping pertinent to these guidelines. This record keeping does not preclude any records required by the Clerk of the County Commission or the payroll clerk.

SAFETY

It is the responsibility of each employee to exercise prudent judgement and caution while at work in order to create a work environment that is safe for themselves, fellow employees and the general public.

It is the policy of the County to provide employees with a safe place to work and encourage all employees to follow prescribed health and safety policies.

TRAVEL

Where performance of County employee's duties require travel, the employee will be reimbursed all necessary and reasonable expenses in connection with said travel. Prior approval from the Department Head must be granted before traveling on official business at County expense. Receipts for lodging, meals, tolls, etc. must be submitted for reimbursement and approval by the Department Head. If an employee uses his/her personal vehicle, the employee will be reimbursed per mile at the statutory rate in effect at the time.

Any itemized receipts presented for reimbursement should cover only the expense of the employee(s), and must not include the expense of the employee's family or other unauthorized person(s).

TELEPHONE USAGE

Telephones are provided County employees to be used in the daily conduct of County business. Long distance calls are only to be made when necessary to conduct County business on behalf of Jefferson County.

ETHICS

The West Virginia Governmental Ethics Act establishes minimum ethical standards for public officials and public employees. (West Virginia Code 6B-1-1 et seq.)

Ethics/Conflict of Interest

Jefferson County maintains that public employment is a public trust bestowed by the citizens of Jefferson County. Each employee shall adhere to the high moral and ethical standards set forth in the Ethics Act.

Political Activity

Any employee, while in the service of Jefferson County, will not solicit any contributions for any political purpose from the general public or other County employees.

An employee shall not contribute money to a candidate unless the contribution is strictly voluntary.

An employee's political affiliation, beliefs, or opinions will have no bearing on appointment or promotion to a vacant or newly created County government position.

Jefferson County will conform to all Federal and State statutes, regulations, and court decisions pertaining to employee political activity in local government.

Pecuniary Interests

No employee of Jefferson County, members of his/her immediate family, or any business in which the employee is associated shall have a financial interest, direct or indirect, in any contract with the County. However, an exception may be granted if the employee, upon written disclosure, can show that the interest in the public contract or business association is limited and there is no intent to defraud.

AMENDMENTS

Amendments to these guidelines may be made at any time. A copy of each amendment will be provided to each employee after adoption and approval.