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# Personnel Policy Manual

## Rich County, Utah

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This Personnel Policy Manual contains policies, procedures, and rules for employment with Rich County. The policies contained in this manual are created and managed by the Rich County Board of Commissioners and may be amended at any time.

This Personnel Policy Manual replaces all previous versions.

# **INTRODUCTION TO PERSONNEL POLICY MANUAL FOR RICH COUNTY**

Rich County is a political subdivision of the State of Utah, though it is not a part of state-level government. Three elected Commissioners serve as the governing body for the County, carrying out local legislative duties and acting as the chief executive body of Rich County. The Board of Commissioners is responsible for setting general policy for the County, and as such, has primary authority to establish terms and conditions of employment with Rich County. The Board also appoints personnel to help carry out its administrative responsibilities.

As with all elected public officials, the Commissioners are ultimately responsible to the voters of Rich County. The terms set forth in this Personnel Policy Manual reflect County policy at the time of its printing, but they are subject to change at any time by action of the Commissioners at any time in accordance with proper procedure.

Only the Board of County Commissioners has authority to establish general policy for county employees. Each employee should recognize that although he or she may serve as a deputy or employee in the office of an elected county official, he or she remains an employee of Rich County. The terms and conditions set forth in this manual, and in the resolutions supporting it, cannot be superseded by any elected official's commitment, without the express written agreement of the Board of Commissioners. That is particularly true for terms or conditions which would establish a financial obligation for Rich County, now or in the future.

Six other Rich County officials are elected by the County's voters to carry out specific public functions. These include the Sheriff, County Attorney, Assessor, Treasurer, Clerk/Auditor, and Recorder. These elected officials have full authority to carry out the duties established for their offices by law. They can appoint deputies to assist them in carrying out their responsibilities, and they establish office policies which govern the conduct of workers in their respective departments. These departmental policies must not conflict with the county's general employment policies or, if they do conflict, the difference must be approved by the Board of County Commissioners. It is important that all county employees understand the relationship between county employment policy adopted by the Board of County Commissioners and departmental policy implemented by other elected officials.

Employment with Rich County is a public service to the people of Rich County. Please be familiar with the employment policies set out in this Personnel Policy Manual and follow them to ensure that your employment is successful.

**Policy 1-100. Purpose of Personnel Manual.**

**Section 1. Purpose.**

- A. This Personnel Policy Manual (“manual”) contains the policies and procedures governing employment with Rich County. Employees are expected to familiarize themselves with the policies contained in this manual and to follow them.
- B. Acceptance of employment or an employee’s continuation of employment with Rich County constitutes the employee’s acceptance of these policies and agreement to follow them.

**Section 2. Disclaimers.**

- A. This manual is not a contract. It is not intended to create a contract of employment. The policies and procedures contained in this manual do not create any actual or implied contractual rights. The manual does not affect the at-will employment status of an employee.
- B. No contract of employment with Rich County is valid unless it is signed in accordance with proper procedures by a representative of the Board of County Commissioners and contains the name of the employee who would be benefitted by the contract.
- C. All promotions, pay raises, or other financial benefits must be approved by the Rich County Board of Commissioners. Oral or written promises about promotions, pay raises, or other employment-related matters have no legal effect and are not binding.
- D. The policies, procedures, and benefit offerings outlined in this manual are subject to change at any time, by action of the Board of County Commissioners in accordance with proper procedures.

**Section 3. Changes to Personnel Policy Manual.**

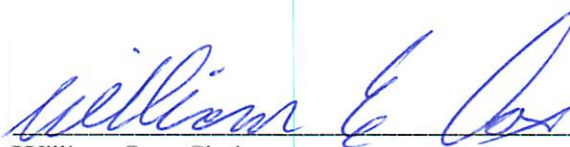
- A. All new or revised Rich County personnel policies must be reviewed by County Attorney’s Office for legality and proper form and approved by the Board of County Commissioners.
- B. Changes to the Personnel Policy Manual become effective on the day they are approved, unless otherwise stated.

Section 4. Internal Departmental Policy.

- A. County departments may develop internal departmental policies that are stricter than the general requirements stated in this manual or that address matters not addressed in this manual. An internal departmental policy that conflicts with the general employment policies contained in this manual must be specifically authorized by the Rich County Board of Commissioners.
- B. Internal departmental policies must comply with state and federal law and Rich County ordinances. Each internal policy should be reviewed by the County Attorney's Office for legality and proper form.
- C. County employees are expected to be aware and follow any internal departmental policies in place in their department.

Dated this 6 day of November, 2019.

Board of County Commissioners:



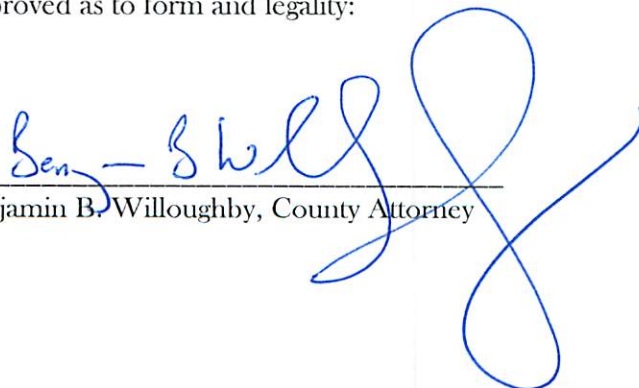
William Cox, Chairman

Attest:



Rebecca Peart, Clerk

Approved as to form and legality:



Benjamin B. Willoughby, County Attorney

**Policy 2-100. Employee Selection, Hiring, and Promotion.**

**Section 1. Purpose.**

This policy establishes the process to fill job vacancies in Rich County.

**Section 2. Notice of Vacancy.**

- A. Except for those vacancies addressed by Section 3 (Preference for Promotion Within), job vacancies will be announced in the following minimum manner:
  - (1) Posting for a minimum of two weeks at the County courthouse and in at least four public places within the County, which should include at least one public place inside each of the four towns within the County.
  - (2) Posting on the County's website for a minimum of two weeks.
- B. The employment application solicitation process may also include a recruiting effort, which may extend beyond Rich County when deemed necessary to obtain applications from individuals with necessary technical skills or qualifications.
- C. The requirement in this section for advertising a job opening may be abbreviated in the instance of hiring temporary or emergency employees as deemed appropriate by the elected official responsible for such hiring.

**Section 3. Preference for Promotion from Within; Posting Internally.**

- A. The elected official in whose office a vacancy arises will give preference to qualified employees presently working in that office. At the hiring official's sole discretion, notice of the position may be posted internally. If an existing qualified employee accepts the position, it can be extended without complying with the advertising requirements above (Section 2, Notice of Vacancy).
- B. If an internal applicant is not selected, notice of the position will be posted as set out above (Section 2, Notice of Vacancy).

**Section 4. Receiving Applications.**

- A. Employment applications should be available and accepted in the office of the County Clerk and/or in the office of the department where the vacancy occurs. Applications should also be available on the County's website.

- B. Applications received at times other than when a specific position is vacant should be kept on file with the County Clerk to be accessed by any county official who is seeking to fill a position in the future. Placement of such an application with the County Clerk shall not guarantee application for any specifically advertised position and shall not guarantee consideration by any elected official.

Section 5. Employee Selection.

- A. As set out below, employment positions are to be filled based solely on job-related knowledge, relevant skill and ability, experience, education, and where applicable, prior demonstrated performance and aptitude. Selection methods shall provide equal opportunity to all qualified persons who apply and all applicants shall be measured against the same common standards.
- B. The Board of County Commissioners are responsible for setting general county employment policy. Individual elected officials have the authority to choose their deputies and employees based upon considerations they deem appropriate and that are consistent with County policy.

Section 6. Equal Employment Opportunity Statement.

- A. It is Rich County's policy to comply with the standards set forth in Title VII of the Civil Rights Act of 1964.
- B. As an Equal Opportunity Employer, Rich County will hire, promote, classify, transfer, discipline, and discharge all persons concerned without regard to race, color, religion, sex, age, sexual orientation, disability, national origin, or political affiliation.
- C. No job, or class of jobs will be closed to any individual except where a mental or physical disability prevents performing a necessary aspect of the position and cannot be reasonably accommodated.
- D. All personnel will be compensated on the basis of equal pay for equal work. No individual will receive reduced compensation for equal work based on any protected factor listed above.

Section 7. Veteran's Preference.

Rich County will accord a preference to employment of veterans of the U.S. armed services. In the event of equal qualifications for an available position, a veteran who qualifies for preference will be employed.

Section 8.     Residence Preference.

Preference shall be given to employment of qualified applicants who are residents of Rich County at the time of their job application.

Section 9.     Authority and Responsibility for Employee Selection.

- A.     The authority to hire and select new employees is vested with the elected official or department head who is responsible for supervision of that employee. These hiring decisions must be in accordance with the general policies established by the Board of County Commissioners.
- B.     The creation of any new employment position first requires the authorization of the Board of County Commissioners.
- C.     No offer of employment may be extended unless the salary and budget authorization have been first approved by the Board of County Commissioners.

Section 10.    Employee Selection Procedures.

- A.     Each applicant for employment shall complete a standard application form required of all Rich County job applicants. The standard application forms should be kept by the County Clerk. Applicants can be required to provide additional information in support of the application at the discretion of the person making the hiring decision.
- B.     Applicants for employment with the County may be subject to testing to determine their competence and ability to perform job-related functions. Such job related tests may be subject to approval by the Board of County Commissioners.
- C.     The hiring official or his/her deputies may conduct interviews to determine the qualifications of the applicants for a certain position. Interviews should encompass a similar scope of job-related questions for all applicants. Differences in interview questions shall be based upon information contained in the application and supporting materials. Questions regarding race, religion, nationality, sexual orientation, marital status, or whether the applicant has children should not be asked. Questions regarding the age of the applicant should be limited to determining whether the restrictions under Section 13 of this policy apply.

Section 11.    Promotions.

It is the policy of Rich County to encourage career service by promoting qualified employees from within. When an employment position is being filled, preference

should be given to a current qualified employee who has given satisfactory service and who has successfully completed the initial probationary period.

Section 12. Employment and Supervision of Relatives.

- A. All employment decisions involving the hiring, recommendation for hiring, promotion, evaluation, or supervision of relatives and household members must comply with Utah Code Ann. § 52-3-1 to 52-3-1.
- B. “Household member” means a person who resides in the same residence as the County officer or employee.  
  
“Relative” means a parent, spouse, son, daughter, sibling, grandparent, aunt, uncle, nephew, niece, grandchild, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.
- C. Any County official or employee making any employment decision or recommendation involving a County employee’s relative must first consult with the County Attorney and get an official opinion as to the legality of the act. It is the County’s policy to obtain legal advice from the County Attorney’s Office and to follow that advice on all employment matters involving even the appearance of nepotism.

Section 13. Youth Employment.

- A. Individuals under 14 years of age cannot be hired by the County.
- B. County employment of a 14 or 15 year old is allowed only when:
  - (1) The employment is not during school hours, except as part of a school’s work-experience program;
  - (2) The employee will not be scheduled for work before 7:00 a.m. or after 7:00 p.m. (except from Memorial Day to Labor Day when the evening limit is extended to 9:00 p.m.);
  - (3) The employment involves no more than 3 hours of work per day on a school day or more than 18 hours per week on a school week.
  - (4) The employment involves no more than 8 hours per day on non-school days or more than 40 hours of work on non-school weeks.
- C. Youth 16 years and over are not limited to the number of hours that they may work, except as covered by the Fair Labor Standards Act, 29 U.S.C. 201 et seq.
- D. In general, the use of power-operated tools and equipment is prohibited for individuals 14 and 15 years of age. Minors (under age 18) will not be



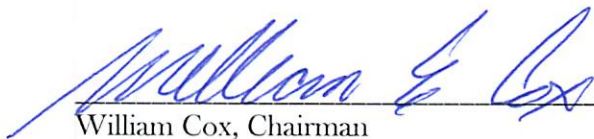
allowed to work in hazardous occupations. The Utah State Labor Commission defines "hazardous" work for minors to include:

- Operation in or about establishments manufacturing or storing explosives or articles containing explosive components.
- Motor vehicle drivers and helpers (with exceptions).
- Logging operation of any sawmill, lath mill, shingle mill or cooperage-stock mill.
- Operation of power-driven woodworking machines.
- Jobs involving exposure to radioactive substances and to ionizing radiation.
- Operation of power-driven hoisting apparatus.
- Operation of power-driven, metal forming, punching and shearing machines.
- Operation connected with mining.
- Operation of circular saws, band saws and guillotine shears.
- Wrecking and demolition operations.
- Roofing operations.
- Excavation operations.


E. 16 year olds may not work in positions requiring them operate a vehicle as part of County business. 17 years olds may work in occupations involving the use of a motor vehicle, subject to federal regulations established in 29 CFR §570.52.

Dated this 6 day of November, 2019.

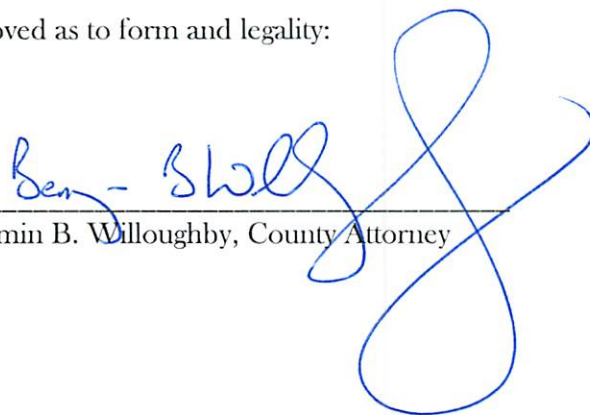
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby, County Attorney

**Policy 2-200.    Employment Status & Employment Classification.**

**Section 1.    Purpose.**

This policy establishes uniform practices governing employment status, benefits, and restrictions as they apply to Rich County employees.

**Section 2.    Employment Status.**

Unless otherwise provided by law, all employees of Rich County are employees at will. Employment at will means that the official who has authority to hire or discharge the employee may impose discipline or discharge an employee without limitation, subject only to any applicable principles of employment law and the policies enacted by the Board of County Commissioners.

**Section 3.    Employment Classifications.**

All county positions are assigned an employment classification. The classification affects the benefits associated with that position. The classifications of employment are as follows:

- A.    Full-time regular employees. These are employees hired through a regular competitive process whose typical work schedule calls for at least 35 hours of work per week (150 hours per month). Full-time regular employees receive all employee benefits provided by Rich County as such benefits now exist or may be subsequently changed.
- B.    Part-time regular employees. These are employees hired through a regular competitive process whose typical work schedule calls for at least 14 hours or work per week (60 hours per month). Part-time regular employees receive some, but not all, County benefits as determined by the Board of County Commissioners. The scope of benefits provided may vary proportionally with the number of hours typically scheduled for each part-time regular employee. Certain benefits may not be available.
- C.    Grant-funded employees. From time to time, the County may offer employment to employees whose position is funded fully or in part from grant funds. A grant-funded employee receives the same benefits as a full-time regular employee or part-time regular employee, depending on the hours worked. A grant-funded position may be terminated at any point when the grant ends or becomes unfeasible. An employee in a grant-funded position should sign an acknowledgement of this fact prior to their employment.
- D.    Seasonal or temporary employees. These are employees who provide services for Rich County on an irregular, temporary, or seasonal basis.

Seasonal employees receive no benefits, except those required by law or provided by express written authorization of the Board of County Commissioners. Seasonal or temporary positions shall not be for more than 180 working days with a calendar year, without being re-classified as regular employment with the according benefits provided.

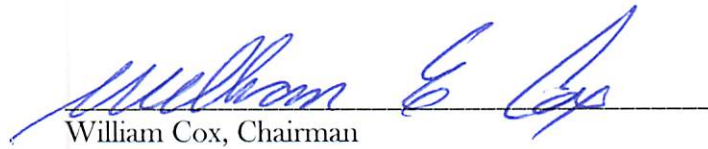
- E. Contract employees. These are employees who provide services to Rich County by a contractual agreement with the Board of County Commissioners. Contract employees receive benefits as provided in each separate employment contract.

Section 4. Probationary period of employment.

- A. All employees, except elected officials and contract employees, shall be placed on an initial probationary period of employment.
- B. The probationary period is an opportunity for the employee to demonstrate on the job the employee's ability to perform the job duties. Supervisors should work closely with new employees to train and help the employee meet the expectations for employment. The employee and the department head should meet as needed to evaluate the employee's progress and set any necessary goals for improvement. The department head and new employee will meet at three (3) months and again at least two weeks prior to the termination of the probationary period.
- C. An employee on probation may be terminated at any time during the probationary period without right of appeal or hearing.
- D. An employee on probation may be terminated for any legal reason. The reasons for termination shall be submitted in writing to the employee and to the County Clerk for permanent record.
- E. Continuation in a position after the expiration of a probationary period shall constitute successful completion of the probationary period and reclassification of employment.
- F. A probationary period may be extended only prior to its completion and only with the consent of the employee and approval of the Board of County Commissioners.
- G. An employee serving a probationary term may be promoted if otherwise qualified. In the event of promotion during a new employee's probationary period, the department head may elect to restart the probation to begin on the date of promotion.
- H. The probationary term for new County employees is six (6) months. The probationary term for POST certified officers is nine (9) months and begins only after the officer becomes POST certified.

Dated this 6 day of November, 2019.

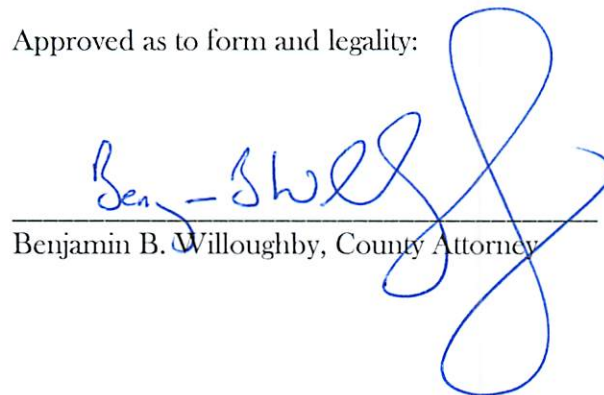
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney

**Policy 2-300. Employment start-up.**

**Section 1. Purpose.**

This policy sets out procedure for beginning employment with the County.

**Section 2. Forms to be completed.**

New employees must meet with the County Clerk and fill out all required forms within two working days after their start of employment.

**Section 3. Required documentation.**

All new employees will immediately submit any required legal documents, including the following: IRS Form W-4 and Federal I-9 Form and supporting documentation

The County Clerk will determine that each new employee is authorized to work in the United States by examining the new employee's documentation provided in support of the Federal I-9 Form.

**Section 4. Orientation.**

New employees shall be given a copy of the County's Personnel Policy Manual. Each employee is responsible to familiarize themselves with the manual and follow the policies contained within it. Periodic updates or changes to the manual shall be provided to each employee as changes may occur.

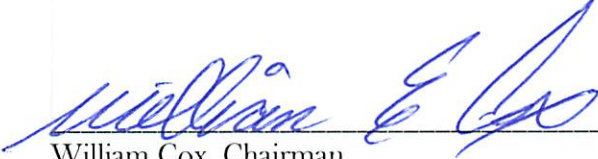
**Section 5. Required training.**

Each new employee will complete the online Sexual Harassment Prevention Training, provided by the Utah County Indemnities Pool. This training can be arranged through the Clerk's Office.

Department heads are responsible for ensuring that each new employee receives this required training within the first month of employment.

Dated this 6 day of November, 2019.

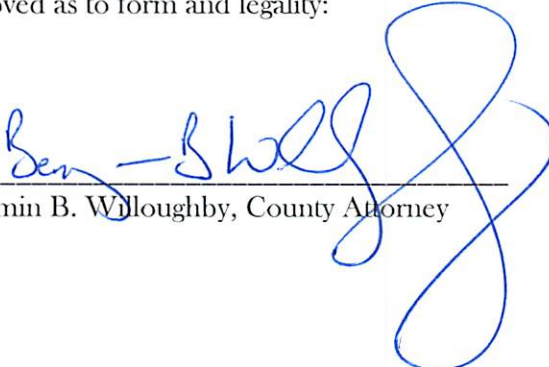
Board of County Commissioners:

  
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William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby, County Attorney

Policy 2-300. Employment start-up.

**Policy 3-100 Payroll policy.**

**Section 1. Purpose.**

This policy provides for uniform application of the Rich County payroll system.

**Section 2. Time reporting.**

- A. Time sheets must be submitted each pay period in accordance with procedures established by the County Auditor's Office. Employees are to accurately report hours worked and time off from work (vacation, sick leave, funeral leave, compensatory time, etc.).
- B. Leave should be recorded in fifteen minute increments.
- C. Each time sheet must be signed by the employee and countersigned by either the supervisor or department head. Signature indicates that the report is true and accurate to the best of the person's knowledge.
- D. Non-elected department heads must have their time sheets countersigned by a County Commissioner.
- E. Time sheets will be maintained by the County Clerk.

**Section 3. Mandatory deductions.**

Rich County will deduct money from paychecks for permitted employee contributions, mandatory payroll taxes, and other deductions as required by law such as federal withholding tax, Utah State withholding tax, and social security (FICA).

**Section 4. Paydays.**

County employees will be paid on a semi-monthly basis. Paychecks are issued by the office of the County Clerk on the 4th and 19th of each month. When that day falls on a weekend or on a holiday, the paycheck will be issued on the preceding work day. Paychecks are to be distributed at the work place before 5:00 p.m. on payday.

**Section 5. Employees responsible to verify accuracy of paycheck.**

Employees have the obligation to monitor the accuracy of each paycheck received. The paycheck is generated by a computer program that does not have the capacity to think or understand individual circumstances. The issuance of payment and allocation of benefits must be consistent with the County's policies. In the event of



disagreement between the computer-generated paycheck stub and County policy as set out by the Board of Commissioners and applied by the County Clerk, the policy shall prevail. The County reserves the right to correct mistakes made in compensation at any time.

Section 6. Payment following separation from employment.


Following the end of employment with the County, the County will pay out all salary due and accrued vacation. Unused compensatory time will be paid out at the overtime rate. Upon an employee's death, the County will make the payment to the deceased employee's heirs as provided by law.

Dated this 6 day of November, 2019.

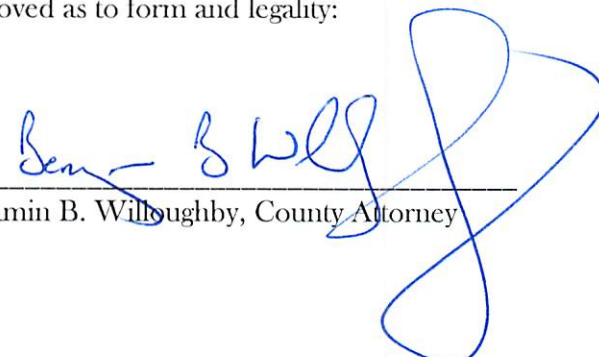
Board of County Commissioners:

  
\_\_\_\_\_  
William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby, County Attorney

**Policy 3-200 Overtime and compensatory time.**

**Section 1. Purpose.**

This policy governs overtime work for all non-exempt County employees.

**Section 2. "Non-exempt" employees entitled to overtime pay.**

Some jobs are considered "exempt" for purposes of the Fair Labor Standards Act ("FLSA") overtime rules. "Exempt" employees are not entitled to overtime pay. "Non-exempt" employees are entitled to overtime pay under the FLSA. The County's policy is to provide overtime pay to "non-exempt" employees in accordance with the rules contained in the FLSA.

Under the FLSA, an employee is generally considered "exempt" when (1) the employee is paid at least \$23,600 per year, (2) the employee is salaried, and (3) the employee's job duties are considered supervisory, executive, or professional. Please contact your department supervisor or the Board of County Commissioners for further clarification of a specific employee's FLSA status.

**Section 3. Overtime.**

- A. A supervisor may require a County employee to work overtime.
- B. It is the policy of Rich County to comply with the (FLSA). Each department head is responsible for ensuring compliance with the FLSA in their department.
- C. Except as otherwise provided in this policy, any non-exempt employee who works in excess of 40 hours in a work week will be paid one and a half (1.5) times their regular rate of pay for each hour actually worked in excess of 40.
- D. Holiday, vacation, sick leave, compensatory time used, and other paid leave such as jury duty, funeral leave, and administrative leave will not be counted as time worked when calculating the number of hours worked for over-time purposes.
- E. It is the County's policy to discourage the use of overtime and to keep overtime to the bare minimum commensurate with the County's best interests. Supervisors a department heads should organize their department workloads to minimize overtime.
- F. All overtime worked must be specifically assigned, and approved in advance, by an employee's supervisor or department head. The only exception allowed is for Sheriff's deputies and public safety employees in

emergency situations when overtime is unavoidable and supervisors cannot be reasonably contacted for prior approval, in which case overtime compensation may be authorized after the fact.

Section 4. Compensatory time.


- A. When overtime work is necessary for a non-exempt employee, a department may choose to offer the employee compensatory time in lieu of paid overtime in order to minimize budgetary impacts.
- B. Using compensatory time in lieu of paid overtime requires the prior consent of both the employee and the supervisor or department head.
- C. Compensatory time shall accrue at a rate of one and a half hours for each hour of overtime worked.
- D. Compensatory time earned must be used within four months, unless specifically approved by the Board of Commissioners.

Section 5. Work period for FLSA non-exempt employees.

For FLSA purposes, a work week begins and at midnight between Saturday and Sunday.

Dated this 6 day of November, 2019.

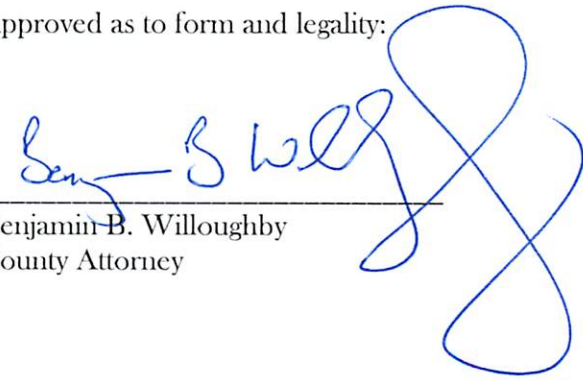
Board of County Commissioners:

  
\_\_\_\_\_  
William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby  
County Attorney

**Policy 3-300    Salary adjustments and raises.**

**Section 1.     Purpose.**

This policy governs salary adjustments, reductions in salary, and raises.

**Section 2.     The Board of County Commissioners manages compensation.**

Rich County compensates employees in accord with decisions by the Board of County Commissioners as county budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase or reduction for any time period. The supervising elected official or department head may make recommendations about salary compensation and other benefits, but the final decision regarding compensation levels rests with the Board of County Commissioners. The Commission reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the year in order to manage the County budget or to deal with other circumstances which they think justify changes to county expenditures.

**Section 3.     Right to change compensation.**

Rich County reserves the right to change compensation for any reason deemed appropriate by the Board of County Commissioners. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent county budget. Changes in compensation may be made at any time after proper notice to the affected employee(s).

**Section 4.     Salary raises.**

Each December the Board of County Commissioners will evaluate possible raise in compensation for employees. A salary adjustment may be made for outstanding service, to correct an inequity, or for other special circumstances at any time.

**Section 5.     Cost of living**

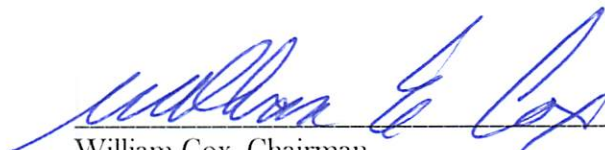
Each December, the Board of County Commissioners will evaluate a cost of living increase for County employees.

Section 6. Pay raise following completion of probationary period.

After successful completion of the initial probationary period, an employee will be eligible for fifty cent raise per hour with the approval of their department head.

Dated this 6 day of November, 2019.

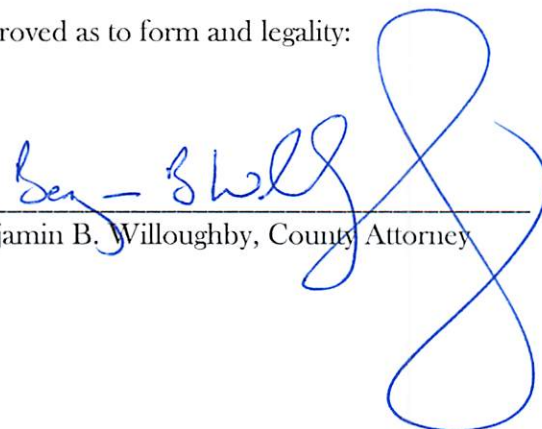
Board of County Commissioners:

  
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William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby, County Attorney

**Policy 3-400 Mileage, per diem, and other reimbursements.**

**Section 1. Purpose.**

This policy governs mileage, per diem, and other reimbursement of employment expenses.

**Section 2. Mileage.**

An employee using a private vehicle to conduct county business shall be reimbursed at the Standard Mileage Rate set by the IRS (58 cents per mile for 2019). The employee submitting the expense shall document the mileage for each trip. The report must be signed by the employee and countersigned by a supervisor or department head.

**Section 3. Per Diem.**

An employee whose business for the county (including training and conferences) requires them to be away overnight will be reimbursed \$40 per full day for meals. An itinerary should be submitted with the request for per diem. If the event provides an included meal or if the itinerary requires less than a full day away, the per diem amount will be reduced as set out below.

Breakfast: \$10

Lunch: \$12

Dinner: \$18

Employees may be authorized to receive a cash advance to cover travel meal expenses. Such advances must be requested in writing at least two weeks in advance and be approved by the department head. The written request must include an itinerary. Once approved, the employee will be issued a per diem allowance prior to travel.

**Section 4. Other expenses.**

For all other authorized job-related expenses, an employee may be reimbursed by the County. The employee must provide a receipt or other valid proof of payment signed by the employee and countersigned by a supervisor or the department head.

Section 5. Uniform allowances.

All Rich County personnel who are required by the County to wear a special uniform will be given a uniform allowance. The purpose of the uniform allowance is to enable such employees to purchase and maintain the uniform required by their position. A reasonable allowance will be recommended by the department head with final approval by the Board of County Commissioners. Uniform allowance may vary from one department to another depending on department's requirements.

Dated this 6 day of November, 2019.

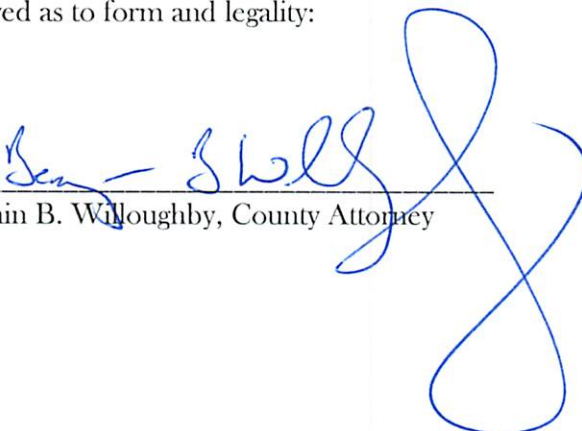
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney

Policy 3-400 Mileage, per diem, and other reimbursements.

## **Policy 4-100 Paid Holidays.**

### **Section 1. Purpose.**

This policy addresses the County's provision of paid holiday time off.

### **Section 2. Paid holidays.**

The following holidays are observed by Rich County. County offices will be closed Fwhere possible, except as otherwise provided by law. Employees will be paid for their regular scheduled hours of work on each of the following:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (January)
- President's Day (February)
- Memorial Day (May)
- Fourth of July
- Pioneer Day, 24th of July
- Fair Friday (August)
- Labor Day (September)
- Columbus Day (October)
- Veteran's Day (November)
- Thanksgiving (November)
- Christmas Day (December 25)

If a holiday falls on a Saturday, it will be observed on the Friday before. If a holiday falls on a Sunday, it will be observed on the following Monday.

### **Section 3. Employees required to work holiday.**

- A. Any employee required to work on one of the above holidays will be given another paid day and a half off in lieu of the holiday, at the discretion of the elected official or department head.
- B. The County's policy is to provide all County employees with an equal number of holidays. Therefore, full-time employees who are scheduled on rotating shifts shall have an equal number of holidays provided as those who work regular full-time work weeks.




- C. Supervisors in departments where employees are required to work holiday shifts shall manage schedules to ensure that the burden is fairly distributed over the course of the year.
- D. A paid holiday that falls during a period where sick or annual leave has been granted to an employee will be calculated as holiday paid leave and not sick or annual/vacation leave.

Dated this 6 day of November, 2019.

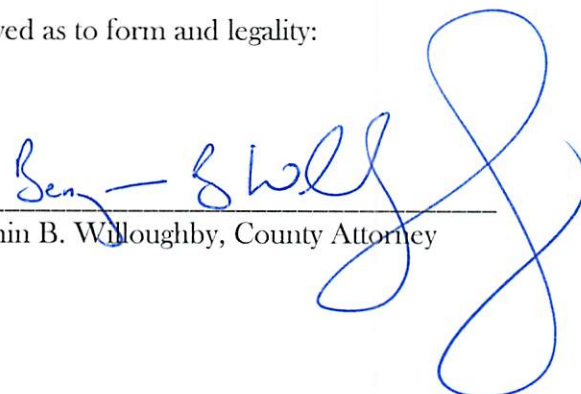
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney

**Policy 4-200 Vacation leave.**

**Section 1. Purpose.**

This policy explains how an employee may earn and use the paid vacation leave provided by Rich County.

**Section 2. Eligibility.**

- A. Full-time and part-time benefits eligible employees shall receive vacation leave, except as otherwise provided in Policy 2-200.
- B. Vacation leave begins to accrue at the start of employment. However, vacation leave may not be used during an initial probationary term.

**Section 3. Accrual.**

- A. Employees will accrue vacation leave each pay period based on the number of regular hours worked and the years of continuous employment with Rich County, up to the maximum hours indicated below.

**Full-time regular employees.**

Years of service	Days earned per year.	Hours per pay period.
0 to 5 yrs.	10	3.08
6 to 10	15	4.62
11 to 15	18	5.54
16 or more	24	7.38

**Part-time regular employees.**

Years of service	Hours worked for each day (8 hrs) of paid vacation
0 to 5 yrs.	208
6 to 10	138.66
11 to 15	115.55
16 or more	86.66

- B. Vacations does not accrue during unpaid leave, or leave during which an employee receives compensation from any County sponsored program such as disability or workers compensation.
- C. Employees that are rehired to County employment may request prior service credit for the calculation of leave accrual. Former employees rehired following military service or reinstated from reduction-in-force status shall assume the same eligibility for vacation that they had before their termination.

Section 4. Maximum accrual.

Unused accrued vacation may be carried forward to succeeding years up to a maximum of 176 hours (22 days). On the first pay period in January of each year, any accrued unused vacation leave in excess of 176 hours (22 days) will be forfeited.

Section 5. Rules for use of vacation leave.

- A. Employees are not permitted to use vacation time that has not yet accrued.
- B. Vacation use must be approved in advance by a supervisor and is subject to each department's scheduling requirements and operational needs.
- C. Reasonable advance notice is required for known, planned absences. Using vacation leave when advance notice has not been provided should be limited to emergency situations only. The employee has the burden to clearly communicate to supervisors that an employee will be absent due to use of vacation time so that the department's work will not be disrupted.
- D. Department heads may deny requests for leave when the request cannot be reasonably accommodated based on the department's workload and business needs. Otherwise, leave should be approved/denied on a first-come first-serve basis.
- E. The fact that an employee may have available vacation time does not justify tardiness or unexcused absences. Unscheduled absenteeism and tardiness are grounds for employment discipline, regardless of the availability of accrued vacation leave. Repetitive failure to notify the County of an absence may result in disciplinary action, up to and including termination. Failure to notify a supervisor within the first three working days of absence will be considered job abandonment.
- F. Vacation may not be used for unscheduled hours.
- G. Vacation will continue to accrue if the employee is using vacation for a full pay period.

Section 6. Reporting use of vacation leave.

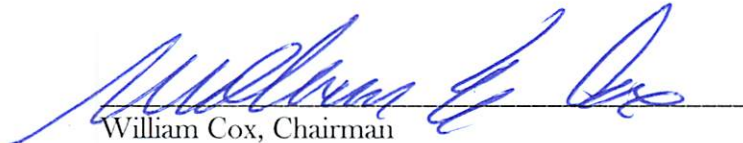
- A. All vacation leave taken must be accurately reported in the employee's time sheet. Inaccurate reporting may subject the employee to employment discipline.
- B. Employees shall use vacation in increments of 15 minutes.

Section 7. Vacation leave payout.

- A. Following the end of employment with the County, the County will pay out all accrued, unused vacation. Unused vacation leave will be paid out at the employee's base salary rate. In the event of an employee's death, the County will make the payment to the deceased employee's heirs as provided by law.
- B. When an employee transfers from one County department to another, their accrued vacation time will be transferred with them and will be available for use within the new department.

Dated this 6 day of November, 2019.

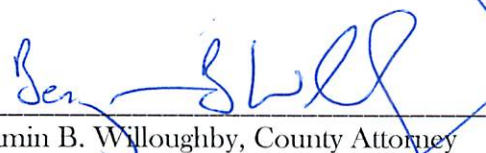
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney

**Policy 4-300 Sick leave.**

**Section 1. Purpose.**

This policy explains how an employee may earn and use the paid sick leave provided by Rich County.

**Section 2. Eligibility.**

- A. Full-time and part-time benefits eligible employees shall receive sick leave, except as otherwise provided in Policy 2-200.
- B. Sick leave begins to accrue at the start of employment. However, sick leave may not be used during an initial probationary term.
- C. Sick leave should be considered a benefit the County chooses to provide its employees, rather than a legal obligation.

**Section 3. Accrual.**

- A. Eligible full-time employees (35 or more hours per week) will accrue sick leave at the rate of 8 hours for each full month of work (4 hours for each full pay period worked).
- B. Eligible part-time employees (21-34 hours per week) will accrue sick leave at the rate of 4 hours for each 86.5 hours of work.
- C. Sick leave may be accrued without limit, but will be converted according to the formula set out below.

**Section 4. Rules for use of sick leave.**

- A. Employees are not permitted to use sick leave that has not yet accrued.
- B. All sick leave is to be used only when the employee is absent from work due to the employee or an immediate family member's (spouse, child, parent, or member of household) medical need, including physical and mental illness, pregnancy, childbirth, or medical/dental appointments. The only exception is for sick leave converted to vacation leave as provided in Section 7 below.
- C. In order to use sick leave, employees must notify their supervisor within one hour of regular start time each day of absence, unless the injury or illness make such notification impossible. An employee on sick leave for multiple days must also keep their supervisor reasonably informed as to their progress and expected return to work date.

- D. Use of sick leave for scheduled appointments should be communicated to a supervisor in advance, if at all possible, to allow the department to prepare.
- E. Employees who are ill are highly encouraged to take sick leave. Supervisors may direct an employee who is ill to leave the workplace if there is concern for the health of the employee or risk of infecting others.
- F. An absence for illness or injury that extends beyond accrued sick leave will result in the employee being placed on vacation leave until all accrued vacation leave and compensatory time balances have been used up. Afterwards, the employee will be placed on leave without pay status.
- G. Sick leave may be donated to another County employee in cases of extreme injuries or sickness by contacting the department head and with the department head's approval.
- H. For sick leave in excess of three consecutive days or if abuse of sick leave is indicated, the supervisor may require a note from the attending physician or other acceptable proof. If such proof is required, the employee shall provide the requested documentation within three days.

Section 5. Reporting use of sick leave.

- A. All sick leave taken must be accurately reported in the employee's time sheet. Inaccurate reporting may subject the employee to employment discipline.
- B. Employees shall use sick leave in increments of 15 minutes.

Section 6. Sick leave payout.

- A. Employees who meet the retirement guidelines of the Utah Retirement System (URS) shall be eligible to convert any unused sick leave as follows. The hours of accrued sick leave (up to a maximum of 336 hours) is divided by two and then multiplied by the employee's final hourly base salary rate. The employee may elect to be paid this amount or have it converted into continued paid up insurance coverage.
- B. Employees leaving employment with the County for any other reason other than retirement with URS are ineligible for sick leave payout and forfeit unused sick leave.
- C. When an employee transfers from one County department to another, their accrued sick time will be transferred with them and will be available for use within the new department.

Section 7. Converting sick leave to vacation leave.

- A. Up to four days (32 hours) of accrued sick leave may be converted and used as vacation time each year. An employee opting to use sick leave in lieu of vacation time must clearly notify their supervisor beforehand and follow all notice and approval requirements for using vacation time.
- B. The employee shall clearly indicate on his/her time sheet that the sick leave is being used as paid vacation leave.

Dated this 6 day of November, 2019.

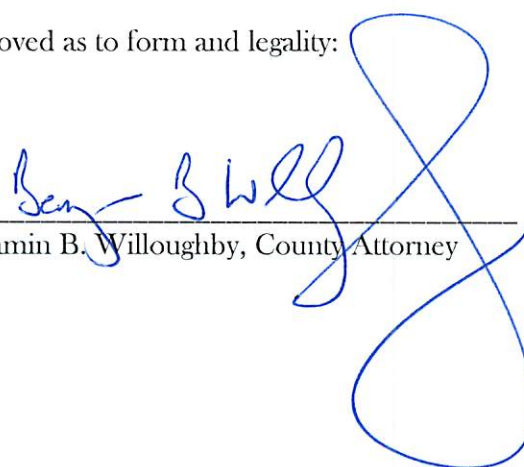
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney

**Policy 4-400 Other types of paid leave and unpaid leave of absence.**

**Section 1. Purpose.**

This policy explains paid leave, other than vacation and sick leave, which the County provides employees. This policy also addresses unpaid leave situations.

**Section 2. Funeral leave.**

Funeral leave with pay is available to all benefits eligible employees who suffer the loss of an immediate family member or a spouse's immediate family member (spouse, child, mother, father, sibling, niece, nephew, or grandparent). In such a circumstance, the County provides three days (24 hours) of paid leave. The County provides five days of paid leave (40 hours) in the event of the death of an employee's spouse, parent, or child. If additional time off is necessary, vacation leave or leave of absence without pay will have to be arranged by the employee and the employee's supervisor. Funeral leave is granted to allow the employee to make funeral arrangements, settle family affairs, attend memorial services, and to mourn. Documentation of death (such as a published obituary or funeral program) may be required.

**Section 3. Jury duty and witness leave.**

- A. All employees are entitled to paid leave of absence for the time off needed to perform jury service.
- B. All employees are entitled to paid leave of absence for the time off needed to comply with a subpoena to testify as a witness in any case involving the state, local, or federal government.
- C. Whenever an employee uses paid leave of absence for jury duty or witness leave, the employee must turn over any court attendance fees received to the County Treasurer.
- D. Paid time off includes the time necessary to travel to and from court.

**Section 4. Military leave.**

- A. Benefits eligible employees shall be granted leave with pay for active service in the National Guard or Armed Forces Reserves for the purpose of fulfilling annual field training. Employees on an initial probationary period are not eligible to receive military leave with pay.
- B. The employee may be granted up to a maximum of fifteen (15) working days (120 hours) per calendar year of military leave.



- C. If additional time off is required, the employee may use vacation, compensatory time, or leave without pay.
- D. A copy of the military orders supporting the leave request must be submitted to the employee's supervisor as soon as they are available. The department will include the orders in the employee's personnel file.
- E. Employees activated for military duty under the Uniformed Services Employment and Re-Employment Act (USERRA) may be absent from employment for the period required by the official orders and as prescribed by USERRA. An employee returning from active duty will be reinstated in accordance with USERRA.

Section 5. Maternity leave.

- A. The Family Medical Leave Act (FMLA) entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.
- B. Pregnancy is considered a temporary disability protected under the FMLA and is to be treated as such in any decisions pertaining to employee benefits. The commencement of either paid or unpaid leave required by pregnancy is an individual matter and should be negotiated by the employee, the employee's physician, and the supervisor.
- C. While on maternity leave, employees will be placed on unpaid, job-protected leave for up to 12 weeks as provided by the FMLA. The employee may elect to substitute paid sick leave for a portions of the FMLA leave. When accrued sick leave runs out, the employee may elect to substitute paid vacation time for remaining portions of the FMLA leave. An employee choosing to substitute accrued paid leave for unpaid FMLA leave must notify their supervisor in advance to make the election.
- D. Employees anticipating a leave due to pregnancy should notify their supervisor as far in advance as possible so that the department can plan ahead.
- E. Employees desiring continued health coverage while on leave without pay status may receive such coverage if they contact their department head and make the necessary arrangements in advance.
- F. An employee who becomes pregnant may continue working until she is no longer able to perform duties in a satisfactory manner or until the employee's health is endangered by working. The County may require an employee to present medial certification from a doctor of fitness to continue or resume work, or physical inability to resume work.

Section 6. Unpaid leave of absence.


- A. An unpaid leave of absence may be granted for educational pursuits, study, travel, family need, or for any other reason with the approval of the department head. Such leave shall not be considered a right and shall be granted only when the department's operations will not be significantly disrupted.
- B. A department head may grant an employee leave without pay for a specified period of time not to exceed 30 calendar days. An employee will be required to use all accrued vacation and compensatory time before a leave without pay will be authorized. A leave without pay beyond 30 calendar days must be specifically approved in advance by the Board of County Commissioners.
- C. An employee who fails to return to work within three days of the end of a leave of absence will be considered to have resigned.
- D. There shall be no change in benefits for an employee on leave without pay status for thirty calendar days or less. An employee on leave without pay status for more than 30 calendar days shall not receive any County benefits during such leave, unless paid for by the employee or otherwise approved by the Board of County Commissioners. An employee desiring insurance coverage during an extended leave of absence (over 30 days) may continue to receive insurance coverage if the necessary arrangements are made beforehand and the employee pays the entire premium for the duration of the leave.

Section 7. Unauthorized leave.

No employee may be absent from duty without leave. An employee absent for three consecutive working days without notice and authorization and without sufficient reason shall be considered to have resigned.

Dated this 6 day of November, 2019.

Board of County Commissioners:

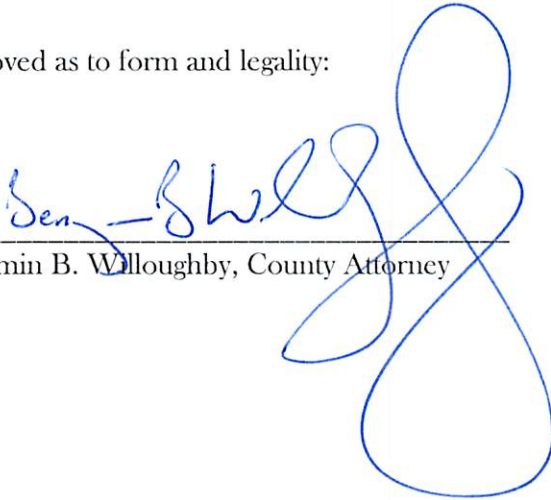
  
\_\_\_\_\_  
William Cox, Chairman

Attest:



Rebecca Peart, Clerk

Approved as to form and legality:



Benjamin B. Willoughby, County Attorney

## **Policy 5-100 Employee Standards of Conduct.**

### **Section 1. Purpose.**

This policy outlines expected standards of conduct for all Rich County employees both at work and away.

### **Section 2. Policy.**

Each employee of Rich County is expected to conduct him or herself in a manner which reflects favorably upon the County at all times. Because the public's business requires the utmost integrity and care, public employees are held to a high standard and are subject to additional public scrutiny in their public and personal lives.

The County's standards of conduct apply to all County employees and will be uniformly applied. If a standard is violated, the severity of violation along with relevant facts and circumstances will be considered and an appropriate disciplinary employment action may be taken ranging from a simple warning to dismissal.

### **Section 3. Standards of conduct.**

All employees will fulfill their assigned job duties faithfully, act professionally and courteously, and comply with County policies. The following additional standards of conduct apply.

- A. Employees shall refrain from inappropriate or unprofessional behavior. Inappropriate and unprofessional behavior includes, but is not limited to, the following:
  - 1. Insubordination or refusal to comply with written or verbal instruction from a supervisor, except in cases where the instruction is believed to be unethical, unsafe, to violate County policy, or to be illegal, in which case the employee must immediately notify their department head or elected official overseeing the department.
  - 2. Conviction or commission of a felony while an employee of Rich County.
  - 3. Conduct endangering the safety of others.
  - 4. Inducing or attempting to induce another County employee to violate a standard of conduct.
  - 5. Incompetency or unreasonable inefficiency in the performance of job duties.
  - 6. Carelessness, theft, or negligence with County funds or property.

7. Falsification of personnel records, time reports, or other County records.
8. Physically assaulting, bullying, harassing, or attempting to physically intimidate, or threatening others, including other employees or members of the public.
9. Using or attempting to use the employee's position as a County employee to secure special favors or personal benefit, including benefit for friends or family.
10. Using or being under the influence of controlled substances or alcohol while on duty, except when taken as prescribed.
11. Unlawfully carrying a weapon while on duty.
12. Using County property or paid time for political activity.
13. Violating safety rules or practices.
14. Using offensive or vulgar language toward the public, County officers, or other employees. Offensive language includes swearing, abusive and demeaning language, or yelling.
15. Inattentiveness to work or sleeping while on duty.
16. Failing to start work at the designated time, quitting work early without authorization, or leaving the job during work hours without authorized leave.
17. Vending, soliciting, or collecting contributions on the County's time or premises without prior authorization.
18. Failure to comply with established County and departmental policies and procedures.
19. Improper or unauthorized use of County vehicles, equipment, and materials.
20. Operating a County vehicle or private vehicle on County business without proper license and insurance.
21. Excessive absenteeism, tardiness, or other violation of the County's leave policies. See Policies 4-200, 4-300, and 4-400.
22. Bringing to work, disseminating at work, viewing at work, downloading at work, or possessing or displaying at work any materials that are sexually explicit, pornographic, or offensive and discriminatory; and which could give rise to sexual harassment claim or a claim of hostile work environment or a complaint of discrimination by an employee or member of the public.
23. Intentionally or reckless submitting inaccurate time sheets.

24. Posting on social media or communicating publicly in any way material that is harassing or that discriminates against others on the basis of any protected class both on and off the job.
25. Engaging in acts, even non-criminal acts away outside work, that harm, or would reasonably be expected to harm, the reputation or image of Rich County or the employee's department.
26. Refusing to respond to an official request for factual information or impeding an internal investigation.
27. Knowingly receiving, seeking, or soliciting, directly or indirectly, any gift, compensation, or loan for themselves or another if it would tend to influence the employee, or appear to influence the employee, in the discharge of the employee's duties. There is an exception for occasional non-pecuniary gifts valued under \$50 or an award publicly presented in recognition of public service.
28. Soliciting political support or contributions using county employees, funds, time, or equipment.
29. Engaging in any conduct of a sexual nature that could constitute sexual harassment or create a hostile work environment for another.
30. Discriminating against others on the basis of any protected class.
31. Engaging in criminal conduct while on duty or off. County employees are expected to behave in a lawful manner at all times.
32. Smoking in any County facility, County vehicle, or enclosed equipment, except in a designated area and in accordance with Utah state law.

- B. Employees shall comply dress and grooming standards established in a department for which the employee works, if applicable. In the absence of specific dress and grooming standards set by the department, all employees shall dress appropriately for the functions performed and shall present a professional appearance to the public.
- C. Employees shall dedicate their primary efforts to County employment with secondary employment subject to approval by the appointing official whenever conflict with County responsibilities may occur.
- D. Employees shall avoid conflicts of interest with their duties to the County.
- E. Employees shall give their best efforts to accomplish the work of Rich County.
- F. Employees shall follow any rules or policies set by their respective departments, except for those that violate law, County policies, or would be unsafe.

- G. Employees shall follow all rules regarding safety in the work place whether established by the County or outside agencies. Employees are highly encouraged to report unsafe conditions and suggest ways to make the work place or work place procedures safer.
- H. Employees must report any accidents observed to have happened on county property or involving the county's property or employees. Such information should be reported promptly to the supervisor or department head.
- I. Employees who drive as part of their county employment are required to maintain a valid driver's license and any other necessary classification. An employee must promptly notify their supervisor in the event of any change in license status.
- J. Employees shall not use work time for proselytizing religious or political views to members of the public during work time. Employees should minimize the amount of work time spent on similar activities engaged in with co-workers.
- K. Employees should avoid prolonged personal visits with friends and family which might interfere with work in the employee's office or department.

Section 4. Additional standards of conduct for supervisors.

In addition to the general standards of conduct, supervisors are expected to adhere to the following standards:

- A. A supervising employee may not disclose private information about an employee he or she supervises, including private medical information, financial information, or any other private information from an employee's personnel file.
- B. A supervising employee must promptly notify the department head or the relevant elected official in writing of a dating or romantic relationship with an employee he or she supervises, directly or indirectly, so that the County may reassign or take other corrective action to avoid a conflict or perceived bias.
- C. A supervising employee may not evaluate or attempt to influence the evaluation of a relative or person with whom a dating or romantic relationship exists. A supervising attorney may not attempt to influence any employment decision in such cases.

Section 5. Disciplinary action.


Employees in violation of a standard of conduct will be subject to disciplinary action as outlined in Policy 5-200.

Dated this 6 day of November, 2019.

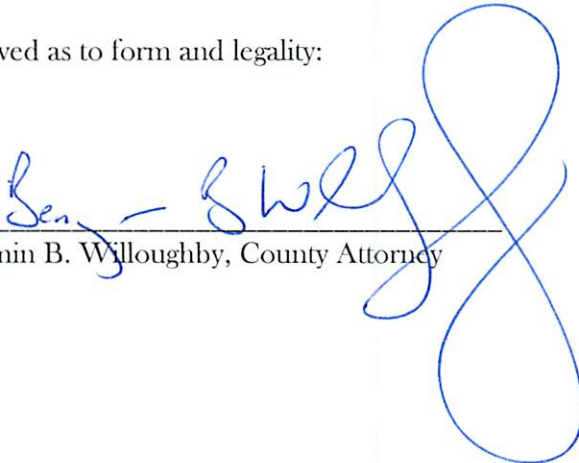
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby, County Attorney



**Policy 5-200    Employment discipline.**

**Section 1.     Purpose.**

This policy provides guidance to be followed when imposing any form of employment discipline.

**Section 2.     Policy.**

In the event an employee violates any of the County's standards of conduct or other established departmental rule or County policy, an appropriate remedy may be imposed as determined by the supervisor or responsible department head.

**Section 3.     General guidance.**

- A.    The usual sequence of discipline is oral warning, written warning, suspension, and termination. Demotion may also be used whenever appropriate.
- B.    Deviations from the usual sequence may be justified depending on the severity and circumstances of the action for which discipline is being imposed. In all cases, the appropriate form of employment discipline is to be determined by the supervisor or responsible department head. Termination may be imposed without prior warning or suspension if, in the judgment of the department head, the facts and circumstances warrant proceeding directly to termination.

**Section 4.     Oral warning.**

- A.    A record should be kept of a formal oral warning. The record should be kept in the employee's personnel file. The record should contain the following information:
  - The employee's name.
  - The date of the oral warning.
  - The date, time, place, and type of violation.
  - A statement of any action required to correct the conduct.
  - The employee's response to the violation after being warned.
- B.    Oral warnings cannot be appealed through the County's grievance procedure.

Section 5. Written warning.

- A. A copy of a written warning should be provided to the employee. The written warning should also be kept in the employee's personnel file. The written warning should contain the following information:
- The employee's name.
  - The date of the oral warning.
  - The date, time, place, and type of violation.
  - A statement of any action required to correct the conduct.
  - The employee's response to the violation after being admonished.
  - Notification to the employee that this is a written warning.
  - A place for the employee to sign evidencing receipt of the letter. The employee's signature is not an agreement of the contents, but merely acknowledgment of receipt.
- B. Written warnings cannot be appealed through the County's grievance procedure.

Section 6. Suspension, demotion, or termination.

- A. **Before any type of suspension, demotion, or termination is decided upon, the pre-determination procedures below (Section 7) must be followed.**
- B. When potential employment discipline involves the possibility of suspension, demotion, or termination, the department head must be involved and should contact the County Attorney for advice before taking any action or making any determination.
- C. Only the department head may impose suspension, demotion, or termination.
- D. Suspension means a mandatory break from employment without pay. A term of suspension may not exceed thirty days for a single incident.

Section 7. Pre-determination.

- A. Whenever suspension, demotion, or termination is being considered as a form of employment discipline against a regular full-time, regular part-time, or grant-funded employee, the supervisor or department head will provide the employee the opportunity to participate in a pre-determination meeting.
- B. The purpose of a pre-determination meeting is to give the employee an opportunity to be heard and provide any information relevant to the considered action.

- C. The supervisor or department head may place the employee on paid administrative leave until the pre-determination process is complete. The employee may not be placed on unpaid leave until the pre-determination process is completed.
- D. The employee should be given a written notice of the pre-determination meeting. The notice should contain the following:
- A statement of the claim(s) against him/her.
  - An accompanying statement of the basis for the claim(s).
  - A copy of any material the County has supporting the claim(s).
  - A statement that a pre-determination meeting has been scheduled along with the date, time, and location.
  - An explanation that a pre-determination meeting's purpose is to allow the employee to be heard and address the claim(s) before any decision is made.
  - A statement that the employee may choose to attend the meeting and address the claim(s) or may submit a written explanation at any time prior to the scheduled meeting.
  - A statement that the employee should bring any relevant information to present on their behalf and may bring counsel, at their expense, or a non-lawyer personal representative to assist them.
- E. The employee must be personally provided a copy of the written notice at least five (5) calendar days before the hearing. If possible, the employee should sign a copy acknowledging receipt. A signed copy should of the notice should be kept in the personnel file.
- F. If the employee cannot attend the pre-determination meeting for any reason, the employee may request to reschedule to another date within the three working days following the scheduled meeting.
- G. An employee may bring counsel or a non-lawyer personal representative with them to the meeting at the employee's own expense.
- H. An employee may also choose to submit a written explanation along with any materials to be considered in lieu of attending the pre-determination meeting. The written response must be received prior to the scheduled meeting.
- I. At the meeting, the employee will have the opportunity to present to the department head any and all information or evidence, orally or in writing, which the employee feels may mitigate or address the claim(s).
- J. An audio recording of the meeting shall be kept by the agency until all formal disciplinary proceedings are completed.

- K. After the employee and department head have completed the discussion on the claim(s) and after the employee has been fully heard, the meeting shall be adjourned without any decision concerning possible discipline being made.
- L. After reflection and consideration of the information provided by the employee, the department head shall make a decision. If the claim is determined to be unfounded or if no disciplinary action is imposed, all mention of the proceeding will be removed from the employee's file. If the claim is determined to be founded, the department head must determine the appropriate form of employment discipline. The decision shall be communicated to the employee within five (5) working days of the pre-determination meeting.
- M. If the decision involves suspension, transfer, demotion, or termination, the employee should be notified of the appeal procedure outlined in Policy 5-300.

Section 8. Reduction in force.

Staff members may be separated from employment without prejudice due to lack of County funds or curtailment of a program, department, or through a reduction in force. The Board of County Commissioners reserves the right to make any necessary changes in work force, assignments, or use of County resources. Whenever a reduction is necessary, retention of department members will be based on evaluation of job performance and tenure with the department. Such reductions in force are entirely separate from considerations of employment discipline.

Dated this 6 day of November, 2019.

Board of County Commissioners:

  
\_\_\_\_\_  
William Cox, Chairman

Attest:

Rebecca Peart  
Rebecca Peart, Clerk

Approved as to form and legality:

Benjamin B. Willoughby  
Benjamin B. Willoughby, County Attorney

## **Policy 5-300    Grievance procedure.**

### **Section 1.     Purpose.**

This policy provides for a process of hearing and addressing employee grievances regarding job-related claims of retaliation, harassment, or discrimination.

This policy also creates an administrative process for filing a grievance to appeal employment discipline decisions.

### **Section 2.     Policy.**

It is Rich County's policy to provide an administrative process for employees to raise grievances and be heard free from harassment, bias, discrimination, or retaliation.

### **Section 3.     Eligibility to file a grievance or appeal.**

- A.    A regular full-time, regular part-time, or grant-funded employee who is suspended without pay, demoted, disciplinary transferred, or terminated from employment may file a grievance with the County appealing the disciplinary decision. Any employee claiming job-related discrimination, harassment, or retaliation may also file a grievance with the County.
- B.    Disputes over warnings, initial probation, performance appraisals, work schedules or other matters not listed above are not eligible for appeal with the County or the filing of a grievance.
- C.    Disputes regarding administrative actions outside the scope of this policy should be addressed by making a written complaint with the relevant department head or responsible elected official. Complaints outside the scope of this policy should be carefully considered and resolved by the department head or responsible elected official.

### **Section 4.     Filing a grievance or appeal.**

- A.    A grievance must be in writing, signed by the employee.
- B.    A grievance must:
  - Include a statement of the claim. If the employee is appealing employment discipline, the grievance must include a statement of the discipline imposed along with the date of the pre-determination hearing and the date the employee was informed of the decision to impose discipline.

- Include a statement of the employee's position and department.
  - Include a written statement outlining the basis for the claim. The employee must also attach any materials relevant to the employee's claim or appeal. The statement should list witnesses who the employee expects to have testify.
  - State whether the employee intends to be represented by counsel or present the case personally.
- C. If a grievance is lacking any required information set out above, the Clerk shall notify the employee who will then have five (5) additional days to correct the grievance. A hearing will not be held unless the grievance meets the requirements of this section.
- D. Grievances appealing an employment discipline decision shall be filed with the County Clerk no later than five (5) business days after the employee receives notice of the decision to impose employment discipline as outlined in Policy 5-200.

Section 5. Scheduling the hearing.

- A. The Clerk, after receiving a completed grievance, shall immediately provide a complete copy to (1) the department head in which the employee works, (2) the County Attorney, (3) the Board of County Commissioners, and (4) any other member of the deciding body.
- B. The hearing shall be scheduled no less than five (5) working days or more than fifteen (15) working days after receipt of the complete grievance.
- C. The Clerk shall schedule the hearing and notify the employee, the employee's department head, the County Attorney, the Board of County Commissioners, and any other relevant person.
- D. The employee raising the grievance is responsible for notifying and arranging for his/her own witnesses to appear. The department head responding to the grievance is responsible for doing the same for his/her witnesses.

Section 6. Preparing for the hearing.

- A. In advance of the hearing, both the employee and the relevant department head shall exchange, and provide to the clerk, a copy of their witness lists and any materials to be introduced at the hearing.
- B. In advance of the hearing, the employee shall be provided a copy of their personnel file.

- C. The Clerk shall provide each member of the deciding body (1) a copy of the employee's personnel file, (2) a copy of the grievance and all supporting materials, (3) and a copy of each party's witness list.
- D. If possible, all exchanges must be made three working days before the hearing.

Section 7. The deciding body.

The hearing shall be decided by the Board of County Commissioners sitting as the deciding body. In the event that a member of the Board of County Commissioners has been personally involved in the administrative action at issue in the grievance or otherwise believes a conflict exists, that Commissioner should recuse him/herself and the remaining Commissioners shall select an unbiased elected official to fill the seat on the deciding body.

Section 8. The hearing.

- A. These procedures are meant to guide the hearing in an orderly manner. However, the procedures are not fixed in place. In all cases, the hearing should be conducted so as to bring out the facts and allow both sides to be fairly and fully heard.
- B. The hearing shall not be bound by legal rules of procedure or the rules of evidence.
- C. A record shall be kept of the hearing. All documents and materials submitted shall be preserved by the Clerk.
- D. The Chairperson shall begin the hearing by naming the parties and stating the nature of the action.
- E. For grievances appealing imposition of discipline, the department head may then give an opening oral statement and then proceed to call any necessary witnesses and present evidence in support of the administrative action. For other grievances involving claims of discrimination, harassment, or retaliation, the employee raising the grievance will proceed first by making an oral statement and then presenting evidence and calling witnesses.
- F. Each witness may also be questioned by the representative of the other side. Questions should focus the deciding body's attention on any weaknesses relevant to the issues in the grievance.
- G. The members of the deciding body may question each witness presented to them.
- H. In all cases, the party who presents their case first will be given an opportunity to present rebuttal evidence to address any points raised by the opposing side.



- I. At the conclusion of evidence, each party will be given the opportunity to sum up their case and make any relevant arguments.

Section 9. The deciding body's decision.


- A. For grievances appealing employment discipline, the deciding body may choose to uphold, amend, or overturn the disciplinary decision.
- B. For grievances involving other claims, the deciding body may determine to take any action necessary to address or remedy the claim.
- C. The disciplinary body may choose to continue the hearing to require additional witnesses or evidence to be brought forth.
- D. The deciding body shall issue a written decision notifying the parties of their decision within fifteen (15) working days of the conclusion of the hearing.
- E. Reference to the hearing and the body's decision shall be entered in the minutes.

Section 10. Alternative Legal Action.

If the complainant is not satisfied with the outcome of the above procedure, he/she may seek alternative action. The complainant is informed that at any time within thirty (30) days from the issuance of the written decision of the deciding body, the complainant may file a formal charge with the Antidiscrimination and Labor Division of the Labor Commission in accordance with Utah Code Ann. § 17-33-10(2).

Dated this 6 day of November, 2019.

Board of County Commissioners:

  
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William Cox, Chairman

Attest:



Rebecca Peart, Clerk

Approved as to form and legality:



Benjamin B. Willoughby, County Attorney

Policy 5-400    Acceptable use of County property.

Section 1.    Purpose.

This policy is intended to define authorized personal use of county property, including for purposes of Utah Code Ann. § 76-8-402(1)(a).

Section 2.    Acceptable use of County property.

- A.    County-owned property is public property and is to be used for the benefit of the public. County offices, departments, and employees are to use county-owned property to achieve the purposes of county government. However, incidental personal use of county-owned property by employees is permitted. The only personal use of county-owned property that is unauthorized is personal use which occurs after the employee is provided written notice from a department head prohibiting the use.
- B.    If an employee's personal use of county-owned property creates more than a de minimis cost to the county, the employee shall reimburse the county for the cost of the personal use. If county-owned property is damaged during personal use and must be repaired or replaced, the employee shall pay the cost of repair or replacement.
- C.    "Employee" means one of the following who performs services for the county, whether or not paid: an employee, including an elected official; a volunteer; a board or committee member; a consultant; or a contractor.
- D.    This policy applies to all County offices and departments. This policy supersedes all other county policies related to personal use of county-owned property.

Dated this 6 day of November, 2019.

Board of County Commissioners:

  
\_\_\_\_\_  
William Cox, Chairman

Attest:

Rebecca Peart

Rebecca Peart, Clerk

Approved as to form and legality:

Ben B. Willoughby

Benjamin B. Willoughby, County Attorney

**Policy 5-500    Resignation and separation.**

**Section 1.     Purpose.**

This policy sets out the procedures an employee should take to resign or retire from employment with the County and the procedures a supervisor should take to respond to an employee's resignation.

**Section 2.     Notice of resignation.**

- A. To resign in good standing from County employment, an employee should give their supervisor at least two weeks of notice (14 days) in writing before their separation.
- B. Whenever possible, the employee who resigns shall indicate the reasons in the written notice.
- C. Rich County strongly encourages supervisors to conduct exit interviews with departing employees.
- D. A supervisor may require an employee to take paid administrative leave until the resignation takes effect.

**Section 3.     Notice of retirement.**

- A. Employees are encouraged to notify their supervisor in writing at least sixty (60) days before retiring from Rich County employment.
- B. Rich County strongly encourages supervisors to conduct exit interviews with retiring employees.

**Section 4.     Resignation by absence.**

- A. An employee absent for three or more consecutive scheduled work days without notice, authorization, or good cause will be considered to have voluntarily resigned and will be terminated from County employment.
- B. Prior to such termination, the supervisor will attempt to contact the employee. If contact is made and the employee fails to provide good cause for the absence, as determined by the supervisor, then the supervisor may proceed with termination. If the supervisor is unable to contact the employee by telephone or in person, the supervisor shall mail a written notice to the employee's last known address informing him/her of the impending termination. The employee will be given an opportunity to respond to the letter and explain the absence. If the employee does not


respond to the letter within five working days of the letter's mailing, the supervisor may proceed with the termination.

Dated this 6 day of November, 2019.

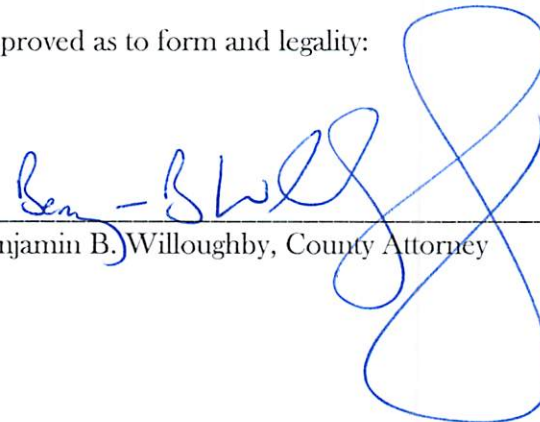
Board of County Commissioners:

  
\_\_\_\_\_  
William Cox, Chairman

Attest:

  
\_\_\_\_\_  
Rebecca Peart, Clerk

Approved as to form and legality:

  
\_\_\_\_\_  
Benjamin B. Willoughby, County Attorney

**Policy 6-100 Workers Compensation.**

Section 1. Purpose.

This policy applies to employee accidents and injuries occurring on the job.

Section 2. Coverage.

Rich County provides workers' compensation coverage for all employees and volunteers injured on the job, unless they are excluded from coverage under state law.

Section 3. Reporting accidents and injuries.

- A. Whenever an employee of the County becomes ill or is injured due to an accident at work or other job condition, the employee must immediately report the fact to a supervisor.
- B. All accidents on the job must be immediately reported to a supervisor, even where no injury occurred.
- C. An employee eligible for Worker's Compensation benefits shall be paid that compensation as provided by law.

Section 4. Supervisor's duties after receiving report.

Within 24 hours of being notified of any injury, illness, or accident on the job, a supervisor must complete an investigation. The investigation should include full documentation, obtaining statements from witnesses, and if possible from the affected employee.

Once completed, a full copy of the report must be provided to the County Clerk's Office.

Dated this 6 day of November, 2019.

Board of County Commissioners:

  
William Cox, Chairman



Attest:



Rebecca Peart, Clerk

Approved as to form and legality:



Benjamin B. Willoughby, County Attorney



**Policy 7-100 Harassment, discrimination, and retaliation.**

**Section 1. Purpose.**

This policy defines and prohibits discrimination, harassment, and retaliation in the workplace.

**Section 2. Policy.**

Rich County does not allow discrimination, retaliation, or any form of harassment in the workplace, based on race, nationality, ethnicity, religion, age, disability, gender, pregnancy, sexual orientation, or marital or family status.

Engaging in this behaviors is in violation of County policy and subject to employment discipline.

**Section 3. Discrimination.**

Discrimination means making an adverse employment or administrative decision or evaluation based on a person's race, nationality, ethnicity, religion, age, disability, gender, pregnancy, sexual orientation, or marital or family status. Discrimination includes using demeaning or racist language on the job. Discrimination includes any adverse words or conduct during the discharge of an employee's job that relate to race, nationality, ethnicity, religion, age, disability, gender, pregnancy, sexual orientation, or marital or family status.

**Section 4. Workplace harassment.**

Harassment means any verbal or physical conduct designed to threaten, intimidate, or coerce any co-worker working for Rich County. Harassment includes directing slurs or swearing at another employee that might impair a person's ability to do their job in peace.

**Section 5. Sexual harassment.**

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical acts of a sexual or sex-based nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) the conduct has the purpose or effect of unreasonably interfering with an individual's employment opportunities; or (3) such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

There are two types of sexual harassment:

- A. "Quid pro quo" harassment is where any type of employment decision is conditioned, implicitly or explicitly, on the person's submission to harassment or tolerance of harassment. Therefore, only someone in a supervisory capacity is capable of quid pro quo harassment.
- B. "Hostile work environment." This type of harassment creates an offensive and unpleasant working environment that unreasonably interferes with an employee's work performance. A hostile work environment can be created by anyone in the work environment. Comments of a sexual nature, unwelcome sexual materials, repeated unwanted physical contact, displaying or sharing inappropriate materials, or lewd comments or jokes might create a hostile work environment.

Section 6. Retaliation.

No hardship, loss, benefit or penalty of any kind may be imposed on an employee in response to filing or responding to a complaint of discrimination or harassment.

Section 7. Reporting.

Violations of this policy should be timely reported in writing pursuant to the County's grievance policy, Policy 5-300.

Dated this 6 day of November, 2019.

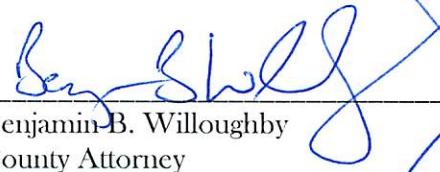
Board of County Commissioners:

  
William Cox, Chairman

Attest:

  
Rebecca Peart, Clerk

Approved as to form and legality:

  
Benjamin B. Willoughby  
County Attorney

Policy 8-100 Political activity by employees.

Section 1. Purpose.

This policy addresses political activity by employees of Rich County.

Section 2. Policy.

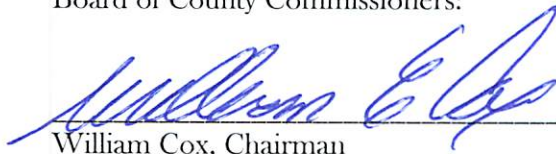
It is the County's policy to comply with the provisions of Utah Code Ann. § 17-33-11 (1983).

Section 3. Rules.

- A. No person shall be denied the opportunity to apply and be considered for any employment position based on political opinion or political affiliation.
- B. No employee may be dismissed from service merely because of the employee's political opinion or political affiliation.
- C. A County employee may voluntarily contribute funds to political groups and become a candidate for public office.
- D. No County officer or employee, whether elected or appointed, may directly or indirectly coerce, command, or advise another County employee to pay, lend, or contribute to any party, committee, organization, agency, or person for a political purpose.
- E. No County officer or employee may attempt to make any employment action dependent on an employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.
- F. No County officer or employee may engage in any political activity during the hours of employment nor shall any person solicit political contributions from County employees during hours of employment for political purposes. However, nothing in this section shall preclude voluntary contribution by a County employee to the party or candidate of the employee's choice.

Dated this 6 day of November, 2019.

Board of County Commissioners:

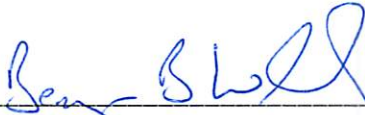
  
\_\_\_\_\_  
William Cox, Chairman

Attest:



Rebecca Peart, Clerk

Approved as to form and legality:



Benjamin B. Willoughby, County Attorney

## **EMPLOYEE ACKNOWLEDGMENT**

I have been provided a copy of the Rich County Personnel Policy Manual. I acknowledge that I have read and understand the policies contained in the Manual, including Policy 5-100, Employee Standards of Conduct. I agree to follow them. I understand that a copy of all County policies is kept at the County Clerk's Office, which I may review freely at any time. I understand that I may be disciplined (up to and including termination) for violating the Rich County policies, including Policy 5-100, Employee Standards of Conduct.

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Employee's signature

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Dated

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Employee's name (please print)

**A signed copy of this acknowledgment must be returned to your supervisor  
to be kept in your personnel file.**