

## **PERSONNEL ORDINANCE**

### **Anson County, North Carolina**

Be it ordained by the Board of County Commissioners of Anson County that the following rules and regulations shall govern the appointment, classification, salary, promotion, demotion, dismissal, and conditions of employment of the employees of Anson County.

Be it further ordained that Anson County is an Equal opportunity, Affirmative Action Employer, and hires only United States Citizens and lawfully authorized alien workers.

# MASTER INDEX

## PERSONNEL ORDINANCE Anson County, North Carolina

ARTICLE I. ORGANIZATION OF PERSONNEL SYSTEM	1.5
Section 1. Purpose	1.6
Section 2. Coverage	1.6
Section 3. Definitions	1.6
Section 4. Merit Principle	1.10
Section 5. Responsibility of Board of Commissioners	1.10
Section 6. Responsibility of County Manager	1.10
Section 7. Responsibility of Personnel Officer	1.10
ARTICLE II. CLASSIFICATION PLAN	2.0
Section 1. Adoption	2.1
Section 2. Allocation of Positions	2.1
Section 3. Administration of the Position Classification Plan	2.1
Section 4. Amendment of Position Classification Plan	2.2
ARTICLE III. THE PAY PLAN	3.0
Section 1. Adoption	3.1
Section 2. Maintenance of the Pay Plan	3.1
Section 3. Use of Salary Ranges	3.1
Section 4. Payment at a Listed Rate	3.2
Section 5. Salary of Trainee	3.2
Section 6. Pay Rates in Promotion, Demotion, Transfer, and Reclassification	3.2
Section 7. Pay Rates in Salary Range Revisions	3.3
Section 8. Pay for Part-time Work	3.3
Section 9. Overtime	3.4
Section 10. Call Back Pay	3.6
Section 11. Stand by or Call Back Procedure	3.6
Section 12. Payroll Deductions	3.7
Section 13. Payroll Procedure	3.7
Section 14. Effective Date of Salary Adjustments	3.7
Section 15. Longevity Pay Plan	3.7
ARTICLE IV. RECRUITMENT AND EMPLOYMENT	4.0
Section 1. Statement of Equal Employment Opportunity Policy	4.1
Section 2. Recruitment	4.1

Section 3.	Application for Employment	4.1
Section 4.	Qualified Standards	4.1
Section 5.	Selection	4.2
Section 6.	Appointments	4.2
Section 7.	Probationary Period of Employment	4.3
Section 8.	Promotion	4.4
Section 9.	Demotion	4.4
Section 10.	Transfer	4.5
Section 11.	Fair and Consistent Treatment	4.5
 ARTICLE V. CONDITIONS OF EMPLOYMENT		 5.0
Section 1.	Work Period	5.1
Section 2.	Gifts and Favors	5.1
Section 3.	Political Activity Restricted	5.2
Section 4.	Outside Employment	5.2
Section 5.	Limitation of Employment of Relatives	5.3
Section 6.	County Residency	5.3
Section 7.	Personal Pets in the Workplace	5.4
 ARTICLE VI. LEAVE OF ABSENCE		 6.0
Section 1.	Paid Holidays Observed	6.2
Section 2.	Effect of Work on Holidays and Other Types of Paid Leave	6.3
Section 3.	Holidays - When Work Required	6.3
Section 4.	Adverse Weather Conditions - Leave Policy	6.3
Section 5.	Annual Vacation Leave	6.4
Section 6.	Vacation Leave - Initial Appointment Probationary Employees	6.4
Section 7.	Vacation Leave - Manner of Accumulation	6.4
Section 8.	Vacation Leave - Maximum Accumulation	6.5
Section 9.	Vacation Leave - Approval/Manner of Taking Leave	6.5
Section 10.	Vacation Leave - Previous Leave Credit	6.5
Section 11.	Vacation Leave - Terminal Pay and Repayment of Vacation Leave	6.6
Section 12.	Vacation Leave - Payment for Accumulated Vacation Leave upon Death	6.6
Section 13.	Sick Leave	6.6
Section 14.	Sick Leave - Manner of Accumulation	6.7
Section 15.	Sick Leave - Maximum Accumulation	6.7
Section 16.	Sick Leave - Physician's Certificate	6.7
Section 17.	Sick Leave - Retirement Credit for Accumulated Sick Leave	6.7
Section 18.	Sick Leave - Transfer from Other	6.7

	Agencies/Entities	6.7
Section 19.	Sick Leave - Separated Employees	6.8
Section 20.	Leave Without Pay - Policy	6.8
Section 21.	Leave Without Pay - Retention and Continuation Of Benefits	6.8
Section 22.	Workers' Compensation Leave	6.9
Section 23.	Maternity Leave - Employee Responsibility	6.10
Section 24.	Military Leave	6.10
Section 25.	Civil Leave	6.10
Section 26.	Petty Leave	6.10
Section 27.	Educational Leave with Pay	6.11
Section 28.	Family and Medical Leave Act	6.11
Section 29.	Amendment for School Leave	6.12
Section 30.	Voluntary Shared Leave Program	6.13
Section 31.	Unexcused Absences	6.16
Section 32.	Birthday Leave	6.16

#### ARTICLE VII. SEPARATION, DISCIPLINARY ACTION, AND REINSTATEMENT 7.0

Section 1.	Types of Separation	7.1
Section 2.	Resignation	7.1
Section 3.	Reduction in Force	7.1
Section 4.	Disability	7.1
Section 5.	Death	7.2
Section 6.	Disciplinary Action	7.2
Section 7.	Failure in Performance of Duties	7.2
Section 8.	Failure in Personal Conduct	7.3
Section 9.	Disciplinary Suspension	7.4
Section 10.	Immediate Disciplinary Suspension	7.4
Section 11.	Non-Disciplinary/Investigatory Suspension (County General Employees)	7.4
Section 12.	Non-Disciplinary/Investigatory Suspension (Competitive Service Employees)	7.4
Section 13.	Dismissal (County General Employees)	7.5
Section 14.	Dismissal (Competitive Service Employees)	7.5
Section 15.	Employee Appeal	7.6
Section 16.	Reinstatement	7.6
Section 17.	Sexual Harassment – Policy/Complaint	7.6

#### ARTICLE VIII. GRIEVANCE PROCEDURE, DISCRIMINATORY AND ADVERSE ACTION APPEAL 8.0

Section 1.	Grievance Procedure and Adverse Action Appeal - Policy Statement	8.1
Section 2.	Grievance and Adverse Action – Definitions	8.1
Section 3.	Organization of the Advisory Personnel Board	8.1

Section 4.	Advisory Personnel Board Hearings	8.2
Section 5.	Legal Counsel	8.3
Section 6.	Witnesses	8.3
Section 7.	Grievance and Adverse Action Appeal Procedure - Non-discrimination	8.3
Section 8.	Grievance and Adverse Action Appeal Procedure - Discrimination	8.5
Section 9.	Grievance and Appeal Procedure - Discrimination Resulting from Harassment	8.5
Section 10.	Appeals	8.5
Section 11.	Back Pay Awards	8.6
 ARTICLE IX. EMPLOYEE BENEFITS		 9.0
Section 1.	Insurance Benefits	9.1
Section 2.	Unemployment Insurance	9.1
Section 3.	Old Age and Survivor's Insurance (Social Security)	9.1
Section 4.	Retirement Benefits	9.1
Section 5.	Death Benefits	9.2
Section 6.	Law Enforcement Officers Separation Allowance	9.2
Section 7.	Supplemental Retirement Income Plan Available To Law Enforcement Officers	9.2
Section 8.	Benefits/Other – Fixed	9.2
Section 9.	Benefits/Other – Flexible	9.3
Section 10.	Benefits/Other – Retirees	9.3
 ARTICLE X. PERSONNEL RECORDS AND REPORTS		 10.0
Section 1.	Personnel Records Maintenance	10.1
Section 2.	Access to Personnel Records	10.1
Section 3.	Confidential Information	10.2
Section 4.	Records of Former Employees	10.3
Section 5.	Remedies of Employees Objecting to Material in File	10.3
Section 6.	Penalty for Permitting Access to Confidential File by Unauthorized Person	10.3
Section 7.	Penalty for Examining and/or Copying Confidential Material without Authorization	10.3
Section 8.	Destruction of Records Regulated	10.3
 ARTICLE XI. IMPLEMENTATION OF POLICY		 11.0
Section 1.	Conflicting Ordinances Repealed	11.1
Section 2.	Separability	11.1
Section 3.	Violations of Ordinance Provision	11.1

APPENDIX A		
	Anson County Travel Policy	A.1
APPENDIX B		
	Anson County Reduction in Force Policy	B.1
APPENDIX C		
	Anson County Drug Free Workplace and Drug Test Policy	C.1
APPENDIX D		
	Internet Use Policy	D.1
APPENDIX E		
	Vehicle Use Policy	E.1
APPENDIX F		
	Anson County Code of Conduct	F.1
APPENDIX G		
	Anson County Government Center Parking Policy	G.1
APPENDIX H		
	Resolution Relating to Defense of County Officers and Employees	H.1
APPENDIX I		
	Anson County Wellness Program Policy for Employees	I.1
APPENDIX J		
	Telephone Use Policy	J.1
APPENDIX K		
	Attendance Policy	K.1
APPENDIX L		
	Dress Policy	L.1
APPENDIX M		
	Inclement Weather Notification Process	M.1

## ARTICLE I. ORGANIZATION OF PERSONNEL SYSTEM

- Section 1. Purpose
- Section 2. Coverage
- Section 3. Definitions
- Section 4. Merit Principle
- Section 5. Responsibility of Board of Commissioners
- Section 6. Responsibility of County Manager
- Section 7. Responsibility of Personnel Officer

## ARTICLE I. ORGANIZATION OF PERSONNEL SYSTEM

### Section 1. Purpose

The purpose of this ordinance is to establish a personnel system that will recruit, select, develop and maintain an effective and responsible work force. This ordinance is established under the authority of Chapter 153A-Article 5 and Chapter 126 of the General Statutes of North Carolina.

### Section 2. Coverage

- (a) All employees in the County's service shall be subject to this ordinance, except as provided in this section.
- (b) The following officials and employees are exempt:
  - (1) Elected Officials
  - (2) County Manager
  - (3) County Attorney
- (c) The following employees shall be covered only by the specifically designated Articles and Sections:
  - (1) Employees governed by the State Personnel Act shall be subject to all Articles except Articles II.
  - (2) Employees of the North Carolina Agricultural Extension Services shall be subject to all Articles except Articles II, III, IV, and IX.
  - (3) The Supervisor of Elections shall be subject to all Articles except Articles IV, V, VII, and VIII.
  - (4) Temporary employees, as designated by the Board of Commissioners, shall be subject to all Articles except Articles III, Section 14, Articles VI and IX.

### Section 3. Definitions (Listed Alphabetically)

- (1) Adverse Action. A demotion, dismissal, reduction in pay, layoff, or involuntary transfer or suspension.
- (2) Appointing Authority. Any board or position with legal or delegated authority to make hiring decisions.
- (3) Class. A position or group of positions having similar duties and responsibilities requiring similar qualifications, which can be properly



designated by one title indicative of the nature of work performed, and which carry the same salary range.

- (4) Competitive Service Employee. Any Employee of the Department of Social Services, Department of Public Health, or Office of Emergency Management receiving federal grant-in-aid funds and subject to the State Personnel Act.
- (5) Demotion. The reassignment of an employee to a position or classification having a lower salary range than the position from which the reassignment is made.
- (6) Employee:
  - (a) For the purpose of the Fair Labor Standards Act:
    1. Exempt Employees - salaried personnel who are exempt from overtime provisions under State and Federal Fair Wage and Hour Laws. These include the Executive, Administrative and Professional staff of the County.
    2. Non-exempt employees - hourly or salaried employees who receive overtime compensation subject to State and Federal Fair Wage and Hour Laws.
  - (b) For purposes of employment status:
    1. Regular employees - full-time and part-time employees who have satisfactorily completed their probationary period and work regularly scheduled hours each workweek.
    2. Temporary employees - full or part-time employees being employed for:
      - i. Hourly work on an as needed basis
      - ii. Completion of a specific job
      - iii. A specific time period not to exceed one year
    3. Full-time employees - employees who work the standard workweek established by the County.
    4. Part-time employees - employees who work less than the standard workweek.
    5. Probationary employees - full or part-time introductory employees who are serving a test employment period.

- (7) General County Employee. A County employee assigned to a department not subject to the State Personnel Act.
- (8) Grievance. A claim or complaint based upon an event or condition which effects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance might involve alleged safety or health hazards, unsatisfactory supervisory or disciplinary practices, and unjust treatment by fellow workers, unreasonable work quotas, or any other inequity relating to conditions of employment.
- (9) Hiring Rate. The salary paid an employee when hired into County service (usually the first step of the salary range).
- (10) (Revised November 6, 2001) Longevity Plan. A plan to reward regular full time employees for faithful continuous service, based solely on longevity. Payment made one time per calendar year.
- (11) Maximum Salary Rate. The maximum salary authorized for any employee within an assigned salary grade (the last step within a grade).
- (12) Merit Increase. An increase in salary within the same salary grade, based on meritorious service and on performance of duties above the standard for the assigned position.
- (13) Pay Plan. A schedule of pay ranges systematized into sequential rates including minimums, intermediate, and maximum steps for each class assigned to any given salary range.
- (14) Permanent Position. A position which has been approved by the Board of Commissioners, and in which the duties and responsibilities are required to be attained on a continuous and annually recurring basis, normally requiring full-time employment of an individual. Exceptions to full-time employment are where the recurring duties and responsibilities of a permanent position can be attended in less than a regular workday and/or workweek.
- (15) Position. A group of current duties and responsibilities assigned by competent authority, requiring the full or part-time employment of one person, but the existence of a position or its identity does not depend upon its being occupied by an employee.
- (16) Position Classification Plan. An approved plan by the Board of Commissioners that assigns classes (positions) to the appropriate pay grade.

- (17) Promotion. The reassignment of an employee to an existing position or classification in the County service having a higher salary range than the position or classification from which the reassignment is made.
- (18) Range Revision. When one or more salary grades are assigned a different minimum and/or maximum salary range; or when a classification(s) is assigned a new pay grade.
- (19) Reclassification. The reassignment of an existing position from one class to another based on changes in job content such as duty, kind, difficulty, required skill, and responsibility of the work performed.
- (20) Salary Grade. All positions that are sufficiently comparable to warrant one range of pay rates. For the purpose of this definition, the words "grade", "salary range", "level" and "range" are used interchangeably.
- (21) Salary Plan Revision. The uniform raising and lowering of the salary ranges of every grade within the salary plan.
- (22) Salary Range. The hiring, minimum and maximum salary for a given classification.
- (23) Salary Range Revision. The raising or lowering of the salary range for one or more specific classes of positions within the classification plan.
- (24) Salary Schedule. A listing by grade and step of all the approved hiring, maximum, intermediate and minimum salary ranges authorized by the Board of Commissioners for various position classifications of County government.
- (25) Trainee. An employee designated as such appointed to a position in any class for which the County Manager or the Office of State Personnel has authorized "trainee" appointments. An individual may not be appointed as a trainee if he/she possesses the acceptable training and experience for the regular class, and must be appointed to the regular class when he/she gains the acceptable training and experience. A trainee must be paid at a rate below the minimum of the regular class.
- (26) Transfer. The reassignment of an employee from one position or department to another.
- (27) Work Against. When qualified applicants are unavailable, and there are not trainee provisions for the classification of the vacancy, the appointing authority may appoint an employee below the level of the regular classification in a work-against situation. A work-against appointment is for the purpose of allowing the employee to gain the qualifications needed for the full class through on-the-job experience. The appointee must meet the minimum

education and experience standard of the class to which initially appointed. A work-against appointment may not be made when applicants are available who meet the education and experience requirements for the full class, and for the position in question.

#### Section 4. Merit Principle

All appointments and promotions hereunder shall be made solely on the basis of merit and fitness. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for County employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, color, religion, sex, national origin, political affiliation, handicap or age.

#### Section 5. Responsibility of Board of Commissioners

The Board of Commissioners shall establish personnel policies and rules, including the classification and pay plan and shall make and confirm appointments when so specified by law.

#### Section 6. Responsibility of County Manager

(Amended November 6, 1990)

The County Manager shall be responsible to the Board of Commissioners for the administration of the personnel program. The County Manager shall make all appointments, dismissals, and suspensions in accordance with 153A-82 of the General Statutes of North Carolina and Articles IV, V, VII, and VIII of the Personnel Ordinance, and will notify the Board upon the action.

#### Section 7. Responsibility of Personnel Officer

The County Manager may appoint a Personnel Officer who shall assist in the preparation and maintenance of the position classification plan and the pay plan, and perform such other duties in connection with a modern personnel program as the Manager shall require. If the County Manager does not appoint a Personnel Officer all of the following duties and responsibilities shall be performed by the County Manager or such employee that is under his/her direct and close supervision. The duties and responsibilities of the Personnel Officer are, but not limited to, the following:

- (a) Apply, interpret, and carry out this Ordinance and the policies adopted thereunder, as directed by the County Manager;
- (b) Establish and maintain records of all persons in the County service, setting forth each officer and employee, class title of position, pay or status history and other relevant employment data;

- (c) Develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the County;
- (d) Encourage and exercise leadership in the development of effective personnel administration within the various County departments, and to make available the facilities of the personnel office to this end;
- (e) Investigate, from time to time, the operation and effect of this Ordinance and of the policies made thereunder, and report his/her findings and recommendations to the Manager;
- (f) Make such recommendations to the Manager regarding the personnel functions, as well as revisions to the personnel system, as he/she may consider appropriate;
- (g) Issue and publish any necessary administrative directives, supplements, interpretations, and necessary prescribed forms and reports for any personnel matters for the proper functioning, maintenance, and documentation of the procedures established by and in accordance with this Ordinance.

All matters dealing with personnel shall be routed through such official, who shall maintain a complete system of personnel files and records.

## ARTICLE II. CLASSIFICATION PLAN

- Section 1. Adoption
- Section 2. Allocation of Positions
- Section 3. Administration of the Position Classification Plan
- Section 4. Amendment of Position Classification Plan

## ARTICLE II. CLASSIFICATION PLAN

### Section 1. Adoption

The position classification plan, as from time to time approved by the Board of County Commissioners, is hereby adopted as the position classification plan for Anson County.

### Section 2. Allocation of Positions

The County Manager shall allocate each position covered by the classification plan to its appropriate class in the plan.

### Section 3. Administration of the Position Classification Plan

The County Manager, or person(s) designated by the County Manager, shall be responsible for the administration and maintenance of the position classification plan so that it will accurately reflect the duties performed by employees in the classes to which their positions are allocated. Department Heads shall be responsible for bringing to the attention of the County Manager (1) the need for new positions, and (2) material changes in the nature of duties, responsibilities, working conditions, or other factors affecting the classifications of any existing positions.

New positions shall be established only with the approval of the Board of Commissioners after which the County Manager shall either:

- (1) Allocate the new position to the appropriate class within the existing classification plan, or
- (2) Recommend that the Board of Commissioners amend the position classification plan to establish a new class to which the new position may be allocated.

When the County Manager finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the County Manager shall:

- (1) Direct that the existing class specification be revised,
- (2) Reallocate the position to the appropriate class within the existing classification plan, or
- (3) Recommend that the Board of Commissioners amend the position classification plan to establish a new class to which the position may be allocated.

Section 4. Amendment of Position Classification Plan

Classes of positions shall be added to and deleted from the position classification plan by the Board of Commissioners based on the recommendation of the County Manager.



## ARTICLE III. THE PAY PLAN

- Section 1. Adoption
- Section 2. Maintenance of the Pay Plan
- Section 3. Use of Salary Ranges
- Section 4. Payment at a Listed Rate
- Section 5. Salary of Trainee
- Section 6. Pay Rates in Promotion, Demotion, Transfer, and Reclassification
- Section 7. Pay Rates in Salary Range Revisions
- Section 8. Pay for Part-time Work
- Section 9. Overtime
- Section 10. Call Back Pay
- Section 11. Stand by or Call Back Procedure
- Section 12. Payroll Deductions
- Section 13. Payroll Procedure
- Section 14. Effective Date of Salary Adjustments
- Section 15. Longevity Pay Plan

## ARTICLE III. THE PAY PLAN

### Section 1. Adoption

The Salary Schedule, reflecting both grade level and step, as from time to time approved by the Board of County Commissioners, is hereby adopted as the pay plan for Anson County.

### Section 2. Maintenance of the Pay Plan

The County Manager shall be responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions when considered in relation to each other, to general rates of pay for similar employment in the private sector and in other public jurisdictions in the area, to changes in the cost of living, to financial conditions of the County, and other factors. To this end, the County Manager shall, from time to time, make comparative studies of all factors affecting the level of salary ranges and shall recommend to the County Commissioners that such changes in salary ranges as appear to be warranted.

### Section 3. Use of Salary Ranges

Salary ranges are intended to permit the recognition of individual performance. The following general provisions shall govern the granting of within-range pay increments.

- (a) The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant appointment at a higher rate. The County Manager may make appointment above the minimum step when deemed necessary in the best interest of the County. Above-the minimum appointments will be based on such factors as the qualifications of the applicant being higher than the minimum education and training for the class, a shortage of qualified applicants available at the minimum step, and the refusal of qualified applicants to accept employment at the minimum step.
- (b) The pay ranges are intended to permit administrative flexibility in recognizing individual difference between positions allocated to the same class and to promote employee incentive by rewarding employees for meritorious service. Salary increases above the first step established for each class of positions shall be granted only in recognition of superior or improved performance. Each Department Head shall be responsible for determining which employees are performing superior service and should receive earned salary increments. Funds for step increases above step 1 may be prorated to the departments in order that earned salary increments be granted proportionately among the departments, on the same percentage basis as the total salaries of those employees eligible. Before becoming effective, the earned salary increment must be approved by the County Manager. Ordinarily, salary increments will be limited to either one or two

established pay range steps. An employee whose performance is outstanding may be granted up to three salary increments at any one time or may be granted an earned salary increment twice during a fiscal year (1) if the Department Head recommends the increments and indicates in writing the special circumstances warranting it and (2) if the recommendation is approved by the County Manager. The maximum step increase in a year shall be four.

#### Section 4. Payment at a Listed Rate

All employees covered by the salary plan shall be paid at a listed rate within the salary ranges established for their respective job classes except for employees in a trainee status, or employees whose present salaries are above the established maximum rate following transition to a new pay plan.

When an employee attains the maximum rate of a salary range for his/her present position, no further salary increase will be received unless:

- (a) The position is reclassified;
- (b) The employee is promoted to another position with a higher salary range, or;
- (c) The salary for the present position is increased.
- (d) Completion of "trainee" or "work-against" status.

#### Section 5. Salary of Trainee

An applicant hired, or employee promoted to a position in a higher class, who does not meet all the established requirements of the position, shall be appointed with the approval of the County Manager at a pay rate established by the County Manager for General County employees, based upon the recommended experience and training indicated in the position's class specification. Employees subject to the State Personnel Act will be designated "Trainees" or "Work-Against" in accordance with rules and regulations established by the Office of State Personnel. An employee in a trainee or work-against status shall continue to receive a reduced salary until the appointing Department Head and the County Manager shall determine that the trainee meets all qualification requirements and is qualified to assume the full responsibilities of the position.

#### Section 6. Pay Rates in Promotion, Demotion, Transfer, and Reclassification

When an employee is promoted, demoted, transferred, or reclassified, the rate of pay for the new position shall be established in accordance with the following rules:

- (a) When a promotion occurs the employee's salary shall be increased an amount equivalent to two salary steps or to the minimum of the new salary range, whichever is greater. However, the County Manager will have the discretion to

exceed or waive this increase if circumstances warrant such action and is approved by the Board of County Commissioners. The adjusted salary shall not exceed the maximum of the assigned salary range.

- (b) When a demotion occurs, and the employee's current salary falls above the maximum of the range for the lower class, the employee's salary may remain the same until general schedule adjustments or range revisions bring it back within the lower range; or the employee's salary may be reduced to any step in the lower salary range, as long as the reduced salary does not fall below the minimum salary rate of the range. Action of the above shall be the responsibility of the Department Head and the County Manager.
- (c) When a transfer occurs from a position in one class to a position in another class, assigned to the same pay range, the employee shall continue to receive the same salary.
- (d) When a position is reclassified and the incumbent is assigned to a class having a higher salary range, action shall be taken in the same manner as a promotion, and when a position is reclassified and the incumbent is assigned to a class having a lower salary range, action shall be taken in the same manner as a demotion.

#### Section 7. Pay Rates in Salary Range Revisions

When the Board of Commissioners approve a change in salary range for a class of positions, the salaries of employees whose positions are allocated to that class shall be affected as follows:

- (a) When a class of positions is assigned to a higher salary grade, employees in that class may receive a two-step pay increase or an increase to the minimum step of the new range whichever is higher.
- (b) When a class of positions is assigned to a lower salary grade, the salaries of employees in that class will remain unchanged. If this assignment to a lower pay range results in an employee being paid at a rate above the maximum step established for the new class, the salary of the employee shall be maintained at that level until such time as the employee's pay range is increased above the employee's current salary.

#### Section 8. Pay for Part-time Work

Compensation of any employee appointed for less than full-time service shall be computed at an hourly rate or a salary determined by the County Manager, based upon the position's classification, if applicable. Temporary Part-time employees will receive the same holidays as the regular employees provided they work a full, regularly scheduled workday before and after the holiday. Said employees will be covered by Worker's

Compensation and Social Security, but will receive no additional fringe benefits. Regular and probationary part-time employees who work at least twenty (20) hours a week on a scheduled basis shall receive the same benefits as regular and probationary full-time employees.

### Section 9. Overtime

It is the policy of Anson County to abide by all applicable sections of the Fair Labor Standards Act along with the Fair Labor Standards Amendments of 1985. Under such implementation, Anson County shall properly record all applicable overtime accrued for each covered employee.

This policy shall be applicable to all employees of Anson County who are covered under the provisions of the Fair Labor Standards Act. Its intention is to assure good faith compliance with such Act to the extent applicable to Anson County.

- (a) Employees are expected to work during all assigned periods exclusive of bona fide breaks, mealtimes or unscheduled hours, etc. Employees are not to perform work during such non-work breaks, mealtimes, or unscheduled hours, unless they receive approval from their immediate supervisor, except in cases of extreme emergency.

An extreme emergency exists when an employee is called upon to perform work for Anson County that could result in damage to property or persons or which requires immediate attention of the employee that cannot possibly be postponed. Employees who work excess hours due to an emergency shall properly advise their immediate supervisor of the overtime worked as soon as practical for final approval or disapproval.

- (b) It is the policy of Anson County, in agreement with its employees, that employees may receive compensatory time off at a rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required under the Fair Labor Standards Act, provided that:

- (1) The position does not involve administrative, professional or managerial work excluded from these overtime provisions by the (Amended June 6, 2000) by the Fair Labor Standards Act. These exempt employees, excepting all department heads, will be allowed to accrue 'Extra' time at a rate of one hour for each hour worked over forty, provided that the employee receives written permission from their immediate supervisor or department head prior to accumulation of the 'Extra' time and further provided that the employee use this accumulated time within 90 days of accrual. This 'Extra' time shall not be construed to be a right of each exempt employee, rather a privilege provided by Anson County. Furthermore, this 'Extra' time shall not constitute a liability to the County

upon separation or termination of the employee and thus, the accrued time will be lost.

- (2) Compensatory time off shall be granted whenever feasible and taken within three (3) months from the time it is earned; and shall be approved in the same manner as annual leave.
- (3) Department heads may with the prior approval of the County Manager authorize pay to employees for overtime work when it is not feasible to permit their absence for the purpose of taking compensatory time off; and
- (4) The payment of overtime pay shall depend upon the availability of funds in the departmental budget.

Covered employees who work in public safety activities, emergency response activities, or seasonal activities, may accrue not more than 480 hours of compensatory time for overtime hours worked after April 15, 1986. Other covered employees may accrue not more than 240 hours of compensatory time for overtime hours worked after April 15, 1986.

For employees that receive a fixed salary and are on a 37.5 or 40 hour workweek overtime will not be considered until 40 hours are exceeded. This includes those employees that work a standard 37.5 workweek. Deputies and Jailers overtime must exceed 168 hours in a specified 28-day work period.

- (c) An employee who performs County work on regularly scheduled holidays may receive compensatory time off or pay at his regular hourly rate during his regular workweek or applicable work period. However, if holiday work results in overtime for the employee, he will be paid as provided in this section.

Sick and vacation time off in a work period will not count towards computing overtime hours. These leave times may be counted in order to make a work period's hours come up to the minimum but will not be included in computing overtime.

(Adopted March 11, 1998)

Anson County encourages its employees to seek additional training as a means of career enhancement and self-satisfaction. If you have been asked to attend a training session, you will be paid as if it were normal hours worked. This means if your total time worked exceeds 40 hours in a workweek, all time over 40 hours will be calculated at time and one half (1½).

## Section 10. Call Back Pay

(Revised March 11, 1998)

Call back pay is designed to compensate the employee for any inconvenience he or she may encounter due to being called back to work for emergencies that might arise. If you are not called you will be paid nine hours call back pay a week. Any County employee eligible to receive overtime compensation under this policy will be guaranteed a minimum payment of two (2) hours wages for being called back to work outside of normal working hours. In the event you are called in for an emergency, after you have worked four hours, you will then be paid for the additional hours worked at the regular rate of pay or at time and one half rate of pay, as is applicable.

## Section 11. Stand-by or Call Back Procedure

(Adopted June 4, 1996 – Applies to Water Distribution Employees only)

(Amended April 1, 1997 – Applies to all Utilities Department employees)

Implementation of this procedure is to assure that all problems arising after normal working hours will be promptly and properly corrected.

- (1) One employee will be on call for 7 days at a time. The designated employee will be on call from 4:30 p.m. Monday until 8:00 a.m. the next Monday.
- (2) While on call an employee will be furnished a County vehicle to use for after hour calls only. While on call, the employee will also be furnished a mobile phone and pager. During on call status, the employee is expected to be within hearing distance of the phone or pager at all times.
- (3) The 911 communications center will dispatch all calls after hours.
- (4) Upon receiving a call, the on call employee, if not at their residence, will return at once to their residence, take the County vehicle to the site and correct the problem.
- (5) The on call employee will be provided standard water department work order forms. These forms are to be completed, listing the beginning and ending time of the project and the nature of the problem. When working on service calls, the customer's name, location, meter number and complaint should also be included on the work order.
- (6) If, after viewing the complaint, the on call employee needs assistance in correcting the problem or has any questions, he/she is to call the communications center who will in turn call for assistance.

- (7) If the on call employee is not called out during their week of on call status, the employee will receive pay for 9 hours. If the on call employee is called out during their week of on call status, then the regular overtime policy will apply.
- (8) Employees will be placed on call in alphabetical order. The list, naming each employee and their dates of on call service, will be posted at the various Utilities Departments. Should an employee be unable to serve when scheduled, said employee may find a replacement and notify the appropriate Utilities Department office immediately.
- (9) The on call employee must act and behave appropriately and respond to the call in a safe manner. As always, alcohol consumption is not permitted while on call or during regular working hours.

As always, all water department employees will be expected to report to work when needed.

#### Section 12. Payroll Deductions

Federal and State income taxes, Social Security tax and retirement contributions shall be payroll deducted as authorized by law and the County Commissioners. The Board of Commissioners must approve any other payroll deduction. (See Article IX)

#### Section 13. Payroll Procedure

All employees shall be paid on every other Friday. If payday falls on a holiday, employees will be paid on the last working day prior thereto.

#### Section 14. Effective Date Of Salary Adjustments

(Revised November 2009)

Salary adjustments shall become effective on the beginning date of the next pay period after the date of the actual occurrence. Interim duty appointments and the dismissal of interim duty appointments for supervisory positions shall become effective on the date of actual occurrence.

#### Section 15. Longevity Pay Plan

(Revised November 6, 2001)

The Anson County Longevity Pay Plan is intended to reward regular full time employees for faithful continuous service on an annual basis. Regular full time employee status must be maintained for the complete eligibility period of December 1 through November 30 for qualification of continuous service.



(Revised June 1997)  
(Revised November 2009)

Longevity payment will be made to employees eligible in accordance with the following longevity pay plan, not to exceed \$1600 per employee per year, based on total continuous service through November 30 (Established Eligibility Date) in any calendar year. Longevity pay shall be distributed in a separate check in December.

<u>Years of Service</u>	<u>Longevity Pay Rate</u>
3 but less than 5 years	1% Annual Salary
5 but less than 10 years	2% Annual Salary
10 but less than 15 years	4% Annual Salary
15 but less than 20 years	6% Annual Salary
20 or more years	8% Annual Salary

Longevity pay shall be made in one lump sum and shall be computed by multiplying the employee's annual base salary rate as of the eligibility date by the appropriate percentage, rounded to the nearest dollar. Longevity is not considered a part of annual base pay for classification and pay purposes, nor is it to be recorded in personnel records as a part of annual base salary.

A regular employee, appointed to a permanently established position, is eligible for longevity pay, only after the date the employee has completed three (3) years of continuous service. Any change of appointment to temporary, or part-time will cause the employee to become ineligible for longevity pay.

The longevity pay plan shall apply to all Anson County regular employees, appointed to a permanently established position. An employee's earliest possible date of eligibility for longevity payment is the date that he/she has completed three years of continuous service with Anson County. If an employee retires, resigns, dies, or is otherwise separated on or after the date of becoming eligible for longevity payment, the full payment shall be made to the employee and/or the estate of the employee.

A. An Employee will not be eligible to receive longevity pay who:

- (1) Terminates employment with the County, either voluntarily or by administrative dismissal with cause, prior to the longevity eligibility date.
- (2) Is placed on long term disability prior to the eligibility date.

- (3) Is employed in the following agency: Agriculture Extension, or any position which is completely funded by an outside organization and whose payroll is administered as a courtesy only.

B. Employees on Leave of Absence will be affected as follows in regard to longevity pay:

- (1) Any employee on an authorized leave of absence without pay shall be considered to be in continuous service.
- (2) Employees on leave of absence will receive their longevity pay upon their return to active service with the County.
- (3) An employee who does not return to active service from an authorized leave of absence shall forfeit his/her longevity pay.
- (4) Employees on Workers' Compensation Leave shall receive longevity pay in the same manner as if they were working.

## ARTICLE IV. RECRUITMENT AND EMPLOYMENT

- Section 1. Statement of Equal Employment Opportunity Policy
- Section 2. Recruitment
- Section 3. Application for Employment
- Section 4. Qualified Standards
- Section 5. Selection
- Section 6. Appointments
- Section 7. Probationary Period of Employment
- Section 8. Promotion
- Section 9. Demotion
- Section 10. Transfer

## ARTICLE IV. RECRUITMENT AND EMPLOYMENT

### Section 1. Statement of Equal Employment Opportunity Policy

It is the policy of the County to maintain a systematic, consistent recruitment program, to promote equal employment opportunity, and to identify and attract the most qualified applicants for all present and future vacancies. This intent is achieved through consistency in announcing all positions, evaluating all applicants on the same criteria, and by applying testing methods where applicable through the Local Job Services Office (Employment Security Commission). To avoid discrimination, equal employment opportunities are allowed without regard to sex, race, religion, color, national origin, age, or physical handicap or disability.

### Section 2. Recruitment

Vacant positions will be reviewed by the applicable Department Head and the County Manager to determine whether they should be filled. The Personnel Officer or designee shall be responsible for a recruitment program to fill any vacancy.

All position announcements shall be posted for a minimum of ten (10) working days at (1) the County Personnel Office or other designated place, and (2) the Local Employment Security Commission, which have been designated as the two established referral sources. Optional recruiting publicity shall be carried out through media appropriate to the program.

Recruiting announcements shall include information pertinent to the position/work involved, including at minimum, the title, salary grade and range, key duties, knowledge and skill requirements, minimum education and experience standard, special certification or licensing requirements, and application closing date. In addition, assurance of Equal Employment Opportunity, Affirmative Action compliances, as well as the County's commitment to comply with the Immigration Reform and Control Act of 1986, shall be contained therein.

### Section 3. Application for Employment

No applications for external recruitment may be accepted within an agency/department, with all referrals being made through the County Personnel Office or the Local Employment Security Commission.

### Section 4. Qualified Standards

- (a) All applicants considered for employment or promotion shall meet the employment standards established by the class specifications relating to the position to which the appointment is being made.

- (b) All appointments shall be made on the basis of merit and without regard to politics, age, race, sex, color, handicap, religious affiliation, or national origin.
- (c) Consideration may be given to "Trainee" appointments when there is an absence of qualified applicants from which to make a selection. In this instance, the deficiencies may be eliminated through orientation and on the job training, and the class is granted a trainee status by the County Manager (County General Positions) and State Personnel (all positions subject to the State Personnel Act).
- (d) Work-Against Appointments (Competitive Service Employees only). When qualified applicants are unavailable and there is no trainee provision for the vacant classification, an appointment may be made below the level of the regular classification in a work-against situation, for the purpose of allowing the employee opportunity to gain the qualifications needed for the full class through on-the-job experience. The appointee must meet the minimum education and experience standard of the class to which initially appointed. A work-against appointment may not be made when applicants are available who meet the education and experience requirements for the full class of the position in question.

#### Section 5. Selection

Department Heads shall develop, utilize, and document, on a consistent, routine basis, a selection process which best suits the needs in filling positions within each individual agency/department. All selection methods developed and utilized by the Department Head shall be valid measures of job performance.

The County Manager shall institute the same methods when selecting a Department Head.

(Adopted July 19, 2001)

When considering candidates to fill a position that directly reports (Department Head or Supervisor) to the County Manager or higher position, it shall be standard practice to conduct or have conducted a criminal background investigation and the results of this inquiry shall be one of the considerations in recommending and/or selecting the successful candidate. This provision shall be applicable from the date adopted by the Board of Commissioners and shall apply to all employment candidates including new hires, lateral transfers, promotions or any other movement to one of the subject positions.

#### Section 6. Appointments

Before any commitment is made to the applicant, the Department Head shall coordinate with the Personnel Officer and/or the County Manager regarding the appointment. The personnel action form, the original application for employment, test score sheet(s), when

applicable and any additional supporting documents shall be forwarded to the Personnel Officer. The County Manager shall approve or reject the appointment, and determine if the classification and starting salary is appropriate.

- (a) If the duties of the position may involve operation of County owned/insured vehicles, the Department Head will initiate a review, at the time of employment, of the driving record of the person to be hired, which will become a part of the Personnel file.
- (b) The Sheriff and Register of Deeds shall have authority over the appointment in their respective departments, with the County Manager determining the class and salary of new employees.
- (c) By the authority of Chapter 153A-103 of the N.C. General Statutes, the Board of Commissioners must approve the appointment by the Sheriff or Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin or of a person who has been convicted of a crime involving moral turpitude.
- (d) The County Manager shall be responsible for selecting and appointing department heads upon approval by the Board of Commissioners.

#### Section 7. Probationary Period of Employment

An employee appointed to a permanent position shall serve a probationary period of six (6) months unless specified otherwise (law enforcement one (1) year). Any employee serving a probationary period following initial appointment may be dismissed at any time during the probationary period if found to be performing assigned duties unsatisfactorily. A regular employee serving a probationary period following a promotion shall be demoted as provided in Section 9 of this Article if unable to perform assigned duties of the new job satisfactorily.

The probationary period may be extended by the Department Head upon concurrence of the County Manager. No employee shall remain on probation for more than nine (9) months, except law enforcement who shall not serve in a probationary status for more than one (1) year.

Employees completing the probationary period in a satisfactory manner will be considered regular employees unless his/her Department Head (except the Sheriff and Register Deeds) indicates in writing, for the County Manager's approval, that the employee:

- (a) Is not performing satisfactory work;
- (b) Should have his/her probationary period extended (not to exceed nine (9) months);

- (c) Should not be retained in the present position or should be released, transferred or demoted; or
- (d) Has been advised of their progress (accomplishments, strengths, and weaknesses).

#### Section 8. Promotion

- (a) It is Anson County's policy to create equal opportunities for its employees when possible. Therefore, when a current employee applying for a vacant position possesses qualifications equal to or better than the qualifications of other applicants they will be appointed to that position.

However, if other applicants possess equal or better qualifications and if the automatic promotion or transfer of the current employee without considering other applicants would run counter to the County's affirmative Action Policy, then the County must carefully consider the qualifications of other applicants in filling this position.

- (b) Candidates for promotion shall be chosen on the basis of their qualifications and their work records without regard to age, sex, race, color, creed, religion, political affiliation, national origin, or physical handicap. Performance appraisals and work records for all personnel meeting minimum qualifications for the position shall be carefully examined when openings for positions in higher classifications occur.
- (c) If a current County employee is chosen for promotion, the Department Head shall forward the request to the County Manager with recommendations for classification and salary along with reasons for selecting the employee. After considering the recommendation from the Department Head the County Manager shall make or reject the appointment and, if appointed, determine the classification and starting salary.

#### Section 9. Demotion

Any employee whose work in his present position is unsatisfactory or whose personal conduct is unsatisfactory may be demoted provided the employee shows promise of becoming a satisfactory employee in another position. Such a demotion shall be preceded by the warning procedures outlined in Article VII. Representative cause for demotion because of failure in work performance and failure in personal conduct are listed in Article VII, Sections 7 and 8.

If the demotion is for failure in performance of duties or failure in personal conduct, the employee shall be provided with written notice citing the recommended effective date and reasons for demotion and appeal rights available to the employee as stated in Article VIII of this Ordinance.

An employee who wishes to accept a position with less complex duties and reduced responsibilities may request a demotion for reasons other than unsatisfactory performance or failure in personal conduct.

#### Section 10. Transfer

If a vacancy occurs and an employee eligible for transfer from another department wishes to be considered for the appointment, a written request and application must be forwarded to the Personnel Officer during the recruitment period for the position. The request for transfer shall be subject to approval by the County Manager. Any employee transferred without his/her having requested it may appeal the action in accordance with the grievance procedure outlined in Article VIII.

Any employee who has successfully completed a probationary period may be transferred to the same or similar class in a different department without serving another probationary period.

#### Section 11. Fair and Consistent Treatment

All employees are expected to be treated fairly and consistently. Supervisors and managers are accountable for ensuring such actions related to employee management are not deemed to appear as, inappropriate, irregular, inconsistent or be construed as favoritism. Examples may include (shortened work days, extended lunches, or preferable shift assignments).

Any supervisor or manager found guilty of unfair or inconsistent employee treatment will face disciplinary action consistent with Article VII., Section(s) 7-13 of the Personnel Ordinance.



## ARTICLE V. CONDITIONS OF EMPLOYMENT

- Section 1. Work Period
- Section 2. Gifts and Favors
- Section 3. Political Activity Restricted
- Section 4. Outside Employment
- Section 5. Limitation of Employment of Relatives
- Section 6. County Residency
- Section 7. Personal Pets in the Workplace

## ARTICLE V. CONDITIONS OF EMPLOYMENT

### Section 1. Work Period

The standard workweek for all employees of the various departments of the County, with the exception of law enforcement, emergency medical service, communications, maintenance, solid waste and utility personnel, shall be from 8:30 am until 5:00 PM, Monday through Friday. Department Heads shall work those hours necessary to ensure the satisfactory performance of their departments, but not less than thirty-seven and one-half (37.5) hours per week.

When the activities of a particular department require some other schedule to meet work needs, the County Manager may authorize a deviation from the normal schedule.

Standard work periods for Anson County employees are as follows:

<u>Category</u>	<u>Work Period</u>	<u>Minimum Work Hours</u>
EMS	28 days	212 hours
Deputy	28 days	171 hours
Jailer	28 days	171 hours
Dispatchers	7 days	40 hours
Solid Waste	7 days	40 hours
Utility	7 days	40 hours
Inspectors	7 days	40 hours
Maintenance	7 days	40 hours
All Others	7 days	37.5 hours

Work hours should include the time that an employee spends on the job undertaking work duties.

(Addition September 5, 2000)

Any full time or part time regular employee of Anson County who does not report to work for a period of three consecutive working days without contacting the supervisor will be considered to have resigned and will cease to be an employee of Anson County.

### Section 2. Gifts and Favors

- (a) No official or employee of the County shall accept any gift, whether in the form of a service, loan, thing, or promise from any person, firm or corporation, who in the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the County.

- (b) No official or employee shall accept any gift, favor or thing of value that may tend to influence that employee in the discharge of duties.
- (c) No official or employee shall grant in the discharge of duties any improper favor, service, or thing of value.
- (d) All County employees shall refuse gratuities in the form of money.

### Section 3. Political Activity Restricted

Every employee of Anson County has a civic responsibility to support good government by every available means and in every appropriate manner. Any employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and Laws of the United States of America. However, while on duty, no employee of Anson County shall:

- (1) Engage in any political or partisan activity;
- (2) Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- (3) Be required as a duty of employment or as a condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes;
- (4) Coerce or compel contributions for political or partisan purposes by another employee of the County; or
- (5) Use funds, supplies, or equipment of the County for political or partisan purposes.

Employees subject to the State Personnel Act and employees in certain federally aided programs are subject to the Hatch Act as amended in 1975. This federal act, in addition to prohibiting (2), (3), and (4) above, also prohibits candidacy for elective office in a partisan election.

Any violation of this section shall subject such employee to dismissal or other disciplinary action.

### Section 4. Outside Employment

The work of the County will take precedence over other occupational interests of employees. All outside employment for salaries, wages, or commission and all self-employment must be reported to the employee's Department Head, who in turn will report potentially conflicting employment to the County Manager. Conflicting outside employment

may be deemed improper conduct and shall subject each employee to disciplinary action, up to, and including, dismissal.

Section 5. Limitation of Employment of Relatives  
(Revised August 5, 2014)

The employment of close relatives within the service of the County, within the same department or unit/section of a department, shall be allowed given the following.

- (a) Immediate relatives shall not be permitted to work together, during the same time, or under the supervision of an immediate relative as defined below.
- (b) The term "immediate family" shall be understood to refer to that degree of closeness of relationship which would suggest that problems might be created within the work unit, or that the public's philosophy of fair play in providing equal opportunity for employment to all qualified individuals would be violated. For the purpose of this section, "immediate family" shall be defined as wife, husband, mother, father, guardian, son, daughter, brother, sister, grandchildren, and grandparents, as well as the various combinations of half, step, in-law, and adopted relationships that can be derived from those named herewith.
- (c) The provisions of this section shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with (a) above, prior to the adoption of this policy.
- (d) The Board of Commissioners shall approve the appointment by the Sheriff or the Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin as required by Chapter 153A-103(1) of the North Carolina General Statutes.

Section 6. County Residency

(Revised May 19, 1998)  
(Revised December 1, 2009)

Anson County employees holding Department Head, Manager and Director level positions are required to maintain an actual, bona fide residence within the County throughout their employment. This requires an employee to establish that he/she actually lives at a certain location in Anson County which can be demonstrated by the address listed on a driver's license, a voter registration card, a lease, an income tax return, property tax bills, or utilities bills. When a person residing outside the County is hired into a Department Head or higher level position, they must move inside Anson County within one year of their hire date.

Employees found to be in non-compliance with the residency ordinance may be subject to disciplinary action including immediate termination or discharge. Please refer to the disciplinary action section of the County Personnel Ordinance for more information. Questions about the residency requirement should be directed to the immediate supervisor of the Department of Human Resources. Exceptions to this policy must be approved by the County Board of Commissioners on a case-by-case basis in the best interest of the County service.

The list of positions subject to this provision is as follows:

1. County Manager
2. Assistant County Manager
3. Department Heads
  - a. Anson County Transportation System
  - b. Airport
  - c. Board of Elections
  - d. Building Inspections
  - e. Cooperative Extension
  - f. Council on Aging
  - g. Data Processing
  - h. Economic Development
  - i. Emergency Management System
  - j. Finance Officer
  - k. Health Department
  - l. Human Resources
  - m. 911
  - n. Parks and Recreation
  - o. Planning
  - p. Social Services
  - q. Tax Assessor
  - r. Tax Collector
  - s. Utilities Department/Solid Waste

#### Section 7. Personal Pets in the Workplace

(Adopted November 7, 2012)

It is the policy of Anson County Government that employees and staff are prohibited from bringing personal pets or other animals into the workplace. The only exception to this policy would be service animals, e.g., seeing eye dogs. This policy applies to all county buildings and vehicles with the only exceptions being animal control vehicles and law enforcement vehicles used as canine units.

## ARTICLE VI. LEAVE OF ABSENCE

- Section 1. Paid Holidays Observed
- Section 2. Effect of Work on Holidays and Other Types of Paid Leave
- Section 3. Holidays - When Work Required
- Section 4. Adverse Weather Conditions - Leave Policy (Updated 1-2-01)
- Section 5. Annual Vacation Leave
- Section 6. Vacation Leave - Initial Appointment Probationary Employees
- Section 7. Vacation Leave - Manner of Accumulation
- Section 8. Vacation Leave - Maximum Accumulation
- Section 9. Vacation Leave - Approval/Manner of Taking Leave
- Section 10. Vacation Leave - Previous Leave Credit
- Section 11. Vacation Leave - Terminal Pay and Repayment of Vacation Leave
- Section 12. Vacation Leave - Payment for Accumulated Vacation Leave upon Death
- Section 13. Sick Leave
- Section 14. Sick Leave - Manner of Accumulation
- Section 15. Sick Leave - Maximum Accumulation
- Section 16. Sick Leave - Physician's Certificate
- Section 17. Sick Leave - Retirement Credit for Accumulated Sick Leave
- Section 18. Sick Leave - Transfer From other Agencies/Entities
- Section 19. Sick Leave - Separated Employees
- Section 20. Leave Without Pay - Policy
- Section 21. Leave Without Pay - Retention and Continuation of Benefits

- Section 22. Workers' Compensation Leave
- Section 23. Maternity Leave - Employee Responsibility
- Section 24. Military Leave
- Section 25. Civil Leave
- Section 26. Petty Leave
- Section 27. Educational Leave with Pay
- Section 28. Family and Medical Leave Act
- Section 29. Amendment for School Leave
- Section 30. Voluntary Shared Leave Program
- Section 31. Unexcused Absences (Added January 2, 2001)

## ARTICLE VI. LEAVE OF ABSENCE

### Section 1. Paid Holidays Observed (Revised March 7, 2017)

Anson County policy is to observe the same paid holiday schedule as the State of North Carolina designates for state employees. The following days are observed as holidays with pay for full time and permanent part-time employees.

New Year's Day	Labor Day
Martin Luther King, Jr. Birthday	Veteran's Day
Good Friday	Thanksgiving (2 days)
Memorial Day	Christmas (3 days)
Independence Day	

All salaried employees appointed to a permanently established position shall receive these holidays with pay, providing that the employee is on pay status the day before and the day after the holiday period.

In order to be eligible for holiday pay, a temporary or part-time (hourly) employee must have worked a full regularly scheduled workday before and after the holiday, unless excused by the County.

Employees may wish to be away from work on certain days for religious observances. Department Heads should attempt to arrange the work schedule so that an employee may be granted annual leave when it is requested because the day is a major religious observance for that employee. Annual leave should be denied only when it would create an emergency condition which cannot be prevented in any other manner.

### Section 2. Effect of work on Holidays and Other Types of Paid Leave

Regular holidays which occur during a vacation, sick or other paid leave period of any officer or employee of the County shall not be charged as vacation, sick, or other paid leave.

### Section 3. Holidays – When Work Required

Employees required to perform work on regularly scheduled holidays may be granted compensatory time off. Where a labor shortage would create undue scheduling problems a Department Head, with prior approval of the County Manager may grant one day's additional pay for a worked holiday.



Compensatory time shall be granted whenever feasible, and shall be taken within three (3) months from the time it is earned. An employee whose regular day off falls on a holiday shall receive an additional day off.

#### Section 4. Adverse Weather Conditions - Leave Policy

(Revised December 5, 1989)

(Revised January 2, 2001)

In situations involving inclement weather, heavy snow storms, or other unusual circumstances or conditions affecting all or a majority of County departments and/or their operations, it is incumbent upon the Department Head to ensure that his/her department or office is opened to the public at the usual time, unless prior notification to the contrary has been received from the County Manager's office. During emergency situations, employees will be required to abide by pre-described departmental procedures.

County offices and departments shall remain open for the full scheduled workday unless authorization for early closing or other deviation is received from the County Manager's office. All departments and offices will be given sufficient advance notice of any authorized early closing. Employees who, of their own will, leave work before an official early closing time, as well as those employees who report for work late, or do not report for work at all, will be required to use earned vacation for days or hours taken.

The County Manager will announce closing on a predetermined media source and other means as appropriate. In the event that county offices are officially closed, all employees will be paid for regular working hours. In the event that a county employee must work while county offices are officially closed, each non-exempt employee shall be compensated for each additional hour worked. Overtime and compensatory time for those non-exempt employees shall be computed based on actual hours worked for the work-week. Exempt employees will not be entitled to receive additional compensation for hours worked while county offices are officially closed due to adverse weather conditions.

All approved leave time, applied for prior to the weather event will remain in effect in the event that county offices are officially closed.

#### Section 5. Annual Vacation Leave

For the purpose of earning and accruing annual leave, the twelve (12) calendar month period between January 1 and December 31 is established as the leave year.

#### Section 6. Vacation Leave - Initial Appointment Probationary Employees

Employees serving a probationary period following initial appointment shall not be permitted to take vacation leave during the first six (6) months of the probationary period unless the denial of such leave will create an unusual hardship. Any vacation leave

granted during this period shall have prior approval of the Department Head. Department Heads shall have the prior approval of the County Manager for their leave.

Section 7. Vacation Leave - Manner of Accumulation

Each regular salaried employee occupying a permanently established budgeted position shall earn vacation leave on a monthly basis in accordance with the following schedule of total service:

YEARS OF AGGREGATE SERVICE	HOURS EARNED PER COMPLETED MONTH	HOURS EARNED PER COMPLETED YEAR
(a) Less than 2 years	6 hours, 40 min	80 hours
(b) 2 but less than 5 years	8 hours	96 hours
(c) 5 but less than 10 years	10 hours	120 hours
(d) 10 but less than 15 years	12 hours	144 hours
(e) 15 or more years	14 hours	168 hours

Vacation leave credited to employees having a workweek with more than 40 hours or less than 37.5 hours shall be determined in accordance with the following formula:

- (1) The number of hours worked by such employees shall be divided by the number of hours in the basic workweek.
- (2) The proportion obtained in step (1) shall be multiplied by the number of hours of leave earned annually by employees working the basic workweek.
- (3) The number of hours obtained in step (2), after rounding the nearest day shall be the amount of leave earned annually by the employees concerned.
- (4) Years of accrued service shall be based upon anniversary date of employment.

Section 8. Vacation Leave - Maximum Accumulation

(Revised November 2, 1993)

Annual leave may be accumulated without any applicable maximum until December 31 of each calendar year. Employees are cautioned not to retain excess accumulation of annual leave until late in the calendar year. However, if the employee separates from service, payment for accumulated leave shall not exceed thirty (30) days, or 240 hours. On December 31, any employee with more than thirty (30) days or 240 hours of accumulated

leave shall have the excess accumulation of hours converted to regular sick leave. Only thirty (30) days or 240 hours of vacation leave may be carried forward to January 1 of the next calendar year.

Employees are cautioned not to retain excess accumulation of annual leave until late in the calendar year. Due to the necessity to keep County functions in operation, large numbers of employees cannot be granted annual leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having annual leave scheduled or in receiving any exception to the maximum accumulation.

Exception: Annual leave accrued in excess of 30 days shall be frozen at the number accumulated on July 1, 1989, not to exceed 60 days. Employees affected by this exception shall forfeit accrued vacation leave in excess of 30 days after December 31, 1990.

#### Section 9. Vacation Leave - Approval/Manner of Taking Leave

Vacation leave earned by an employee shall be taken only upon prior approval of the Immediate Supervisor or Department Head. Department Heads, and other employees so designated by the County Manager, may be required to take at least five (5) consecutive workdays of accrued vacation leave per calendar year.

#### Section 10. Vacation Leave - Previous Leave Credit

Any employee, who separates in good standing and is reinstated within three (3) years, may receive previous credit time for the purpose of accruing vacation leave. The total months of previous service time will be recognized at the end of the six (6) month probationary period.

#### Section 11. Vacation Leave - Terminal Pay and Repayment of Vacation Leave

An employee who is separated shall be paid for vacation leave accumulated to the date of separation, not to exceed a maximum of thirty (30) days or 240 hours.

#### Section 12. Vacation Leave - Payment for Accumulated Vacation Leave upon Death

The estate of an employee who dies while employed by the County shall be entitled to payment for all of the accumulated vacation leave credited to the employee's account, not to exceed a maximum of thirty (30) days or 240 hours.

#### Section 13. Sick Leave

Sick leave with pay is not a right that an employee may demand but a privilege granted by the Board of Commissioners. An employee may be granted sick leave if the absence is due to:

- (a) Sickness or bodily injury which may prevent an employee from performing his/her regular duties.
- (b) Medical/Dental appointments.
- (c) The actual period of temporary disability caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom. Since there is no certainty as to when disability actually begins and ends, a doctor's certificate shall be required verifying the employee's period of temporary disability recognized as sick leave.
- (d) Quarantine due to a contagious disease in the employee's immediate family, or exposure to a contagious disease when continuous work might jeopardize the health of others.
- (e) Sickness or death in the employee's immediate family, not to exceed five (5) days, for any one occurrence. The Department Head may authorize additional leave time under exceptional circumstances. Immediate family is defined as wife, husband, mother, father, brother, sister, children, grandparents, grandchildren, plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.
- (f) The funeral of a person other than an immediate family member may be granted by the Department Head if an apparent degree of closeness or relationship exists between the employee and the deceased, and if in the judgment of the Department Head, such a relationship normally warrants the employee's attendance at the funeral.

Notification of the desire to take sick leave must be submitted to the employee's Supervisor prior to the leave, or not later than one (1) hour after the beginning of a scheduled workday. Certain workers in EMS, Sheriff, Transportation, Wastewater and Water Departments may be required to give notice of sickness before beginning of scheduled day in accordance with written procedure policies of those departments.

#### Section 14. Sick Leave - Manner of Accumulation

Each regular salaried employee, occupying a permanently established budgeted position, shall earn sick leave on a monthly basis at the rate of one (1) day per calendar month, except EMS employees, who shall accrue sick leave at the rate of 12 hours per month.

#### Section 15. Sick Leave - Maximum Accumulation

Sick leave will be cumulative for an unlimited number of days.

Section 16. Sick Leave - Physician's Certificate

The employee's Department Head or County Manager may require a statement from the physician, or other acceptable proof, that the employee was unable to report for work to the end that there will be no abuse of sick leave privileges. At the expiration of an authorized sick leave, the employee's Department Head or County Manager may require a physical and/or mental examination at the County's expense and by a physician of its choice, to determine if the employee is able to resume his/her normal duties.

Section 17. Sick Leave - Retirement Credit for Accumulated Sick Leave

Sick leave earned monthly is allowed as creditable service at time of retirement to employees who are members of the N. C. Local Government Employee's Retirement System. One month of credit is allowed for each twenty (20) days of unused sick leave when you retire, and an additional day for any part of twenty (20) left over.

Section 18. Sick Leave - Transfer from Other Agencies/Entities

Sick leave earned from another North Carolina Governmental Agency and/or entity, will be accepted and transferred to Anson County according to the following provisions:  
(Revised/Effective 04/04/2017)

- (a) The total number of hours transferred will be added to the record after one year of employment with Anson County.
- (b) Verification of said accumulated sick leave must be received in writing from the previous jurisdiction.
- (c) The transfer must be completed within three (3) years from the employee's last workday with the previous agency/entity.
- (d) Sick hours applied to the employee's retirement service credit, for retirement, with a previous agency/entity does not qualify for transfer to Anson County.

Section 19. Sick Leave - Separated Employees

Employees who retire or resign and are not reinstated with Anson County within a three (3) year period, shall lose all sick leave credits. No employee shall be paid for any accrued sick leave at termination. Current employees shall be eligible to claim prior sick leave credit on July 1, 1989 provided no more than three (3) years employment lapse has occurred in continuous County employment.

Section 20. Leave Without Pay - Policy

(Revised August 5, 1993)

Leaves of absence without pay may be granted, subject to approval by the County Manager, for absences for personal reasons, for education not directly related to employee duties, extended military service, and illness or other serious health conditions as described in Federal Regulations Part 825, The Family and Medical Leave Act of 1993 (FMLA).

- (a) Conditions - Leaves of absence without pay, except military leave, education leave, and illnesses subject to the FMLA are limited to thirty (30) working days. Leave of absence without pay for illnesses and other serious health problems shall be limited to twelve (12) weeks as outlined in the FMLA. Positions will remain open during periods of approved leaves of absence without pay subject to "key people" as outlined in the FMLA. Failure to return to work on the first working day following leaves of absence without pay are considered voluntary resignations.
- (b) Requests - Requests for leaves of absence without pay will be submitted to the County Manager as far in advance as possible except for leaves under FMLA which must be requested at least two weeks prior to leave beginning under the program.

#### Section 21. Leave Without Pay - Retention and Continuation of Benefits

(Revised August 5, 1993)

An employee shall use all accrued sick and vacation leave prior to going on leave without pay status. Vacation and sick leave credits will not be accrued during leave without pay. Individual hospitalization and dental insurance provided for the employee, by the employer during regular pay status, will not be provided as an employer expense benefit during leave without pay, unless the employee is on the payroll a minimum of half the working days during the calendar month except for leave without pay under conditions outlined in FMLA. The employee, however, may continue to be eligible for any benefit(s) under the County's group plans, subject to regulations adopted by the Board of Commissioners and the respective group carriers, and provided the employee pays the premium for the benefit.

#### Section 22. Workers' Compensation Leave

(Adopted – July 10, 2007)

Under the North Carolina Worker's Compensation Act, any employee who is absent from work due to sickness or disability covered by the aforementioned Act, is subject to the following provisions:

(a.) For the first seven (7) calendar days of absence from work due to injury or illness, employees will be afforded two options:

1. They may either use approved sick or personal leave
2. They may take leave without pay

(b.) Starting on the eighth (8) calendar day following the injury or illness, employees who have not returned to work shall be placed in a Workers' Compensation Leave without Pay status until the employee returns to work.

(c.) Employees in a leave without pay status will retain, but not accrue, accumulated sick and personal leave while receiving Workers' Compensation benefits.

(d.) Temporary employees will go directly to leave without pay status and will receive all benefits for which they are eligible under the aforementioned Act.

(e.) Upon reinstatement, an employee's salary will be computed on the basis of the last salary plus any salary increase to which the employee would have been entitled (e.g. COLA) during the absence covered by Workers' Compensation benefits.

(f.) Any period of leave without pay for a Workers' Compensation disability that qualifies as a "serious health condition" under the Family and Medical Leave Act (FMLA) will run concurrently with FMLA leave.

(g.) Anson County's personnel ordinance shall continue to apply to an employee on Workers' Compensation leave in the same manner as they would apply to an employee who continues to work, or is absent while on some other form of approved leave.

<sup>1</sup> Under this Act, employees are not compensated for the first seven (7) calendar days of the absence, unless the expected duration of the absence is twenty-one (21) or more calendar days. If the duration turns into twenty-one (21) or more calendar days, they receive retroactive workers' compensation for the first seven (7) calendar days.

### Section 23. Maternity Leave - Employee Responsibility

An employee desiring to take a leave of absence from work for reasons caused by, or contributed to by pregnancy, miscarriage, childbirth, or recovery therefrom, shall apply in writing to her supervisor and/or Department Head stating the nature of her condition. Appropriate documentation from a physician shall be provided giving the details of anticipated dates and duration of such leave. Available sick leave shall be used first during the period of disability with all other available types of leave to be used for the balance of the duration of this absence. Said request shall be subject to approval by the County Manager. She is obligated to return to duty by the end of the time determined appropriate. If she finds she will not be able to return to work, she shall notify her Department Head immediately. Failure to report at the expiration of an authorized leave of absence, unless an extension has been requested and approved, shall be considered a resignation.

#### Section 24. Military Leave

Regular employees who are members of the National Guard or Armed Forces Reserve will be allowed ten (10) workdays' military training leave annually with partial compensation. If the compensation received while on military leave is less than the salary that would have been earned during this same period as a County employee, the employee shall receive partial compensation equal to the difference in the base salary earned as a reservist or a guardsman and the salary that would have been earned during this same period as a County employee. The effect will be to maintain the employee's salary at the normal level during this period. If such military duty is required beyond this ten (10) workday period, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave with partial pay or without pay, the employee's leave credits and other benefits shall not continue to accrue.

#### Section 25. Civil Leave

A County employee called for jury duty or as a court witness for the federal or state government, or subdivision thereof, is entitled to a leave with pay for the period of absence required. He/she is entitled to regular compensation, plus fees received for jury duty.

#### Section 26. Petty Leave

(Revised June 1, 2010)

Each full-time regular employee of the County shall be allowed fourteen (14) hours annual petty leave, with pay, over and above sick and vacation leave. (Half-time employees shall be allowed seven (7) hours annual petty leave, with pay, over and above sick and vacation leave). Petty leave may be granted for personal matters which cannot be transacted outside of office hours, time lost reporting to work, medical and dental appointments, and absences due to adverse weather conditions. Petty leave may be taken in increments of fifteen (15) minutes, up to a maximum of three (3) hours, with the permission of the supervisor and/or Department Head. Any time taken above three (3) hours will be charged as vacation, sick, or leave without pay, as may be appropriate. Unused petty leave, at the end of the calendar year or at the time of separation, will be forfeited. New hires, during the calendar year, shall receive petty leave pro-rated as to the number of months remaining in the calendar year.

#### Section 27. Educational Leave with Pay

A leave of absence at full or partial pay during regular working hours may be granted to an employee to take one (1) course which will better equip the employee to perform assigned duties upon the recommendation of the Department Head, and with the approval of the appointing authority. An employee may receive reimbursement for one (1) course at a time taken outside of working hours which will better equip the employee to perform



assigned duties, subject to the approval of the Department Head and the County Manager or appointing authority. The County shall reimburse the employee for tuition, fees, and books for the course (up to \$50) provided the employee submits a receipt of course expenses and a notice of successful completion (passing grade or better) of the course.

Educational leave at full or partial pay for a period not to exceed twelve (12) calendar months may be granted to an employee to take a course that will better equip him to perform assigned duties upon the recommendation of the Department Head and the appointing authority with the approval of the Board of Commissioners. An employee granted such extended educational leave with pay shall agree to return to the service of the County upon completion of training and remain in the employ of the County for a period equal to twice the educational leave received, or the employee shall reimburse the County for all compensation received while on educational leave.

An employee on educational leave with full pay shall continue to earn leave credits and any other benefits to which County employees are entitled. An employee on educational leave with partial pay shall earn proportional leave credits.

#### Section 28. Family and Medical Leave Act

(Adopted August 5, 1993)  
(Revised August 6, 2013)

The FMLA of 1993 becomes effective on 8-5-93 and is being incorporated into the County personnel ordinance by reference. The Act generally qualifies all full time County employees (30 hours or more a week) for up to 12 weeks of unpaid leave per year for the birth or adoption of a child, to care for a spouse or an immediate family member with a serious health condition, or if the employee has a serious health condition and is unable to perform their duties. Employers covered by the law are required to maintain any pre-existing health coverage during the leave period. Once the FMLA period is concluded, the employer is required to reinstate the employee to the same or an equivalent job.

Certain exceptions exist for “key employees” as defined by the FMLA statutes as to the requirement for reinstatement of the employee upon their return from leave without pay.

Eligible employees are those who have worked for the County for a total of twelve (12) months and have completed at least 1,250 hours during that time frame. The employee must request leave under FMLA in writing on a form provided by the Human Resources Department office, and that request must be made at least thirty (30) days in advance of the leave, unless impossible due to extenuating circumstances. This prior notice is required so as not to unduly disrupt the employer’s operations. The leave form must be accompanied by the appropriate documentation from a physician supporting the request. This certification should include a statement from the health provider as to the necessity of the leave, the length of the leave, and other information as necessary to justify the use of FMLA. During the leave, the employee will be required to file the necessary time sheets and maintain contact with the supervisor to the fullest extent possible. Available sick leave

shall be used first during the period of disability with all other available types of leave to be used for the balance of the duration of this absence. As provided by the law, medical insurance will be provided for the duration of the leave period, up to twelve (12) weeks, for the employee. Each employee will remain responsible for any dependent medical coverage. The employee must also contact his supervisor one-week prior to their expected return to regular pay status to advise the supervisor of his status. Upon returning to work, the employee shall provide the County with the appropriate documentation of ability to return to work with or without limitations.

In situations where both spouses work for the County, the FMLA leave will total twelve (12) weeks for both employees.

Employees on leave under the provisions of the Family Medical Leave Act (FMLA) are prohibited from engaging in any outside employment during the period of leave. Violation of this policy could result in termination of employment for cause.

#### Section 29. Amendment for School Leave

(Adopted January 4, 1994)

Paid leave equal to 4 hours per calendar year is granted so that all parents, guardians or any person standing "in loco parentis" of a school aged child can attend or otherwise be involved in activities at the child's school. This leave is subject to the following conditions:

- (1) The leave shall be at a mutually agreed upon time between the County and the employee.
- (2) The County will require the employee to provide the County with a written request for the leave at least 48 hours before the time desired for the leave.
- (3) The County requires that the employee furnish written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave.

The definition of school includes public and private schools, church schools and preschools. It also includes day care facilities as defined under G.S. 110-86. Employers cannot take adverse employment action against an employee who requests leave under this section.

#### Section 30. Voluntary Shared Leave Program

(Adopted February 1996)

Purpose

There are occurrences brought about by prolonged medical conditions that cause employees to exhaust all available leave and therefore be placed on leave without pay. It is recognized that such employees forced to go on leave without pay could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to voluntarily donate some of their vacation leave so as to provide assistance to a fellow County employee. This policy provides an opportunity for employees to assist another employee affected by a medical condition that requires absence from duty for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave.

## Policy

In case of a prolonged medical condition an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of another employee within the County or from the sick leave or vacation account of an immediate family member in the County. For purposes of this policy, medical condition means medical condition of an employee or their spouse, parents, children, or other dependents (including step and in-law relationship) that is likely to require an employee's absence from duty for a prolonged period, generally considered to be at least 20 consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition, within the last twelve months, the agency may make an exception to the 20-day period. The intent of this policy is to allow one employee to assist another in case of a prolonged medical condition that results in exhaustion of all earned leave.

## General Guidelines

- (1) Establishment of a leave "bank" for use by unnamed employees is expressly prohibited. Leave must be donated on a one-to-one personal basis.
- (2) An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal on the basis of personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating leave can not receive remuneration for the leave donated.

## Eligibility

Revised (1) September 12, 2011

- (1) The employee must be a full-time employee.

- (2) Non-qualifying conditions: The policy will not ordinarily apply to short-term or sporadic conditions or illnesses. This would include such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical or therapeutic treatments. These examples are illustrative, not all-inclusive. Each case must be examined and decided based on its conformity to policy intent and must be handled consistently and equitably.

### Application Procedure

- (1) By letter or application to the Department Head, a recipient shall apply, or be nominated by a fellow employee, to participate in the program.
- (2) Application for participation would include name, social security number, classification, department, jurisdiction from which donations of leave would be requested, description of the medical condition and estimated length of time needed to participate in the program. A doctor's statement must be attached to the application.
- (3) The Privacy Act makes medical information confidential. When disclosing information on an approved recipient, only a statement that the recipient has a prolonged medical condition (or the family members) needs to be made. If the employee wishes to make the medical status public, the employee must sign a release to allow the status to be known.
- (4) The County shall review the merits of the request and approve or disapprove. The County may choose to delegate the responsibility for reviewing the validity of requests to an existing peer group or establish a committee for this purpose. Such a committee may also be used in an advisory capacity to the County.

### Recipient Guidelines

- (1) A prospective recipient may make application for voluntary shared leave at such time as medical evidence is available to support the need for leave beyond the employee's available accumulated leave. The County may establish internal guidelines to facilitate the administration of this process.
- (2) Participation in this program is limited to 1,040 hours either continuously, or, if for the same condition, on a recurring basis. However, management may grant employee continuation in the program, month by month for a maximum of 2,080 hours, if management would have otherwise granted leave without pay.
- (3) Subject to the maximum of 1,040 hours, the number of hours of leave an employee can receive is equal to the projected recovery or treatment period, less the employee's combined vacation and sick leave balance as of the

beginning of the recovery or treatment period. The employee must exhaust all available leave before using donated leave.

- (4) At the expiration of the medical condition, as determined by the County, any unused leave in the recipient's donated leave account shall be treated as follows:
  - (a) The recipient's vacation and sick leave account balance shall not exceed a combined total of 40 hours.
  - (b) Any additional unused donated leave will be returned to the donor(s) on a pro rata basis and credited to the leave account from which it was donated. Fractions of one hour shall not be returned to an individual donor.
- (5) If a recipient separates due to resignation, death or retirement from County government, participation in the program ends. Donated leave shall be returned to donor(s) on a pro rata basis.

#### Donor Guidelines

Any full time employee of Anson County may fill out a request, which will be filed in the employee's personnel file, to donate accrued leave to a fellow employee with the following rules and guidelines:

- (1) A non-family member donor may contribute only vacation leave to another employee within the same department or County government. A non-family donor may not contribute leave outside the County agency.
- (2) A family member who is a County employee may contribute vacation or sick leave to another immediate family member who is a County employee in any department. Immediate family is defined as spouse, parents, children, brother, sister, grandparents, grandchildren, great grandparents and great grandchildren. Also included are the step, half, and in-law relationships. See Sick Leave Policy for detailed definitions of immediate family.
- (3) The minimum amount to be donated is four hours.
- (4) An employee family member donating sick leave to a qualified family member under this program may donate up to a maximum of 1040 hours but may not reduce the sick leave account below 40 hours.
- (5) The maximum amount of vacation leave allowed to be donated by one individual is to be no more than the amount of the individual's annual accrual rate. However, the amount donated is not to reduce the donor's vacation leave balance below one-half of the annual vacation leave accrual rate.

Article VI. Section 31. Unexcused Absences (Added January 2, 2001):

In the event that an employee is absent without approval from the appropriate supervisor, such an absence will be considered *unexcused* and shall be noted on the employee's timesheet. Each employee receiving an *unexcused* absence will be charged a prorated portion of the respective insurance benefits during the same pay period as the unexcused absence. Each unexcused absence shall subject the employee to the disciplinary process as outlined in Article VII of this document. Any unexcused absence for a probationary employee is cause for immediate dismissal.

Article VI. Section 32. Birthday Leave (Added April 6, 2010):

Effective July 1, 2010, all full time employees in a budgeted position are eligible for one day of paid birthday leave once the 6-month probationary period has been successfully completed.

Employees must submit their birthday leave request, in writing, to his/her supervisor a minimum of one month prior to the day off. The employee must take birthday leave on their birthday or at a mutually agreed upon date within 10 working days of the employees actual birthday (either before or after). Birthday leave is not compensable upon termination and cannot be transferred, banked or carried over past this 10 day window.

## ARTICLE VII. SEPARATION, DISCIPLINARY ACTION AND REINSTATEMENT

- Section 1. Types of Separation
- Section 2. Resignation
- Section 3. Reduction in Force
- Section 4. Disability
- Section 5. Death
- Section 6. Disciplinary Action
- Section 7. Failure in Performance of Duties
- Section 8. Failure in Personal Conduct
- Section 9. Disciplinary Suspension
- Section 10. Immediate Disciplinary Suspension
- Section 11. Non-Disciplinary/Investigatory Suspension (County General Employees)
- Section 12. Non-Disciplinary/Investigatory Suspension (Competitive Service Employees)
- Section 13. Dismissal (County General Employees)
- Section 14. Dismissal (Competitive Service Employees)
- Section 15. Employee Appeal
- Section 16. Reinstatement
- Section 17. Sexual Harassment – Policy/Complaint

## ARTICLE VII. SEPARATION, DISCIPLINARY ACTION, AND REINSTATEMENT

### Section 1. Types of Separation

All separations of employees from positions in the service of the County shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, retirement, dismissal, death or other.

### Section 2. Resignation

A minimum of two (2) weeks' notice is expected of all resigning personnel except Department Heads and employees at County pay grade 66 and higher who shall give a notice of sixty (60) days. Such notice should be given **in writing** to the Department Head (or in the case of Department Heads, to the County Manager, and the appropriate governing body if applicable).

### Section 3. Reduction in Force

In the event that a reduction in force becomes necessary consideration shall be given to the quality of each employee's past performance, organizational needs, and seniority in determining those employees to be retained. Employees who are laid off because of reduction in force shall be given at least two (2) weeks' notice of anticipated lay-off. No regular employee shall be separated while there are temporary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary employee. The implementation of a reduction in force will be administered in accordance with the Anson County Reduction in Force Policy, as from time to time amended. (See Appendix B)

### Section 4. Disability

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment. The employee or the County may initiate action for disability separation, but in all cases consideration for disability separation shall be supported by medical evidence as certified by a competent physician. The County may require a physical and/or mental examination at its expense and by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the County's service for which the employee may be suited.



## Section 5. Death

All compensation due in accordance with Article VI, Section 12 of this policy will be paid to the estate of a deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

## Section 6. Disciplinary Action

An employee may be suspended or demoted by the Department Head or County Manager because of failure in performance of duties or failure in personal conduct. The Department Head or County Manager shall provide the employee with a written notice including the recommended effective date, reasons for the action, and appeal rights available to the employee. The Department Head will provide the County Manager with a written notice of action taken.

## Section 7. Failure in Performance of Duties

An employee whose work is unsatisfactory over a period of time shall be notified by the Department Head in what way the employee's work is deficient, and what must be done if the work is to be satisfactory.

An employee, who is suspended, demoted or dismissed for unsatisfactory performance of duties shall receive at least three warnings before disciplinary action is taken. First, one or more oral warnings must be issued by the employee's supervisor; second, a written warning issued by the Supervisor, to the employee, which sets forth the points of the performance deficiencies and giving specifics for the warning; third, a final written warning must be issued by the Department Head serving notice upon the employee that corrective action must be taken immediately in order to avoid disciplinary actions. The supervisor and the Department Head must record the dates of their discussions with the employee, the performance deficiencies discussed, and the corrective actions recommended, and must file the information in the employee's personnel file and notify the County Manager of action taken.

The employee must be allowed at least ten (10) workdays to respond to the charges before any determination is made by the Department Head concerning a suspension or a demotion or a determination is made by the appointing authority concerning dismissal.

The following causes relating to failure in the performance of duties are representative of those considered being adequate grounds for suspension, demotion, or dismissal:

- (a) Inefficiency, negligence or incompetence in the performance of duties;
- (b) Careless, negligent or improper use of County property or equipment;
- (c) Physical or mental incapacity to perform duties;

- (d) Discourteous treatment of the public or other employees;
- (e) Absence without approved leave;
- (f) Habitual improper use of leave privileges; and
- (g) Habitual pattern of failure to report for duty at the assigned time and place.

#### Section 8. Failure in Personal Conduct

An employee may be suspended, demoted or dismissed for causes relating to personal conduct detrimental to County service

- (1) in order to avoid undue disruption of work
- (2) to protect the safety of persons or property or
- (3) for other serious reasons.

The following causes relating to failure in personal conduct are representatives of those considered being adequate grounds for suspension, demotion or dismissal:

- (a) Fraud in securing appointment;
- (b) Conduct or behavior unbecoming a public officer or employee;
- (c) Conviction of a felony or of a misdemeanor which would adversely affect performance of duties, or entering a plea of "no contest" to either;
- (d) Misappropriation of County funds or property;
- (e) Falsification of County records for personal profit or to grant special privileges;
- (f) Reporting to work under the influence of alcohol or narcotic drugs or partaking of such things while on duty or while on public property where prohibited, except that prescribed medication may be taken within the limits set by a physician so long as medically necessary, and which are not disruptive to the employee's regular and/or job performance.
- (g) Willful damage or destruction of property;
- (h) Willful acts that would endanger the lives and property of others;
- (i) Acceptance of gifts in exchange for "favors" or "influence";
- (j) Incompatible employment or conflict of interest;

(k) Violation of political activity restrictions; and

(l) Willful and wanton disobedience, or disruptive actions.

An employee demoted or dismissed for causes relating to personal conduct shall be given a statement of the charges, be allowed to respond in writing, and be given a prompt written statement of the decision of the Department Head or the appointing authority. These steps shall be taken before the disciplinary action except in cases of suspensions where a written statement will be sent to the employee by certified mail.

#### Section 9. Disciplinary Suspension

An employee who is suspended for disciplinary reasons shall be relieved temporarily of all duties and responsibilities and shall receive no compensation for the period of suspension, which will be no less than one (1) full working day and no more than three (3) working days.

#### Section 10. Immediate Disciplinary Suspension

An employee may be suspended without notice by the Department Head for causes related to personal conduct in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When a Department Head suspends an employee, he shall tell the employee to leave County property at once and remain away until further notice. The Department Head shall notify the County Manager immediately.

A written summary giving the circumstances and facts leading to the suspension shall be prepared; one copy shall be delivered to the employee by certified mail; one copy shall be filed in the official employee file, and one copy shall be filed with the County Manager.

#### Section 11. Non-Disciplinary/Investigatory Suspension (County General Employees)

During the investigation, hearing or trial of a County General Employee on any criminal charge, or during the course of a civil action involving an employee, the Department Head may suspend the employee without pay for the duration of the proceeding as a non-disciplinary action. However, the investigation, hearing, trial, or civil action must involve matters that may form the basis for disciplinary suspension, demotion or dismissal in order for the non-disciplinary suspension to be allowed.

Full recovery of pay and benefits for the period of non-disciplinary suspension will be authorized, if the suspension is terminated with full reinstatement of the employee.

#### Section 12. Non-Disciplinary/Investigatory Suspension ( Competitive Service Employees)

Investigatory suspension without pay may be used to provide time to investigate, establish facts, and reach a decision concerning an employee's status in those cases where it is determined the employee should not continue to work pending a decision. Investigatory suspension without pay will be appropriately used to provide time to schedule and hold a pre-dismissal conference. Also, management may elect to use investigatory suspension in order to avoid undue disruption of work or to protect the safety of persons or property. An investigatory suspension without pay shall not exceed forty-five (45) calendar days. However, an agency may, in the exercise of its discretion, extend the period of investigatory suspension without pay beyond the forty five (45) day limit. The employee must be informed in writing of the extension, the length of the extension, the specific reasons for the extension and his/her right of appeal. A copy of the above communication shall be sent to the State Personnel Director and the Department of Human Resources Regional Personnel Director. If no action has been taken by management by the end of forty five (45) calendar days, and no extension has been made, one of the following must occur:

- (1) Reinstatement of the employee with full back pay;
- (2) Appropriate disciplinary action based on the results of the investigation;
- (3) Reinstatement of the employee with up to three (3) days pay deducted from the back pay.

Investigatory suspension of an employee shall not be used for the purpose of delaying an administrative decision on an employee's work status pending the resolution of a civil or criminal court matter involving the employee.

An employee who has been suspended for investigatory reasons may be reinstated with up to three (3) days' pay deducted from his/her salary. Such determination is to be based upon management's determination of the degree to which the employee was responsible for or contributed to the reasons for suspension. This period constitutes a disciplinary suspension without pay and must be effected in accordance with Section 9 of this Article.

### Section 13. Dismissal (County General Employees)

All dismissals of County General Employees shall be preceded by an automatic three (3) day suspension without pay, pending completion of an investigation by the appointing authority or County Manager. If the appointing authority or County Manager determines that a dismissal action is appropriate, such dismissal shall be effective at the end of the three (3) day suspension. If a dismissal is made at the end of this period, a written summary giving the circumstances and facts leading to the dismissal shall be prepared. A copy of the summary shall be delivered to the employee by certified mail and one copy shall be filed in the official employee file.

### Section 14. Dismissal (Competitive Service Employees)

All dismissals of Competitive Service Employees shall be in accordance with Article I and Article II, Personnel Policies for Local Government Employment Subject to the State Personnel Act. The County Manager and Personnel Director shall be provided with copies of all documents pertaining to dismissal action.

#### Section 15. Employee Appeal

A regular County General Employee wishing to appeal a demotion, suspension or dismissal may present the matter in accordance with the provision of the grievance procedure prescribed in Article VIII of this Ordinance.

#### Section 16. Reinstatement

An employee who resigns while in good standing or who is separated because of reduction in force may be reinstated within three (3) years of the date of separation, with the approval of the Department Head and the County Manager.

An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service or with a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with Chapter 43 of Public Law 93-508. An employee who is reinstated shall be credited with previous service time and previously accrued sick leave.

#### Section 17. Sexual Harassment – Policy/Complaint

(Adopted June 10, 1998 / Effective July 1, 1998)

The policy of Anson County Government and its agencies is that no employee shall engage in conduct that falls under the definition of sexual harassment.

Sexual harassment is defined as deliberate, unsolicited, and unwelcome verbal and/or physical conduct of a sexual nature or with sexual implications by a supervisor or co-worker which (1) has or may have direct employment consequences resulting from the acceptance or rejection of such conduct; (2) creates an intimidating, hostile, or offensive working environment; or (3) interferes with an individual's work performance.

Sexual harassment does not include personal compliments welcomed by the recipient, or social interaction or relationships freely entered into by County employees or prospective employees. However, the County encourages employees to maintain a professional relationship at all times.

By law, sexual harassment is considered a form of sex discrimination prohibited by the North Carolina General Statutes.

Every employee is entitled to work in an environment free of sexual harassment. No personnel decisions shall be made on the basis of granting or denying favors of a sexual nature. An employee who feels that he or she has been sexually harassed may file a complaint using the following procedure.

### **Complaint Procedure**

- (1) Report the alleged misconduct to your immediate supervisor, if he or she is not involved; or to the next level of supervisor, up to and including the highest level of division management, including the Division Head; or
- (2) Report the alleged misconduct to the County Manager or Assistant County Manager/Human Resources Manager.

A prompt impartial investigation will be made of all cases alleging sexual harassment based on presented facts surrounding the misconduct. **Information received regarding alleged incidents of sexual harassment will be treated with the highest level of privacy and confidentiality.** Any interference coercion, restraint, or reprisal of any person complaining of sexual harassment is prohibited.

### **Disciplinary Procedure**

In an effort to simplify the disciplinary procedure as it relates to sexual harassment, there shall be three levels of discipline.

- (1) Level I. Non-verbal  
Examples:
  - (a) Blocking a person's path
  - (b) Making sexual gestures
  - (c) Making facial expressions
  - (d) Rubbing oneself sexually around another person
- (2) Level II. Verbal  
Examples:
  - (a) Referring to an adult as "girl", "hunk", "doll", "beefcake", "babe", "studmuffin", "honey", or "sweetie", whistling or catcalling, sexual comments or innuendoes
  - (b) Sexual jokes or stories
  - (c) Making sexual comments about a person's clothing or body
  - (d) Recounting ones' sexual exploits or asking about sexual fantasies, preferences or history
  - (e) Repeatedly asking a person for a date after being turned down
  - (f) Starting or spreading rumors about the sex life of a person
  - (g) Making kissing sounds, howling, or smacking lips
  - (h) Making threats

(3) Level II. Physical

Examples:

- (a) Hugging, kissing, patting, stroking, pinching or grabbing
- (b) Touching the person's clothing, hair or body, giving a massage around the neck or shoulders
- (c) Revealing parts of the body in violation of common decency
- (d) Physically forcing sexual activity on someone ranging from assault to rape.

All allegations will be reviewed for accuracy of the complaints before a selected panel. This panel will be counseled in the need for discreetness and objectives. The disciplinary procedure for a person found guilty of a Level I charge shall range from one day to three days suspension without pay depending on the number of occurrences. The disciplinary procedure for a person found guilty of a Level II charge shall range from three days to one week of suspension without pay depending on the number of occurrences. The disciplinary procedure for a person found guilty of a Level III charge shall range from one week's suspension without pay to termination depending on the number of occurrences.

## ARTICLE VIII. GRIEVANCE PROCEDURE

- Section 1. Grievance Procedure and Adverse Action Appeal – Policy Statement
- Section 2. Grievance and Adverse Action - Definitions
- Section 3. Organization of the Advisory Personnel Board
- Section 4. Advisory Personnel Board Hearings
- Section 5. Legal Counsel
- Section 6. Witnesses
- Section 7. Grievance and Adverse Action Appeal Procedure - Non - discrimination
- Section 8. Grievance and Adverse Action Appeal Procedure - Discrimination
- Section 9. Grievance and Appeal Procedure - Discrimination Resulting from Harassment
- Section 10. Appeals
- Section 11. Back Pay Awards



## ARTICLE VIII. GRIEVANCE PROCEDURE, DISCRIMINATORY AND ADVERSE ACTION APPEAL

### Section 1. Grievance Procedure and Adverse Action Appeal - Policy Statement

In order to maintain a harmonious and cooperative relationship between the County and its employees, it is the policy of the County to provide for the settlement of problems and differences through an orderly grievance procedure. Every regular County employee shall have the right to present his/her problem, grievance or adverse action appeal in accordance with this established policy free from interference, coercion, restraint, discrimination or reprisal.

It is the responsibility of supervisors at all levels, consistent with authority delegated to them, to consider and take appropriate action promptly and fairly on a grievance or adverse action appeal of any employee.

Competitive Service employees shall file grievances and adverse action appeals in accordance with Department and State Personnel policies, however, all grievances must be identified in writing and submitted to either the County Manager or Personnel Officer giving nature of grievance.

### Section 2. Grievance and Adverse Action - Definitions

A grievance is a claim or complaint based upon an event or condition which effects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance might involve alleged safety or health hazards, unsatisfactory supervisory or disciplinary practices, and unjust treatment by fellow workers, unreasonable work quotas or any other legitimate complaint relating to conditions of employment.

An adverse action is a demotion, dismissal, reduction in pay, layoff or an undesirable transfer or suspension.

### Section 3. Organization of the Advisory Personnel Board

The Board of Commissioners shall appoint an Advisory Personnel Board consisting of three (3) members. Members of the Advisory Personnel Board shall serve three year staggered terms. The Board of Commissioners shall appoint members at their first regular meeting in January of each year. A member of the Advisory Personnel Board may be removed by the Board of Commissioners only for cause and after being given a written statement of the charges and a public hearing thereon, if so requested. The Board of Commissioners shall fill vacancies in an unexpired term by appointment for the remainder of the term.

Each member of the Advisory Personnel Board shall be a qualified voter of the County, and shall be known to be in sympathy with the merit principle of personnel administration.

One member of the Advisory Personnel Board shall have had experience in public or private personnel administration. Any member of the Advisory Personnel Board who becomes a candidate for a political office, or actively participates in elections, in the matter herein before set forth, shall at the time he files, be deemed to have vacated his position as a member of the Advisory Personnel Board. Members of the Advisory Personnel Board shall not be eligible for more than two consecutive three-year terms on the Board.

The Board of Commissioners, at its first meeting in January, shall appoint one of the members of the Advisory Personnel Board to serve as chairman who shall preside at all meetings and shall be responsible for establishing meeting dates and calling official meetings. One member shall be appointed vice-chairman and shall assume the duties of chairman in the event the chairman is unavailable.

The Advisory Personnel Board shall:

- (1) Advise the Board of Commissioners and the County Manager on County personnel problems;
- (2) Conduct hearings upon the request of discharged, suspended or demoted County employees as required by this procedure. The Advisory Personnel Board shall have all powers necessary to complete investigation of the action taken, including the examination of witnesses and papers. The Advisory Personnel Board shall inform the employee and the County Manager in writing of its findings and recommendation; and
- (3) Keep an accurate record of all its proceedings, findings and recommendations.

#### Section 4. Advisory Personnel Board Hearings

Prior to a hearing, each member of the Advisory Personnel Board shall declare any conflict of interest in order that an unbiased decision can be rendered. The Advisory Personnel Board shall be the only group empowered to hear grievances of Anson County employees and shall be impartial in its actions without consideration of age, sex, color, ethnic origin or religion.

Meetings of the Advisory Personnel Board are subject to regulations established by the North Carolina General Statutes. Notification of meeting dates, places and times shall be consistent with requirements therein.

Grievance hearings shall be formal and held in executive session. Upon reconvening immediately following executive session, the Chairman may advise news media of actions taken by the Board.

Actions of the Advisory Personnel Board requesting investigation, deliberation or results of collateral official actions, i.e., court hearings, coroner's inquests, pending charges of felony, will not be made public until such actions are completed.

Hearings will be taped, but not transcribed, unless ordered by the Chairman for subsequent hearings or challenge of proceedings. Tape cassettes will be punched to prevent erasure and sealed before close of the meeting and initialed by the Chairman. Tapes will be preserved in safe storage by the County Manager under lock and key and shall be released only upon order of the Chairman. Transcripts of tapes shall be assigned control numbers and a record will be maintained of the parties to whom transcripts are released.

#### Section 5. Legal Counsel

An employee requesting a hearing before the Advisory Personnel Board may be represented by an attorney or any other person of choice he/she so desires. Employment of legal counsel shall be the responsibility of the employee. Copies of letters, documents, statements and other pertinent information shall be provided to legal counsel upon request. Any such request shall be accompanied by signed, written, notarized authorization from the employee. If the employee chooses not to be represented by legal counsel, the employee must be given the right at the hearing to examine all the evidence and to cross-examine the witnesses. An attorney may also represent the County.

#### Section 6. Witnesses

Witnesses may appear to testify before the Advisory Personnel Board upon the request of the Department Head or employee to the Chairman of the Advisory Personnel Board. The request shall be in writing and shall contain the names of witnesses who are requested to appear.

#### Section 7. Grievance and Adverse Action Appeal Procedure Non-discrimination

Any permanent County employee having a problem or grievance arising out of or due to employment and who does not allege discrimination because of age, sex, race, color, national origin, religion, creed, physical disability or political affiliations shall first discuss his/her problem or grievance and adverse action appeal procedure established by the County.

Step One. The employee with a grievance or adverse action appeal shall present the matter orally or in writing to the immediate supervisor within twenty (20) working days of its occurrence, with the objective of resolving the matter. If the exact date cannot be established for the occurrence of grievance circumstance, the twenty (20) working day limit may be waived by the supervisor, but the employee should file the grievance within ten (10) days of the waiver. The supervisor should and is encouraged to consult with any employee or officer deemed necessary to reach a correct, impartial, and equitable determination and shall give the employee an answer within five (5) working days.

Step Two. If the decision of Step 1 is not satisfactory to the employee, or if the employee fails to receive an answer within the designated period provided in Step 1, the employee may file the grievance in writing within ten (10) working days with the Department Head, who shall hear the grievance and render a decision in writing within a maximum of ten (10) working days.

For employees in the departments of the Sheriff and the Register of Deeds, there shall be no appeal beyond the decision of the Sheriff or Register of Deeds.

Step Three - Grievance. If the decision in Step 2 is not satisfactory to the employee, or if the employee fails to receive an answer within the designated period provided in Step 2, the employee may file the grievance in writing with the County Manager within ten (10) working days.

The County Manager, who shall exercise the duty of resolving the decision satisfactorily, shall hear the grievance and render a decision in writing within ten (10) working days. The Manager's decision shall be final regarding the grievance.

Step Three – Adverse Action. In an adverse action case, the general County employee may appeal to the County Manager. The County Manager shall hear the adverse action appeal and render a decision in writing within ten (10) working days or may refer the matter to the Advisory Personnel Board. If the Manager hears the adverse action appeal, he shall report his decision to the employee and to the Board of County Commissioners within ten (10) working days.

Step Four. If the decision in Step 3 is not satisfactory to the employee or if the employee fails to receive an answer within the designated period provided in Step 3, the employee may file the adverse action in writing with the Chairman of the Advisory Personnel Board within ten (10) working days. The written request shall set forth the specific reasons for the appeal and evidence that all other levels of supervision have considered the employee's adverse action must accompany the written request.

The Chairman of the Advisory Personnel Board shall, within two (2) working days after the official receipt, notify the County Manager that a request for adverse action hearing has been received.

When an adverse action concerns termination, documentation that all levels of supervision have considered the adverse action shall be waived.

Step Five - Adverse Action - Advisory Personnel Board Procedure. The Advisory Personnel Board shall hear only the adverse action for which it was convened. Within two (2) working days after notification to the County Manager, the Chairman of the Advisory Personnel Board shall notify the employee when he/she may appear to be heard. All requests for adverse action hearings will be given prompt consideration and will be

scheduled for hearing within fifteen (15) working days of the Advisory Personnel Board's notification to the County Manager.

The Advisory Personnel Board may excuse all principals and witnesses from the Executive Session in order to complete deliberations. A written statement of findings of fact and decisions recommended will be mailed to the employee over the signature of the Chairman within five (5) working days of the hearing with copies to the employee's personnel file, the Department Head and the County Manager.

#### Section 8. Grievance and Adverse Action Appeal Procedure -Discrimination

Any applicant for County employment, County employee or former County employee who has reasons to believe that employment, promotion, training or transfer was denied, or that demotion, layoff or termination of employment was because of age, sex, race, color, national origin, religion, creed, political affiliation or physical disability except where specific age, sex or physical requirements constitute a bona fide occupations qualification necessary to proper and efficient administration, shall have the right to appeal directly to the County Manager. A regular County employee has the right to appeal using the grievance procedure outlined in Section 7 of this article if the employee so desires.

An employee or applicant must appeal an alleged act of discrimination within thirty (30) days of the alleged discriminatory action.

#### Section 9. Grievance and Appeal Procedure - Discrimination Resulting from Harassment

Any County employee who has reason to believe that they have been harassed regarding to race, color, religion, sex, age or national origin shall have the right to appeal directly to the County Manager after first lodging a written complaint with their immediate supervisor. The employee shall also have the right to appeal an alleged act of discrimination using the grievance procedure outlined in Section 7 of this article.

Harassment is defined as any repeated or unwarranted verbal or physical deprecation of person, explicit derogatory statements, discriminatory remarks made by someone in the work place which are offensive or objectionable to the recipient, or which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

All employees are to be held responsible for their actions in this regard. Employee conduct, whether intentional or unintentional, that results in harassment of other employees regarding race, color, religion, sex, age or national origin is illegal both civilly and criminally and will not be tolerated. Such conduct will result in disciplinary action, including possible discharge.

#### Section 10. Appeals

Appeals of recommendations made by the Advisory Personnel Board shall be made to the Board of County Commissioners. The request for appeal shall be made in writing to the

Chairman of the Board of Commissioners within five (5) working days following notification of recommendations made by the Advisory Personnel Board; copies of written request shall be given to the Chairman of the Advisory Personnel Board, the Department Head and the County Manager.

The Board of Commissioners shall hear the appeal within thirty (30) days of the written request for appeal.

Appeal of decisions made by the Board of Commissioners shall be made to the appropriate court of justice.

#### Section 11. Back Pay Awards

Back pay awards may be awarded to reinstated employees in suspension, demotion, dismissal and discrimination cases.

## ARTICLE IX. EMPLOYEE BENEFITS

- Section 1. Insurance Benefits
- Section 2. Unemployment Insurance
- Section 3. Old Age and Survivor's Insurance (Social Security)
- Section 4. Retirement Benefits
- Section 5. Death Benefits
- Section 6. Law Enforcement Officers Separation Allowance
- Section 7. Supplemental Retirement Income Plan Available to Law Enforcement Officers
- Section 8. Benefits/Other - Fixed
- Section 9. Benefits/Other – Flexible
- Section 10. Benefits/Other - Retirees

## ARTICLE IX. EMPLOYEE BENEFITS

### Section 1. Insurance Benefits

All employees, except those classified as temporary or part time, are offered medical benefits under the NC State Health Plan administered by Blue Cross and Blue Shield of North Carolina. Employees who wish to enroll their families can do so and pay the additional cost. All Insurance will begin the 1st of the month following date of hire. Insurance will terminate the last day of the month following the employee's termination date.

### Section 2. Unemployment Insurance

In accordance with the Public Law 94-566 and Chapter 1124 of the Session Laws of 1977 of the North Carolina General Assembly, local governments are covered by unemployment insurance. Anson County employees who are laid off or released from the County service may apply for unemployment compensation through the local office of the Employment Security Commission. The Employment Security Commission will determine eligibility for unemployment insurance.

### Section 3. Old Age and Survivor's Insurance (Social Security)

The County, to the extent of its lawful authority and power, shall extend social security benefits for its eligible employees in accordance with the provisions of the Social Security Act. The Federal Social Security program provides monthly benefits upon retirement, with full benefits available at age 65 and reduced benefits available as early as age 62.

### Section 4. Retirement Benefits

Each employee in a budgeted position, working a minimum of 1000 hours per year, as a condition of employment, must join the Local Government Employee's Retirement System, upon the completion of a six-month (6) probationary period. Employees must contribute through payroll deduction, six percent (6%) of the gross salary each month to the system. The County (employer) contributes an actuarially determined percentage of the gross payroll each month to the system.

(Revised, June 30, 2012 - % change from 2% to 3% per Budget Adoption of July 1, 2012)

All regular, full time employees, not including the Sheriff and respective law enforcement officers, shall be entitled to a 3% supplemental retirement contribution from the County towards a retirement plan chosen by the employee. The eligibility of this benefit shall be based upon the employee's qualification for membership in the retirement system. The 401(k) Plan shall be designated as the default plan if an employee fails to make an election when said employee is eligible for these employer contributions.



## Section 5. Death Benefits

If you die before age 70, while still in active service, after one year as a contributing member of the Retirement System, your beneficiary will receive a single lump sum payment to equal the highest twelve (12) months' salary in a row during the 24 months before you die. This benefit is also paid if you die within 180 days after the last day for which you are paid a salary. This benefit is paid via the NC Retirement System per its requirements and stipulations and is in addition to any other benefits to which your beneficiary might be entitled to through the Retirement System.

## Section 6. Law Enforcement Officers Separation Allowance

The County shall provide a special separation allowance to qualified officers who retire early or who leave service early, and who meet all of the following qualifications:

- (a) The officer must have completed 30 years or more of creditable service, or have attained 55 years of age and completed five or more years of creditable service;
- (b) The officer must not yet be age 62; and
- (c) The officer must have completed at least five years of continuous service as a law enforcement officer immediately prior to service retirement.

The separation allowance ceases when the officer reaches age 62 or when the officer dies or is re-employed in any capacity by a city, town, County or the state.

## Section 7. Supplemental Retirement Income Plan Available to Law Enforcement Officers

All law enforcement officers automatically become a member of the Supplemental Retirement Income Plan, on the date of hire, provided the officer has the full power of arrest with the primary duty of enforcing criminal laws.

## Section 8. Benefits/Other – Fixed (Revised March 4,2008)

Anson County, as the employer, provides the following additional benefits to its employees:

- (a) Workers' Compensation - Provides coverage to all full and part-time employees to cover medical expenses and lost time from work due to work related injuries.
- (b) Longevity Pay - See Article III, Section 15.
- (c) Supplemental Retirement Contribution - See Article IX, Section 4.

Section 9. Benefits/Other- Flexible  
(Revised March 4, 2008)

Additional deductions/benefits may be allowed, at the option of the employee, under the provisions of the insurance contracts, and may be payroll deducted:

- (a) Miscellaneous Insurance
- (b) Credit Union/State - Enrollment participation open to all full-time and half time employees.
- (c) Deferred Compensation Plans - Provides supplemental long-term retirement under Section 457 of the Internal Revenue Code. (NACO, MONY, and State 401 (K) Plan)
- (d) FlexPlan - Provided by Section 125 of the Internal Revenue Code, allowing employees to use pre-tax dollars to spend on insurance premiums and deductibles, uncovered health and medical expenses, and dependent child care expenses.
- (e) United Way Contributions

Section 10. Benefits/Other – Retirees (Employees and Commissioners)  
(Modified June 6, 2017)

Retiree Health Insurance Program

In recognition of service rendered to Anson County, a health insurance program has been established by the Board of Commissioners. This program is not retroactive and is only effective as long as the retired employee is not covered under another insurance plan. Open enrollment will be conducted for all retirees to continue or waive coverage annually. Waived coverage does not exclude eligibility annually. All of the service statements outlined for retirees assume that the employee meets NCLGERS requirements for early, full, or disability retirement (further defined within this section) and that he/she has applied for and will begin receiving these retirement benefits at the time of his/her termination with Anson County. Retiree health insurance eligibility for employees and Commissioners is outlined in the table below:

Classification		Meet NCLGERS requirement	Minimum Age Requirement	NCLGERS Membership Years of Service	Consecutive Years of Service w/ Anson <sup>1</sup>	Max. Employer Cost *	Retiree Cost *	Health Insurance Coverage Ends	Paid County Medicare Supplement Up to Max. Employer Cost	Compensation - Independent/ Supplemental Up to Max. Employer Cost**	
1	Retired Prior to June 1992					100%	0%	Medicare Eligibility	Yes	No	
2	Retirees from June 1992 to October 2004					\$229.00	Balance of Premium	Medicare Eligibility	Yes	Yes	
3	Employees hired prior to January 1993	a	Yes	62	20 to 29.99	20	100%	0%	Medicare Eligibility	Yes	No
		b	Yes	Any	30 & up	10	100%	0%	Medicare Eligibility	Yes	No
4	Employees Hired January 1993- October 2004	a	Yes	65	10 to 14.99	10	\$115.00	Balance of Premium	Medicare Eligibility	Yes	No
		b	Yes	62	15 to 19.99	10	\$115.00	Balance of Premium	Medicare Eligibility	Yes	No
		c	Yes	62	20 to 24.99	10	\$229.00	Balance of Premium	Medicare Eligibility	Yes	No
		d	Yes	62	25 to 29.99	10	\$286.00	Balance of Premium	Medicare Eligibility	Yes	No
		e	Yes	Any	30 & up	10	\$343.00	Balance of Premium	Medicare Eligibility	Yes	No
5	Employees Hired after October 31, 2004	a	Yes	62	15 to 19.99	10	0%	Balance of Premium	Medicare Eligibility	No	No
		b	Yes	62	20 to 24.99	10	\$229.00	Balance of Premium	Medicare Eligibility	No	No
		c	Yes	62	25 to 29.99	10	\$286.00	Balance of Premium	Medicare Eligibility	No	No
		d	Yes	Any	30 & up	10	\$343.00	Balance of Premium	Medicare Eligibility	No	No

\*Max. Employer Cost & Retiree Cost subject to annual budgetary appropriation. Retiree cost subject to annual premium.

\*\* Proof of Independent/Supplemental Coverage will be required annually.

<sup>1</sup>If a break in service occurs, no less than 10 consecutive years of service must be performed with Anson County prior to retirement.

<sup>2</sup> Any full-time, permanent County employee working in the Sheriff's Office or Register of Deeds with interrupted years of service resulting from a termination directly related to the outcome of an election may receive retirement benefit consideration. Consideration is contingent on working a minimum of eight (8) consecutive years in at least one period of service and a minimum of three (3) years in any one subsequent period of service.

This amendment is not intended to address employees with interrupted years of service resulting from a termination that is directly related to failure in personal conduct as addressed in Section 8 of the County Personnel Ordinance.

All premiums are due the 1<sup>st</sup> of each coverage period (example: premium for May is due May 1<sup>st</sup>). Any insured person who is over forty-five (45) days delinquent in payment of his/her insurance premiums shall receive a notice of premiums owed. If the delinquent payment is not received from 30 days of the notice, the insured person will be terminated and shall not be eligible for reinstatement.

Based on the table above, this program stands as offered and does not obligate the County to provide like services or monetary compensation for those who choose to seek other medical plans and/or those who are eligible for Medicare.

The effective date of this policy shall be November 1, 2004. The Board of County Commissioners will review this policy annually and may delete, modify, enhance or otherwise make changes.

(Adopted-July 10, 2007)

Employees with a minimum of 15 years continuous service with Anson County who are granted disability retirement with the NCLGERS with 25 years or more of creditable service will receive 100% health insurance coverage from the County until the employee becomes eligible for Medicare. Once Medicare eligible, the County will continue coverage of a Medicare Supplement policy at a level not to exceed the County's current health insurance premium liability.

## ARTICLE X. PERSONNEL RECORDS AND REPORTS

- Section 1. Personnel Records Maintenance
- Section 2. Access to Personnel Records
- Section 3. Confidential Information
- Section 4. Records of Former Employees
- Section 5. Remedies of Employees Objecting to Material in File
- Section 6. Penalty for Permitting Access to Confidential File by Unauthorized Person
- Section 7. Penalty for Examining and/or Copying Confidential Material Without Authorization
- Section 8. Destruction of Records Regulated

## ARTICLE X. PERSONNEL RECORDS AND REPORTS

### Section 1. Personnel Records Maintenance

Such personnel records as are necessary for the proper administration of the personnel system will be maintained by the Personnel Officer. The County shall maintain in personnel records only information that is relevant to accomplishing personnel administration purposes.

The following information on each County employee shall be maintained:

- (a) name;
- (b) age;
- (c) date of original employment or appointment to County services;
- (d) current position title;
- (e) current salary;
- (f) date and amount of most recent change in salary;
- (g) date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification; and
- (h) office to which the employee is currently assigned.

### Section 2. Access to Personnel Records

As required by G.S. 153A-98, any person may have access to the information listed in Section 1 of this article for the purpose of inspection, examination, and copying, during the regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Board of Commissioners may adopt. The following provisions shall govern access to such information:

- (a) All disclosures of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: Name of employee; information disclosed; date information was requested; name and address of the person to whom the disclosure is made; and purpose for which information is requested. This information must be retained for a period of two years.
- (b) Upon request, records of disclosure shall be made available to the employee to whom it pertains.

- (c) An individual examining a personnel record may copy the information; any available photocopying facilities may be provided and the cost may be assessed to the individual.
- (d) Any person denied access to any record shall have a right to compel compliance with these provisions by application to a court for writ of mandamus or other appropriate relief.

### Section 3. Confidential Information

All information contained in a County employee's personnel file, other than the information listed in Section 1 of this article will be maintained as confidential in accordance with the requirement of G. S. 153A-98 and shall be open to public inspection only in the following instances:

- (a) The employee or his duly authorized agent may examine all portions of his personnel file, except, (1) letters of reference solicited prior to employment, and (2) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- (b) A licensed physician designated in writing by the employee may examine the employee's medical record.
- (c) A County employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- (d) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- (e) An official of any agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such information is deemed by the County Manager to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability.
- (f) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.
- (g) A record shall be made of each disclosure and placed in the employee's file (except of disclosures to the employee and the supervisor).

#### Section 4. Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

#### Section 5. Remedies of Employees Objecting to Material in File

An employee who objects to material in his file may place in his file a statement relating to the material that he considers to be inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures. (See Article VIII)

#### Section 6. Penalty for Permitting Access to Confidential File by Unauthorized Person

General Statute 153A-98 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in any employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars.

#### Section 7. Penalty for Examining and/or Copying Confidential Material Without Authorization

G. S. 153A-98 provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined in the discretion of the court, but not in excess of five hundred dollars.

#### Section 8. Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with G. S. 121-5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates or destroys it will be guilty of a misdemeanor and upon conviction will be fined not less than ten dollars nor more than five hundred dollars as provided in G. S. 132-3.



## ARTICLE XI. IMPLEMENTATION OF POLICY

Section 1. Conflicting Ordinances Repealed

Section 2. Separability

Section 3. Violations of Ordinance Provision

## ARTICLE XI. IMPLEMENTATION OF POLICY

### Section 1. Conflicting Ordinances Repealed

All policies, ordinances or resolutions that conflict with the provisions of this Ordinance are hereby repealed.

### Section 2. Separability

If any provision of this Ordinance or any rule, regulations or order thereunder or the application of such provision to any person or circumstances is held invalid, the remainder of this Ordinance and the application of such remaining provisions of this Ordinance of such rules, regulations or orders to persons or circumstances other than those invalid, will not be affected thereby.

### Section 3. Violations of Ordinance Provision

An employee violating any of the provisions of this Ordinance shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.

This ordinance passed and adopted by the Board of County Commissioners, Anson County, State of North Carolina, this 6th day of June 1989.

ANSON COUNTY BOARD OF COMMISSIONERS

Lee G Allison, Chairman

ATTEST:

Julia H. Brooks, Clerk to Board

Seal

## APPENDIX A

### Anson County Travel Policy

(Adopted August 6, 1996)  
(Amended February 4, 1997)

#### Subject: Travel Expenses While on County Business

Purpose: To establish policy guidelines on County reimbursement for expenses while on County business.

Statement of Policy: It is the policy of the County to reimburse employees for reasonable and necessary expenditures made by employees while on official County business. Mileage will be reimbursed at a rate per mile equal to the current allowable IRS reimbursement rate; all other allowable expenses will be on an actual cost basis. All other expenses must be itemized if applicable. Specific reimbursement for breakfast and/or dinner meals will be allowed only if the employee is required to leave before 6:00 a.m. to arrive on a timely basis and/or to return after 8:00 p.m. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by invoices and/or receipts showing proof of payment of such claims, except the daily meal per diem as provided hereafter.

#### Travel while on County Business

##### (1) Travel Advancement

- (a) The Department Head must approve all travel advances. When possible, requests should be made two weeks in advance with a copy of the conference agenda or workshop schedule attached. Whenever possible, checks will be made payable to the hotel or conference which will be attended. Mileage reimbursement shall not be considered a part of travel advancement.
- (b) After returning to work, the employee shall submit a travel reimbursement form with receipts to the Finance Office within five working days, with any amount due to the County included. If receipts total more than the travel advance, payment will be made on the next scheduled accounts payable run.

##### (2) Overnight Trips

- (a) Lodging. Hotel and Motel expenses will be reimbursed on completion of authorized travel upon submittal of proper claim. A reasonable class of accommodation shall be selected where choice is available. The single rate should be clearly indicated on all receipts.

(b) Meals. Meal reimbursements for all overnight trips are to be itemized on proper "Travel Expense" forms. If the employee opts for a Per Diem Meal reimbursement, the rates are:

- 1) Breakfast -- \$ 6.00
- 2) Lunch -- 8.00
- 3) Dinner -- 15.00

The above prices are a guideline for those who do not opt for the per diem reimbursement and instead opt for a receipt reimbursement. Reimbursement shall be for actual receipt amounts but shall not exceed the per diem/per meal rate reimbursement amount. Receipts are mandatory; unavailable receipts will result in a per diem/per meal rate reimbursement.

(c) Mileage Allowance. Employees who utilize their personal vehicles on travel assignments will be allowed the IRS allowable rate per mile. Each employee who drives a private vehicle on County business must have liability insurance on said vehicle.

No reimbursement for mileage shall exceed the dollar amount of round trip airfare at the coach rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced whenever possible. The actual speedometer reading from the office to destination and return to the office will be used.

If an employee for his or her own convenience travels by an indirect route or interrupts the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

(d) Out of State travel requires prior approval by the Manager in writing and a Training Attendance Request Form.

### (3) Local Travel and Expenses

(a) Local Mileage. No mileage will be paid for commuting from an employee's personal residence to the County office or a workstation.

(b) Local Meals. Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the County for a specific purpose, or where the employee's attendance will directly benefit the County. No reimbursement will be allowed for meetings

that are of a social nature. The request for reimbursement of local meals should including the following information:

- (1) Date
  - (2) Place
  - (3) Meeting Attended
  - (4) Specific Reason for Attendance
  - (5) Receipt
- (4) Parking Fees and other applicable fees will be reimbursed by actual cost and receipts shall be presented where possible.

If an employee reimbursement is necessary, the Finance Department will handle the reimbursement after the "Travel Expense" form is turned in.

(Revised February 4, 1997)

#### Non-Allowable Expenses

1. Laundry, cleaning, or valet services (except of trips of over one week duration)
2. Tobacco
3. Alcoholic beverages
4. Entertainment
5. Personal telephone calls
6. First class travel accommodations when economy or coach class are available
7. Meals and lodging which are inclusive in the Conference/Registration fee
8. Fines, forfeitures or penalties
9. Rental vehicles except as pre-approved by the County Manager
10. Expenses of a spouse or other non-employee
11. Loss or damage to personal property
12. Barber, beauty parlor, shoe shine or toiletries
13. Personal postage

## APPENDIX B

### Anson County Reduction in Force Policy

#### Introduction

This policy establishes guidelines for the administration of a reduction in force in which employees are separated due to shortages of funds or work, abolishment of a position, or other significant changes in duties or organization.

#### Authority

Anson County Personnel Ordinance, Chapter 126 of the General Statutes of North Carolina and the Personal Policies for Local Government Employees Subject to the State Personnel Act authorizes the implementation of such a policy and expresses the essential elements required of the department in planning a reduction in force. The policy is copied below in its entirety from the State Personnel Act Employee Manual and is followed by guidelines for its use. The policy states the following:

For reasons of curtailment of work or lack of funds, the appointing authority may separate employees. Retention for employees in classes affected shall be based on systematic consideration of type of appointment, length of service, and relative efficiency. No regular employee shall be separated while there are emergency, intermittent, temporary, provisional, probationary, or trainee employees serving in the same class in the department unless the regular employee is not willing to transfer to the position held by the non-status employee.

An employee with a satisfactory employment record who is terminated in accordance with the provisions of this policy will be considered for any vacant position for which he/she meets job specific qualifications as stated in the job announcement. Copies of such job announcements will be forwarded to qualified individuals at the address provided by the individual for a period of twelve (12) months after the effective date of the termination.

A regular employee who is separated due to reduction in force shall have the right to appeal in accordance with the County Personnel Ordinance to the State Personnel Commission for a review to assure that systematic procedures were applied equally and fairly.

## Guidelines

### I. Determining the Scope of the Reduction and the Layoff Unit

Budgetary restrictions, consolidation or abolishment of function or organizational units, curtailment of work or activities, or other reasons may result in the need to abolish a position(s) or to so substantially redesign a position(s) that the incumbent does not qualify for the revised responsibilities, thus effectively abolishing the position, or that the resulting reclassification results are such that the incumbent would not reasonably be considered a candidate for the new position. When this happens, the County Manager shall examine the organizational and program scope of operations of the department to determine the need to designate a "layoff unit". Then the County Manager will determine the necessary reallocation, reassignment (transfer), and/or abolishment of positions. In considering the above, the following factors are among those which may be considered in this determination:

- Legal mandates for programs
- Impact on overall program objectives
- Possible redistribution of available resources
- Organization structure
- Funding sources and budget guidelines
- Composition of the work force
- Equal employment and affirmation action considerations
- Economy and efficiency in service

Once the above factors have been identified, the County Manager, after discussion with the Board of Commissioners, shall identify the layoff unit(s) and designate the necessary reallocation, reassignment, and/or abolishment of positions.

The layoff unit, designated for the purpose of handling any necessary separation of employees, may be an entire department, any division, or any organizational, geographic or program subunit of the department. It may also include staff specialty within a division or program unit. The layoff unit need not coincide with the program, function, or activity that is the cause of the abolishment(s). Layoff unit designations allow management to distribute staff resources according to service priorities of the County.

All planning efforts dealing with the abolishment of position(s) shall reflect a review process identifying the reasons for the results of the specific organizational program and/or position changes.

### II. Employee coverage and Exemptions

The reduction in force policy covers all regular employees as defined below:

For purposes of this policy, the term regular employee means a person who has satisfactorily completed a prescribed probationary period of at least six months duration in a permanent position in a department or who entered department employment with regular status.

### III. Establishing a Plan and Procedure for Employee Separation

The necessary separation of employees in the layoff unit(s) shall be determined based on the systematic consideration of the type of employment, length of service and relative efficiency of the employees. The following factors shall apply in determining and scheduling employees for separation:

(1) The type of appointment shall be the first determinant. No regular employee in an affected classification shall be separated while there are emergency, intermittent, temporary, and probationary or trainee employees working in the same class in the department.

(2) Separation of non-regular employees shall be made in the following order:

(a) Emergency, intermittent, and temporary employees.

For this purpose, the three categories will be treated as one group.

(b) Probationary and trainee employees.

For this purpose, the two categories will be treated as one group.

Non-regular employees shall be given written notice of separation as soon as possible in advance of the scheduled separation.

(3) Separation of regular employees from positions in the affected classifications in the layoff unit shall be made upon systematic consideration of length of service and relative efficiency.

For the purposes of this policy, service shall be determined by length of continuous service (paid employment) with Anson County. Service with other governmental jurisdictions will not be a part of this computation.

(4) Performance evaluations and warnings received in accordance with the provisions of the County Personnel Ordinance will be included in consideration of relative efficiency.

(5) Nothing in this policy shall be interpreted as assigning to an employee the right to displace or "bump" a regular employee from a position in order to create a vacancy.



#### IV. Notice Requirements

After the necessary separation decisions are made through application of the above criteria, the County Manager, in cooperation with the appropriate Department Heads, shall give formal written notice to all regular employees scheduled for separation. The notice shall be given as soon as possible. The appropriate Department Head shall review with the employee the reasons for the action and discuss mutual rights and responsibilities under the reduction in force policy.

#### V. Appeal Rights

A regular employee, as defined in this policy, who is separated due to a reduction in force, shall have the right to appeal the separation in accordance with the Anson County Grievance Procedure, or in the case of employees subject to the State Personnel Commission, directly to said Commission. Appeal to the State Personnel Commission must be done within 30 days after the date of separation.

(SAMPLE)

INFORMATION COMPILED BY THE WESTERN REGIONAL DEPARTMENT OF  
HUMAN RESOURCES PERSONNEL OFFICE FOR  
AGENCY MANAGEMENT'S CONSIDERATION IN A  
REDUCTION OF FORCE

LETTER TO EMPLOYEE (S)

STEP 1. SITUATION STATEMENT

- A. Describe conditions that necessitate the separation of employees whether the conditions are brought about because of the curtailment of work or lack of funds.
- B. Explanation of Procedures  
(Example: Agency studies the situation. Considered available alternatives and chose these actions. Board voted to.....)

STEP 2. RIGHTS OF THE EMPLOYEE

- A. Priority - Regular employees have priority over emergency, intermittent, temporary, provisional, probationary or trainee employees in the same class.
- B. Retention in affected classes is based on systematic consideration of type of appointment, length of service, and relative efficiency.

STEP 3. IDENTIFY ANY AVAILABLE EMPLOYMENT OPTIONS FOR EMPLOYEES WITHIN THE ORGANIZATION

(Example: Opportunity to apply for any vacancies which may exist and where qualified.)

STEP 4. REINSTATEMENT RIGHT OF THE EMPLOYEE

- A. Employees may be considered for reinstatement at the request of the department, if suitable employment becomes available. Specific eligibility period for reinstatement is based on length of continuous service. (pertaining to employees subject to the State Personnel Act)
- B. Employees with regular status, temporary status, probationary status, or trainee status may have reinstatement rights for one year.

STEP 5. APPEAL RIGHTS OF THE EMPLOYEE

Employee has the right of appeal in accordance with the County Personnel Ordinance and to the State Personnel Commission for a review to assure that procedures were applied systematically and fairly.

STEP 6. EXPLANATION OF ANY BENEFITS AVAILABLE

(Example - unemployment insurance)

STEP 7. EMPLOYMENT OPTIONS FOR EMPLOYEE IN THE AREA

Management efforts in placing employees in suitable employment in other organizations.

## APPENDIX C

### Anson County Drug Free Workplace and Drug Test Policy

(Combined / Revised February 3, 2010)

This policy is designed to establish and maintain a drug free workplace and serves to comply with the Federal requirements in the Drug Free Workplace Act of 1988. Any location at which County business is conducted is declared to be a drug free workplace. This includes County buildings, property and vehicles. Any employee who unlawfully manufactures, distributes, or possesses in the workplace any controlled (illegal) substance or alcohol may be disciplined as prescribed by the Personnel Ordinance and Article VII, up to and including dismissal. Likewise, any employee of Anson County that is reasonably suspected of being under the influence of any controlled substance or alcohol will be tested.

As a condition of employment, each employee shall notify his or her supervisor of a conviction of any criminal drug statute that occurs while employed with Anson County no later than five (5) days after such conviction. If the employee is engaged in work funded by a federal grant, Anson County will notify the federal government (contracting officer) within ten days of receiving such notice. Any employee who is convicted of a criminal drug statute will be disciplined as prescribed by the Personnel Ordinance and Article VII, up to and including dismissal.

All employees working in safety sensitive positions (law enforcement, utilities, EMS-including 911 operators, health care professionals, transportation services and all other employees whose duties include driving), or anyone whose behavior might be suspect of being under the influence of drugs or alcohol will be subject to testing. If an employee is involved in an accident during a work schedule, he or she will automatically be tested.

Several times a year, Anson County Government will engage a certified laboratory that specializes in drug and alcohol testing to conduct unannounced random testing on a certain percentage of employees in safety sensitive positions. The random selections will be made by the laboratory.

If a test result is confirmed positive, the employee will be notified in writing by the Human Resources Department of the test result, including identification of the particular substance found. The employee shall have the right to request a retest as provided by NC General Statutes 95-232(f). This statute states that the cost for a retest shall be the employee's expense and the test must be performed within 90 days of the confirmed positive report.

Any employee that tests positive for illegal drugs or refuse to submit to a drug test may be disciplined as prescribed by the Personnel Ordinance and Article VII, up to and including termination. If an employee is terminated for testing positive for illegal drugs, he or she will not be considered for re-employment.

Also as a condition of employment, all final candidates for employment will be tested and must test negative before a job offer is made.

## Appendix D

### Internet Usage Policy

(Adopted: March 21, 2000)

The County of Anson provides employees access to the vast information resources of the Internet with the intention of increasing productivity. While the facility has the potential to help you do your job faster or smarter, there is justifiable concern that it can also be misused. Such misuse can waste time and potentially violate laws, ordinances, or other County policies. This Internet usage policy is designed to help you understand the expectations for the use of these resources.

The underlying philosophy of this policy is that Internet access from the County of Anson is primarily for business related purposes including communicating with customers, suppliers, colleagues, to research relevant topics and to obtain useful business information. In addition, all existing laws and County policies apply to your conduct on the Internet, especially those that deal with intellectual property protection, privacy, misuse of County resources, sexual harassment, data security, and confidentiality.

The best way to determine if use of the Internet is appropriate is to ask "If I were doing this same activity in some other way (e.g. telephone, library, in person, by hand), would this activity be considered inappropriate?" There are a few pertinent observations. The use of the Internet does not cause incremental expense to the County, so the use of the Internet *in and of itself* does not constitute abuse anymore than using the telephone for local calls *in and of itself* does. What is being done is what is important, and there are two key tenants:

*Don't do anything with County Internet access resources that would otherwise be considered illegal or grossly inappropriate. Downloading erotica, playing games, sending non-County business mass mailings, and running a private business are obvious examples.*

*Don't waste County Time. There are plenty of fascinating sites to explore, but County time should be spent conducting County business.*

#### **Detailed Internet Policy Provisions**

- The display of any kind of obscene image or document on any County computing resource may be a violation of existing County policy on sexual harassment. In addition, obscene material may not be archived, stored, distributed, edited, or recorded using County network, printing, or computing resources.

- No employee may use County facilities knowingly to download or distribute pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights.
- No employee may use the County's Internet facilities to deliberately propagate any virus, worm, Trojan horse, trap-door, or back-door program code or knowingly disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of another user.
- The County Internet facilities and computing resources must not be used to knowingly violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, County, province, or local jurisdiction in any material way.
- Each County employee using the County's Internet facility shall identify themselves honestly, accurately, and completely when corresponding or participating in interactive activities, and shall not send unsolicited mass electronic mail.
- Employees should not assume that any County data or databases are subject to the Public Records Law. There are numerous exclusions to this law and such data or databases may not be uploaded or otherwise transferred to non-County entities without appropriate approvals.
- Employees should not have any expectation of privacy as to his or her Internet usage. It is possible to monitor Internet usage patterns and the County may inspect any and all files stored on County resources to the extent necessary to ensure compliance.

Infractions of these policies constitute misuse of County assets and therefore is considered a violation of the County of Anson Personnel Ordinance and may result in disciplinary actions sanctioned under relevant provisions of Article VII, Section 7 of said Ordinance.

## Appendix E

(Adopted April 4, 2000)

### Anson County Vehicle Use Policy

The following provisions are hereby recognized by the Anson County Board of Commissioners as the Standard Operating Procedure for the use of county-owned vehicles.

1. All provisions provided for in the Local Government Commission's "Travel Reimbursement for Use of Personal Vehicle" and "Personal Use of Employer-Provided Vehicle" will be adhered to.
2. Anson County employees will at all times conform to the North Carolina General Statutes, Chapter 20 (the North Carolina Motor Vehicle Law), including the use of seat belts.
3. Employees will drive county vehicles in a safe and courteous manner. It is important to represent the county well while operating a vehicle in public view. Employees will operate the vehicle with due respect for maintenance and cleanliness of the vehicle. Only employees having a current North Carolina driver's license are or shall be permitted to operate County vehicles or equipment.
4. Any employee that receives a moving violation in a county owned vehicle is subject to the provisions of the Anson County Personnel Ordinance, Article VIII.
5. In an event that an employee has an accident involving a county owned vehicle, in addition to the reports required by the North Carolina Law, an accident report form will be filled out by 10:00 am the next working day and turned in to the employee's immediate supervisor. A copy of this form should be filed with the County Manager and slated for review by the Anson County Safety Committee. All accidents will be reviewed by the Anson County Safety Committee to determine any necessary disciplinary action if the employee is found at fault in the accident. The disciplinary action may include but is not limited to the employee paying the applicable deductible for insurance costs or up to a three-day suspension without pay. The Safety Committee shall determine the appropriate disciplinary action for each employee found at fault for an accident based upon the individual circumstances and prior record of said employee.
6. It is forbidden to pick up hitchhikers while operating a county owned vehicle.
7. Transportation of alcoholic beverages is prohibited except by authorization in the course of duty (EMS and Sheriff's Department).
8. County vehicles may not be permanently driven to and from work, unless authorized in writing by the County Manager. Department Heads may grant exceptions for



employees who are responding to public emergencies. Exceptions will not be granted to provide a fringe benefit or to supplement salary.

9. To enable key employees to respond to public safety/public health emergencies, the following positions are authorized to utilize a County vehicle to commute to/from work to their personal domiciles:
  - A. Utilities Director
  - B. Waste Water Treatment Plant Director
  - C. Water Filtration Plant Director
  - D. Animal Control Officer
  - E. Anson County Sheriff
  - F. Any other employee authorized in writing by the County Manager
10. It is the responsibility of the Department Head to ensure the proper use of those vehicles assigned to the respective department. The Department Head shall arrange for proper and timely inspections and preventative maintenance and see that necessary repairs are done in a timely manner.
11. Unless otherwise authorized, no county employee shall use a county owned vehicle/equipment for personal use. Non-county employees should not be transported in County vehicles, unless on official county business.
12. When not in normal use, all County vehicles shall be stored on County property.
13. Vehicles may not be used to go to eat, unless the employee is out in the vehicle on County business.
14. County vehicles may not be used for personal business (i.e. picking up laundry, running errands, stopping at the grocery store, doing personal banking, etc.).
15. **ALL** employees of Anson County are subject to the provisions of this vehicle use policy.

(Adopted August 14, 2001)

16. All County vehicles shall be fueled at the County pump. The only two exceptions to this rule is (1) if the County vehicle is on an approved trip out of the County and it becomes necessary to fuel the vehicle, [If the vehicle is leaving the County, it should be filled prior to departure at the County pump.] and (2) if the vehicle uses diesel fuel.

## Appendix F

(Adopted September 5, 2000)

### Anson County Code of Conduct

The following policy establishes guidelines for ethical standards of conduct for all county officials by setting forth some of those acts or actions that may be incompatible with the best interest of Anson County. To that end, all "County Officials" hereinafter referred to in this appendix include the Board of Commissioners, the County Manager, Department Heads, and all other County employees. They shall be subject to and must abide by the following standards of conduct:

1. No County official shall have or hereafter acquire an interest in any contract or agreement with the County if he will privately benefit or profit from contracting or undertaking in violation of North Carolina General Statutes 14-234. The County official shall immediately notify the County Manager in any instance where a conflict of interest may exist and interpretation will be obtained from the County Attorney.
2. No County official shall use his official position or the County's facilities for his private gain, nor shall he appear before or represent any private person, group or interest except in matters of purely civic or public concern.
3. No County official shall use or disclose confidential information gained in the course of or by reason of his official position for purposes of advancing his financial or personal interest. For purposes of this policy, confidential information includes information so identified in executive session meetings of the Commissioners or information outlined as confidential in the North Carolina General Statutes.
4. No County official shall engage in, or accept, private employment or render service for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independent judgement or action in the performance of his official duties, unless otherwise permitted by law. All County officials shall furnish notification of outside employment as provided in the County personnel ordinance.
5. No County official shall directly or indirectly solicit any gift whether in the form of money, services, loan travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonable be inferred that the gift was intended to influence him in the performance of his official duties or was intended as a reward for any official action on his part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.
6. County officials shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the enforcement of their official duties. County officials shall also strive to give the clear impression that they are entitled to no special consideration or treatment based on their official position. County officials shall disclose any personal relationship to the governing body in the instance where there could be the appearance of a conflict of interest.

## Appendix G

(Adopted March 22, 2010)

### Anson County Government Center Parking Policy

#### **Purpose:**

The purpose of this policy is to ensure that County government employees and downtown business persons maintain a positive and harmonious relationship. It is also necessary to ensure that all citizens have access to adequate parking while visiting the downtown area. Downtown parking space is limited and it is important for community and government relations that visitors to downtown have easy access to business and government facilities.

#### **General Rule:**

County Employees and contractors working on behalf of the county (hereafter referred to as “employees” for the purpose of this policy) are prohibited from parking on Greene Street (between Morgan Street and Martin Street) and are prohibited from parking on Wade Street (between Washington and Rutherford Street) between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (hereafter referred to as “street parking”).

#### **Exceptions:**

Temporary street parking

- (1) Medical Necessity – Employees may be approved for temporary street parking, upon providing adequate written verification to his/her department head and upon approval by the County Manager or Human Resources Manager. Such approval will be considered on a case by case basis. At a minimum, however, the requesting party must present a valid medical excuse which specifies the basis for the need to park on the street and the time period for which such parking is necessary.
- (2) Deliveries/Meetings – Street parking is allowable for employees who are making deliveries on behalf of the County. Employees who are attending meetings related to County business may utilize street parking. In both cases, employees may utilize street parking for no more than one hour.

#### **Superseding Law:**

Neither this policy nor its exceptions should be viewed as superseding any other town, county, state or federal law, including the two hour parking limit which is currently in

place by the Town of Wadesboro. Nothing in this policy attempts to deny privileges afforded under laws such as those allowing for handicapped parking under NCGS 20-37-6.

**Violation:**

Violation of this policy will subject the offending employee to disciplinary action and possible dismissal or termination of contract.

## Appendix H

(Adopted May 1, 2001)

### RESOLUTION OF THE ANSON COUNTY BOARD OF COMMISSIONERS RELATING TO DEFENSE OF COUNTY OFFICERS AND EMPLOYEES

**WHEREAS**, N.C.G.S. 153A-97 and NC.G.S. 160A-167 authorize the adoption of uniform standards under which claims or civil judgments sought or entered against County officers and employees may be defended and paid; and

**WHEREAS**, the Board desires to defend the County's officers and employees and to satisfy any claims or judgments against such officers or employees, if the facts and circumstances giving rise to the claim or suit show that the officer or employee was engaged in the good-faith performance of his/her duties on behalf of the County when the incident giving rise to the claim occurred.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Anson County that:

1. It shall be the policy of Anson County to defend its officers and employees against civil actions, claims or proceedings arising from any act done or omission made, or any act allegedly done or omission allegedly made, in the course and scope of his/her employment or duty as an officer or employee of the County. Adoption of this resolution shall not be deemed an assumption of liability for payment of claims or judgments in excess of any funds established and budgeted by the Board for payment of claims or judgments. Further, the County will not defend a claim or lawsuit or pay any claim or judgment when the officer or employee
  - A. Acts or fails to act because of actual fraud or actual malice;
  - B. Acts or fails to act as a result of or at a time when his self-indulgence has substantially impaired his judgment (as, for example, an officer or employee who causes damage or injury while intoxicated or under the influence of drugs while on the job);
  - C. Acts or fails to act, except for emergencies or the existence of extenuating circumstances, directly contrary to instructions from his superior, directly contrary to the advise of the County Attorney, or directly contrary to Anson County regulations and/or policy.
  - D. Acts or fails to act in such manner as to constitute a criminal act (as, for example, misappropriation of County property or funds).
2. The County Manager or his designee and the County Attorney shall determine whether or not a claim or suit filed against an officer or employee

appears to meet the requirements specified herein for providing a defense for such officer or employee; if the County Manager and County Attorney determine that a claim or suit does not meet the requirements specified herein, the affected officer or employee may appeal such determination to the Board of Commissioners who shall afford the officer or employee a hearing on the matter.

3. The term “officer” and “employee”, as used herein, shall mean present or past County Commissioners, present or past officers or employees of the County, and present or past appointed members of County boards, agencies, committees and commissions who might hereafter have claims made or judgments entered against them. The term “officers and employees of the County” also includes (for the purposes of this policy; officers and employees of the Register of Deeds, Area Mental Health Authority, Sheriff’s Department, Department of Public Health, the Department of Social Services and election officials. The term “defend” shall include negotiating the settlement of a claim or lawsuit in those instances where settlement is appropriate.
4. The policies specified herein as to payment of claims or judgments shall not be applicable unless notice of the claim or suit is given to the County through the County Manager or County Attorney prior to the time the claim is settled or civil lawsuit is litigated and judgment is entered.
5. The fact that a defense has been furnished to officers and employees under this Resolution shall not require that the County pay all or any part of an award made or judgment rendered. However, the Board of Commissioner may, in its sole discretion, appropriate funds for the purpose of paying all or part of a claim made or judgment entered, as provided in this Resolution and to the extent authorized by G.S. 160A-167 or other applicable laws. The Board of Commissioners’ decision shall be final. The County will not pay punitive or treble damages or claims, awards or judgments based upon evidence of gross negligence or willful indifference to the rights of another person, or a claim, an award or judgment based upon evidence which would have disqualified the officer or employee from being provided a defense had those facts been known by the County Manager or County Attorney prior to the time defense of the action was authorized. Defense by the County may be withdrawn upon discovery of such facts.
6. This Resolution shall not be interpreted in any way to relieve any insurance company of its obligation under any insurance policy to protect the interests of any insured under said policy, or to reduce or eliminate the rights of any officer or employee of the County against any other party. Further, except as expressly stated herein, this Resolution is not to be interpreted as a waiver of any rights or defenses the County has against anyone.

7. The Attorney selected to provide defense of an officer or employee shall be in the County's discretion and generally shall be the County Attorney. Any decision to settle a claim or lawsuit on behalf of the officer or employee shall be made by the County. If the officer or employee disagrees with the County's decision to settle, then any obligation of the County to defend said action or pay any judgment in connection therewith shall terminate.
8. Procedures for handling liability claims and lawsuits against the County and its officers and employees shall be established by the County Manager and County Attorney, or their respective designees.
9. Adoption of this Resolution shall not be construed to waive the defense of governmental immunity or any other defense available to Anson County or any officer or employee. A copy of this Resolution shall be maintained in the office of the Clerk to the Board of Commissioners for public inspection during normal business hours, as provided by law.

Adopted this 1<sup>st</sup> day of May, 2001.

ANSON COUNTY BOARD OF COMMISSIONER

By: \_\_\_\_\_  
Bill Thacker, Chairman

ATTEST

\_\_\_\_\_  
Bonnie M. Huntley, CMC  
Clerk to the Board

## Appendix I

(Adopted June 3, 2003)

### **Anson County Wellness Program Policy for Employees**

Physical fitness and emotional wellbeing are critical components for a healthy and productive workforce. Anson County Government recognizes that physically fit employees generally have fewer absences from work and use less medical resources. The wellness program is designed to provide employees access to an exercise facility and health education. This program will enable employees to make educated decisions concerning lifestyle choices such as diet, exercise and stress management.

The purpose of this policy is to establish guidelines for employees of Anson County government who wish to use county sponsored facilities and participate in an employee wellness program organized by the County.

#### **Guidelines for Exercise Facility**

1. The use of the exercise facility and participation in the wellness program is a privilege that can be denied for non-compliance with this policy.
2. Use of the exercise facility is restricted to only employees of participating agencies.
3. Use of the exercise facility will not be conducted during an employee's work hours. If an employee is using the facility then it is understood that he/she is "off the clock".
4. Each employee using the exercise facility must have read, understood, and signed a waiver that holds the County of Anson harmless in case of injury or death.
5. It is strongly recommended that employees wishing to begin an exercise program obtain medical clearance from a physician.
6. Employees using the exercise facility will report any unsafe condition immediately to the Human Resource Director.

#### **Guidelines for the Wellness Plan**

1. The wellness program is a coordinated effort by Anson County Government to provide access to exercise and health education.
2. Employees wishing access to health education or counseling will have periodic opportunities to attend sessions sponsored by Anson County Government or other agencies.
3. Participation in the wellness program will need supervisory approval as some activities may be during work hours.
4. Limited to one day per calendar year per employee, county employees participating in the plan will qualify for one day of leave per calendar quarter with the employee being selected through a drawing.



## Appendix J

(Adopted May 9, 2006)

### **Anson County Employee Telephone Use Policy**

Telephones, cellular phones, and various other forms of office equipment are provided to employees for the purpose and expectation of conducting County related business. It is realized that on occasion employees may need to make long distanced calls using County telephones, and/or make and receive personal calls on cellular phones. Incidental personal use will not be a violation as long as it is infrequent and does not result in costs to the County. In both of these situations, employees are required to reimburse the County for their personnel use.

Anson County reserves the right to review, audit, and inspect information residing in or transferred over all information systems, including the County issued mobile/cellular phones, and at any time with or without notice and that such access may occur during or after work hours. Such reviews may include auditing of use to make sure there is enough business use to merit the issuance of a County phone.

Employees are expected to differentiate their business calls and personal calls and alert their supervisor so that monthly invoices can be reviewed to determine the appropriate reimbursement to be paid. For long distance calls, employees should reimburse the County for the actual cost of the call.

Telephone invoices are supplied to each department on a monthly basis for review and reimbursement purposes. Reimbursements can be made with cash or check and are coordinated by the County Finance Office. Checks should be made payable to Anson County and turned into the County Finance Office.

Employees shall be responsible for the good care and maintenance of their assigned mobile/cellular phone and will reimburse the County's cost for any damaged or lost phone due to negligence. The employee's immediate supervisor should work in conjunction with the County Manager to make determination of negligence in the case of a lost, stolen, or damaged mobile/cellular phone.

Willful violations of this policy can result in disciplinary action or dismissal from County employment or appointment and may result in criminal prosecution.

For questions relating to the County's Telephone Use Policy, contact the County Manager at 704-694-2796.

Adopted this 9<sup>th</sup> day of May, 2006.

---

Jarvis T. Woodburn, Chairman  
Anson County Board of Commissioners

ATTEST:

---

Bonnie M. Huntley, CMC  
Clerk to the Board

## Appendix K

### **ATTENDANCE POLICY FOR ANSON COUNTY GOVERNMENT**

#### **OUR PHILOSOPHY**

Absenteeism is controllable. Time off is not a privilege, it is a benefit. All employees are expected to be at work, on time, and productive.

An absence is a failure to report for and remain at work as scheduled; this includes late arrival and leaving early. Absence includes all time lost from the job whether excused or unexcused, avoidable or unavoidable. The only exceptions to this definition are holidays, vacations, death in the immediate family, workers' compensation cases, approved leaves of absence, and for which no work is scheduled.

#### **POLICY**

Excessive absenteeism disrupts work flow and customer service. Supervisors/Managers will be held accountable for the attendance practices of their staff. Departments Heads will be held accountable for the attendance practices of their supervisors/managers, and the manner in which the supervisors/managers acknowledge and address the attendance patterns of their staff.

#### **ROLE OF SUPERVISORS/MANAGERS WHEN AN EMPLOYEE CALLS TO REPORT AN ABSENCE**

When an employee calls in to report being late or absent, a supervisor is to:

1. Receive the call personally.
2. Speak directly to the employee rather than a relative or friend.
3. When appropriate, encourage the employee to come to work for the remaining portion of the workday.
4. Inquire whether/not the employee has taken steps to improve the condition causing absence. For example, state: "If you think you need to go to a doctor, you can take time off under the appropriate policy/procedure to do that."
5. Determine when the employee expects to return to work.
6. Remind the employee to call in to report his or her status.

The supervisor should provide information to the employee concerning eligibility for FMLA leave and how to apply for it. If the employee asks for a reasonable accommodation due to a disability, the supervisor should obtain from the employee an exact request and then contact Human Resources.

## **ACCOUNTABILITY REPORTS**

Each month an Absenteeism Report will be issued to each Department Head for distribution to and discussion with the supervisors/managers of that department. As a general guide, any department incurring over five (5%) percent absence may be considered to have an absenteeism problem. However, supervisors incurring less than five (5%) absenteeism are still responsible for reviewing their employees' individual attendance records.

- All leaves of absence must be requested in advance, and in writing, within two weeks of the actual leave of absence; with the exception of sick leave, FMLA and ADA.
- Family Medical Leave for a foreseeable circumstance must be requested thirty days in advance. If the circumstance is unforeseeable the request must be made at least two days following the event.
- Unless an employee self-identifies a disability, accommodation is not required.
- Sick leave may be used for illness or injury, medical appointments, temporary disability due to childbirth, to care for immediate family members (including care for mother during temporary disability).

To avoid abuse of sick leave privileges, a statement from a medical doctor or other acceptable proof may be required. Evidence to support leave for adoption-related purposes may be required.

## **EMPLOYEE REPORTS**

Attendance for each employee is approved by the supervisor at the end of the pay period.

The supervisor is to review attendance records on a regular basis noting possible problems. While a month-end review is better than no review, weekly reviews are standard.

This review should determine:

- the nature of an employee's newly recorded absences;
- make a judgment on the employee's overall attendance record; and,
- decide upon appropriate action.

Specifically, the supervisor should review how frequently the employee is absent. Absences occurring at a rate of twelve (12) days or more per year are cause for concern and should be addressed through coaching and mentoring. Consider whether the absence is avoidable or unavoidable. Consider patterns in attendance – is the employee frequently absent on Monday or Friday but never on payday? Review whether the employee fails to phone in his absence, which is a violation of the aforementioned policies and procedures.

Absences under the FMLA or ADA are not grounds for taking disciplinary action. However, if the supervisor believes the employee cannot perform the essential functions of the job, has exhausted available leave, has not appropriately communicated the facts, or is violating some other policy; he or she is to contact the Human Resources Department.

Pay particular attention to the employee during the probationary period. If the employee is undependable or uncorrectable after counseling, he/she should be released before the probationary period ends.

In reviewing the records, please remember the following:

1. Anson County is dependent on employees being at work.
2. Anson County requires that employees be on time.
3. Anson County expects employees to be productive.
4. Sick leave absences at a rate in excess of 12 per year should be monitored and addressed accordingly.

## **COUNSELING**

Address absenteeism by private, individual counseling with the employee. At this counseling session supervisors/managers should:

1. Review with the employee his/her attendance record.
2. State why the record is unsatisfactory and why it must be corrected.
3. Make coming to work a more attractive prospect for employees by reducing the problems and disagreeable features of their jobs as much as possible.
4. Keep accurate records and use them to show concern and interest in good attendance.
5. Stress that the absence of one employee places an added burden on his/her coworkers.

**NEED FOR ACTION**

Supervisors are to follow these action guidelines:

1. After five (5) absences in a six (6) month period, the employee should be counseled concerning attendance standards.
2. If a pattern of habitual or improper use of leave privileges continues, a written warning should be provided to the employee and a corrective action plan developed. This is consistent with the County's progressive discipline process.
3. Failure to adhere to the corrective action plan is adequate justification for suspension or dismissal.

By following the pattern outlined above, the supervisor/manager should be able to detect poor attendance habits and take corrective action. There is no substitute for working closely with an employee and determining the validity of each absence as it occurs.

**ACKNOWLEDGEMENT OF RECEIPT**

---

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Department Head (Printed) \_\_\_\_\_ Department Head (Signature) \_\_\_\_\_

CC: Original Copy to Personnel File  
Employee

## Appendix L

### **ANSON COUNTY DRESS CODE GUIDELINES**

Your personal cleanliness and appearance is of importance to both yourself and Anson County. Our requirements are simple and reasonable – dress neatly and avoid any apparel or grooming not in keeping with good business taste and safety standards. Employees are expected at all times, to present a professional image to the public.

#### **APPROPRIATE DRESS FOR WOMEN:**

Clothing must be business professional which may include dresses, skirts, suits, pantsuits, sweaters, blazers, and blouses. Skirts and dresses above the knee are acceptable as long as they are knee length to 2” above the knee. Khaki and linen slacks are acceptable. Tops and bottoms must be the correct fit so that no inappropriate part of your body is exposed when completing daily tasks. Shoes should be appropriate for the job with safety being taken into consideration.

#### **INAPPROPRIATE DRESS FOR WOMEN:**

The wearing of athletic (wind, jogging or warm-up) suits, jeans, low cut dresses or tops, strapless or backless dresses or tops, tank tops, leggings, leisure shorts, t-shirts with designs or slogans, stirrup pants, split skirts (skorts), flip-flops, tattoos, body piercing (2 earrings per ear is acceptable), mini or micro-mini skirts are not permitted.

#### **APPROPRIATE DRESS FOR MEN:**

Clothing must be business professional which may include suits, sports jackets, khaki pants, sweaters, collared shirts, slacks, and ties. Tops and bottoms must be the correct fit so that no inappropriate part of your body is exposed when completing daily tasks. Suit pants and slacks should be at shoe top length. Shoes should be appropriate for the job with safety being taken into consideration.

#### **INAPPROPRIATE DRESS FOR MEN:**

The wearing of athletic (wind, jogging or warm-up) suits, jeans, tank tops, leisure shorts, t-shirts with designs or slogans, flip-flops, tattoos, and body piercing (2 earrings per ear is acceptable) are not permitted.

#### **DRESS FOR THOSE REQUIRED TO WEAR UNIFORMS:**

Uniforms, including shoes, socks, hose and belts should be of the color and construction required for your position. Uniforms should be kept clean, in good repair, and fit correctly so

that no inappropriate part of your body is exposed when completing daily tasks. Hats required as a part of the uniform or as a safety requirement must be in good condition.

Both safety shoes and back supports must be maintained and worn as required.

## **GENERAL**

- Identification badges must be kept in good condition and displayed at all times.
- Safety should be considered in all aspects of attire.
- All clothing and shoes must be in good repair.
- Hairstyles and color should be conservative in nature.
- Facial hair should be neat and well groomed.
- Jewelry and accessories should be conservative.
- Good hygiene should be practiced at all times.
- Dress code applies to all county employees, contractors, volunteers, part-time, and/or students training in county facilities.
- On Fridays in the office areas, the dress code is revised to include neat, presentable, denim jeans, but all other aspects of the dress code must be followed.

## **ADVERSE WEATHER**

If county offices remain open during adverse weather conditions appropriate attire may be worn. These may include but are not limited to: jeans, rain boots, wind-suits, sneakers, and sweatshirts.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy will be cause for disciplinary action.

Any deviation from the dress code because of medical or working conditions requires special permission from the department head.

If a question arises as to what constitutes appropriate/inappropriate dress, the judgment of the department head will prevail. However, the Human Resources Office will periodically review the enforcement of the policy to ensure consistent application across the various departments of county government.

Appeals should be addressed to the County Manager.

## Appendix M

### **Anson County Inclement Weather Notification Process**

1. The County's Emergency Management Director will be responsible for notifying the County Manager of any potential severe weather threats 24 in advance of the actual event.
2. County Manager will send correspondence to all Department Heads reminding them of the County's official policy for notifying employees of any office closing.
3. County Manager or designee will contact Board Chairman and Vice Chairman and inform them of a potential inclement weather event.
4. County Manager and the Emergency Management Director will review road conditions beginning at 6:00 AM the day of the event and make a recommendation concerning the hours of County operation for the upcoming business day.
5. County Manager will contact the Board Chairman or the Vice Chairman by no later than 7:00 AM the day of the event to make recommendation regarding County offices.
6. Upon Board Chair or Vice Chairman approval, the County Manager or designee will update the County Manager's Office voicemail with any delay or closing information for employees (this is the official notification).
7. County Manager or designee will be responsible for contacting and updating any delay or closing information to NBC 6, WSOC 9 and Channel 14.
8. If a delay is called and the weather conditions do not improve, the County Manager or designee will again contact the Board Chairman or Vice Chairman and reassess the need for a further delay or closing.



