



**MADISON COUNTY**  
**FISCAL COURT**  
**ADMINISTRATIVE CODE**

Ordinance 19-06

July 1, 2019



# Table of Contents

ORDINANCE 19-06.....	8
RESOLUTION 19-08 and 19-09.....	9
ADMINISTRATIVE PHILOSOPHY.....	10
CHAPTER 1 GENERAL PROVISIONS.....	11
1.1 AT-WILL STATEMENT.....	11
1.2 AUTHORITY.....	11
1.2A. County offices led by a constitutional officer who follows the Madison County Fiscal Court’s Administrative Code and the Madison County Human Resources Department administers all human resource functions:.....	12
1.2B County offices led by a constitutional officer who adopts their own Code and the Madison County Human Resources administers all human resource functions:.....	12
1.2C County offices led by a constitutional officer who adopts their own Code and wants to administer all human resource functions:.....	12
1.2D County offices covered by County insurance benefits that also adopts the Madison County Fiscal Court’s Administrative Code:.....	13
1.2E County offices covered by County insurance benefits that adopts their own code:.....	13
1.3 AMENDMENTS TO PREVIOUS/OR EXISTING ORDINANCES.....	13
1.4 DEFINITIONS.....	13
1.5 FISCAL COURT.....	14
1.6 ADOPTIONS AND AMENDMENTS.....	14
1.7 DEPARTMENT OPERATION MANUALS.....	14
1.8 DRESS CODE.....	15
1.9 SMOKING ZONES.....	15
1.10 POLITICAL ACTIVITIES.....	15
1.11 CONFIDENTIALITY.....	17
1.12 PROTECTION OF PERSONAL HEALTH INFORMATION (PHI).....	17
1.13 COMMUNICATING WITH THE PUBLIC.....	18
1.14 USE OF COUNTY PROPERTY.....	19
1.15 RETURN OF COUNTY PROPERTY.....	20
CHAPTER 2 EMPLOYMENT.....	21
2.1 EQUAL EMPLOYMENT OPPORTUNITY (EEO).....	21
2.2 AMERICANS WITH DISABILITIES ACT.....	21
2.3 ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE.....	22
2.4 VIOLENCE IN THE WORKPLACE.....	23
2.5 EMPLOYMENT ELIGIBILITY VERIFICATION.....	24
2.6 WHISTLEBLOWER PROTECTION.....	24

2.7	HIRING.....	25
2.8	DIRECT DEPOSIT .....	26
2.9	BACKGROUND INVESTIGATIONS.....	26
2.10	OUTSIDE EMPLOYMENT .....	27
2.11	GIFTS AND GRATUITIES.....	27
2.12	SOLICITATION AND DISTRIBUTION OF MATERIALS .....	27
2.13	DISCIPLINARY ACTION .....	28
2.14	SEPARATION .....	30
2.15	REINSTATEMENT.....	32
2.16	EMPLOYED BY DIFFERENT DEPARTMENTS .....	32
2.17	COUNTY EMAIL.....	32
2.18	IDENTIFICATION CARDS.....	33
2.19	FRATERNIZATION .....	33
2.20	CHILDREN IN THE WORKPLACE .....	34
CHAPTER 3 WORKPLACE PROCEDURES .....		35
3.1	SAFETY AND ACCIDENT PREVENTION.....	35
3.2	VEHICLE MANAGEMENT .....	35
3.3	DRUG FREE WORKPLACE.....	36
3.4	EMPLOYEE ASSISTANCE PROGRAM.....	37
3.5	MEDICAL DECISIONS.....	38
3.6	ASSET POLICY .....	38
CHAPTER 4 COMPENSATION AND WORK HOURS.....		39
4.1	EMPLOYEE CLASSIFICATIONS .....	39
4.2	HOURS OF WORK .....	40
4.3	OVERTIME .....	40
4.4	BREAKS.....	41
4.5	INCLEMENT WEATHER AND EMERGENCY DECLARATION.....	41
4.6	PERSONNEL INFORMATION .....	43
4.7	COUNTY RECORDS .....	45
4.8	EXPENSE REIMBURSEMENT .....	45
4.9	ON-CALL/EMERGENCY CALL-BACK POLICY .....	47
4.10	PROMOTIONS AND PAY INCREASES.....	48
4.11	EVALUATIONS.....	49
4.12	VOLUNTEER/MENTORING POLICY.....	50
CHAPTER 5 EMPLOYEE LEAVE AND ATTENDANCE POLICIES .....		51
5.1	ATTENDANCE.....	51

5.2	STAFFING.....	51
5.3	ABSENCES AND TARDINESS .....	51
5.4	TIME CLOCK.....	51
5.5	APPROVING TIMECARDS .....	52
5.6	LEAVE REQUEST PROCESS.....	52
5.7	VACATION LEAVE.....	53
5.8	HOLIDAYS .....	53
5.9	SICK LEAVE.....	55
5.10	FAMILY AND MEDICAL LEAVE ACT (FMLA) .....	57
5.11	BEREAVEMENT LEAVE .....	59
5.12	MILITARY LEAVE .....	60
5.13	CIVIL LEAVE .....	60
5.14	VOTING LEAVE .....	61
5.15	BLOOD DONATION LEAVE .....	61
5.16	MATERNITY LEAVE .....	61
5.17	PATERNITY LEAVE.....	62
5.18	PERSONAL LEAVE .....	62
CHAPTER 6 BENEFITS .....		63
6.1	KENTUCKY COUNTY EMPLOYEES RETIREMENT SYSTEM .....	63
6.2	HEALTH INSURANCE .....	63
6.3	LIFE INSURANCE.....	63
6.4	COBRA .....	64
6.5	MEDICARE.....	64
6.6	SOCIAL SECURITY .....	64
6.7	WORKERS' COMPENSATION.....	64
6.8	UNEMPLOYMENT COMPENSATION .....	64
6.9	EMPLOYEE DISCOUNT PROGRAM.....	65
CHAPTER 7 PURCHASES AND CONTRACTS.....		66
7.1	AUTHORIZATION OF COUNTY CONTRACTS.....	66
7.2	PROCEDURES FOR SEALED BIDDING .....	66
7.3	DETERMINATION OF QUALIFICATIONS OF BIDDERS.....	67
7.4	PREREQUISITE TO USE OF NEGOTIATED PROCESS .....	67
7.5	PROCEDURES FOR NEGOTIATED PROCESS.....	67
7.6	SMALL PURCHASE PROCEDURES.....	68
7.7	PROFESSIONAL SERVICE CONTRACT.....	68

7.8	HOLD HARMLESS CAUSE .....	68
CHAPTER 8	INTERNET & E-MAIL POLICY .....	69
8.1	ACCEPTABLE USES OF THE INTERNET AND E-MAIL.....	69
8.2	UNACCEPTABLE USES OF THE INTERNET AND E-MAIL .....	69
8.3	COMMUNICATIONS.....	69
8.4	SOFTWARE .....	70
8.5	COPYRIGHT ISSUES.....	70
8.6	SECURITY .....	70
8.7	VIOLATIONS.....	70
	RECORD OF ORDINANCE ADOPTION .....	71
	E-MAIL AND INTERNET USER AGREEMENT.....	73
	ADMINISTRATIVE CODE EMPLOYEE AGREEMENT.....	75



July 1, 2019

On behalf of the Madison Fiscal Court, I want to thank you for being on our Madison County Government Team. You have chosen to work with us because you were found to have a background that indicates you have the qualifications which characterize successful county employees. First rate employees are our most valuable resource. The County recognizes the commitment required of its employees.

These policies have been developed to provide you with information concerning the policies and philosophies of the County in personnel matters. Please read through the Personnel Administrative Code and discuss any questions you may have with your Supervisor.

The efforts of our past and present employees have made the County's record one of pride and accomplishment. We are happy to have you on our staff and look forward to your contributions to the County.

---

Reagan Taylor

Madison County Judge Executive

## ORDINANCE 19-06


WHEREAS, the Madison County Judge Executive and the Fiscal Court recognize that a personnel system which recruits and retains a qualified motivated work force is indispensable to the effective and efficient operation of the County Government; and

WHEREAS, it is essential to have policies and procedures in writing delineating all aspects of employment affected by said policies and procedures:

NOW THEREFORE BE ORDAINED by the Madison County Judge Executive and the Madison County Fiscal Court of the Commonwealth of Kentucky:

1. That the policies and procedures attached hereto shall be the system of personnel administration for the County, and
2. That the policies and procedures may be waived, altered, or suspended only by a change of ordinance.

Adopted June 25, 2019 and effective July 1, 2019.

  
\_\_\_\_\_  
Reagan Taylor  
Madison County Judge Executive

ATTESTED: \_\_\_\_\_

## **RESOLUTION 19-08 and 19-09**

### **A RESOLUTION ADOPTING AND APPROVING THE MADISON COUNTY ANNUAL EMPLOYEE CLASSIFICATIONS AND THE COMPENSATION FOR EMPLOYEE YEARS OF SERVICE BENEFIT**

Whereas, the Madison County Fiscal Court has established an Employee Classification System for the benefit of all employees of the Fiscal Court; and

Whereas, the Madison County Fiscal Court has established an Employee Years of Service Benefit.

Now therefore, be it resolved by the Fiscal Court, the attached documents labeled as Res. 19-08 Annual Employee Classification and Res. 19-09 Employee Years of Service Benefit be adopted by this Fiscal Court on June 11, 2019.

## ADMINISTRATIVE PHILOSOPHY

We view the employees of Madison County as the foundation of our success and our goal is to exceed the needs and expectations of our County in an equitable manner.

### **We are committed to the following principles:**

- Be available to employees to confidentially address any concerns and issues that may arise;
- Treat each person fairly, with dignity, trust and respect in all aspects of the employment relationship;
- Foster a diverse workforce that mirrors the community we serve;
- Attract and retain highly qualified people;
- Set high standards of job performance in order to deliver superior service and value to the public we serve;
- Expect employees to demonstrate integrity and professionalism;
- Recognize and reward employees for their contributions;
- Communicate human resources information in a transparent manner;
- Encourage teamwork and cooperation in the work relationships among all County employees;
- Provide training and management to prepare employees for success; and
- Being good stewards of the taxpayer's money.

# CHAPTER 1                    GENERAL PROVISIONS

## 1.1    AT-WILL STATEMENT

This handbook is designed to acquaint you with the Madison County Fiscal Court and its basic rules and methods of operation affecting your employment.

This handbook does not form a contract, express or implied, guaranteeing employment for any specific duration. Although we hope that your employment relationship with us will be long-term, you are an at-will employee, meaning that either you or the Madison County Fiscal Court may terminate this relationship at any time, with or without notice and with or without cause.

Except for the “at-will” status, the policies and procedures summarized in this handbook are subject to change as conditions warrant, with or without notice, at the sole discretion of the County Judge Executive and the Fiscal Court. This is also true of all actual policies, procedures, benefits and other programs of the County.

## 1.2    AUTHORITY

The County Judge Executive is hereby designated as the Personnel Administrator for those employees employed directly for the Fiscal Court. The Human Resources Department shall administer all personnel related matters, consulting with the Judge Executive when necessary.

The Judge Executive may identify a need for an amendment or clarification of the policies, and all amendments or clarifications are to be in writing and approved by the Fiscal Court. The Administrative Code shall be adopted annually no later than the month of June and will require two readings by the Fiscal Court.

County offices, under the budgetary authority of the Madison County Fiscal Court and led by constitutional officers (Jailer and Coroner) or maintain County insurance benefits for their employees, may adopt this Administrative Code or draft their own Code. If they choose to adopt their own Code, they shall provide a copy to the Human Resource Director since the Human Resources Department is still handling the administrative employment paperwork and payroll functions. Employees in these offices do not report to the Judge Executive, but rather to the elected official of their office.

All County offices, under the budgetary authority of the Madison County Fiscal Court shall follow all policies and procedures outlined herein regardless of whether they adopt their own Code. The

Madison County Fiscal Court's Administrative Code is the minimum requirement for any Code that a constitutional officer or County administered board wants to adopt.

1.2A. County offices led by a constitutional officer who follows the Madison County Fiscal Court's Administrative Code and the Madison County Human Resources Department administers all human resource functions:

All employees in these offices do not report to the Judge Executive, but rather to the elected official of their office. All personnel files shall be maintained by the Madison County Human Resources Department. These files shall include, but not be limited to, any action mandated by federal, state, and/or county law taken by the employer or the employee during the pre-employment, employment and post-employment process.

1.2B County offices led by a constitutional officer who adopts their own Code and the Madison County Human Resources administers all human resource functions:

All employees in these offices do not report to the Judge Executive, but rather to the elected official of their office. In the event, a constitutional officer chooses to adopt their own Code, they shall bring it to Fiscal Court to be adopted before implementation. Once it has been adopted at Fiscal Court, the constitutional officer shall bring a copy to the Madison County Human Resources Department to place on file. All personnel files shall be maintained by the Madison County Human Resources Department. These files shall include, but not be limited to, any action mandated by federal, state, and/or county law taken by the employer or the employee during the pre-employment, employment and post-employment process.

1.2C County offices led by a constitutional officer who adopts their own Code and wants to administer all human resource functions:

All employees in these offices do not report to the Judge Executive, but rather to the elected official of their office. In the event, a constitutional officer chooses to adopt their own Code, they shall bring it to Fiscal Court to be adopted before implementation. Annually you must submit their administrative code to the Fiscal Court for approval prior to July 1 of said year. In addition, any changes shall be presented to the Fiscal Court. In the event, a constitutional officer wants to administer Human Resource functions for their employees, a Memorandum of Agreement shall be approved by Fiscal Court. All human resource activities, except payroll, benefit submission to appropriate carrier/agency, and compliance reporting will be handled by the office led by the constitutional officer. The above listed actions will be carried out by the Madison County Human Resources Department in accordance with Kentucky Revised Statutes. It will be the responsibility of the constitutional officer to ensure compliance with federal, state, and/or county law. To guarantee a smooth flow of communication, this information shall be submitted via County prescribed forms available at [www.madisoncountky.us](http://www.madisoncountky.us). All information must be submitted to the Madison County Human Resources Department within 48 hours of the action being taken. All information listed on

the County prescribed forms will be inputted exactly as it is on the County prescribed forms and will be the official communication of employee changes. It is the constitutional officer's responsibility to ensure that the Madison County Fiscal Court employees under their authority are given all opportunities and confidentiality as they received under the Madison County Human Resources Department.

1.2D County offices covered by County insurance benefits that also adopts the Madison County Fiscal Court's Administrative Code:

All personnel files shall be maintained by the Madison County Human Resources Department. These files shall include, but not be limited to, any action mandated by federal, state, and/or county law taken by the employer or the employee during the pre-employment, employment and post-employment process.

1.2E County offices covered by County insurance benefits that adopts their own code:

In the event, a County office is led by an elected official or a County Administered Board and they choose to adopt their own Code, they shall bring it to Fiscal Court to be adopted before implementation. Once it has been adopted at Fiscal Court, the elected official or Chairman of the Board shall bring a copy to the Madison County Human Resources Department to place on file.

### 1.3 AMENDMENTS TO PREVIOUS/OR EXISTING ORDINANCES

The Madison County Administrative Code is effective July 1, 2019. Any previous ordinances and amendments shall have no further applicability subsequent to the date of the enactment of this ordinance.

### 1.4 DEFINITIONS

As used in this Code, unless the context otherwise requires:

**Administrative Code:** The Administrative Code, may also be referred to as the Code, Personnel Handbook, Handbook, or Policies and Procedure Manual, outlines the overarching policies for employees to follow.

**County:** Madison County, Kentucky, a governmental entity.

**Department Head:** The head of one of the departments of County Government as established by the administrative code or the Judge Executive. The department head may have an authorized supervisor to serve as their proxy in certain situations.

**Employee:** Employee references individuals employed by a department where the administrative authority is that of the Fiscal Court.

**Emergency Services Personnel:** Personnel responsible for mitigation activities in a medical emergency, fire emergency, hazardous material emergency or natural disaster.

**Essential Personnel:** Employees required to work when a declaration is issued that can vary by department and vary for each disaster.

**Fiscal Court or Court:** The Madison County Fiscal Court, which is the duly constituted, controlling body that governs the affairs of Madison County, Kentucky.

**Gross Salary:** Gross Salary will include the number of hours worked during a regularly scheduled work week.

**Executive Team:** The Executive Team consists of the Judge Executive, Deputy Judge Executive and all County Department Heads.

**Immediate Family:** Immediate Family shall mean the employee's spouse, child, mother, father, legal guardian or other permanent members of the employee's household.

**Judge Executive:** The duly elected constitutional officer who carries out the executive and administrative functions of Madison County Government or their proxy.

**Safety Sensitive:** Safety sensitive position is a job or position where the employee holding this position has the responsibility for his/her own safety or other people's safety.

## 1.5 FISCAL COURT

The Madison County Fiscal Court is the chief governing body of Madison County Government and shall exercise all powers of government delegated to it by the Commonwealth of Kentucky. The Fiscal Court consists of elected magistrates and the Judge Executive. All members of the Court are equal and may speak, vote, make motions, second motions, and otherwise exert the powers granted to a member of the Court by the Commonwealth of Kentucky.

## 1.6 ADOPTIONS AND AMENDMENTS

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

## 1.7 DEPARTMENT OPERATION MANUALS

All department heads shall develop and maintain department operation manuals to cover daily operations for their employees. All manuals and addendums shall be submitted to the Judge

Executive for approval. Once it has been approved by the Judge Executive then it shall be provided to the Human Resources Department and enacted throughout the department. Employees must be briefed, provided a copy via County email and have an acknowledgement form signed within 30 days of enactment. Department operation manuals shall be updated every two (2) years by the month of June.

## 1.8 DRESS CODE

The Madison County Fiscal Court requires all employees to adhere to dress code standards that exude a professional standard as well as ensures safety and OSHA compliance. Madison County employees are expected to be neat, clean and well-groomed while performing professional duties. The standard applies to full and part time personnel, as well as interns.

- **Administrative Personnel Attire:** All non-uniform personnel are expected to wear standard business attire that is consistent with standards for a professional environment at all times. Examples of standard business attire are dress shirts and slacks, khakis, polos, skirts and dresses. On occasion, it may be necessary for administrative personnel to wear jeans. This shall be approved by the department head with approval by the Judge Executive. If you present at Fiscal Court, you shall be in professional dress. Casual Fridays: Employees are permitted to wear jeans on Fridays as long as there are no public or work-related meetings taking place. Printed T-shirts are not acceptable.
- **Uniformed Personnel Attire:** All uniformed personnel are expected to wear the uniforms set forth in the department personnel policies and procedures manual. Uniforms are expected to be clean and well maintained.

## 1.9 SMOKING ZONES

The Madison County Fiscal Court requires employees to comply with all local ordinances. The City of Richmond and the City of Berea have Smoke-Free Building Ordinances. In order to be consistent among all departments, Madison County employees shall not smoke in any County building, vehicle or equipment. Smoking includes cigarettes, cigars and e-cigs/vapor cigs. In addition, employees may only smoke in designated smoking areas as identified by their department heads with approval by the Judge Executive. No employee shall smoke within 20 feet of any door leading to a County building.

## 1.10 POLITICAL ACTIVITIES

To protect non-elected employees from political pressure in their jobs, certain restrictions have been placed upon involvement in political activities.

### **Permitted Activities:**

The following political activities are permitted:

- Registration and Voting: Employees may register and vote in any election.
- Expression of Opinions: All person's subject to the Administrative Code have a right to privately express their opinions on all political subjects and candidates.
- Contributions: Employees may make voluntary cash contributions to political parties, candidates, or organizations.
- Membership in Political Clubs: Employees may join a political club and hold office or serve on committees of the club.
- Attendance at political rallies, conventions, etc. is permitted
- Political Pictures and Signs: Employees may display political pictures or signs on their property.
- Badges, Buttons, and Stickers: It is lawful for employees to wear political badges or buttons and voluntarily display political stickers on their private automobiles. However, no political badges, buttons, or other designations may be worn while on official duty or while the employee is conducting official business for the County.
- Precinct election officers: Employees may serve as precinct election officers at the polls. When serving as a poll worker, employees must utilize a vacation day to cover the time away from work.
- Constitutional amendments, referenda, etc.: Employees may work actively for or against constitutional amendments, referenda or municipal ordinances in which they are interested, provided that County time and resources are not used for this purpose.
- Transporting Voters: Employees on their own time may transport friends or relatives to the polls as a civic gesture but may not transport voters to the polls as a part of an organized service to a political party, faction, or candidate.

### **Non-Permitted Activities:**

The following political activities are not permitted:

- Political influence based upon an official position, whether actual or anticipated, or favorable or retaliatory treatment of an employee or position is a violation of law.
- Employees may not be pressured to make contributions of money or services to political parties or candidates.
- Political Contributions: An employee is prohibited from soliciting or handling partisan political contributions while on duty.
- Partisan activity at election polls: An employee may not engage in partisan activity at the polls (at primary or regular elections) in the position of checker, challenger, or watcher, or in soliciting votes and assisting voters to mark ballots.

## **1.11 CONFIDENTIALITY**

“Confidential information” is defined as materials, activities, operations, personnel matters, and business affairs of the County which should not be disclosed to anyone outside of the normal course of business.

During the course of employment, employees may have access to confidential information. Information should be solely used for the purposes of performing various services for the County and for no other purpose. Employees shall not disclose any confidential information related to County matters to any person who does not have a legitimate need to know. Employees should take all reasonable steps to protect confidential information from disclosure, e.g., password protecting computers and/or storing/filing confidential paperwork in a locked drawer, etc. Employees should not electronically forward or store confidential information so as to give access to those without a legitimate need to know. It is not appropriate to have discussions about confidential information in open areas where individuals who do not have a need to know this information could overhear the conversation.

Employees who disclose confidential information to those without a legitimate need to know or who disclose confidential information observed or heard without proper authorization may be subject to corrective action, up to and including termination.

If an employee overhears or observes another employee sharing or discussing confidential information in an inappropriate area, the Human Resources Department should be contacted.

## **1.12 PROTECTION OF PERSONAL HEALTH INFORMATION (PHI)**

County records containing personal employee information are to be held in confidence and safeguarded from unauthorized access. Only those individuals with a specific need to use personal information in the performance of their normal administrative duties are authorized to have access to and use such information.

### **Covered Plans**

The federal law known as the Health Insurance Portability and Accountability Act (HIPAA) requires employers to ensure that personal health information is properly protected. The law protects personal health information used with a number of County sponsored benefit plans including:

- Health

- Dental
- Vision

### **Excluded Plans**

- Extended Sick Time Program
- Retirement
- Life Insurance

### **Notice of Privacy Practices**

The County's notice and notices issued by our insurance companies may be obtained by contacting Human Resources or the insurance company. You may also receive notices from your health care providers, health care insurance companies, claims administrators and others explaining their own policies.

The Notice explains procedures for you to request copies of your health information maintained in your County benefits file. You may also request health information maintained by the insurance companies or claims administrators as well as amend your records in some cases.

If you still have questions after reading the notices about the privacy policies followed by the County plans, contact your insurance company or Human Resources.

### **Release of Your Information**

HIPAA regulations specify that your personal health information may be used by your insurance company and physician, hospital, other providers and insurance companies for diagnostic and treatment purposes as well as for the payment for such services. Personal health information may also be used for health care operations such as determining eligibility, processing enrollment information, establishing premium amounts and submitting premium payments to the insurance companies. Such uses do not require your specific written authorization.

Should you like a staff member to release your benefit plan enrollment or claim information on your behalf to be shared with a family member or other individual, you should submit a completed Release of Information Authorization form to Human Resources.

## **1.13 COMMUNICATING WITH THE PUBLIC**

### **Media Communication**

Communicating with the media is a critical mechanism for communicating with our constituents. The only employees authorized to speak to members of the media are those that have gone through

County sponsored Media Training and are authorized by the County Judge Executive. After speaking to the media, authorized employees should notify the Deputy Judge Executive.

### **Social Media Communication**

The County utilizes social media to communicate with constituents with relevant, timely and actionable information, while promoting core services and key events. The Department of Information Technology maintains countywide social media sites on Facebook, Twitter, YouTube and Instagram. All Social Media Sites are handled centrally through countywide accounts managed by approved the Judge Executive and the Department of Information Technology. Departments are encouraged to contribute content to existing county social media sites with existing fan bases in lieu of or in addition to their own presence. Departments wishing to develop a social media site shall have approval by the Judge Executive. The Department of Information Technology, Deputy Judge Executive and the department head, if applicable, shall be administrators on all approved social media sites. Reference the Department of Information Technology's policy on County approved social media sites to remain in compliance.

### **Posting**

Department staff may manage day-to-day operations of a social media site, but in close consultation with the Judge Executives Office and the Department of Information Technology. Only County employees will serve as publishers; publishers will attend mandatory training sessions. Volunteers, interns, contractors and board/authority/Fiscal Court Members are not eligible to administer official accounts unless approved by the County Judge Executive.

### **Employee Personal Participation with Social Media**

If you identify yourself as a County employee or have a public facing position for which your position as a County employee is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a County employee. Social media users should have no expectation of privacy.

### **Human Resource Topics**

Any issues or topics related to employee information, grievances, referrals, disciplinary action, etc. shall be directed to and handled by the Human Resources Department.

## **1.14 USE OF COUNTY PROPERTY**

No employee shall use any County property for non-County business. County property includes any item that has been purchased, inventoried, donated or acquired due to business related activities by or to the Madison County Fiscal Court. This includes, but is not limited to, cell phones, laptops, tablets, keys, vehicles, office supplies, furniture, tools, equipment, scrap metal, gasoline, oil, etc.

The only means by which an employee may take possession of county property is through purchase at a County surplus auction.

Any agency that is covered under the Madison County Fiscal Court's property liability policy shall comply with Madison County's drug and alcohol-free workplace policy.

## **1.15 RETURN OF COUNTY PROPERTY**

In the event an employee separates from Madison County Fiscal Court, all County property must be returned within 2 business days after their last day of employment. All County property must be returned to the employee's supervisor or the Human Resources Department. County property includes any item that has been purchased, inventoried, donated or acquired due to business related activities by or to the Madison County Fiscal Court. This includes, but is not limited to, cell phones, laptops, tablets, keys, vehicles, office supplies, furniture, tools, equipment, scrap metal, gasoline, oil, etc.

## **CHAPTER 2                    EMPLOYMENT**

### **2.1    EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

It is the policy of the County to provide Equal Employment Opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, tobacco-smoking status, pregnancy, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. This policy applies to all terms and conditions of employment; including but not limited to: recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Madison County Fiscal Court shall make all efforts and remain in compliance with Equal Employment Opportunities Commission, The Kentucky Commission on Human Rights, The Kentucky Civil Right Act and the Title VI Implementation Program required by the Kentucky Transportation Cabinet.

### **2.2    AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendments Act (ADAAA) are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential duties of the position.

It is the policy of Madison County Fiscal Court to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to the application process, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The County will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and/or if the accommodation creates an undue hardship to the County. Contact the Human Resources Department with any questions or requests for accommodation.

## 2.3 ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

The County is committed to providing a work environment that values diversity and respects the uniqueness of the individuals. Upholding this commitment, the County prohibits harassment of any form in the workplace and will take prompt corrective action, up to and including termination, against any employee, supervisor, patient, vendor, agent or any other individual who engages in unlawful behaviors.

Prohibited unlawful harassment because of race, color, national origin, marital status, religion, sex, age, sexual orientation, or physical or mental disability or any other protected basis includes but is not limited to:

1. Verbal conduct, such as epithets, derogatory jokes or comments, or slurs;
2. Visual conduct such a derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures;
3. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work, because of the employee's sex or status in one of the protected categories;
4. Threatening, intimidation or otherwise interfering with other employees whether on or off duty;
5. Retaliation for reporting or threatening to report harassment;
6. Prohibited and illegal **sexual harassment** includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.

A hostile or offensive work environment can be caused by sexually suggestive or lewd remarks, insults, humor and jokes about sex, hugs, touches, or kisses, request for sexual favors, sexually suggestive or pornographic posters, cartoons, or drawings and obscene or sexually suggestive body gestures. These and any other behaviors, in which co-workers or patients are made to feel uncomfortable, will not be tolerated.

If an employee believes he/she has been unlawfully harassed or sees someone engaging in conduct which might violate another employee's rights, he/she should report the incident immediately and the following procedure should be utilized so that the complaint can be resolved quickly and fairly.

- When possible, the employee should confront the harasser and request him or her to stop the harassing behavior immediately.
- The employee should meet with their supervisor, department head or the Human Resources Department and provide details of the incident, including names or individual(s) involved, date(s) of the incident, type of harassment and the name(s) of any witnesses. All complaints will remain as confidential as possible.

- Supervisors or department heads must refer all harassment complaints to the Human Resources Department. Upon notice of any complaint, the County will immediately undertake a thorough, objective and confidential fact-finding investigation of the harassment allegation.
- If the County determines that unlawful harassment has occurred, it will take effective remedial action in accordance with the circumstances and inform the employee of the action(s) taken. Any employee who the County determines to have engaged in unlawful harassment will be subject to corrective action, up to and including immediate termination.
- The County prohibits any form of retaliation against the employee for filing a good faith complaint under this policy or for assisting in a related fact-finding investigation.

Given the nature of this type of discrimination, the County also recognizes that false accusations of sexual harassment can have serious effects on innocent women and men; therefore, frivolous, unfounded accusations will be investigated, and appropriate disciplinary action will be taken, up to and including termination.

## **2.4 VIOLENCE IN THE WORKPLACE**

Madison County Fiscal Court is committed to preventing workplace violence and to maintaining a safe work environment. The County has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur onsite or offsite during work-related activities.

All employees, customers, vendors and business associates should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. The County resources may not be used to threaten, stalk or harass anyone at or outside the workplace. The County treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, department head, or Human Resources Department. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resources Department of any protective or restraining order that they have obtained that lists the workplace as a protected area.

The County will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The County will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, the County may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The County encourages employees to bring their disputes to the attention of their supervisors or the Human Resources Department before the situation escalates. The County will not discipline employees for raising such concerns.

## **2.5 EMPLOYMENT ELIGIBILITY VERIFICATION**

As required by the Immigration Reform and Control Act of 1986, the County must verify documents pertaining to the employee's right-to-work status in this country as applicable to all employees hired on or after November 6, 1986.

No employee is to begin work without completing the Employment Eligibility Verification, Form I-9. In the event an employee does not present proper documentation within three (3) business days following the date of hire, then the employee will be terminated and will be eligible for rehire after providing the proper documentation.

Where a receipt of application of documentation has been provided within the required three (3) business days, then the employee will be allowed ninety (90) business days to provide the company the actual documentation. The employee may work during the ninety (90) day period. In the event that the employee does not present the actual documentation within (90) days of the date of hire, the employee will be terminated.

## **2.6 WHISTLEBLOWER PROTECTION**

A whistleblower as defined by this policy is a Madison County Government employee who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Code. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the Human Resources Department. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. The County will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Department immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Human Resources Department, who is responsible for investigating and coordinating corrective action.

## **2.7 HIRING**

**JOB OFFERS** - All job offers and salary amounts shall be voted on and approved by the Madison County Fiscal Court. No department head or employee has the authority to extend an offer of employment without Madison County Fiscal Court's approval.

**SUPERVISOR/EMPLOYEE RELATIONSHIPS**-Work relationships must be professional and pose no conflict of interest. Relatives, or those with whom the employee has a close personal relationship, can be employed, provided they are not in a direct supervisor-employee relationship. If a relationship in conflict with this policy develops after employment, efforts will be made to transfer one of the employees to remove the conflict.

**JOB ANNOUNCEMENTS**- All job announcements shall be posted on the Madison County website. When a vacancy occurs within County government, all individuals wishing to apply must complete the employment application form. The County Judge Executive and Fiscal Court may fill the vacancy by either a transfer of a current employee or by employing an external candidate.

Department heads that have any vacancy of a position that falls under section 4.1 shall follow the onboarding process outlined in the Human Resources Manual.

## **2.8 DIRECT DEPOSIT**

The Madison County Fiscal Court utilizes direct deposit to deliver payroll.

Employee pay will be electronically deposited directly into a checking or savings accounts designated by each employee if they approve their timecard on time. In the event an employee does not approve their timecard on time, they will receive a paper check from the Finance Office on the payroll pay date. Accounts must be established with banks or credit unions that support direct deposit. Participation in direct deposit will be a condition of employment.

## **2.9 BACKGROUND INVESTIGATIONS**

All offers of employment with the Madison County Fiscal Court are contingent on the applicant receiving a favorable background investigation, substance abuse screening and reference checks subject to state and federal laws. Persons employed by the County who change job duties may be subject to a background investigation. Persons employed for certain departments who have access to AOC and CJIS information require a second round of background checks. Those departments include, but are not limited to, Information Technology Department, Human Resources Department, E-911 and Custodial Department.

Persons completing the application for employment will be informed of this policy and be required to sign the Disclosure/Release/Authorization Form on the employment application authorizing the County to verify information provided by the applicant on the application. Applicants who fail to complete the necessary paperwork or who refuse to sign the required background authorization or substance abuse testing consent forms will not be considered for employment. If an unacceptable background or criminal history is found and the applicant has been hired, the job offer will be withdrawn. If employment has already commenced, the employee will be terminated immediately. Falsification or material omissions of information on an employment application is a justifiable reason for not hiring an individual, or if already hired, grounds for termination.

Prior convictions will not necessarily disqualify an applicant from employment with the County. Serious consideration will be given to the position applied for, the seriousness of the offense and how recently the offense was committed.

## **2.10 OUTSIDE EMPLOYMENT**

All employees are eligible to maintain outside employment and permission from the Madison County Fiscal Court is not required. All employees seeking outside employment shall report the outside employment to the Human Resources Department or designee by completing the Outside Employment Notification Form. The form requires the employee to provide the name, address and phone number of the outside employer, the location and nature of the work and the hours to be worked. This notice is required prior to beginning outside employment.

However, an employee may be required to discontinue certain outside employment, if, in the judgment of the County Judge Executive, it is felt the outside work would be harmful to the reputation and credibility of the Madison County Fiscal Court or if the outside work interferes with the employee's performance of duties within the County.

## **2.11 GIFTS AND GRATUITIES**

### **Individual Gift**

No employee may accept personal gifts, gratuities or other items from customers, political candidates, vendors, inmates, a person or company doing business or seeking to do business with the offices of the Madison County Government. Employees who have a previously established relationship that included exchange of gifts are exempt from this rule during non-business hours.

### **Staff Gift**

Non-cash office gifts given during business hours shall be placed in a location available for all employees to use. No gift shall exceed \$25 per person per office location per year. Employees who accept personal gifts or gratuities will be subject to disciplinary action up to and including termination. This rule exempts donations that are given to specific departments.

## **2.12 SOLICITATION AND DISTRIBUTION OF MATERIALS**

It is the County's policy to forbid distribution of advertising material, commercial or charitable solicitations, merchandise catalogs, handbills, or materials of a political or potentially adversarial nature on the premises. An exception is made for Fiscal Court approved charitable endeavors or those authorized by the County Judge Executive. The County may also choose to recognize charitable drives as a community-backed effort.

In order to avoid unnecessary annoyances and interruptions during the workday, solicitation by any County employee is prohibited during work time. Bulletin boards in County facilities are reserved

for County postings and announcements. Non-employees may not solicit or distribute any kind of written or printed materials on County premises at any time.

Employees are prohibited from engaging in the following actions in any County building, on any County property, during work time or while representing the County:

- Selling any product or service, soliciting contributions, or lobbying for political candidates or causes.
- Distributing any kind of written or printed materials (e.g. handbills, pamphlets, advertising materials, etc.) during work time or in work area.
- Pursuing outside business interests. Using bulletin boards, mail systems, photocopiers, telephone lists or the like for such purposes as stated above.

Employees found engaging in any of the actions listed above, or any like action, or to be assisting a vendor or another employee to engage in the same are subject to corrective action, up to and including termination.

## **2.13 DISCIPLINARY ACTION**

Grounds for disciplinary action of County employees, ranging from warnings to immediate discharge, depending upon the seriousness of the offense, shall include, but not be limited to, the following:

- Dishonesty or falsification of records;
- Use of alcoholic beverages or drugs which affect job performance, including the consumption of alcoholic beverages or drugs during working hours as well as the abuse of alcoholic beverages or drugs during non-working hours which, as a result of said abuse, affect the job performance of the employee during actual working hours;
- Unauthorized use or abuse of County equipment or property;
- Theft or destruction of County equipment or property;
- Habitual tardiness, unauthorized or excessive absence or abuse of sick leave;
- Disregard or repeated violations of safety rules and regulations;
- Unsatisfactory performance of duties;
- Disobeying a supervisor;
- Obscene language and/or gestures;
- The continuation, after a request to cease and desist, of a behavior which hinders or impedes members of the County and their ability to perform their jobs;
- Conduct which disrupts or interferes with the functions of the County or disturbs the peace of person(s) on County grounds and/or events;
- Performing outside work during working hours established by the County; or

- Displaying or distributing campaign material for a political campaign during normal working hours; the placement of any campaign or political material on a County vehicle; or participating in political activities while on the job site or during normal working hours.

Displaying disorderly conduct towards the County and/or its employees constitutes a viable basis for Court disciplinary action that could result in any level of corrective action listed below.

If a customer or constituent of the Court is displaying disorderly conduct, it is the responsibility of the employee witnessing the alleged offense to contact their direct supervisor and the Human Resources Department, inform the offender of their actions/behaviors and contact 911 or the Sheriff's department in the case of a serious infraction or the continuation of the action/behavior in question.

The County Judge Executive may place an employee on leave, with or without pay, pending investigation of any alleged activity. Fiscal Court shall be notified no later than the next regular meeting in Executive Session.

### **Corrective Action Procedures**

Madison County Fiscal Court encourages a management style that includes continual feedback regarding supervisor expectations and corrective actions. Department Heads shall follow the procedures listed in the Human Resources Manual. The following outlines the protocol for progressive discipline:

- **Level 1: Verbal Reminder**  
A verbal reminder will be given to an employee for a first-time performance or behavioral issue by the department head or Human Resources Department.
- **Level 2: Written Reminder**  
If it is determined that an employee is incapable or unwilling to perform an assigned task, or that the employee's behavior is an issue, the department head or Human Resources Department may make written notice of such.
- **Level 3: Suspension Without Pay**  
Continued failure of an employee to meet departmental requirements and expectations will require the department head or Human Resources Department to recommend suspension without pay to the County Judge Executive. The number of days suspended will be determined based on the severity and/or repetitiveness of the issue at hand.
- **Level 4: Termination**

Continued failure of an employee to meet departmental requirements and expectations following a suspension will require the Human Resources Department to recommend termination of further employment to the County Judge Executive.

The County Judge Executive reserves the right to skip any level of corrective action and initiate suspension or termination if the employee infraction is deemed serious misconduct.

### **Demotion**

The County Judge Executive may, with Fiscal Court approval, demote an employee provided the employee possesses the minimum qualifications for the position to which he is demoted. Reasons for demotion include, but are not limited to:

- the inability to carry out duties in accordance with the standards prescribed for the position or these rules;
- Disciplinary reasons; or
- In lieu of layoff.

Written notice shall be given to the employee prior to, or at the time of, the demotion.

### **Suspension**

The County Judge Executive may suspend, with Fiscal Court approval, any County employee, with or without pay, for not more than thirty (30) calendar days for disciplinary reasons. Fiscal Court approval may come after the suspension.

Should an employee be suspended without pay prior to the suspension being presented to Fiscal Court, and should Fiscal Court not approve the suspension, the employee shall be compensated for lost wages during the suspension period.

Any suspended employee shall receive written notice of suspension. The notice shall state:

- Reasons for the suspension; and
- Duration of the suspension.

## **2.14 SEPARATION**

An employee may be separated by:

- Termination;
- Resignation;
- Retirement;
- End of term; or

- Lay off.

### **Termination**

The County Judge Executive, with Fiscal Court approval, may terminate an employee. Fiscal Court approval is not required for employees whose hire was not approved by Fiscal Court. Written notice shall be given to the employee prior to, or at the time of, termination.

### **Resignation**

An employee shall, in order to resign in good standing, give the County Judge Executive written notice at least two weeks before the date the resignation is to take effect. The County Judge Executive may agree to a shorter notice because of extenuating circumstances.

A resignation made without two weeks written notice may be regarded as cause for denying the resigning employee future employment with the County. An employee's resignation and the circumstances pertinent to it shall be recorded in their personnel file.

During the employee's last two weeks, if provided, the employee shall not take off any time (vacation, sick, and/or holiday time) unless pre-approved by the Judge Executive. If the employee is sick and meets the criteria in Section 5.79, a doctor's note must be provided to the department head to be approved. Reference Section 5.57 regarding vacation time.

The employment date of an employee who resigns and is reinstated or is terminated and is re-employed shall be the date of re-employment.

### **Retirement**

In the event an employee is eligible to retire, it is the employee's responsibility to communicate with the Kentucky Retirement System about the steps that need to be followed. Madison County Fiscal Court requests employee to provide the Human Resources Department a 30-day notice in order to appropriately file retirement paperwork upon submission. All employees wishing to retire are recommended to end their employment with the County at the end of the month. During the employee's last two weeks, reference the resignation section above. The submission of retirement paperwork shall serve as notice of separation as of the date indicated on retirement paperwork with Madison County Fiscal Court. In the event the employees last day falls at the end of the month a schedule adjustment will be made by the department head.

### **Layoff**

The County Judge Executive shall submit in writing to the Fiscal Court whenever the County Judge Executive thinks a layoff of County workers is needed. If the court does not act in any manner

within thirty (30) days, the County Judge Executive may proceed with the layoff procedures as prescribed herein:

- The order of layoff shall be established by the Fiscal Court on the basis of the needs of the County.
- Consideration shall be given to both the seniority and merit of the persons considered for layoff.
- If time permits, the County Judge Executive shall notify the employee(s) two weeks prior to the effective date of the layoff.
- A copy of the notice shall be retained in the employee's personnel file.

An employee who has given satisfactory service, and is laid off, shall be eligible for re-employment in other positions for which the employee qualifies.

### **End of Term**

In the event a seasonal position works a full 9 months in a fiscal year, the Human Resources Department in conjunction with the department head, shall set an end of term date. This date will serve as the last day of employment in that fiscal year. An employee shall remain in good standing throughout their employment to be considered for the following seasonal hire.

## **2.15 REINSTATEMENT**

The County Judge Executive, with Fiscal Court's approval, may re-employ any former employee who has resigned from County employment with a good record and who was:

- laid off because of lack of work or funds; or
- demoted or wrongfully dismissed for a reason prohibited by local, state or federal employment regulations.

## **2.16 EMPLOYED BY DIFFERENT DEPARTMENTS**

In the event an employee works full-time for a Madison County Fiscal Court department and as a seasonal employee in another Fiscal Court department, the full-time employment shall be the primary employment. Reference chapter 4 for compensation.

## **2.17 COUNTY EMAIL**

All County offices that use a County email address shall only use the email for County purposes only. All official communication shall be done through County email. All employees shall follow the email policy on file with the Human Resources Department. All Madison County Fiscal Court employees under the Judge Executives authority shall receive a County email address.

In the event an employee needs documents from the Human Resources Department for any reason, the request shall be made through their County email address.

Employees may have access to their County email on their personal cell phones. If the employee put their County email on their phone and lost their phone, the Human Resources Department must be notified immediately through the appropriate form on the County's website. The Information Technology Department has the right to erase all data on the phone in the event that the phone has been reported lost or stolen.

## **2.18 IDENTIFICATION CARDS**

All Madison County Fiscal Court employees under the authority of the County Judge Executive shall receive a County issued identification card (ID). Each badge is encrypted with certain access rights and shall not be shared with others, including other County employees. In the event an employee loses their ID, the Human Resources Department shall be notified immediately. Any sharing of ID cards or neglecting to report it missing will result in corrective action.

## **2.19 FRATERNIZATION**

Madison County Fiscal Court employees may date, develop friendships and relationships both inside and outside of the workplace as long as the relationships do not negatively have an impact on work. Any relationship that interferes with the culture of teamwork, the work environment or of employees, will be addressed by applying the progressive discipline policy up to and including termination. Adverse workplace behavior or behavior that affects the workplace that arises because of personal relationships will not be tolerated.

The exception to this policy relates to supervisors, members of the Executive Team, the County Attorney, or any elected officials under the budgetary authority of the Madison County Fiscal Court. Anyone employed in these roles shall not fraternize with an employee who is separated by one or more levels in the chain of command. The fraternization that is prohibited by this policy includes dating, romantic involvement, and sexual relations.

If a supervisor, member of the Executive Team, County Attorney, or any elected official under the budgetary authority of the Madison County Fiscal Court opts to pursue a relationship with a Madison County employee, he or she needs to inform Human Resources immediately. The Judge Executive will determine if any action is necessary.

Any consensual dating relationships established prior to the date of adoption of this policy will be reviewed by the Judge Executive and Human Resources to determine what action, if any, shall be taken.

## **2.20 CHILDREN IN THE WORKPLACE**

Employee's bringing children/minors to the workplace during the employee's workday is inappropriate and is to be avoided except in emergency situations. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce property liability, and help maintain the company's professional work environment.

If bringing a child to work with the employee is unavoidable, the employee shall contact his/her supervisor as soon as possible to discuss the situation and obtain permission to have the child accompany the employee while working. Factors the supervisors will consider are the age of the child, how long the child needs to be present, the work environment in the employee's area, and any possible disruption to the employee's and co-workers' work. Consideration will not be given to allowing a child with an illness to come to work with the employee. A child brought to the workplace in unavoidable situations will be the responsibility of the employee and must always be accompanied and be under the direct supervision of the employee.

## **CHAPTER 3                   WORKPLACE PROCEDURES**

### **3.1   SAFETY AND ACCIDENT PREVENTION**

The health and safety of all County employees is of major importance. Employees are required to follow all federal, state and local laws. All employees shall report all hazardous conditions in their work area at once to their immediate supervisor. The supervisor shall document in writing the hazardous condition and shall report the condition to the Human Resources Department immediately. All injuries, regardless of the need to seek medical attention, shall be reported immediately to the supervisor and within 24 hours to the Human Resources Department. All hazardous conditions and injuries shall be reported through the proper forms on the County's website. Annual training shall be completed for OSHA compliance and will vary by department.

### **3.2   VEHICLE MANAGEMENT**

Madison County Fiscal Court is committed to providing comprehensive fleet policies and procedures necessary for proper County asset management and to help prevent vehicle accidents. This policy applies to all Madison County Fiscal Court employees who operate a County owned vehicle and/or who operate a personal vehicle on County business.

All Madison County vehicles are maintained by the Madison County Road Department. All maintenance shall be scheduled with the Road Department Service Manager. Any purchases of vehicles or equipment that would fall under the Madison County Property Liability Policy shall be approved by the Road Department Administrator prior to any purchase being made.

Each department head will provide the means and support necessary to ensure compliance with all applicable regulations and responsibilities outlined herein. Department heads will monitor the use of County vehicles and ensure that all County vehicles are returned to their designated locations at the end of each workday.

The only County vehicles to be driven to an employee's home are those assigned to an employee who is on call for that evening. Driver selection is based on established criteria such as experience and a satisfactory driving record. Selection criteria will vary depending on the driver type:

- Occasional Drivers-drive only one or two times each week.
- Regular Drivers-usually drive on a daily basis and have an assigned vehicle.
- Commercial Driver's License (CDL) Drivers - drive vehicles weighing over 26,001 lbs. or transporting 16 or more passengers, including the driver.

All Department heads will report any damage, improper driving, or improper use of County vehicles to the Human Resources Department through the appropriate form on the County website.

Any employee who carries a Commercial Driver's License (CDL) shall follow all rules and regulations provided by the Department of Transportation. It is the employee's and department head's responsibility to remain in compliance with the CDL rules and regulations.

The basic principles of defensive driving will be provided for all employees during their initial orientation, and once per year afterward. Employees are expected to be familiar with and observe all defensive driving guidelines.

- All driving laws shall be followed;
- An employee shall not drive or operate a vehicle unless assigned or granted permission;
- Vehicles are to be used only for conducting official County business;
- No personal use is allowed;
- County vehicles are only to be driven to an employee's home are those assigned to an employee who is on call for that evening;
- Drivers must have in their possession a valid operator license when operating County vehicles;
- Seat belt use is mandatory for vehicle and equipment operators and all occupants per KRS 189.125;
- Drivers must operate their vehicle in a safe manner at all times;
- Drivers must have and maintain a favorable driving record;
- No one shall ever operate a vehicle when there is a known safety defect. Any defects shall be reported immediately;
- All objects shall be secured inside the vehicle to avoid distractions; and
- If a vehicle is involved in an accident, the driver's first duty is to stop the vehicle. The police must be called. Employees must not make or promise settlements of damage. The driver's department head shall be notified immediately, and accident reporting procedures outlined in the Vehicle Accident Card shall be followed. Pictures must be taken at the scene of the accident. If the employee is unable to take pictures of the accident, their supervisor must arrive at the scene. In the event an employee is physically unable to take pictures, E911 will attempt to notify a County employee.

### **3.3 DRUG FREE WORKPLACE**

Madison County Fiscal Court has a vital interest in maintaining safe healthy and efficient working conditions for its employees. Being under the influence of drugs or alcohol on the job may pose

serious safety and health risks to the user and all those who work with the user. The possession, use or sale of an illegal drug or alcohol in the workplace may also pose unacceptable risks for safety, health and efficient operations.

The County further gives notice that:

- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in any County work area is prohibited.
- As a condition of employment, employees must abide by the terms of the Drug and Alcohol-Free Workplace – Substance Abuse Policy (Addendum 1).
- Any County employee who is convicted of any state or federal criminal drug statutes for drug-related misconduct in the workplace must report the conviction within 5 days thereafter to the Human Resources Department.

Violations of this prohibition will result in administrative sanctions, ranging in severity from formal counseling to termination of employment, immediately or within 30 days, whether or not the violation results in conviction under state or federal criminal drug statutes for misconduct in the workplace. Satisfactory participation in a County-approved drug abuse assistance or rehabilitation program may be required as a condition of continued employment by the Madison County Fiscal Court of all employees who violate this prohibition and are not terminated from employment. See **Addendum 1** for full policy.

Any agency who falls under the Madison County Fiscal Court Property Liability Insurance Policy shall comply with our Drug and Alcohol-Free Workplace Program.

### **3.4 EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) offers free, confidential services, provided through ComPsych GuidanceResources, designed to help County employees prevent or resolve personal, family, financial, legal and workplace problems affecting that employee's well-being and job performance. Use of EAP is voluntary. Typical problems include: job stress, communication problems with a co-worker or supervisor, depression, substance abuse, and marital/family problems. EAP provides problem assessment, education, short-term counseling, free online will preparation and/or referral to community resources. EAP offers support, educational assistance and intervention to supervisors and employees on individual or departmental matters and wellness promotion activities to improve the County's work climate.

To access these services, contact ComPsych GuidanceResources anytime at 855-387-9727 or go online to [guidanceresources.com](http://guidanceresources.com). The Company Web ID is ONEAMERICA3 to find information on a variety of valuable services. Any expenses shall be incurred by the employee.

### **3.5 MEDICAL DECISIONS**

Madison County Fiscal Court requires employees to be sent to Baptist Health Occupational Medicine for various reasons. Madison County Fiscal Court is not responsible for anything including, but not limited to, time, liability, medical decisions and/or cost of procedure outside of normal practices. Any decision that the employee disagrees with shall be addressed ~~taken up~~ with Baptist Health Occupational Medicine.

### **3.6 ASSET POLICY**

All County property shall be accounted for in accordance to the Madison County Asset Policy on file with the Madison County Human Resources Department. Refer to the policy for additional information.

## CHAPTER 4 COMPENSATION AND WORK HOURS

### 4.1 EMPLOYEE CLASSIFICATIONS

Understanding the definitions of the employee classifications of the Madison County Fiscal Court is important because your classification is one of the factors that determine your employment status and benefit eligibility. These classifications do not guarantee employment for any specific period of time. Since you are an employee-at-will, either you or the County have the right to terminate the employment relationship at any time, with or without cause or advance notice.

**REGULAR FULL-TIME** employees are employees who are not in a temporary or seasonal status AND who are regularly scheduled to work a full-time schedule. Regular full-time employees are eligible for all benefit programs, subject to the terms, conditions and limitations of each program. Full-time employees shall work no less than 75 hours in a pay period.

**REGULAR PART-TIME** employees are employees who are not in a temporary or seasonal status AND must work some hours every month. Part-time employees are not permitted to exceed 100 hours per month. Regular part-time employees are not typically eligible for medical insurance; however, under current conditions in the Federal Affordable Care Act (ACA), and based upon the County's calculated Full-Time Equivalents (FTE's), some FTE's could qualify for some form of affordable health care coverage, based upon their average number of hours worked per week or per month. An FTE is a person who has worked (on average) 30 hours per week during the previous calendar year. This includes all hours for which the employee was paid, whether or not the employee actually worked those hours (i.e. paid vacation, paid leave, etc. Contact the Human Resources Department if you feel you are entitled to this benefit). Employees who work more than 100 hours in a month are required to participate in the Kentucky Retirement Systems.

**SEASONAL** employees are employees who are hired on an interim basis to temporarily supplement the workforce no longer than nine months in a fiscal year. The months worked do not have to be consecutive during that year, but the total months worked in a fiscal year may not exceed nine months. Employment assignments in this category are of limited duration. Employment beyond the initially stated period does not in any way imply a change in employment status. While seasonal employees receive all legally mandated benefits (such as social security and workers' compensation insurance), they are ineligible for the County's benefit programs subject to terms, conditions and limitations of each program. In the event an employee is full-time in one department and works in a seasonal position in another department, that employee shall be paid time and a half of their hourly full-time rate. Subject to change per Kentucky Retirement Systems.

**INTERN** is unpaid and not eligible for any benefits. Interns may apply for permanent positions. If a

student is interning in exchange for school credit, it is the student's responsibility to ensure the proper paperwork is submitted for said credit.

**INTERMITTENT** employees are employees who receive creditable compensation which must be reported to Kentucky Retirement System, but who maintain a sporadic work schedule and may not work every month.

**INTERIM** positions are not to exceed nine (9) months. An interim position shall not follow the classification schedule but rather evaluated on a case by case basis by the County Judge Executive and brought to Fiscal Court for approval.

## 4.2 HOURS OF WORK

The work day varies based on each department. The job descriptions outline the work week schedule for each position. All approved job descriptions must be on file with the Human Resources Department.

Offices are expected to remain open during regular business hours with the exception of extreme circumstances and County designated holidays. In the event of an extreme circumstance or County designated holiday, a typed note shall be put on the door with the accurate return time.

Work and break hours may vary by location based on work demands and will be determined by the department head in conjunction with the County Judge Executive. In the event, the department head wishes to change their office hours, they must seek approval by the Judge Executive.

In the event an employee wishes to switch shifts, with the approval of their department head, it shall be addressed with the Human Resources Department for comparison to the departmental policy.

### Pay Period

Pay periods run from Wednesday through Tuesday, and pay days are every other Tuesday following the end of the pay period. Madison County Fiscal Court attempts to pay on Friday when possible via direct deposit. However, there is no legal obligation to pay prior than Tuesday.

### Daylight Savings Time

Per the Fair Labor Standards Act, employees shall be paid for all hours worked.

## 4.3 OVERTIME

**NON-EXEMPT (HOURLY)** employees are entitled to minimum wage and overtime pay under the

specific provisions of the Fair Labor Standards Act (FLSA), and are typically paid on an *hourly* basis. Hourly, non-exempt employees are paid for work in excess of 40 physically working hours in a pay week (Wednesday – Tuesday) at the rate of 1.5 times their regular pay. Leave time (holiday, vacation, sick and personal) does not count towards hours of overtime (except Fire Department). All non-exempt employees shall clock in and out for work each day. Employee time will be rounded to the nearest quarter hour as advised by the Kentucky Labor Cabinet.

No non-exempt employee should be working outside of their scheduled workday unless authorized by the County Judge Executive, department head or supervisor. Any falsification of time is grounds for immediate disciplinary action, up to and including termination.

**EXEMPT (SALARIED)** employees are excluded from certain provisions of the Fair Labor Standards Act (FLSA) and Internal Revenue System (IRS), and are not entitled to overtime pay. Exempt employees are paid on a *salary* basis and include administrative, executive and professional employees, and certain highly skilled computer professionals. See Section 5.68 regarding overtime accrued on a holiday.

#### **4.4 BREAKS**

**REST BREAKS:** Non-exempt employees receive and are expected to take one 10-minute rest break for every four hours worked per day. Employees shall not clock in and out for rest break periods.

**MEAL BREAKS:** Employees working four or more hours each day are entitled to a reasonable period for a meal. Meal breaks vary per department within a minimum of 30 minutes and a maximum of one hour. Department heads may modify the lunch period with approval by the Judge as long as the change is in compliance with labor law. Non-exempt employees returning early from a meal break or who work through a meal break without the approval of their department head will be subject to disciplinary action. All employees shall clock in and out for their meal break unless another agreement has been signed. The employees of the Detention Center, Animal Shelter, Fire, Golf Pro Shop and E-911 Dispatchers shall have the option to choose between two different preferences for their meal break by signing the Madison County Fiscal Court Meal Break Agreement Form. The employee has the right to change options at any time by contacting the Human Resources Department promptly.

#### **4.5 INCLEMENT WEATHER AND EMERGENCY DECLARATION**

The Madison County Government Offices shall be open and available to the public during all scheduled office hours; however, at times it may be necessary to close the offices or reduce office

hours due to a disaster such as ice, snow or other severe weather. Please note this does not apply to Fire, E-911 or the Detention Center.

Employees are expected to report and remain at work as usual unless a declaration is made by an Executive Order of the Madison County Judge Executive, the Kentucky Governor or the President of the United States, herein referred to as declaration, indicating all County offices are closed. Announcements are made on all local television stations, the Madison County access television station, the County website, and County Social Media sites regarding closing or alternate work schedules.

Essential and non-essential employees are decided on by the department and are selected depending on the situation at hand.

Essential Hourly Employees: Employees required to work when a declaration is issued shall receive hours on their timecard for the remainder of hours of their regularly scheduled shift for that day. They shall be paid straight time for hours worked or overtime, if applicable, for every hour worked on that day. If the employee completed their shift prior to the declaration, they will not be reimbursed for any additional time.

For example: If the employee's regular shift is 8 hours long and the employee works 5 hours prior to the declaration, then 3 hours of time (scheduled but not worked) would be inputted on their timecard for that day.

Non-essential Hourly Employees: Employees shall be off work if a declaration is made indicating all County offices are closed. Employees shall receive hours on their timecard for the remainder of hours of their regularly scheduled shift for that day. In the event a non-essential hourly employee is called into work, they shall follow the essential hourly employees' section of this policy.

For example: If the employee's regular shift is 8 hours long and the offices are closed, the employee would receive 8 hours on their timecard. If there was a 2 hour delay, the employee would receive 2 hours on their timecard.

Essential Salaried Employees: As occurs on a normal day, salaried employees are not eligible for overtime or additional pay for hours worked above their shift. Essential salaried employees shall not receive any additional pay if a declaration is made indicating County offices are closed. Employees called into work during a declaration shall work any required hours and reflect those hours worked on their timecard.

For example: The employee's regular shift is 8 hours long. The employee works 11 hours during a declaration. The timecard will reflect 11 hours worked and there is no additional pay for the additional 3 hours worked.

Non-essential Salaried Employees: Salaried employees not deemed essential shall be off work if a declaration is made indicating all County offices are closed. Non-essential salaried employees scheduled to work on a day shall receive hours on their timecard for the remainder of hours of their regularly scheduled shift for that day.

For example: If the employee's regular shift is 8 hours long and the offices are closed, the employee would receive 8 hours on their timecard. If there was a 2 hour delay, the employee would receive 2 hours on their timecard.

Extenuating Circumstances

In the event of extenuating circumstances, the Fiscal Court may consider additional supplemental pay structures.

Sick Days

In the event an essential salaried or hourly employee is unable to report for duty due to a situation outlined in the sick leave policy on a day a declaration occurs, the employee shall utilize sick time for that absence in the amount of their regularly scheduled workday in the timecard system. A sick excuse must be provided during an absence in a declaration. Standard rules regarding sick day procedures are outlined in Section 5.9.

Vacation Days

In the event an essential salaried or hourly employee is unable to report for duty due to a previously requested vacation outlined in Section 5.7, the employee shall be credited the vacation day in the amount requested in the timecard system. Standard rules regarding vacation day procedures are outlined in Section 5.7.

**4.6 PERSONNEL INFORMATION**

Beginning the first day of employment, all new employees shall report to the Human Resources Department to supply any information needed to complete personnel records, execute payroll withholding authorization, attend orientation and enroll in the employee benefit program.

**UPDATING INFORMATION**

It shall be the obligation of the employee, or power of attorney, to maintain current information by notifying the Human Resources Department of all changes in personal or family status, home address, telephone number, or any other changes which would affect payroll withholding or

employee benefits.

### **AVAILABILITY OF RECORDS**

An employee may comment in writing on any item in their personnel files. Such comments shall be made a part of your files and shall be attached to the specific record or document to which they pertain.

Records contained in personnel files are public records open to public inspection pursuant to Kentucky's Open Records Act (KRS 61.870 to 61.884). If requested, generally these records will be disclosed subject to the redaction of personal information pursuant to KRS 61.878. In order to inspect an agency record, you must comply with appropriate request procedures established by the agency and authorized under KRS 61.876. A response to your request for records is due within three (3) days from the receipt of your request.

As a courtesy, and in order to protect personal and private information from disclosure, the Court makes reasonable efforts to notify an employee when a third party requests to inspect and copy records in the employee's file. For more information on employee records and files, please refer to KRS 18A.020.

### **PAY STUBS**

In the event an employee needs a copy of their pay stub they shall either come to the Human Resources Department in person or send an email from their County email to the Human Resources Department. If a third-party requests the employee's payroll history, the employee must notify Human Resources via email. Persons picking up employee information at the Human Resources Department must have a valid identification card. All paystubs are now electronic for all Fiscal Court departments and are sent to each employee's County email address.

If at any point, the employee requests someone other than themselves to pick up any information from the Human Resources Department, the employee shall send an email to Human Resources from their County email address specifying who is picking up the information and what exactly are they picking up. In the event an employee is not issued a County email address they shall contact their supervisor to get in contact with Human Resources via County email.

### **PAY CHECKS**

In the event an employee is issued a paper paycheck, the employee must pick up the paycheck with a valid identification card at the Human Resources Department. If the employee wants someone else to pick it up for them, Human Resources must be notified through County email specifying who is picking up the paycheck. The individual must have a valid identification card to pick up the paycheck. Paychecks will only be held at the Madison County Human Resources Department.

## **BENEFITS INFORMATION**

Policy information shall only be communicated with the employee over County email with Human Resources unless the employee has provided documentation to the Human Resources Department to be able to discuss this information with another party. Refer to section 1.12 for further information.

## **4.7 COUNTY RECORDS**

Madison County Fiscal Court follows the document retention schedule posted by the Kentucky Department of Libraries and Archives at [kdl.ky.gov](http://kdl.ky.gov). All documents intended for destruction shall be noted on the Destruction Certificate and submitted with the Madison County Human Resources Department for approval with the Kentucky Department of Libraries and Archives prior to destruction. Once approved, the documents indicated on the destruction certificate shall be destroyed.

## **4.8 EXPENSE REIMBURSEMENT**

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

### **Mileage Reimbursement**

The County will follow the rate paid by the Commonwealth of Kentucky if travel by personal vehicle is necessary. The current reimbursement rate can be found at <http://finance.ky.gov>. Any employee incurring expenses from the use of a personal vehicle (POV) shall be required to provide all documentation for reimbursement outlined in the prescribed County forms on the County's website. The documentation includes, but is not limited to, a copy of the Commonwealth of Kentucky mileage rate, a completed mileage log form that includes a clear description of the purpose of travel and a completed travel reimbursement form. The approved copy of the Finance Manual is filed with the Human Resources Department.

### **Overnight Reimbursement**

The following are permissible for an individual that is required to travel overnight for business purposes. All travel is conducted through the Finance Office. All documentation for reimbursement is outlined in the prescribed County forms on the County's website. Those documents include, but are not limited to, a travel request form and travel reimbursement form upon return with back up documentation including proof of attendance (sign in sheets, agendas and/or certificates of completion). The following are allowable reimbursements:

- Room Costs: The Finance Administrator handles all room reservations. Cost should be the most economically consistent with the County's best interest. Upon return, the employee is required to provide documentation for travel including a receipt from the hotel showing a zero balance.
- Meal Costs: Meal reimbursement is for overnight travel only. Day trips are not permissible for food reimbursements. Not to exceed \$35.00 per day (upon presentation of itemized receipt(s)). Credit card receipts that do not show an itemized list is not acceptable as a proof of purchase. Alcohol shall not be reimbursed.
- Mileage: Individuals traveling outside of the County on business should utilize a fleet vehicle when possible. If one is not available, the County will utilize the mileage reimbursement rate.
- Air Fare: The Finance Administrator handles all air fare reservations. All air fare reservations will be booked at the lowest coach fare. County Judge Executive approval required.
- Other Expenses: Tolls, parking and similar expenses. Expenses shall be necessary and reasonable. No expenses shall be reimbursed which are not directly related to job related purposes or other County business purpose. Receipts or notarized statements are required.
- Higher reimbursement rates may be authorized due to travel site (i.e. high rate areas). Commonwealth of Kentucky regulations shall be utilized for guidance.
- Rental Car: A rental car will only be approved if there is a considerable distance between meeting locations or if public transportation (metro, taxi, etc.) is not feasible. The rental car must be an economical rental (economy/compact), upgrades are not allowed. Itemized fuel receipts must be maintained for reimbursement. Upon rental, do not take out additional insurance. As an employee, traveling on business, you are covered under the County insurance policy (KACo).
- Public Transportation: If any County employee goes on a trip with a non-County employee, Madison County Fiscal Court will only pay for what the County employee would need. For example: A County would only need a regular Uber if it was just them traveling. If their family was traveling with them and they needed an UberXL, the County would only pay for the Uber. The County employee would be required to pay the difference.

### **Authorization**

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

### **Reimbursement**

- The Request for Reimbursement Form must be completed (including required receipts) and submitted to the County Treasurer within (30) thirty days after returning from travel.

- In order for reimbursement it shall be approved by the employee requesting reimbursement and their department head.
- The use of a personal vehicle must be substantiated by written records, beginning and ending mileage, and other information to corroborate the claimed business usage of the vehicle.

#### **4.9 ON-CALL/EMERGENCY CALL-BACK POLICY**

All positions that require an on-call or emergency call back response will be noted on the job descriptions on file with the Human Resources Department.

##### **On-Call**

Pursuant to 29 CFR 785.17, an on-call employee is an employee who is to remain available to be called back to work. For this reason, the Animal Shelter employees who are on call will be compensated. An on-call employee who is called back to work shall be paid for the time worked or a minimum of two hours, whichever is greater. Department heads should establish reasonable maximum response times (between 15 and 60 minutes) for their departments. Once the employee has been called back to work, the employee shall clock in at the moment that they leave their house and clock out at the moment that they return back to their house.

Time worked while on call will be calculated at the employee's regular rate of pay. If an employee is called back to work, he or she will be paid for travel time. If an on-call employee is not called back, no pay will be earned. Overtime compensation is applicable only when total hours worked exceed the regular full-time work cycle.

Employees who are on call must adhere to all County policies, including substance abuse and testing. Any variance from such policies may result in disciplinary action, up to and including termination.

##### **Emergency Call-Back**

An emergency call-back is defined as an unscheduled request made by a department head for an employee to return to work due to unforeseen or emergency work after the end of his or her regular shift and before the beginning of the next regularly scheduled shift.

Emergency call-backs that occur during paid holiday leave or emergency declaration will follow the compensation outlined in those sections of this manual. An employee who is called back to work shall be paid for the time worked or a minimum of two hours, whichever is greater.

#### 4.10 PROMOTIONS AND PAY INCREASES

Madison County Fiscal Court follows an employee Classification Schedule. This Schedule is adopted separately from the Administrative Code and governs the pay ranges and promotion opportunities for Madison County employees. If an employee is hired or promoted from April 1 to June 30 of a given calendar year, that employee shall not receive the annual increase for the current year's annual budget process.

##### **Annual Budget Process**

Salary adjustments are contemplated in the annual budget process and voted on no later than the month of June by the Fiscal Court. Salary adjustments are made based on a variety of factors, including but not limited to: years of service, evaluations, recommendation of the Department Head, trainings completed, etc.

Salary adjustments shall go into effect for the first pay period of the new fiscal year. Below are the ways to receive a salary adjustment during the annual budget process:

- Merit (Performance Evaluation Score);
- Recommendation;
- Change in title;
- Years of service; or
- If the employee is capped out in their classification schedule, then they will receive a percentage decided on by the Fiscal Court.

In the event an employee receives both a merit and a recommendation increase the merit raise will be factored in first and then the recommendation will be added. If an employee receives a promotion during a time separate from the annual budget process, their merit score will be factored on the pay that was in place at least six months out of the year.

**Part Time Employees:** Effective July 1, 2018, part time employees shall be eligible for consideration of a pay increase in the event they were employed during the evaluation period leading to the budget review and recommendation period. This process will be based on the current evaluation and compensation process outlined in the Madison County Administrative Code for full time Madison County employees.

**Returning Seasonal Employees:** Effective on the first date of employment as a seasonal employee, returning employees with evaluations on file from the previous seasonal year, shall be eligible for consideration of a pay increase based on the current evaluation and compensation process outlined in the Madison County Administrative Code. This recommendation is not required to be made during the budget review and recommendation period as many seasonal employees are hired at various schedules during the year.

**Throughout the year**

The only modification in salary adjustments made other than the annual review will be in the event of a change in title or by request of the Fiscal Court. In the event that a department head identifies an unfilled promotion opportunity, they may request to the Judge Executive to have it available. Any change in title request shall be approved by the Fiscal Court. If not approved by the Judge Executive, then no change will be considered. In the event there is a vacancy due to a departure of an employee, the position may be posted or a current employee may be promoted into that position upon Fiscal Court approval.

**Spiking**

In the event an employee receives a pay increase that is triggered by the Kentucky Retirement System (KRS), KRS requires the employee will only receive the employer match up until the status of spiking occurs. This goes into effect for any retirement occurring after July 1, 2017. Effective January 1, 2018 the employer is no longer fiscally responsible for spiking notices. This responsibility has been shifted from the employer to the employee. This is all pursuant to the Kentucky Retirement Systems.

**4.11 EVALUATIONS**

The County utilizes four opportunities for review and encouraging continual feedback and coaching by all supervisors. Feedback is given in the following opportunities:

**Coaching Session**

Coaching is a process of continual communication between the supervisor and employee. These are casual interactions, informally documented, where the supervisor and employee can communicate on issues and necessary corrective actions. These sessions occur no less than twice throughout the year.

**Midterm Performance Review**

Midterm Performance reviews are a formal sit down between the supervisor and employee. Department Heads shall follow the process outlined in the Human Resources Manual. These Midterm Reviews are conducted in the month of September.

**Annual Performance Review**

The Annual Performance Reviews are a formal sit down between the supervisor and employee. Department Heads shall follow the process outlined in the Human Resources Manual. This is the last formal communication between the employee and supervisor prior to the recommendation by the Department Head of annual pay increases.

#### **4.12 VOLUNTEER/MENTORING POLICY**

Any individual who works pro-bono (i.e. interns, community service, court referrals, etc.) shall coordinate with the Human Resources Department in accordance with the Volunteer Handbook on file with the Human Resources Department. No individual shall shadow as a precursor of employment nor shall mentor or job shadow a position that falls under the employee's same scope of work. All volunteers, mentoring and job shadowing opportunities shall be approved by the Human Resources Department prior to implementing any program.

Failure to comply with the Volunteer Handbook on file with the Human Resources Department will result in the department being suspended from these programs.

## **CHAPTER 5 EMPLOYEE LEAVE AND ATTENDANCE POLICIES**

### **5.1 ATTENDANCE**

Specific departmental work schedules shall be prescribed by department heads, with the approval of the County Judge Executive. Employees shall be at their places of work in accordance with prescribed schedules.

### **5.2 STAFFING**

It is the department head's responsibility to ensure that their department is staffed at all times. Reference section 5.4 for the appropriate leave request process. No department shall have more than two individuals off in a department at one time, unless approved by the department head.

### **5.3 ABSENCES AND TARDINESS**

It is the responsibility of all employees to report to work on time and for all scheduled days. Unacceptable attendance, reporting to work late, improper clocking in and out, leaving the premises without authorization and not reporting an absence will result in corrective action up to and including termination. Employees unable to report to work on time or not at all are required to call management as soon as possible and no later than 30 minutes after the start of the employees' scheduled workday. A pattern of tardiness is grounds for disciplinary action up to and including termination.

Employees absent for three (3) consecutive working days without notifying management will be considered as having voluntarily quit without notice. A pattern of absences is grounds for disciplinary action up to and including termination.

### **5.4 TIME CLOCK**

All employees shall clock in and out each workday. All employees have access to clock in via the thumbprint stations unless the department head has submitted the appropriate form located on the County's website. Once approved, employees can also clock in via the mobile application and/or a County computer. Individuals who clock in remotely shall do so only once work has commenced. All remote punches are tracked through the time clock system.

No employee should be working outside of their scheduled workday unless authorized by the County Judge Executive or designee. Employees are granted a 5-minute grace period before and after their scheduled shift time per the Kentucky Labor Cabinet.

In the event you have not clocked in but are working (ie: interacting with a customer on the way to the time clock) or if the time clock is not working, email your time through your County email address to your department head and Human Resources. A correction will be indicated on the timecard for processing by payroll.

The Human Resources Department and each employee's department head will review time clock usage to ensure employees are not abusing the time clock system. Employees who abuse the system will receive disciplinary action, up to and including termination. If there is a dispute regarding the accuracy of the time clock, please punch in as scheduled and notify the Human Resources Department immediately.

## **5.5 APPROVING TIMECARDS**

All employee timecards shall be reviewed by supervisors no later than Wednesday by noon. The employee will have from the time that their department head approves their time until Thursday at 10:00AM to approve their time. All department heads will have the responsibility to make sure all timecards are ready to process, have been approved by the supervisor and the employee, by Thursday morning at 10:00AM.

In the event that one or more employees cannot approve their time due to an unforeseen emergency, it is the department head's responsibility to notify the Finance Office immediately. This will ensure that said employee's payroll will be processed at the allotted time and will not be delayed. Any employee with a timecard that has not been approved will not be paid via direct deposit but will have a paper check cut the following Tuesday. All employees whose time is not properly submitted shall be issued a paper check. Reference section 4.6 on the process of how to pick up a paper check.

## **5.6 LEAVE REQUEST PROCESS**

All leave requests, regardless of the type of leave, shall be sent to his/her department head. The department head or authorized supervisor will review and if approved, enter the request into the payroll system for scheduling. No person shall approve his/her own time request. Any requests off must be inputted into the time clock system by rounding to the nearest quarter (Ex. 15 mins is .25, 30 mins is .50, 45 mins is .75, 1 hour is 1). It is the department head's responsibility to ensure employees enter leave correctly prior to approving leave.

## **5.7 VACATION LEAVE**

All regular full-time employees are entitled to 8 hours of vacation time provided on a per month basis beginning the first day of the month after employment has started. Employees whose daily work schedule hours exceed the daily 7.5 hours are required to utilize additional hours to cover the full 8 hours or 10 hours required to make up a full day.

Employees may accumulate an unlimited amount of vacation hours but will only be compensated for up to a maximum of 240 accumulated hours upon resignation of employment when a proper notice is given (see section 2.14). Employees who are terminated due to progressive disciplinary procedures or gross misconduct or resign without proper notice will forfeit any accumulated vacation hours.

Employees must submit a request for vacation leave to the department head at least one week in advance for all administrative and hourly employees, with the exception of all Emergency Services Personnel, who must give at least two-week notice prior to approval of vacation leave.

In the event of an emergency, the department head, upon the approval of the County Judge Executive may revoke the approved vacation in order to better serve the needs of the County.

## **5.8 HOLIDAYS**

All regular full-time employees, are eligible for paid holidays based on their regularly scheduled work hours per day. The holiday schedule is set by Executive Order of the Madison County Judge Executive. A yearly schedule will be provided to all employees with the calendar dates the holiday falls on for the respective year.

Employees who call in sick on their scheduled work shift, a day before or after a holiday, will be required to show a doctor's note or they will not receive holiday pay.

In the event a County observed holiday falls on a day when an employee is scheduled off they shall take the day off before the holiday unless it is a Monday where they would take the day after. For example: If the holiday is on Friday and you do not work on Fridays then you would be off Thursday and Friday. Please note this does not apply to Fire, E-911 or Jail employees. In the event the department head wants to change the day off, it must be approved by the County Judge Executive prior to communicating with the employee.

A holiday is defined as 12:00am (midnight) to 11:59pm on the day of the holiday unless otherwise stated in the executive order.

**24/7 Staffed Departments** – The departments that provide a 24 hour service are the E-911, Fire, EMA/CSEPP and the Detention Center. The holiday benefit for these departments will be 8 hours of holiday pay which is paid at the employee's regular rate of pay. These hours will be paid on top of their regular payroll as the holiday falls throughout the year and be paid with the pay period that includes the actual date of the holiday. Holiday time does not count toward overtime for the week except for the Fire Department. The Fire Department is able to either bank their holiday time or get paid out for their holiday time. These elections for each Fire Department employee are kept on file in the Human Resources Department in accordance with the Fire Holiday Time Policy. In the event an employee works a holiday in excess of 8 hours, they will be paid out holiday pay hour for hour for every additional hour worked.

Non-exempt employees – Employees will receive 8 hours holiday pay in addition to their hours listed on their timecards.

Exempt employees – Employees will receive their normal salary and have the holiday off. In the event the employee works on the holiday, the employee will receive 1-hour holiday pay for each hour worked up to a maximum of 8 hours at an hourly rate equivalent to their annual salary divided by the regular number of hours worked annually. (Ex. 37.5-hour work week = 1950, 40+ hour work week = 2080).

**Departments that Close for the Holiday** – The departments that are normally closed for holidays include the Judge's Office, Finance, Human Resources, Information Technology, Environmental and Animal Care, Historic Properties and Parks, Road, Custodial, Planning and Building Codes and CSEPP/EMA. The employees of these departments do not report to work on the holiday. Holiday hours are inputted on the employee's timecard for the number of hours of their normal daily shift and paid at a regular rate of pay. Holiday time does not count toward overtime for the week.

Non-exempt employees – Employees will be off on the holiday and receive holiday hours on their timecard for the number of hours of their regularly scheduled shift. If an employee must work on that holiday, they will still receive the holiday hours on their timecard and will be paid straight time for hours worked or overtime, if applicable, for hours worked on the holiday.

Exempt employees – Employees will receive their normal salary and have the holiday off. In the event the employee works on the holiday, the employee will receive 1-hour holiday pay for each hour worked up to a maximum of 8 hours at an hourly rate equivalent to their annual salary divided by the regular number of hours worked annually. (Ex. 37.5-hour work week = 1950, 40+ hour work week = 2080).

**Open Departments** – The Golf Course is normally open on most holidays for play. If closed on

selected holidays, they will follow the rules for the Closed Departments section above. If open on selected holidays, employees will be paid depending on what type of employee they are:

Non-exempt employees - If an employee must work on that holiday, they will still receive the holiday hours on their timecard and will be paid straight time for hours worked or overtime, if applicable, for hours worked on the holiday.

Exempt employees – Employees will receive their normal salary and have the holiday off. In the event the employee works on the holiday, the employee will receive 1-hour holiday pay for each hour worked up to a maximum of 8 hours at an hourly rate equivalent to their annual salary divided by the regular number of hours worked annually. (Ex. 37.5-hour work week = 1950, 40+ hour work week = 2080).

### **Exempt Trade Policy**

Exempt employees are eligible to work a holiday when there is an essential personnel need within their department. Exempt employees can trade under the following conditions:

- The *Holiday Switch Agreement Form* has been filled out and approved by the Department Head, Human Resources and the County Judge Executive.
- The trade time shall be within the same pay period.

## **5.9 SICK LEAVE**

### **Eligibility**

All regular full-time employees are eligible to apply for sick leave. An employee may use sick leave for any one of the following reasons:

- To avoid jeopardizing the health of other employees and customers; or
- Illness, disability, medical condition, or a medical or dental appointment of the employee or a member of the employee's immediate family necessitating the employee's presence. "Immediate family" shall mean the employee's spouse, child, mother, father, legal guardian or other permanent members of the employee's family. In addition, other special relationships may exist where an individual does not list above may constitute the use of sick leave. In these instances, the employee needs to seek approval from the County Judge Executive or designee.

### **Sick Leave Accrual**

All regular full-time employees are entitled to 8 hours of sick time provided on a per month basis beginning the first day of the month after employment has started. There is no limit on the amount of sick leave an employee is allowed to accrue during employment, but there is no compensation for unused sick hours upon termination.

### **Sick Leave Requests**

When possible, advance notice should be submitted to supervisor in writing. The employee must call the department head each day as soon as possible, no later than 30 minutes after the start of the workday, unless listed below, and request approval to use sick leave unless approval has been granted ahead of time.

- Emergency Services personnel must contact their supervisor at least 2 hours before their shift to request sick leave.

No department should have more than two individuals off in a department at one time, unless approved by the department head. If more than two individuals are scheduled off, the third or more individuals calling in sick shall provide a physician's excuse.

### **Physician Excuse**

A physician's excuse or fit-to-work notice may be required for the following scenarios:

- Employees must provide a physician's excuse for their absence on the 3<sup>rd</sup> consecutive day missed due to sick leave;
- An employee reports to work and is unable to perform the duties as assigned.
- An employee must provide a physician's excuse if the department head suspects an abuse of sick leave. Employee must be notified if they are required to bring a physician's excuse before the end of their scheduled shift on the day that they called in.

The County may require a statement to verify the reason for absences or to determine the employee's ability to return to work, regardless of the number of days absent or the reason for the absence.

### **Abuse**

Sick leave is to be used when an employee is off work due to temporary medical conditions, or for illnesses of family members. It is not to be used as a substitute for vacation or personal leave. Using sick leave as it accrues or abuse of sick leave, regardless of whether sick leave has been excused, is grounds for disciplinary action up to and including termination.

### **Sick Leave Donation Program**

#### **Eligibility**

- Both recipients and donors must be current employees of the Madison County Fiscal Court.
- An employee becomes eligible to receive donated sick leave at the point that the employee has exhausted all leave time and provides documentation to be out for an extended period of time.

Participation in the Sick Leave Sharing Program is at the discretion of the employee and requires approval of the County Judge Executive. Employees wanting to participate must submit the sick leave donation program paperwork and receive the necessary signatures before the Human Resources Department will open up the bank. There is not an end cap of the amount of sick time a recipient can receive. The sick leave donation program and FMLA shall run concurrently, if applicable.

#### **Guidelines on Sick Leave Sharing**

An employee who has accrued a sick leave balance of more than 75 hours may request that the County make available for transfer a specified amount of his/her sick leave balance to another named County employee. The employee may not request a transfer of an amount of leave that would result in reducing his/her sick leave balance to less than 75 hours. A donor may only donate up to 24 hours of sick leave.

All donations are anonymous, and the donor will not receive the donated time back under any circumstance. All unused sick time donated stays with the recipient and must be used in compliance with the sick leave policy in Section 5.9.

### **5.10 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

FMLA provides entitlement for up to 12 weeks of job protected, unpaid leave, during any twelve-month period for the following reasons:

- The birth of a son/daughter or care for newborn child;
- The placement of a son/daughter for adoption or foster care;
- Care for the employee's spouse, son/daughter, or parent with a serious health condition;
- The employee's own serious health condition.

Employees are required to exhaust all vacation and sick leave concurrent to FMLA Leave.

Employees are required to be enrolled in FMLA if they are out on worker's compensation. Employees are required to exhaust all sick leave if participating in the Sick Leave Donation Program in section 5.9. Employees who normally work a 37.5-hour work week must submit 75 hours per pay period up until the exhaustion of time. Employees who normally work a 40-hour work week or more must submit 80 hours per pay period up until the exhaustion of time.

**Qualifying Exigency "Urgent Need" Leave.** The FMLA requires that employers provide employees up to 12 weeks of leave in a 12-month period to tend to any "exigency" resulting from a service member's call to duty. The new FMLA regulations clarify that exigency leave may be taken by eligible employees (consisting of not only a spouse, son, daughter, or parent, but also "next of

kin” — the next nearest blood relative) while their spouse, son, daughter, or parent is on active duty or call to active duty status in the National Guard or Reserves, or if the family member is a retired member of the Regular Armed Forces or the Reserves. An employee whose family member is on active duty or call to active duty for the Regular Armed Forces does not qualify for this leave. Qualifying exigencies include short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.

**Military Caregiver Leave.** An eligible employee is entitled to 26 work weeks of leave in a 12-month period to care for a covered service member in the Armed Forces (including the National Guard and Reserves) who becomes ill or injured as a result of his or her military service. The 12-month period begins when the employee starts using her or his leave. This leave may only be taken once per injury but may be taken again if there are additional injuries. More than one family member may qualify for the leave.

If the employee was qualified for health insurance benefits when leave begins, the County shall maintain health benefits for the employee in the same manner during periods of FMLA leave as if the employee continued to work, however, the employee must exhaust all accumulated sick leave and annual leave time prior to receiving unpaid FMLA leave.

Workers’ Compensation shall be designated as FMLA leave as long as the injury also qualifies as an FMLA qualifying event. If the injury qualifies as FMLA leave, then FMLA runs concurrently with the Worker’s Compensation Leave.

Upon employee being granted FMLA leave, the employee must continue to pay his/her own employee contribution to the health insurance plan ordinarily required of an employee. The County will continue to pay the contribution ordinarily paid by the employer under the current health insurance plan. If the employee contribution payment is not paid by the employee, in such event, the County may terminate the health insurance benefits of the employee during FMLA leave. However, the employee may exercise their rights for COBRA benefits.

In order to qualify for FMLA benefits, the employee must have worked for the County for at least 12 months prior to the commencement of benefits and worked at least 1,250 hours in the prior year. The 12-month period need not be consecutive. Employment prior to a break in service of more than 7 years need not be counted unless the break in service was occasioned by the fulfillment of National Guard or Reserve Military Service Obligations.

Upon the County granting FMLA leave, the employee receives an entitlement of up to 12 weeks of job protected unpaid leave during a “rolling 12 month” period.

When the need for leave is foreseeable, the employee must give the employer at least 30 days written notice of his/her intent to receive FMLA leave benefits. If the leave is not foreseeable, the employee must provide written notice as soon as possible. The County reserves the right to require medical certification of a serious health condition for the employee's health or a member of his/her family as defined herein. The County may also require periodic written medical reports during the leave of the employee's health status, health status of his/her family as defined herein, as well as "fitness-for-duty" certification upon return to work from a health care provider.

"Serious health condition" means an illness, impairment, injury, or physical/mental condition that involves either:

- any period of incapacity or treatment connected with inpatient care in a hospital, Hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
- continuing treatment by a health care provider which includes any period of incapacity that prevents the employee or family member from working, attending school, or any other regular daily activity.

Upon the County granting leave without pay under FMLA, as provided for herein, the County Judge Executive shall authorize same in writing and provide the employee and the Human Resources Department a copy of the written approval. All applications for leave without pay and all approvals of same, not in writing, shall disqualify the employee from health benefits otherwise provided herein.

## **5.11 BEREAVEMENT LEAVE**

All regular full-time employees are eligible for paid bereavement leave in the event of death of a member of the employee's immediate or extended family. Bereavement leave shall be granted on the following basis:

- An employee shall be eligible for up to three (3) regularly scheduled workdays, not to exceed 5 calendar days, in the event of the death of an immediate family member. Immediate family for bereavement purposes is described as employee's parents, spouse, children, grandparents, grandchildren, brother, sister, spouse's parents, pallbearers, legal guardian or anyone permanently residing with the employee.
- An employee shall be eligible for up to one (1) regularly scheduled workday in the event of the death of an extended family member. Extended family for bereavement purposes is described as the employee's uncles, aunts, cousins, nieces, nephews, and spouse's immediate family, other than spouse's parents and pallbearers.
- An employee may request additional leave for special relationships that may exist where

an individual not listed above may constitute the use of bereavement leave. In these instances, the employee needs to seek approval from the County Judge Executive.

Bereavement leave must be requested and approved in advance, unless mitigating circumstances exist. The request shall include the name and relationship of the deceased and the location and time of the funeral or memorial service.

## **5.12 MILITARY LEAVE**

Pursuant to KRS 61.394 and 61.396, all employees of this County, or of any department or agency thereof, who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or of the United States under competent orders as specified in this section. In any one (1) federal fiscal year (runs from October to September), officers or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. The twenty-one (21) calendar days may not be consecutive but shall include days in between that are not worked. For example, if an employee worked Monday-Friday and had military leave and was going to be gone all Friday through all of Monday, 4 calendar days would be used. The employee would be paid for Friday and Monday as scheduled. All promotions and pay increases that would have occurred if the employee was present would have to be honored for reasonable certainty. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. The employee shall give the County a two (2) week notice prior to the scheduled leave if time permits.

## **5.13 CIVIL LEAVE**

### **Jury Duty**

Upon receipt of the order requiring the employee to report for jury duty, the employee must show the order to their department head. There will be no deduction from accumulated leave. Employees shall receive their regular pay for the day of service. Employees must attend work before and after as scheduled on the day that they are scheduled for Jury Duty. In the event the employee is dismissed from Jury Duty early, the employee must return to work immediately. If dismissed from jury duty during the work day, employees will be required to return to work to complete their regular shift.

### **Court Appearances**

Upon receipt of an order requiring the employee to make a court appearance, the employee shall make arrangements with the department head to comply with the order. If appearing in an official capacity in connection with Madison County, the employee's court time is considered working time and no charge is made against leave time. Employees must attend work before and after as scheduled on the day that they are scheduled for their Court Appearance. In the event the employee is dismissed from Jury Duty early, the employee must return to work immediately.

If the employee is involved in a personal case, either as plaintiff, defendant or as a witness in a suit not resulting from his duties with the County, he or she may be granted leave, but the time off must be charged to accrued vacation time or be considered a leave of absence without pay if approved by the department head and County Judge Executive.

### **5.14 VOTING LEAVE**

All employees are encouraged to exercise their ability to vote in governmental elections. Employees that need additional time during work hours, may request said time, under accordance with KRS 118.035. Any time taken during business hours shall be considered leave without pay.

### **5.15 BLOOD DONATION LEAVE**

In the event Madison County Government hosts a sponsored blood drive, employees who donate may receive up to two (2) hours leave time with pay for the purpose of donating and recovering from the donation. The donation must occur during an employee's scheduled work hours in order to qualify for leave, which does not include the lunch period. Blood donation made outside scheduled work hours is not eligible for blood donation leave. In the event Madison County Fiscal Court wishes to participate in a blood drive and an employee's incentive is wished to be given, it shall be presented to Fiscal Court as a resolution.

Employees are required to obtain prior supervisory approval for blood leave. Leave time must be taken at the time of donation unless circumstances, as specified by the supervisor, require the donor to return to work. Employees deferred from donating shall not be charged for the time used in attempting to donate but will not receive the two (2) hours leave time.

### **5.16 MATERNITY LEAVE**

The County Judge Executive shall grant maternity leave for full-time permanent employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage. Employees may take up to four (4) weeks paid leave. Additional leave without pay

may be granted. The County Judge Executive may also grant light duty work on a temporary basis upon approval from Fiscal Court. A physician’s excuse or fit-to-work notice may be required.

An employee granted maternity leave shall utilize any accrued sick leave and vacation time with the remaining time off without pay for any additional leave that is granted.

The employee must notify the Human Resources Department or department head as far as possible in advance of the employee’s intention to request maternity leave or a temporary light duty adjustment, including approximate dates, in order to allow the County Judge Executive and department head time to prepare for any staff adjustments. Family Medical Leave shall run concurrently with maternity leave.

**5.17 PATERNITY LEAVE**

An employee may be granted unpaid paternity leave in connection with the birth or adoption of a child. Requests will be permitted for up to two (2) weeks to help care for the spouse and/or child. Medical Leave will apply to paternity leave (See Family Medical Leave Section).

**5.18 PERSONAL LEAVE**

Full-time employees having served the Madison County Fiscal Court for five (5) years or more as of July 1<sup>st</sup> of that fiscal year shall be rewarded with additional Personal Time.

Personal Time shall be credited to the employee at the beginning of the fiscal year. The employee shall have one year to utilize this time. At the end of the fiscal year, any remaining balance will be cleared from the employee’s account. This time cannot be cashed out for any reason.

5-10 Years of Service	8 hours Personal Time
11-15 Years of Service	16 hours Personal Time
16-20 Years of Service	24 hours Personal Time
21-25 Years of Service	32 hours Personal Time
25+ Years of Service	40 hours Personal Time

Employees moving from agency to agency (example: County Clerk to Madison County Fiscal Court) are in different systems and will not be able to receive credit served for years of service with a different agency.

The employment date of an employee who resigns and is reinstated or is terminated and is re-employed shall be the date of re-employment.

## **CHAPTER 6                      BENEFITS**

### **6.1    KENTUCKY COUNTY EMPLOYEES RETIREMENT SYSTEM**

The County shall conduct the retirement program in accordance with the guidelines and directives of the County Employees Retirement System (CERS). It is the responsibility of the employee to investigate all options with the Kentucky Retirement System. Reference section 2.14 in the event you are wishing to retire. All questions regarding retirement can be answered through KRS Customer Service at 800-928-4646 or through their website at [kyret.ky.gov](http://kyret.ky.gov).

### **6.2    HEALTH INSURANCE**

All full-time employees of the County shall be given the opportunity to select a health insurance plan approved by the Fiscal Court. Access to care providers and cost may change annually based on the Health Care Market. Vision, Dental, and supplemental coverages will be available to all full-time employees at a group discount rate.

Open Enrollment will be held in spring upon Fiscal Court approval of the Health Care Plan. It is the employee's responsibility to investigate coverage options and plans that meet their specific needs. The only times that employee health benefits shall be added or dropped is during the onboarding process, open enrollment and if there is a qualifying event. The coverage term for all plans are from July 1 to June 30.

If the employee is eligible for the Health Savings Account, it is the employee's responsibility to create this account in a timely manner. The employer paid portion of the Health Savings Account will begin the month following the creation of the account within the plan year. In the event the employee does not create the account within 90 days, the employee forfeits the employer portion for that month.

#### **Terms and Conditions of the Plans**

The full terms and conditions of medical plans offered are contained in the official plan documents and are available in the Human Resources Department.

### **6.3    LIFE INSURANCE**

A \$25,000 life insurance policy is provided to all full-time employees by the Fiscal Court. An

additional \$50,000 is issued for all line of duty firefighters and sheriff deputies. Employees may opt for additional voluntary term life coverage during open enrollment only.

#### **6.4 COBRA**

Federal law requires employers to offer employees who separate employment and are participants in the County's health and/or dental plan an opportunity to continue their coverage under the group plan of the employer. COBRA coverage must be paid for by the individual and it is subject to detailed terms and conditions established by Federal regulations. Information regarding COBRA may be obtained from the Human Resources Department.

#### **6.5 MEDICARE**

Employees and their spouses age 65 or older who are eligible for Medicare coverage are also eligible for the health coverage offered by the Madison County Fiscal Court for non-Medicare eligible employees. If employee and their spouse choose to elect the health coverage offered by the Fiscal Court, the Fiscal Court health coverage will be considered the employee's primary medical coverage. Information regarding Medicare benefits may be obtained from the Human Resources Department.

#### **6.6 SOCIAL SECURITY**

By law, all employees automatically participate in the Social Security program. Employee contributions are automatically withheld from employee earnings and matched by employer contributions.

#### **6.7 WORKERS' COMPENSATION**

By law, all employees are covered by Workers' Compensation. The cost is paid solely by the employer. Reference the worker's compensation policy for KACo that is filed with the Madison County Human Resources Department for any further questions.

#### **6.8 UNEMPLOYMENT COMPENSATION**

By law, all employees are covered by Unemployment Insurance. The cost is paid solely by the employer.

## **6.9 EMPLOYEE DISCOUNT PROGRAM**

As employee discounts are updated throughout the County, employees are made aware through County email of any additions or corrections. Madison County Fiscal Court does not promote, advertise or endorse any of the private entities offering an employee discount. The County does not guarantee or negotiate discounts. Further, the County does not warrant any goods or services provided by any vendor. Employees should always research and compare prices, products and/or services before making any purchase. The County assumes no responsibility for any purchases or contracts made between a vendor and an employee. It is the employee's responsibility to ensure that a conflict of interest would not prohibit the employee's lawful acceptance of a discount. Further, it is an employee's responsibility to ensure that he or she does not accept any discounts that would constitute the unlawful acceptance of a gift pursuant to KRS Chapter 11A.045.

## **CHAPTER 7 PURCHASES AND CONTRACTS**

### **7.1 AUTHORIZATION OF COUNTY CONTRACTS**

Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge Executive, except for small purchases which is defined as purchases under \$30,000. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

### **7.2 PROCEDURES FOR SEALED BIDDING**

The agency, department or person requiring supplies, services or construction shall submit to the County Judge Executive a request containing specifications and quantities desired. The County Judge Executive shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.

Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure of \$30,000 or more shall be subject to competitive bidding.

The County Judge Executive shall post the bid advertisement through a form of electronic media at any point from the time the bid is drafted until the bid opening. The County Judge Executive shall place an advertisement in the newspaper of the largest circulation in the County at least once, not less than seven nor more than twenty-one days, before bid opening in accordance with Kentucky Revised Statutes. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors are to be considered in bid selection, such factors shall be stated in the advertisement.

The County Judge Executive shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder to be recommended to the Fiscal Court for approval. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.

The County may opt to allow bidders to submit their bids electronically if specified in the advertisement. The e-mail subject line shall acknowledge that the e-mail contains a sealed bid responsive to the particular advertisement.

Any bid submitted via e-mail that does not include in the subject line information sufficient for the

recipient to know that the e-mail contains a sealed bid shall not be considered. The County Judge Executive shall submit the bids to Fiscal Court, noting the County Judge Executive's recommended bid. Fiscal Court approval is required.

### **7.3 DETERMINATION OF QUALIFICATIONS OF BIDDERS**

The County Judge Executive may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bid.

Contractors who have demonstrated, by past performance, the ability to perform satisfactorily in accordance with the contracts on a timely basis and have shown a sound financial structure, may be determined to be qualified and responsible bidders without additional documentation otherwise required of other potential bidders.

### **7.4 PREREQUISITE TO USE OF NEGOTIATED PROCESS**

The negotiated process may be used instead of advertisement for bids if the amount is \$30,000 or more in the following circumstances:

- an emergency exists;
- bids exceed available funds; or
- the contract is for professional services.

Before an emergency is declared, the County Judge Executive shall determine whether the delay in obtaining bids will result in danger to health, safety or property. The County Judge Executive shall certify the existence of any emergency and file a copy of such certificate with the County Treasurer.

In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and that delay in advertising for additional bids is not in the best interest of the County.

The Fiscal Court must approve all circumstances in which the negotiation process is used.

### **7.5 PROCEDURES FOR NEGOTIATED PROCESS**

When the prerequisites have been met for use of the negotiated process, the County Judge Executive shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County. The County Judge Executive shall prepare a record of all

negotiated contracts, showing the items and quantities acquired, name of suppliers, costs and date of contract.

Professional services shall be negotiated with such persons as are properly licensed to perform such services. Where more than one bid was received and all were in excess of the amount available, the lowest three bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.

The County Judge Executive shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.

## **7.6 SMALL PURCHASE PROCEDURES**

All expenditures of less than \$30,000 shall be considered a “small purchase” and are not subject to competitive bidding. The County Judge Executive determines the need for any item requested, and whether or not the contract is for less than \$30,000 and the expenditure is provided for in the budget.

For purchases \$3,000 to \$29,999, multiple quotes shall be sought. In the event that multiple quotes are not received, documentation shall be provided to reflect the effort to acquire multiple quotes. Purchases under \$3,000 may be purchased without quotes, however, competitive rates should be sought to ensure best price.

## **7.7 PROFESSIONAL SERVICE CONTRACT**

Madison County Fiscal Court may enter into a professional service contract or defined as a personal service contract as referenced in KRS 45A.690 subsection G.

## **7.8 HOLD HARMLESS CAUSE**

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

## **CHAPTER 8 INTERNET & E-MAIL POLICY**

### **8.1 ACCEPTABLE USES OF THE INTERNET AND E-MAIL**

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

### **8.2 UNACCEPTABLE USES OF THE INTERNET AND E-MAIL**

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

### **8.3 COMMUNICATIONS**

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

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

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

## **8.4 SOFTWARE**

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

## **8.5 COPYRIGHT ISSUES**

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

## **8.6 SECURITY**

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

The County shall abide by KRS Chapter 61: Personal Information Security Procedures; and the Kentucky Department for Local Government guidelines on reasonable security and breach investigation procedures and practices for personal information whether in electronic or paper formats.

## **8.7 VIOLATIONS**

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



This page is left intentionally blank.

## E-MAIL AND INTERNET USER AGREEMENT

I have received a copy of Madison County Fiscal Court's Administrative Code outlining policies for e-mail/internet acceptable use (Chapter 8). I recognize that the County's e-mail/internet is to be used for conducting the County's business only. I understand that use of this equipment for private purposes is strictly prohibited.

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

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

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

I am aware that if I was to connect my phone to my County e-mail and was to lose my phone, it is my responsibility to report my phone missing to the Human Resources Department through the Lost/Stolen Device form on the County website so the Information Technology Department could wipe my phone. I also understand that a four-digit code has to be activated on my phone as well.

All County email address must be checked no less than every two weeks during the pay week. I understand that all official communication from the Human Resources Department and the Judge's Office will be done through County email. I am aware that if I need documents from Human Resources for any reason that I shall submit the request via County email.

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

---

Employee Signature

---

Date

---

Employee Printed Name

This page is left intentionally blank.

## ADMINISTRATIVE CODE EMPLOYEE AGREEMENT

I have received a copy of Madison County Fiscal Court's Administrative Code, Ordinance #19-06, effective July 1, 2019.

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

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

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Printed Name

