

BOONE COUNTY EMPLOYMENT POLICY

EMPLOYEE ACKNOWLEDGEMENT IN RECEIPT OF BOONE COUNTY EMPLOYMENT POLICY

I acknowledge that I have received a copy of the Boone County Personnel Policy, and as an employee of Boone County, Arkansas, I agree to abide by the policies as set forth therein. Any questions can be addressed with your EO or MGR, or by contacting the HR department.

_____ Employee's Printed Name

_____ Employee's Signature

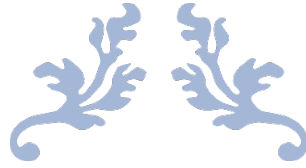
_____ Date signed

(This page must be signed and returned to the HR department upon receipt of the employment policy.

This will become part of your personnel file.)

BOONE COUNTY EMPLOYMENT POLICY

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BOONE COUNTY EMPLOYMENT POLICY

(FOR AT-WILL EMPLOYMENT)



SEPTEMBER 9, 2025
(REVISED)

BOONE COUNTY EMPLOYMENT POLICY

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BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 1. INTRODUCTION AND PURPOSE

- 1.01 Welcome to employment with Boone County, Arkansas (the County). The purpose and intent of this County Personnel Policy is to establish at-will employment as the default policy for the County and to state the **General Employment Policies** issued by the County Quorum Court in its capacity as the legislative branch of County government. See Ark. Const. Amend. 55 §§ 1 & 4; Ark. Code Ann. § 14-14-805(2). The Policy is also intended to establish uniform personnel policies and benefits for all County employees.
- 1.02 The purpose of this document is to familiarize Boone County employees with the county's operating policies and practices as they apply to all county employees. Nothing herein creates a property right in employment.
- 1.03 **Executive Employment Policies** are those adopted by an elected county officer to apply to the employees of that office while administering "the day-to-day administrative responsibility" of his or her elected office. A.C.A. 14-14-805(2). An EO or MGR can create and administer his own employee discipline measures, subject, however, to the condition that these cannot contravene the general, uniformly applicable measures adopted by the quorum court herein this policy. (AGO 2000-151)
- 1.04 Every employee is entitled to request a hearing before the County Grievance Council in the event the employee believes that the executive decision of an elected official violates the Constitution, the Law, or the Personnel Policy duly adopted by the Quorum Court.
- 1.05 The Policy neither creates an expectancy of future employment nor establishes grounds upon which employee discipline or dismissal must be based. At any time, the County Quorum Court may revise, supplement, or rescind the policies, practices, and benefits outlined in the Policy subject to, or as may be required by, applicable law.
- 1.06 We are serious about the important work of the county. We are equally serious about adhering to the procedural and substantive requirements of the applicable law. County employees are expected to read, understand, and comply with the policies outlined in the Boone County Employment Policy. Any questions should be directed to an employee's Elected Official (EO), manager (MGR), or Human Resources (HR).

ARTICLE 2. CODE OF CONDUCT

- 2.01 The county is to treat all employees and citizens in a manner that is rationally related to the effectuation of legitimate county objectives, and uniformly applied to all persons similarly situated.
- 2.02 No official or employee of the county is to abuse or misuse his or her governmental power.
- 2.03 No official or employee is to engage in any intentional act that is either illegal (contrary to applicable statutes or judicial rulings) or unconstitutional (contrary to the U.S. Constitution or the Arkansas Constitution).
- 2.04 No official or employee is to omit the performance of any duty that is affirmatively required by applicable laws (statutes or judicial rulings).

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- 2.05 County officials and employees shall not participate in any county contracts or transactions in which they have a direct or indirect personal interest. County officials and employees shall not accept or receive any property, money, or anything of value in exchange for, or arising out of, any county contract or transaction. Ark. Code Ann. 14-14-1202.
- 2.06 County employees shall not grant any special consideration or advantage to individuals or groups beyond that which is available to every other individual or group.
- 2.07 County employees shall not engage in conflict-of-interest activities that prove to be incompatible with assigned duties, bring discredit upon the county, or give them an advantage in their outside activities over persons working in similar vocations.
- 2.08 County employees shall not accept gifts, services, gratuities, or favors, or engage in trading or bartering with those in custody or their families or friends.
- 2.09 County employees shall only use county funds, supplies, or other county property for official county business.
- 2.10 County employees shall not use official positions to receive special favors for themselves or others.
- 2.11 Each elected official is to fully and completely administer the day-to-day affairs of his or her office of county government on behalf of the county, in a manner that is in accordance with applicable laws (statutes or judicial rulings), the constitutions (U.S. and Arkansas), and this general county policy.
- 2.12 County officials and employees shall not engage in any act that would constitute corruption, gross immorality, criminal conduct, malfeasance, misfeasance, or nonfeasance in office. See Ark. Code Ann. 14-14-1311.
- 2.13 County employees shall perform their duties fairly, impartially, and in a professional manner.
- 2.14 County employees shall conduct themselves while on duty to command the respect of fellow workers and the public. Use of profanity and/or comments made regarding a person's race, religion, ethnic background, or anything sexual in nature will not be tolerated and may result in disciplinary actions up to and including termination.
- 2.15 No employee shall engage in any personal business in the hours for which the county is compensating him or her.
- 2.16 An officer or employee shall carry out all duties assigned by law for the benefit of the people of the county.
- 2.17 The officer or employee may not use his office, the influence created by his official position, or information gained by virtue of his position to advance his individual personal economic interest or that of an immediate member of his family or an associate, other than advancing strictly incidental benefits as may accrue to any of them from the enactment or administration of law affecting the public generally. (A.C.A. 14-14-1202)

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ARTICLE 3. COUNTY EMPLOYMENT POLICY

- 3.01 Pursuant to its authority as the legislative branch of county government, the Quorum Court adopts “at-will” employment as the default employment policy for each county employee. At-will employment is not for a specific period, and employment may be terminated at any time without notice or liability of any kind (except for wages earned and unpaid) and with or without cause.
- 3.02 A county employee serves at the pleasure of the elected county official who hires and supervises the employee. Newly elected County officials have the discretion to retain County employees who served under a predecessor. County employees have no expectancy of continued employment or property interest in future employment under a newly elected County official. Employees continuing employment under a newly elected official will retain all county benefits currently accrued and earned.
- 3.03 It is the county’s policy to provide equal opportunity for all qualified persons; to prohibit unlawful discrimination in employment practices, compensation practices, personnel procedures, and administration of benefit plans; and to otherwise provide the same or similar treatment and opportunities to all persons similarly situated.

ARTICLE 4. EQUAL EMPLOYMENT OPPORTUNITY

- 4.01 It is the policy of the County to provide equal employment opportunity for all County employees. Accordingly, the County will not engage in any form of employment discrimination based on race, color, national origin, sex or gender, religion, age, disability, veteran or military status, genetic information, sexual orientation, gender identity, or any other legally-protected status. The County hereby affirms its desire to maintain a work environment for all County employees that is free from all forms of unlawful employment discrimination. Employment discrimination based on race, sex or gender, color, national origin, religion, age, disability, veteran or military status, genetic information, sexual orientation, gender identity, or any other legally-protected status is a violation of County policy as well as federal and state law, and will not be tolerated.
- i. Any County employee who violates this policy is subject to appropriate discipline, up to and including termination. Any supervisor who knowingly permits discrimination or retaliation to take place in his or her areas of supervision will be subject to appropriate discipline, up to and including termination of employment.

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ARTICLE 5. HIRING AND PROMOTING

- 5.01 The at-will employment policy set forth herein applies equally to hiring and promoting. Nothing herein shall create a property right in employment, entitlement to be hired or promoted, or an expectancy of continued employment. Nothing herein establishes grounds upon which hiring or promoting must be based.
- 5.02 New hires will process employment paperwork through HR and be set up for drug testing and background check post-offer, but pre-employment.
- 5.03 Post-offer employment negotiations can be made with applicants and are contingent on passing a pre-employment drug test and criminal background check.
- 5.04 All employee new hire paperwork, examinations (if applicable to the position), and all testing must be finalized before the new employee starts work.
- 5.05 All re-hires will be treated as new hires. The eligibility dates for vacation, PTO, and all insurances, including supplemental insurances, will be the same as those of a new hire.

ARTICLE 6. EMPLOYMENT ELIGIBILITY VERIFICATION COMPLIANCE (I-9 FORM)

- 6.01 Boone County is compliant with the Immigration Reform and Act of 1986. Every new employee at Boone County is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.
- 6.02 If the employee must order copies of required documents, he/she must submit receipts of the order of documents within 3 days and the official copies of the documents within 90 days.

ARTICLE 7. BOONE COUNTY PERSONNEL AND SALARY ADMINISTRATION

- 7.01 Definitions
 - 1. Boone County Employee - Any individual providing labor to Boone County for salary or wages payable through county funds. State employees who receive compensation from Boone County funds are excluded from this definition.
 - 2. Elected Official (EO)- Any person holding an elective county office, whether elected or appointed to that office. The Constitutional Officers of the county are County Judge, Sheriff, County Clerk, Circuit Clerk, County Treasurer, County Collector, County Assessor, County Coroner, and Justice of Peace.

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3. Manager (MGR)- Any person who is appointed or designated by an elected official as a head of a department and who has hiring authority and supervision of a department. (i.e., supervisor, manager, director, or department head)
 4. Continuous Service - Uninterrupted employment while working as a full-time employee of the county.
- 7.02 Job positions and pay range are paid accordingly upon appropriation by the Quorum Court. A copy of the salary/positions is available at the office of the County Clerk.
- 7.03 Classification of employees:
1. Regular Full-time (FT) – Employees who are regularly scheduled to work the county’s full-time work schedule and who are not assigned a temporary classification. The standard full-time work schedule is 40 hours per week. Employees in the Jail work a rotating 12-hour shift. Their scheduled hours average 42 hours per week (84 hours per pay period). Regular FT employees are eligible for all Boone County benefit programs, subject to the terms, conditions, and limitations of each benefit program.
 2. Part-Time (PT)– Employees who are regularly scheduled to work less than 20 hours per week. PT employees must not exceed 80 hours per month of work. This classification includes “non-benefits eligible” employees who receive all mandated benefits, such as Social Security and workers’ compensation insurance, but are not eligible for any other county benefit program.
 3. Temporary (TEMP)– Employees who are hired as an interim replacement to temporarily increase the county’s workforce, or to help finish a specific project. TEMP employees will be used on an as-needed basis during seasonal periods. This classification is “non-benefits eligible” employees who receive all mandated benefits such as Social Security and workers’ compensation insurance, but are not eligible for any other benefit program through the county.
 4. Salaried (SE)– Employees serving in a managerial role that have the authority to hire, promote, or fire others, or have his or her suggestions be given “particular weight” in those decisions. They are also referred to as exempt employees, a status established by the Fair Labor Standards Act (FLSA). Salaried, “exempt employees are not eligible to receive overtime pay or accrue compensatory time in most cases.

ARTICLE 8. MEDICAL/SUPPLEMENTAL INSURANCE BENEFITS

- 8.01 FT county employees are eligible to participate in the group health benefit plan as well as the county group life insurance. The benefit enrollment period for new hires is during the first 30 days of employment. The effective date of coverage is the first of the month after completing 30 days of employment.
- 8.02 The county pays a percentage of the health and life insurance premiums for the employee as determined by the Quorum Court. Dependent coverage is available to eligible employees at the employee’s expense. PT employees are not eligible to participate in the county’s medical insurance program.
- 8.03 The elected offices of Coroner, Surveyor, and Constable are not eligible for the health benefit plan paid by the county.
- 8.04 Per County ordinance, Justices of the Peace may participate in the health plan at their own expense. Self-payment must be submitted to the Payroll Department monthly for payment processing.

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- 8.05 Eligible employees electing not to participate in the health plan will not receive alternate insurance or cash sum in lieu of the program. A signed waiver form will be required showing their choice of coverage.
- 8.06 Current PT employees who are promoted into a full-time position will become eligible for benefits the same as a new hire. Benefit eligibility will be determined by the full-time hire date.
- 8.07 Insurance coverage will end on the last day of the month in which the employee last “physically” worked. Paid leave of any type will not apply in the calculation of the last day of coverage.
- 8.08 Dental, vision, and other supplement coverage are available to all FT employees at their expense. Please contact HR for further details.
- 8.09 Employees of the county who are retiring, however, have not reached Medicare age, can remain on the county’s group health insurance policy. The retiree will be responsible for the full amount of the premium for their coverage. Payment must be submitted monthly to the HR department for processing. Contact HR for further information.

ARTICLE 9. ARKANSAS PUBLIC EMPLOYEES’ RETIREMENT SYSTEM (APERS)

- 9.01 Effective July 1, 2005, anyone hired by Boone County must participate in the Arkansas Public Employees Retirement System (APERS). A percentage of the employees’ gross wages will be deducted on a pre-tax basis from each paycheck. In accordance with the laws regulating the retirement system, an annual valuation is determined on the contribution rate for employees and counties as well.
- 9.02 Employees hired prior to July 1, 2005, or those re-hired prior to December 31, 2005, may choose to either contribute or remain on the non-contributory plan.
- 9.03 Although some county officials and employees working for the county before 1978 may be covered by an earlier plan, all those employed since January 1978 are covered by ACT 793 of 1977 and any acts amendatory thereto. Under this plan, the county contributes to APERS an amount specified by law. Retirement benefits do not accrue during leave of absence without pay. Some exceptions apply during Military leave. See Military Leave Article 20 for further information.
- 9.04 FT employees and PT employees who work 80 or more hours each month for 90 or more days in an APERS fiscal year (July 1 through June 30) must be enrolled as a member of APERS retroactive to the date of employment.
- 9.05 PT employee hired to work less than 80 hours per month who does, in fact, at some point work 80 or more hours per month for three (3) consecutive months, must then be enrolled in APERS. Delinquent service credits could be due from the employee and the county on PT wages when the eligibility threshold is met. And all future wages will require contributions from both the employee and the county.
- 9.06 If an employee works for another entity (county, state, etc.) that APERS covers, all hours are combined, and if exceeds eligibility requirements of 80 hours a month for three consecutive months are met, all agencies are

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required to contribute retirement benefits as well as the employee. This applies to FT and PT employees. All hours will count toward the eligibility threshold.

ARTICLE 10. HOLIDAYS(PAID)

- 10.01 All FT employees shall be entitled to the following holidays for which they will be paid their regular rate of pay. FT employees will begin receiving holiday pay after 30 calendar days of continuous employment.
- 10.02 Holidays falling on a Saturday will be observed on the preceding Friday. Holidays falling on a Sunday will be observed on the succeeding Monday. Any other adjustments to holiday closings will be at the discretion of the County Judge.
- 10.03 The County Judge may, at his discretion, establish by executive proclamation additional days when county offices shall be closed in observance of special events or for other reasons.
- 10.04 Employees working in areas that are not closed on holidays will still receive holiday pay. Holiday pay hours are equal to their scheduled workday. The holiday will be paid in the pay period that the holiday occurred, along with hours worked. Holiday pay will not be carried over to be used later.
- 10.05 PT and TEMP employees are not eligible for holiday pay.
- 10.06 Employees on LWOP (leave without pay) are not eligible for holiday pay.
- 10.07 Employees who are eligible for paid holidays and on that holiday, you are on paid leave, you will receive holiday pay, and that day will not be charged against your leave bank.
- 10.08 Boone County observes the following holidays:
 - 1. New Year's Day (January 1)
 - 2. Martin Luther King, Jr.'s Birthday (third Monday in January)
 - 3. George Washington's Birthday (third Monday in February)
 - 4. Memorial Day (last Monday in May)
 - 5. Independence Day (July 4)
 - 6. Labor Day (first Monday in September)
 - 7. Veterans' Day (November 11)
 - 8. Thanksgiving Day (fourth Thursday in November)
 - 9. Friday after Thanksgiving (fourth Friday in November)
 - 10. Christmas Eve (December 24)
 - 11. Christmas Day (December 25)
 - 12. Employee's Birthday (any day in the month of the employee's birthday)
- 10.09 Boone County will observe and follow the State of Arkansas' schedule for paid holidays.
- 10.10 Any holiday or day of observance listed in this policy that is not an official "state holiday" shall not be considered a "county holiday" for purposes of early voting only pursuant to Arkansas Code §7-5-418.

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- 10.11 Holiday time for employees' birthdays shall be used within the birthday month, or it will be forfeited. An employee's birthday holiday can be taken before the employee's actual birth date as long as it is within the birthday month. The employee shall not work on the day they take as their "Birthday".

ARTICLE 11. VACATION (ANNUAL LEAVE)

- 11.01 Vacation leave accrues to all full-time eligible employees. This benefit is for Countywide employees. Vacation will be actual working hours instead of working days.)
- 11.02 Regular FT employees will be eligible for vacation time after completing one (1) year of continuous service.
- 11.03 Vacation: Said vacation hours vary; see chart below. Vacation shall be enforced for ALL employees and ALL departments regardless of scheduled shift hours.

Departments	1 Yr. Ann. Date	2 – 6 Yrs. Ann. Date	7 – 15 Yrs. Ann. Date	16 + Yrs. Ann. Date
Airport, Assessor, Circuit Clerk, Collector, County Clerk, County Judge, Countywide 911, District Court, Jail: Administrator, Assistant, Clerk, Transport Officer Library, Maintenance, OEM, Prosecuting Attorney, Public Defender, Road, Sheriff, SRO, Treasurer	40	80	120	160
Jail: Sgts. To entry-level Jailers	42	84	126	168
Veteran Affairs	32	64	96	128

- 11.03 Scheduling of vacation should be done through the EO or MGR with due regard to the desires of the employee and the needs of the office or department. EO or MGR will determine the required period for vacation requests associated with their area.
- 11.04 Vacation leave may not be taken in more than two (2) consecutive week intervals. A final decision regarding the length of approved leave will be determined by the EO or MGR.
- 11.05 Employees who do not use his/her earned vacation by the end of their anniversary year may NOT carry over the unused time to the next benefit year. Unused vacation time will be forfeited.
- 11.06 Regular FT employees who have been employed continuously for at least one (1) year and are resigning or terminating employment with Boone County will receive compensation at the current rate of pay for all unused vacation time.
- 11.07 PT employees are not eligible to earn vacation time.
- 11.08 Vacation leave should not be taken until leave has been accrued. Borrowing against future accruals is not permitted.
- 11.09 Vacation leave may not be used for the purpose of receiving additional pay, without approval from the Quorum Court, as appropriation of additional funds would be required.

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- 11.10 The estate or next of kin of employees separated from employment by death shall be compensated for the accrued vacation leave and comp time that is due to the deceased employee. Final payment will be made to the next of kin as directed by the EO or MGR of the deceased employee.

ARTICLE 12. PTO LEAVE (PERSONAL TIME OFF)

- 12.01 All FT employees of the county are eligible for PTO leave after 30 calendar days of continuous employment.
- 12.02 PTO time will vary, according to departments' accrual at a rate for each calendar month and with the employee's service, with a maximum of the following: (see chart below Said PTO hours shall be enforced for ALL employees and ALL departments regardless of scheduled shift hours.

Departments	Monthly Accrue	Max. PTO
Airport, Assessor, Circuit Clerk, Collector, County Clerk, County Judge, Countywide 911, District Court, Jail: Administrator, Assistant, Clerk, Transport Officer Library, Maintenance, OEM, Prosecuting Attorney, Public Defender, Road, Sheriff, SRO, Treasurer	4	48
Jail: Sgts. To entry-level Jailers	6	72
Veteran Affairs	3.25	39

- 12.03 Scheduling requirements are at the discretion of the EO or MGR. Each request will be reviewed based on several factors, including business needs and staffing requirements.
- 12.04 All accumulated PTO, which is not used in any year, may be carried over as accumulated leave for succeeding years up to a maximum of two hundred and forty (240) hours. When a maximum of two hundred and forty (240) hours is reached, no further accrual will be earned.
- 12.05 During leave, such as FMLA or Military, PTO time will accrue if the employee is receiving some type of paid leave (comp, PTO, or vacation). During all other leave or once an employee is not receiving pay while on FMLA or Military leave, PTO accrual will be paused until the employee has returned to work.
- 12.06 Employees on any LWOP (leave without pay) are not eligible to accrue PTO leave.
- 12.07 Employees are encouraged to "build" PTO time balance and to manage properly to reduce the chances of any break in receipt of pay should illness or injury occur. PTO replaces what used to be sick time. PTO will not be paid out upon termination of work.

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ARTICLE 13. COMPENSATORY TIME

- 13.01 Only employees defined by the Fair Labor Standards Act (Title 29, Part 541 of the Code of Federal Regulations) as “non-exempt” – which means NOT employed in a bona fide “executive, administrative, or professional capacity” – will be entitled to overtime compensation.
- 13.02 Hours worked by FT employees, as authorized by the Fair Labor Standards Act, county employees who are eligible to receive overtime compensation shall receive, in lieu of overtime pay, compensatory time off (comp time). Comp time will be calculated at a rate of one and one-half hours for time worked more than 40 hours per work week.
- 13.03 Overtime shall only be worked when instructed by EO or MGR. Overtime may be worked when necessary to complete urgent county business or in the event of emergencies or when the public health, welfare, and safety of the general community is in danger. (i.e., flooding, natural disaster, critical county business, etc.)
- 13.04 Paid leave shall not count toward calculating overtime unless the employee worked on a paid leave day. Holiday pay and overtime within the same week will be paid at the regular rate of pay unless the employee physically “worked” on the holiday and exceeded 40 hours or more of “worked” hours. Overtime should be figured on any “worked hours” (i.e. regular hours worked, STEP, FBI OT, only will be paid out at time and a half after actual work hours.)
- 13.05 Employees shall not accrue more than 280-hours of comp time accrued unless authorized by the EO or MGR.
- 13.06 The county requests that any comp time acquired in any 28-day work period be used by the employee during the next 28-day work period. All overtime is calculated and recorded on timesheets in fifteen (15) minute increments.
- 13.07 A person who accepts employment of the county or continues in its employment shall be considered or deemed to have agreed to comp time off in lieu of overtime compensation, unless otherwise approved by the EO or MGR.
- 13.08 When a departmental transfer occurs, all earned comp time should be taken by the employee before starting their new position or paid out before transfer.
- 13.09 EO or MGR is responsible for managing the compensatory time bank for their area. All comp time should be taken by the end of the budget year. Unused compensatory time shall be paid out at the end of the year.
- 13.10 SRO’s (School Resource Officer), Voter Registrar, and Election Coordinator shall use any comp time from September 1 to August 31st. Any remaining compensation shall be paid out at this time, as it will be their end-of-year payment.
- 13.11 No employee shall accrue more than 280-hours of compensatory time. After accruing the maximum 280 hours of compensatory time, an employee eligible to receive overtime compensation shall be paid overtime by check (subject to the normal withholdings for taxes, etc.) at a rate of one and one-half times the rate earned for each hour worked more than the normal work period.

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ARTICLE 14. *EARLY / EMERGENCY CLOSINGS (INCLEMENT WEATHER)*

- 14.01 Employee safety is of utmost importance, and consideration will be taken when inclement weather is concerned. A good-faith effort will be made to make a general announcement regarding inclement weather or protocol by 6 a.m. The information will be distributed through any of the following: County Judge Facebook page, radio, Boone County Alert text message, or EO-MGR-Supervisor.
- 14.02 Employees are expected to report to work regardless of the weather unless the County Judge declares the county offices officially closed.
- 14.03 If the County Judge closes County offices due to inclement weather, employees who were scheduled to work will be paid for the number of hours they were scheduled to work on that day. In the event office opening is delayed, scheduled employees will be paid a standard workday if they work the balance of that business day, and offices are open.
- 14.04 Employees not scheduled to work or off because of approved vacation, PTO, or other leave will not receive inclement weather pay because the weather is not the reason for their absence.
- 14.05 If the county offices are not officially closed by the County Judge, any employee unable to report to work due to inclement weather will not be paid, unless you have PTO, vacation, or comp time for the hours that you are unable to report for work.
- 14.06 If an EO closes their office or chooses to allow employees to leave early due to inclement weather, but the County Judge has not officially declared offices closed, employees will be required to document those hours as vacation, PTO, or comp time.
- 14.07 Rule in Section 14.06 would apply for early closure of offices for any reason other than an emergency.

ARTICLE 15. *CIVIC DUTIES (JURY DUTY, WITNESS PAY, ETC.)*

- 15.01 County employees shall be excused from work with pay for the period necessary to fulfill their civic duty when subpoenaed for jury duty, subpoenaed to testify in court, or summoned to be a witness. The employee must provide proof of the order to his/her supervisor and/or elected official as soon as received. Employees are expected to report to work whenever they are not needed in court.
- 15.02 Time shall not be deducted from the employee's accrued leave bank.
- 15.03 This section shall not apply when the employee is personally involved in a lawsuit or litigation.
- 15.04 Employee will be permitted to retain any funds paid to them for such civic duties.
- 15.05 If a county employee's work schedule conflicts with available voting hours during any election in our county, the employee shall be allowed paid time to exercise their right to vote. Allowed time should not exceed one (1) hour.

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 16. BEREAVEMENT LEAVE

- 16.01 Three (3) days of leave with pay shall be granted for the death of an immediate family member of an employee or their spouse. Immediate family is defined as:
1. Spouse
 2. Child
 3. Parent or Stepparent
 4. Sibling or Step-sibling
 5. Grandparent
 6. Grandchild
 7. Mother-in-law or Father-in-law
 8. Son-in-law or Daughter-in-law
 9. Brother-in-law or Sister-in-law
 10. Nephew or Niece
- 16.02 Bereavement leave does not apply to employees who are no longer related to the deceased due to divorce. In the event of the death of an ex-spouse, if children under the age of eighteen or a special needs child who is older than eighteen but who requires assistance of the surviving parent, up to three days paid leave of bereavement leave will be allowed.
- 16.03 EO or MGR has the discretion to close their office for employees to attend the funeral of an employee or their immediate family. The time paid by the county would be at the discretion of the EO or MGR.

ARTICLE 17. LEAVE WITHOUT PAY

- 17.01 When an employee has no accrued PTO or annual leave and requires time off from work, he or she may request leave without pay from the EO or MGR. Leave without pay shall be noted as such on the employee's time sheet. Leave without pay shall not interrupt continuous service; however, employees will not accrue leave, such as vacation or PTO time, or receive pay for county-observed holidays if on leave without pay.
- 17.02 Under circumstances where disciplinary action is being taken, an employee may be placed on leave without pay.
- 17.03 Vacation accrual will be calculated on a prorated basis once the employee returns to work.
- 17.04 Employees on any type of LWOP (leave without pay) will be responsible for contacting HR to coordinate payment arrangements of their normal payroll deductions. The county will not pay your portion of any insurance premiums while on leave. The County will pay the County's part of the required premiums, while the employee shall pay their portion of premiums.

BOONE COUNTY EMPLOYMENT POLICY

- 17.05 An employee may remain on LWOP for up to three (3) months. Any extended leave will be reviewed as needed and decided by the EO or MGR.

ARTICLE 18. ADMINISTRATIVE LEAVE

- 18.01 An EO or MGR may impose leave with pay while investigating the propriety of an employee's action or under special circumstances. Admin leave with pay should not exceed three working days and should not be deducted from the employee's accrued leave.

ARTICLE 19. ABSENCE WITHOUT LEAVE

- 19.01 An absence of an employee from duty, including any absence of one (1) day or part of a day that is not authorized by the elected official, shall be deemed Absence Without Leave. Such absence shall be without pay and subject to disciplinary action.
- 19.02 Absences without leave for (3) consecutive days shall be deemed as vacating the job and are grounds for dismissal.

ARTICLE 20. MILITARY LEAVE

- 20.01 FEDERAL LAW; STATE LAW; 15 DAY ANNUAL LEAVE: Full-time employees are entitled to military leave in accordance with the Federal Law (The Uniformed Services Employment and Re-employment Rights Act of 1994; 38 USC part III chapter 43 as amended; USERRA) and applicable state law, regardless of anything herein to the contrary.
- 20.02 County employees may count leave for temporary military training against accrued leave or leave without pay.
- 20.03 Each employee who requests military leave must supply supporting documents to become a part of their personnel file. (Military orders)
- 20.04 An employee who is drafted or called to active duty in the armed forces of the United States or who volunteers for military service shall be placed on extended military leave without pay. Upon application within ninety days after the effective date of his or her release from active duty, shall be reinstated to the position vacated or an equivalent position at no loss of seniority or any of the other benefits and privileges of employment.
- 20.05 The right of reemployment shall conform to all State and Federal government rules and regulations.

BOONE COUNTY EMPLOYMENT POLICY

- 20.06 During any military leave of absence, the employee shall be entitled to preserve all seniority rights, efficiency or performance rating, promotional status, retirement privileges, life insurance benefits, and any other rights, privileges, and benefits to which the employee has become entitled. All accrued, unused annual vacation and sick leave held by the employee at the time of military leave will be reinstated at the time the employee returns to County employment, unless this time is requested to be used by the employee while on military LWOP (leave without pay).
- 20.07 The employee will not accrue PTO nor receive pay for county observed holidays during the LWOP period. Sick time will begin accruing after the employee has returned to active employment for one month. (US Department of Labor, See 20 CFR Part 1002.150 & 153).
- 20.08 Employee will receive vacation time for the current anniversary year. Employees returning from military leave will earn and receive vacation time for their current anniversary year. An employee returning from multiple years of service may have passed a time benchmark where they are entitled to build at an increased rate (e.g., from one to two weeks per year), but the employee would not return to find multiple years of back vacationing waiting.
- 20.09 The period of military service shall, for purposes of computations to decide whether such person may be entitled to retirement benefits, be deemed continuous service, and the employee shall not be required to make any contributions to any retirement fund. The employee is responsible for providing a copy of the release documents when returning from active duty. Release documentation is required by APERS to determine the service credit available for the missed time while deployed. The employee has the choice to purchase the service credits, and the county would be responsible for the county contribution as well. If the employee decides not to purchase service credits while on military leave, then the county is not required to pay the county retirement contribution for the time of leave. The employee agrees that the service credits will be forfeited.
- 20.10 The county shall continue to contribute its part of any county-sponsored life insurance premiums during the leave of absence on behalf of the employee, so that continuous coverage is maintained.
- 20.11 Employee will be responsible for their portion of all premiums on benefits they wish to continue while on leave. Contact HR to set up arrangements for payment.
- 20.12 Any person whose absence from a position of employment is necessitated by reason of service in the uniformed services shall be entitled to reemployment rights and benefits if:
1. The employee notified his/her elected official, department head, or HR of their intent to return to a position of employment within the following allotted times:
 - a. If military service was fewer than thirty-one (31) days, the employee must report to the employer at the beginning of the first regularly scheduled workday after the effective date of his/her release from active duty.
 - b. If military service was more than thirty (30) days, but fewer than one hundred and eighty-one (181) days, the employee must report to the employer within fourteen (14) days after the effective date of his/her release from active duty.
 - c. If military service was more than one hundred and eighty (180) days, the employee must report to the employer within ninety (90) days after the effective date of his/her release from active duty.

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2. The cumulative length of absence and of all previous absences from a position of employment by reason of service in the uniformed services does not exceed five (5) years (certain exceptions are provided for under USERRA).
 3. The employee is released from the military under honorable conditions.
- 20.13 In addition, pursuant to USERRA, an employer is not required to reemploy a person if the employer's circumstances have so changed as to make such reemployment impossible, unreasonable, or if such employment would impose an undue hardship on the employer.
 - 20.14 Salary increases, reduction-in-force policies, or other benefits rights should be maintained upon return. PTO time and pay for county observed holidays are not a seniority-based benefit per USERRA regulations.
 - 20.15 Full-time employees who are members of the National Guard, Reserves, or any branches of the armed forces of the United States shall be granted fifteen (15) days leave annually, plus necessary travel time for annual training requirements.
 - 20.16 Pursuant to A.C.A. 21-4-102, employees are entitled to their regular salary during this fifteen (15) day period in addition to their military pay. Unused leave under this provision may be carried forward to the next year for a maximum of thirty (30) days in any one year.
 - 20.17 The annual (military) leave shall be granted without loss of the employee's regular pay and in addition to regular vacation time.
 - 20.18 Personnel called to duty in emergencies by the Governor or the President shall be granted leave with pay, not to exceed thirty (30) working days, after which leave without pay will be granted. This leave shall be granted in addition to regular vacation time.
 - 20.19 "Emergencies" means any case of invasion, disaster, insurrection, riot, breach of peace, or imminent danger thereof, threats to the public health or security, or threats to the maintenance of law and order.

ARTICLE 21. FMLA LEAVE POLICY

- 21.01 The County complies with the Family and Medical Leave Act (FMLA). The eligibility criteria and general guidelines used in administering this policy are set forth below. Interpretation of circumstances not specifically covered in this policy will be made in accordance with applicable law. The FMLA was designed to promote our country's interest in preserving family unity while accommodating the legitimate interests of employers. The FMLA seeks to minimize the potential for employment discrimination on the basis of gender, consistent with the Equal Protection Clause of the Fourteenth Amendment, by assuring that leave is available for both women and men.
 - i. Employee Eligibility Criteria. To be eligible for FMLA leave, employees must have been employed by the County at least 12 months, whether consecutive or intermittent, and worked at least 1,250 hours during the 12 months. All absence from work for covered military service is counted in determining an employee's eligibility for FMLA leave. The County will grant up to 12 weeks of unpaid FMLA leave per year to eligible employees.

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- ii. Qualifying Events for FMLA Leave. FMLA leave may be taken for anyone, or a combination of the following reasons:
 - 1. Care of the employee's child (birth or placement for adoption or foster care);
 - 2. Care of the employee's spouse, dependent child, or parent with a serious health condition;
 - 3. Serious health condition that makes the employee unable to perform the essential functions of his/her job;
 - 4. A "qualifying exigency" resulting from the covered active duty or the call or order to covered active duty of the employee's spouse, son, daughter, or parent who is a military member of the National Guard and Reserves or the Regular Armed Forces; and,
 - 5. Care of the employee's spouse, son, daughter, parent, or next of kin, who is a covered service member with a serious illness or injury incurred or aggravated by service in the line of duty. (Employees eligible for this type of leave may be eligible for up to 26 workweeks of leave, rather than the usual 12.)
- iii. "Serious Health Condition." An illness, injury, impairment, or physical or mental condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing care by a health care provider. Generally, a serious health condition involving continuing treatment by a health care provider includes, but is not limited to a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
- iv. Pay Status During FMLA Leave. FMLA leave is unpaid leave. However, any available paid time off, including qualifying workers' compensation leave, PTO/vacation, or comp time, will run concurrently with FMLA Leave until such leave is exhausted. Once an employee's paid benefits are exhausted, he/she will be in an unpaid status during the remainder of his/her FMLA Leave.
- v. How Much FMLA Leave May Be Taken. An eligible employee taking FMLA leave is entitled to up to 12 workweeks of unpaid leave during a 12-month period for any FMLA qualifying event(s) as listed above. The 12-month period is a rolling 12-month period measured backward from the date of employee uses any FMLA leave. Leave to care for a seriously injured or ill active-duty military member, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. When both spouses are employed by the County, they are together entitled to a combined total of 12 workweeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement

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of a child with the employees, and to care for a parent (but not an in-law) with a serious health condition.

- vi. Intermittent or Reduced Work Schedule Leave. FMLA leave may be taken intermittently or on a reduced work schedule when medically necessary due to the employee's or a family member's illness. Leave to care for a newborn or for a newly placed child may be taken intermittently or on a reduced work schedule. If an employee takes leave intermittently on a reduced work schedule basis, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt County operations.
- vii. Notice. An employee should request FMLA leave by notifying their supervisor or elected official and requesting the FMLA forms. When leave is foreseeable, the employee must provide the County with at least 30 days' notice.
- viii. Medical Certification. An eligible employee is required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. The County may have a designated individual contact the employee's health care provider to clarify or authenticate the initial certification with notice to the employee, or require the employee to obtain a second opinion by an independent County-designated provider at the County's expense. If the initial and second certifications differ, the County may, at the County's expense, require the employee to obtain a third certification from a jointly selected health care provider. During FMLA leave, the County may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. The employee must provide the County with periodic reports regarding the employee's status and intent to return to work when requested. Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee may be required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee can resume work. FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided promptly. Failure to provide requested documentation may lead to termination of employment.
- ix. Designation of FMLA Leave. The County will notify the employee whether leave has been designated as FMLA leave and how much leave will be counted against the employee's leave entitlement. The County may provisionally designate the employee's leave as FMLA leave if the County has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave.
- x. Continuation of Benefits. During FMLA leave, the County will continue an employee's group insurance coverage under the same conditions as if the employee were working. An employee on FMLA leave will continue to be responsible for his/her portion(s) of group insurance premiums. FMLA leave is not a "qualifying" event under COBRA. If the employee does not return to work, the employee may be liable to the County for repayment of insurance premiums paid by the County during the employee's FMLA leave.

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- x. Return from FMLA leave. Upon return from FMLA leave, the County will place the employee in the same or equivalent position with the equivalent pay, benefits, and other terms and conditions of employment. An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force, or other reasons, the employee would not be employed at the time job restoration is sought. The County reserves the right to deny reinstatement to exempt, eligible employees who are among the highest paid ten percent of the County's employees ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the County's operations. An employee returning to work must be able to perform the essential functions, with or without reasonable accommodations, of the position the employee held before the leave or an equivalent position with equivalent pay, benefits, and other employment terms.
- xii. FMLA Rights and Obligations. The County will not: (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law providing greater family or medical leave rights.

ARTICLE 22. AUTHORIZED LEAVES OF ABSENCE AND LEAVE BENEFITS

- 22.01 Each EO or MGR handles keeping records of leave taken by their employees and makes regular reports of such on the payroll time sheets. The report shall include the type and length of leave.
- 22.02 Please note that vacation and PTO leave, and other fringe benefits outlined here are not required by law, nor are they guaranteed by the county.

ARTICLE 23. STANDARD WORK WEEK

- 23.01 The standard work week for Boone County begins at midnight on Monday and ends at 11:59 P.M. on Sunday. Standard work week ranges from 40 to 42 hours per week in Boone County for FT employees. The Veteran's Office will work a four (4) day work week for a total of 32 hours. They are the only office of FT employees on a reduced work week.
- 23.02 At the discretion of the County Judge, the County Road Department may work four (4) 10-hour shifts.

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- 23.03 All employees are expected to work the schedule decided by their EO or MGR. The scheduling of rest and meal periods is the responsibility of each EO or MGR and should ensure that the office is staffed to perform necessary duties.
- 23.04 The EO should schedule the hours of their employees so that each employee works no more than the standard hours in any work week. However, reducing hours worked per week for employees and still receiving full pay is a violation of the Boone County Employment Policy and is prohibited. Employees falsely reporting hours worked in subject to disciplinary action up to and including termination.
- 23.05 An employee who is unable to report for work on time must report the reason to their supervisor within one (1) hour before the time he/she is scheduled to report for work.
- 23.06 Any employee who does not report to work or contact their EO or MGR may be subject to termination due to job abandonment. No call, no show can be grounds for immediate termination of employment.
- 23.07 During rest and meal periods, where wages are not being paid, employees are not subject to any work responsibilities or restrictions.

ARTICLE 24. TIME SHEET MANAGEMENT AND PAYROLL

- 24.01 All non-exempt employees, whether full or part-time, shall record on a time sheet their total hours worked each workday. Time sheets should include actual time worked, holidays, overtime earned, any compensatory time used or earned, any vacation used, any PTO leave, or any bereavement, FMLA, or LWOP that may have been taken. At the end of each pay period, the employee must sign the timesheet certifying the accuracy of hours worked and give it to his or her elected official or department head for verification and approval.
- 24.02 Exempt employees may have to submit a timesheet if required by their EO or MGR.
- 24.03 Timesheets are due in the County Clerk's office by 10 a.m. on Monday after each payroll period ending on the prior Sunday. All timekeeping documents (timesheets and claims) are filed in the clerk's office as a permanent record. It is the responsibility of each EO, MGR, or someone on your behalf to submit approved timesheets to Payroll.
- 24.04 Payroll processing timeframe will be altered on occasion due to holidays and bank closures. In this event, advance notice via email will be sent with directions for early submission of timesheets.
- 24.05 Payroll will be calculated based on the approved timesheet.
- 24.06 Any timesheet changes must be reported to the Payroll Department no later than 9 a.m. Tuesday morning.
- 24.07 All-time worked should be recorded in quarter (.25) hour increments.
- 24.08 Changes in an employee's pay or position and the effective date should be given to HR in written form (i.e., letter or email). Processing may take one pay cycle for positional/pay changes.
- 24.09 Employees will be paid on Friday (Thursday for Direct Deposit) following the close of the pay period. If a holiday should fall on that Friday, pay will be the last business day before Friday. Pay is bi-weekly, consisting of twenty-six (26) pay periods per calendar year. Pay will be for the preceding pay period.

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- 24.10 Questions concerning paychecks should be directed to the EO or MGR, or payroll. Employees who are absent on payday and receive a paper check will handle arrangements with their EO or MGR to receive their checks. Checks will not be released early for employee convenience.
- 24.11 All employees are strongly encouraged to set up direct deposit as a form of payroll payment.
- 24.12 The employee is responsible for immediately notifying Payroll if there are any changes in the bank or account information. Failure to notify Payroll may result in a delay in receiving pay. A paper check will be processed once all new bank and account information can be verified. Please allow one (1) to two (2) pay cycles for any direct deposit changes.
- 24.13 Approved timesheets may be faxed or emailed to the County Clerk's office for processing. However, in the event the original timesheet is requested, it will be the responsibility of the EO or MGR to provide that documentation.
- 24.14 Employees who leave county employment will receive their final paycheck on the next scheduled payday. Any vacation and/or comp time will be on their final check.
- 24.15 The County Clerk's office shall keep a record of accumulated compensatory time, PTO, and vacation leave time, showing all such time earned and such leave time taken by the employees who have earned such leave.

ARTICLE 25. TRAINING PAY (CERTIFICATE PAY)

- 25.01 Certificate pay is limited to employees in a job capacity that requires continued training or licensing to perform the job duties. (For instance, a truck driver must maintain a valid CDL, an emergency dispatcher must maintain specific certifications and pass a final exam to work as a dispatcher, etc.)
- 25.02 Any EO or MGR requesting certificate pay must include it in the budget process for funding consideration by the Quorum Court.
- 25.03 Details should include the title of the certification/type of degree; how obtaining this certification/type of degree benefits the county; is this training is required for certification for the job; and the amount of certificate pay requested for the employee associated with obtaining the certification, training, degree, or license.
- 25.04 Only certificates pay approved and budgeted by the Quorum Court will be processed through payroll.
- 25.05 Employees will be eligible for certificate pay only if the training or certification is an essential function of his or her job and is written in the job description for that position.

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ARTICLE 26. COUNTY PAID TRAINING AND CERTIFICATION

- 26.01 If the county pays for non-mandatory certification/training and the employee voluntarily leaves employment prior to one year of completion, the following reimbursement of the total cost (registration, travel, lodging, expenses, etc.) applies:
1. Voluntarily leaving employment under the same elected official in less than six months of completion will result in a charge of 75% of the total cost of the program
 2. Voluntarily leaves employment under the same elected official within six months to one year of completion, will be charged 25% of the total cost of the program.
- 26.02 If the employee transfers to another department during the first year following completion of the non-mandatory training, the department hiring the employee will be charged for 50% of the training/travel costs.

ARTICLE 27. REIMBURSEMENT OF ALLOWABLE EXPENSES

- 27.01 All County employees shall be entitled to receive reimbursement of allowable expenses incurred and pre-authorized by the EO or MGR in the conduct of County affairs.
- 27.02 Reimbursement for the purchase of meals, lodging, and other allowable expenses shall be based on actual expenses incurred, as defined by the Quorum Court. (Reference Ordinance 2022-29)
- 27.03 The proper forms for reimbursement are available in the County Clerk's Office and are subject to County ordinances specifying rate and per diem maximums.
- 27.04 Any elected official or employee using a privately owned motor vehicle in the conduct of County affairs may be reimbursed at a rate as authorized by County ordinance. Reimbursement shall be based on official miles driven, and the County shall not assume responsibility whatsoever for any maintenance, operational cost, accidents, fines, tolls, or parking fees incurred by the owner of the vehicle while on official County business.
- 27.05 Where more than one County employee is transported in the same vehicle, only one owner shall be entitled to mileage reimbursement. Proper documentation is required.
- 27.06 Any reimbursement submitted for a county purchase, whether for daily business or travel, must include receipts and approval from EO or MGR before submitting to Accounts Payable.

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ARTICLE 28. COUNTY PROPERTY

- 28.01 No county official or employee may use the county vehicle for his or her personal use. This excludes vehicles assigned to EO or employees as a benefit of their office. Only an elected official can grant authority for a county employee to drive a county vehicle to their home at the end of their work shift. The use of the vehicle after hours should only be if an employee is called out for an emergency or county business, as directed by EO. County vehicles are for county business use only.
- 28.02 Employees assigned a county vehicle or equipment handle scheduling required maintenance and follow all operating instructions, safety standards, and guidelines. Vehicles should be kept washed and in good condition as they are an image of our county.
- 28.03 The improper, careless, negligent, destructive, or unsafe use of county-owned equipment or vehicles, or the receipt of excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.
- 28.04 All county employees (if applicable) must complete a Personal Use Affidavit form and submit it monthly to the Payroll Department for tax withholding purposes. Personal use of county vehicles is a fringe benefit and is taxable under IRS regulations. EO must also complete a daily mileage report showing business miles driven, along with a signed affidavit.
- 28.05 It is the responsibility of the employee or EO to submit required documentation timely (by the 5th of each month for prior months' personal use) for payroll processing. Failure to do so can result in the full chargeable amount allowed by law. For further information, please contact the Payroll Department.
- 28.06 Law enforcement and emergency personnel are exempt from personal use reporting per IRS regulations.
- 28.07 No other county property should be used for personal use.
- 28.08 Liability waiver must be completed to protect the county for passengers not employed by Boone County.

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ARTICLE 29. ELECTRONIC INFORMATION SYSTEMS USAGE

- 29.01 Employees of Boone County may have to make use of or have access to the computers and electronic information installed by the county to fulfill job responsibilities.
- 29.02 As a productivity tool, employees may also have access to the internet and email. Boone County owns the computer equipment, the computer network, all software programs, and all electronic data, and employees will respect all electronic equipment and information as with any other county property.
- 29.03 Incidental and infrequent private use of email and viewing of information via the internet may be allowed if approved by the elected official. However, documents and electronic messages are not private. Employees are prohibited from using their county-owned computer, tablet, or phone to view any type of inappropriate web content. Emails and computer usage may be monitored by the county. Employees who use email to send information that might be perceived as harassment or disrespectful may face disciplinary action up to and including termination.
- 29.04 Consequently, any internet activity and email activity can be subject to the Freedom of Information Act (FOIA) and can be made available for public viewing.
- 29.05 All employees using the county information systems will be supplied with electronic accounts(s) with encrypted passwords (s) that grant specific access to the supported software applications and associated electronic data. It is the responsibility of the employee to keep their password(s) confidential. Furthermore, the employee will not alter the physical configuration of the computer equipment that is supplied for their use. Likewise, installation of software for personal use is prohibited.
- 29.06 Depending upon the department, office, or agency, there may be further legal requirements or restrictions concerning electronic information system usage. An employee should contact their EO or MGR for more details on this subject.
- 29.07 EO or MGR can help employees with any questions or concerns regarding the proper conduct or functional use of Boone County electronic data processing.
- 29.08 Violations of this policy will lead to disciplinary action up to and including termination.

BOONE COUNTY EMPLOYMENT POLICY

BOONE COUNTY _____ OFFICE

TECHNOLOGY RESOURCES POLICY

ESTABLISHED _____

1) This policy is established in accordance with Ark. Code Ann. § 25-1-126.

2) Technology resources are defined as:

- a. The machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related products;
 - b. The devices used to process information through electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image, and include telecommunications and office automation functions;
 - c. Any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;
 - d. The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit Information, and the associated personnel, including consultants and contractors;
- and
- e. All electronic mail accounts issued by a public entity.

3) The County's technology resources shall not be used to:

- a. Express a personal political opinion to an elected official unless the opinion is:
 - i. Within the scope of the employee's regular job duties; or
 - ii. Requested by an elected official or public entity;
- b. Engage in lobbying an elected official on a personal opinion if the employee is not a registered lobbyist for the public entity;
- c. Engage in illegal activities or activities otherwise prohibited by federal law or state law; or
- d. Intentionally override or avoid the security and system integrity procedures of the public entity.

4.) Violation of this policy will follow the procedure below:

- 1. Investigation of alleged violation will be conducted by the Boone County _____.
- 2. Written communication to the employee identifying the violation.
- 3. A hearing to discuss the violation.
- 4. A disciplinary decision

BOONE COUNTY EMPLOYMENT POLICY

**** Disciplinary action may include leave without pay and immediate termination, depending on the severity and the facts gathered during the investigation period. ****

Employee Acknowledgement Form

Technology Resources Policy

_____ Office

I have read and understand all the items listed in the "Technology Resources Policy" for the Boone County _____ Office. I understand that any violation of this policy will result in immediate termination.

I also understand that should I have any questions regarding this "Technology Resources Policy" at any time, I will consult with the Collector immediately.

Employee Name: _____

Employee Signature: _____

Date: _____

EO or MGR Signature: _____

Date: _____

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 30. SOCIAL MEDIA USAGE

- 30.01 Social media usage is prohibited during work hours. Social media includes all means of communicating or posting information or content of any sort on the internet. The same principles and guidelines applicable to county employee conduct also apply to county employees' online activities.
- 30.02 Any conduct that adversely affects an employee's job performance, the performance of fellow employees, or otherwise affects the interests of the county may result in disciplinary action up to and including termination at the discretion of the EO or MGR.
- 30.03 This policy applies to comments made under the employee's name or under a pseudonym used by the employee. Harassment and cyber-bullying of any county employee will result in termination. Comments that discriminate against any protected class of individuals under Title VII, the United States or State Constitution, or under any other civil rights statute will result in proper discipline, up to and including termination.
- 30.04 County employees should avoid posts, "likes," or other social media activity during work hours and on county-owned equipment, unless authorized to do so by a MGR or related to county business.
- 30.05 State law prohibits electioneering by public servants during work hours.
- 30.06 Employees should consider any political activity to be electioneering and should follow the county's Political Activity Policy with all online posts.

ARTICLE 31. POLITICAL ACTIVITY

- 31.01 No county employee shall take part in partisan politics during working hours.
- 31.02 Any employee who becomes a candidate for election to a county, judicial district, state, or national office may take his or her accrued vacation leave, PTO, or be granted a leave of absence without pay during the time he or she actively campaigns.
- 31.03 It shall be unlawful for any person to appoint or offer to appoint anyone to any office or position of trust or for any person to influence, attempt to influence, or offer to influence the appointment, nomination, or election of any person to office in consideration of the support or assistance of the person for any candidate in any election in this state.
- 31.04 It shall be unlawful for any public servant, as defined in ACA 21-8-402, to circulate an initiative or referendum petition or to solicit signatures on an initiative or referendum petition in any public office of the state, county, or municipal governments of Arkansas or during the usual office hours or while on duty for any state agency or any county or municipal government in Arkansas.
- 31.05 It shall be unlawful for any public servant, as defined in ACA 21-8-402, to coerce, by threats or otherwise, any public employee into devoting time or labor toward the campaign of any candidate for office or for the nomination to any office.

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- 31.06 It shall be unlawful for any campaign banners, campaign signs, or other campaign literature to be placed on any equipment, vehicles, trucks, or other property owned by Boone County.

ARTICLE 32. OUTSIDE EMPLOYMENT

- 32.01 Outside employment is permissible if it does not affect an employee's job performance with Boone County and does not interfere with scheduling demands.
- 32.02 Employees may not have an outside job that is a conflict of interest with Boone County.
- 32.03 Employees may not be paid or receive anything in return from a person outside Boone County in exchange for something produced or a service provided as part of the employee's Boone County job.

ARTICLE 33. DRUG-FREE WORKPLACE PRESCRIPTION DRUGS, OVER-THE-COUNTER DRUGS, AND MEDICAL MARIJUANA

- 33.01 Boone County prohibits the unlawful manufacturing, distribution, dispensation, sales, possession or use of any illegal drug or alcohol by employees in its workplace.
- 33.02 Each employee agrees, as a condition of employment, to abide by this policy and to notify his or her supervisor and/or elected official no later than five days after any conviction under a criminal drug statute for a violation that occurred in the workplace.
- 33.03 Under no circumstances may an employee operate a county vehicle while on a prescribed medication that may influence his/her abilities to function at normal capacity. If your physician prescribes a medication, inform your supervisor prior to beginning work. Failure to comply may result in termination.
- 33.04 All job applicants at the time of hiring will be subject to pre-employment drug testing. Results must be received by the Human Resources department prior to starting work for the county.
- 33.05 An employee suspected of unlawful use of drugs or abuse of alcohol while on duty, or who is involved in an accident as defined in 49 CFR390.5 (and receives a citation for a moving traffic violation in this section) by the rules, may be suspended immediately with pay until the results of the drug or alcohol test are received by the county's human resource department. Final test results would be sent to the appropriate EO.
- 33.06 Public safety employees are subject to testing by the county to detect the presence of controlled substances and alcohol, including:
1. Pre-employment testing (controlled substances only)
 2. Reasonable suspicion testing
 3. Random testing

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4. Post-accident testing
 5. Return-to-duty and follow-up testing
- 33.07 Public safety employees subject to testing shall include any employees whose duties require them to:
1. Maintain a commercial driver's license; or
 2. Carry a firearm; or routinely operate an emergency vehicle (one equipped with a siren and red or blue lights) to lawfully carry out their duties; or
 3. Serve as mechanics on county vehicles; or
 4. Be prepared to use justified physical force against persons to keep order or secure the safety of persons detained.
 5. Handling emergency calls involving the general public in our county, and also making split-second decisions for the safety and well-being of our emergency personnel.
- 33.08 The Drug and Alcohol Testing Procedures required by the U.S. Department of Transportation (the Rules) shall be the procedures followed by the county, which procedures shall not be contrary to procedures published by the Association of Arkansas Counties, only as to CDL drivers.
- 33.09 Upon the county's adoption of this policy, or at the point of hiring, each county employee shall certify in writing that:
1. The employee has been informed of and understands his or her obligations under the county's drug and alcohol testing policy and the drug and alcohol regulations of the U.S. Department of Transportation.
 2. The employee understands that the use or possession of alcohol in any form is prohibited in the workplace, and that there are restrictions on alcohol use for a period prior to reporting for work and after an accident.
 3. The employee understands that the possession or use of unauthorized or illegal drugs is prohibited at any time, whether in the workplace or not.
 4. The employee understands that, as a condition of employment, the employee must submit to collection of breath, urine, blood, and/or saliva samples when requested by the county or contractor acting for the county and also, that the employee may be subject to drug and alcohol testing in other circumstances including, but not limited to post-accident and when the employer has reasonable suspicion to believe the driver has engaged in prohibited actions concerning controlled substances or alcohol.
- 33.10 Drug and alcohol testing will be administered to the employees in the circumstances and in the manner mandated by the Rules.
- 33.11 Reasonable suspicion testing shall not be conducted until after the facts are reviewed by the prosecuting attorney, deputy prosecuting attorney, or the county attorney and the reviewing attorney agrees with the supervising elected official that reasonable suspicion exists under the particular facts of the case.
- 33.12 The following may result in immediate discharge:
1. Refusal to take a mandated test for drugs or alcohol.
 2. A positive drug test result, once the time limit for requesting a second test of a split sample has expired, or upon receipt of a positive drug test result from the second test. or
 3. A positive alcohol test result.

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- 33.13 Employees whose first drug test results are positive and who request a second, split-sample test will be suspended without pay until such time as the county's "designated representative" receives the results of the test.
- 33.14 Such a second test will be paid by the employer to be reimbursed to the county by the employee. The county may withhold from the employee's paycheck the cost of the second, split sample test to reimburse the county. A negative result from the second test will make the first test invalid, and the employee will be reinstated with back pay and reimbursement for the costs of the second test.
- 33.15 Prescription drugs and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription for all employees; however, a safety-sensitive employee who has been prescribed a medication that might cause drowsiness or otherwise impair the employee's ability to safely perform job functions has an affirmative duty to report use of such prescription. The County shall engage in the active process to decide if the prescription drug use creates a direct threat of safety to the employee's or others, and shall inquire as to accommodations that would permit the employee to continue to work in a safety-sensitive position, despite the use of the prescription.
- 33.16 When proper notification is made and the prescribing healthcare practitioner supplies a statement that the employee will not pose a direct threat to themselves or others and is otherwise able to perform their essential job duties, despite the use of the prescription medication, the employee may continue working in the same position. If a statement is not provided or if a provided statement does not certify that the employee's use of the prescription will not impair the employee's ability to safely perform job functions, a reasonable effort will be made to assign the employee to another position, if available. The illegal, unauthorized or misuse of prescription drugs is prohibited.
- 33.17 Medical Marijuana
- Definition:
- A. Designated Caregiver
An employee who has agreed to aid a physically disabled qualifying patient with the medical use of marijuana, and who has registered with the Department of Health under the Arkansas Medical Marijuana Act Amendment.
- B. Qualifying Patient
An employee who has been diagnosed by a physician as having a qualifying medical condition and who has registered with the Department of Health under the Arkansas Medical Marijuana Amendment.
- 33.18 Medical marijuana usage under the Arkansas Medical Marijuana Amendment is subject to Act 593 of 2017. Boone County prohibits the possession, smoking, or otherwise use of medical marijuana on County premises. The County of Boone reserves the right to take action based upon the good faith belief that an employee, qualifying patient, was under the influence of marijuana while on the premises of the employer or during the hours of employment, provided that a positive test result for marijuana cannot provide the sole basis for the employer's good faith belief.
- 33.19 The County reserves the right to exclude or qualify a patient from being employed in or performing a safety or security position based on a good-faith belief that the employee is engaged in the current use of marijuana.
- 33.20 This applies even if the employee is a qualifying patient under the Amendment and/or holds a registry identification card.

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33.21 Employees are also subject to discipline, up to and including termination, for the following acts related to medical marijuana:

1. Possession, ingestion, smoking, or otherwise using marijuana while on duty, or on the premises of the County, regardless of duty status; or
2. Being under the influence of marijuana while on duty, or on the premises of the County, regardless of duty status.

ARTICLE 34. TOBACCO-FREE WORKPLACE

- 34.01 Boone County prohibits all tobacco products and electronic cigarettes throughout the workplace. In compliance with Arkansas Act 8, *The Arkansas Clean Indoor Air Act*, smoking is prohibited in all county-owned buildings, facilities, vehicles, and property.
- 34.02 This policy applies equally to all employees, as well as to customers and visitors.
- 34.03 Smoking is only allowed in designated areas.
- 34.04 Employees may smoke in personal vehicles but may not discard used tobacco products on county property, unless in designated areas or vehicles.
- 34.05 Violations of this policy may result in disciplinary action up to and including termination.

ARTICLE 35. NEPOTISM

- 35.01 The employment of persons who are related to each other is limited to employment not within the same line of supervision. No employee shall be under the direct line of supervision of a relative. A “relative” is a parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or other family member who lives in the same household.
- 35.02 There may also be situations when there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct reporting relationship or authority involved. In that case, we may separate the employees by reassignment or termination of employment.
- 35.03 Employees will receive grandfather status if a department change would result in the loss of the new EO or MGR.

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ARTICLE 36. PERSONNEL RECORDS

- 36.01 A personnel file for each employee is kept in the County Clerk's office, with copies maintained by respective elected officials and/or department heads. Information about job applicants or employees' medical conditions is filed separately from the personnel records and treated confidentially. Keeping the employee's personnel file up to date is important to track pay, deductions, benefits, and other matters.
- 36.02 The personnel file for each employee will also include the following information:
1. Legal name
 2. Home address
 3. Home and/or cell number
 4. Marital status
 5. Copy of driver's license (and status of driving record if employee operates a county-owned vehicle)
 6. Military or draft status
 7. I-9 requirements
 8. Updated W-4 and State tax form
 9. Job application
 10. Payroll records
 11. Retirement records required by the Arkansas Public State Retirement System (APERS)
 12. Records required by the Internal Revenue Service
 13. Records required by State or Federal grants
- 36.03 If an employee has a change in any of the above items, it is the responsibility of the employee to contact the Boone County HR office as soon as possible to update. Coverage or benefits that may be received under the county's benefit package could be negatively affected if information in the personnel file is incorrect.

ARTICLE 37. COUNTY UNIFORM POLICY

- 37.01 County bought uniforms and work clothing issued to employees must meet county guidelines. Departments will identify uniforms or work clothing items as being specifically required for a position, program participation, or event. Other items should not be bought unless otherwise approved by the EO.
- 37.02 Department-named uniforms must bear the Boone County Government logo in a conspicuous place. Specific departments may be approved logos other than the standard Boone County Government logo by the County Judge.
- 37.03 Uniforms and work clothing are defined by the IRS. (See Publication 529)
- 37.04 Items that are not adaptable to general use are excluded from the requirement to bear the county logo. The items include safety equipment items that are exposed to hazardous waste, items that would not be adaptable to use outside the workplace, work clothing for uniformed and/or certified public safety employees, and items that do not leave county premises.
- 37.05 All county-owned uniforms or work clothing must be returned upon termination of employment.

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ARTICLE 38. WORKER'S COMPENSATION

38.01 Reporting of Workers' Compensation Injuries:

Ark. Stat. Ann. 81-1317(a) states in part: "Unless an injury either renders the employee physically or mentally unable to do so, or is made known to the employer immediately after it occurs, the employee shall report the injury to the employer on a form prescribed or approved by the Commission and to a person or at a place specified by the employer, and the employer shall not be responsible for disability, medical or other benefits prior to the receipt of the employee's report of injury." To avoid the possible loss of benefits under the Workers' Compensation Act, the following procedure for reporting work-related injuries must be followed:

1. All work-related injuries, no matter how minor, should be reported to the employee's supervisor immediately, and a WCC Form N must be completed. For this policy, an injury shall not be considered reported unless the supervisor has been notified and an injury report has been completed and turned into the Judge's Office immediately after the accident.
2. If a work-related injury is not reported immediately, or if an injury report was not completed, the employee must fill out a WCC Form N (available from supervisors or Judge's Office) and submit it to the Judge's Office before seeking treatment. The only exception to the rule shall be for emergency treatment needed after regular business hours; however, in this case, the employee shall report the injury to the Judge's Office on WCC Form N on the next business day following the treatment. Failure to give notice to the employer shall also be excused if the employee is either physically or mentally unable to do so.

38.02 Boone County employees are compensated at their 66 2/3 ~~rate of~~ pay during recovery of any work-related injuries. Employees will continue to receive holiday pay, accrue vacation and PTO leave while covered by workers' compensation.

38.03 The payroll department must be notified by the employee's supervisor of all workers' compensation matters to ensure the employees are receiving the correct pay while off work related to the injury. The payroll department should also be notified when the employee is released to return to work, whether light or full duty.

38.04 The time worked on the day of injury, the time spent at the doctor, and the rest of the regular worked hours are considered hours worked.

38.05 After returning to work, any follow-up doctor's appointments that occur during the normal workday schedule will be treated as time worked and should be reflected as worked time on your timesheet. Please note as worker's comp-related.

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ARTICLE 39. GENERAL SAFETY RULES

39.01 Employees are expected to obey all safety rules and be careful at work. Immediately report any unsafe condition to the EO or MGR. Violations of Boone County safety standards may be subject to disciplinary action, up to and including termination of employment. Violations include causing a hazardous or dangerous situation, not reporting a hazardous or dangerous situation, and not correcting a problem. Some safety rules are:

1. Observe and practice the safety procedures set up for the job.
2. Do not operate any machinery or equipment unless properly trained.
3. Protected equipment and clothing, such as goggles, safety glasses, masks, gloves, etc., must be worn when needed.
4. Disorderly conduct, fighting, horseplay, and/or practical jokes are prohibited.
5. Lift properly using legs, and not the back. For heavier loads, ask for help.
6. Know the location of fire exits.
7. Unauthorized possession of firearms or weapons of any kind on county property is prohibited.
8. Possession or use of alcoholic beverages, narcotics, or dangerous drugs on county property and reporting or returning to work under the influence of the same is prohibited.
9. Use of prescription drugs on the advice of your physician must be reported to your supervisor if there is any possibility of the drug causing a safety hazard

ARTICLE 40. DISCIPLINARY ACTION PROCESS

40.01 Although employment is based on mutual consent, the employee and Boone County have the right to end employment at will, with or without cause or advance notice. The elected official and/or authorized manager may use progressive discipline at his or her discretion as a development tool. Disciplinary action may be any or all of the following four steps:

1. Verbal warning
2. Written warning
3. Suspension with or without pay, or
4. Termination of employment

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ARTICLE 41. REDUCTION OR REMOVAL OF PAY OR POSITION

- 41.01 A county official and/or authorized manager may reduce or remove pay or position for a reason that is rationally related to the effectuation of any conceivable legitimate county objective.
- 41.02 Employees who violate any county rule or policy will be disciplined fairly, consistently, and in proportion to the seriousness of the circumstances. This may include disciplinary action up to and including discharge from employment for the first offense. The following list includes but does not limit items that are considered sufficient cause for disciplinary action.
1. Arrest and conviction on criminal charges.
 2. Unauthorized possession of firearms or weapons of any kind on county property.
 3. Intoxication during working hours, including intoxicating beverages, marijuana, or other hallucinogenic drugs on county property or the consumption of the same on county property.
 4. Misrepresentation, dishonesty, or self-dealing conduct.
 5. Intemperate conduct; (having or showing lack of self-control)
 6. Insubordination, including the failure or refusal to follow the legal orders of an employee's supervisor.
 7. Negligent, reckless, knowing, or intentional destruction of county property or of the property of a fellow employee.
 8. Abuse or misuse of an employee's position as a county employee.
 9. Any conduct, acts, or omissions that interfere with or impair an employee's ability to perform duties properly and effectively as a county employee.
 10. Unauthorized possession of county property, or of the property of a fellow employee.
 11. Falsification of timekeeping records.
 12. Falsification of county records or reports.
 13. Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment.
 14. Fighting or threatening violence in the workplace.
 15. Boisterous or disruptive activity in the workplace.
 16. Negligence or improper conduct leading to damage of employer-owned property
 17. Disrespectful conduct.
 18. Violation of safety or health rules.
 19. Smoking in prohibited areas.
 20. Sexual or other unlawful or unwelcome harassment.
 21. Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace.
 22. Excessive absenteeism or any absences without notice.
 23. Unauthorized use of telephones, mail system, or employer-owned equipment and supplies.
 24. Unauthorized disclosure of confidential information; and/or
 25. Unsatisfactory performance or conduct.

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ARTICLE 42. TERMINATION

- 42.01 Boone County is an at-will employer. Employment with Boone County may be ended at any time by the employee or the county for any or no reason, with or without notice. Employees are encouraged, but not required, to give two weeks' notice.
- 42.02 Compensation due the employee upon termination will be decided according to the records of the County Clerk's office and the elected official. Insurance coverage will end on the last day of the month in which the employee last worked. Any accrued vacation leave and comp time will be processed with final pay on the next pay cycle following termination.
- 42.03 Per county policy, PTO time accrued is NOT paid out when employment terminates.
- 42.04 In the event termination is based on gross misconduct of the employee, final accrued vacation may be forfeited at the discretion of the EO or MGR.
- 42.05 Eligibility for vacation or other employee benefits does not create any property right in employment or any expectancy of continued employment.

ARTICLE 43. GRIEVANCE HEARING PROCEDURE

- 43.01 The purpose of this Grievance Hearing Procedure is to establish a required procedure to resolve applicant and employee grievances, and to thereby enable the county to voluntarily conform the conduct of county officials and county employees to the requirements of county policy. If the applicant or employee does not follow this affirmatively required county grievance hearing procedure, the county will raise waiver and estoppel as affirmative defenses to any claims against the county filed by the applicant via any administrative or judicial procedures otherwise available for redress of grievances.
- 43.02 Availability of Property Right Hearings
1. At-will employment may be ended by either the county or the employee at any time without prior notice, without cause, and without any property right hearing.
 2. Any claim that any employee has a constitutionally protected property right in employment, entitling the employee to continued employment, must be promptly asserted in writing by the affected employee in accordance with this procedure, or the property right claim will be waived by the employee.
- 43.03 Availability of Liberty Right Hearings
1. Any claim of illegal county employment discrimination based on race, color, religion, gender, national origin, or disability or because the county is acting in a manner that is arbitrary, capricious, or unreasonable, in hiring, compensation, conditions of employment, discipline, or dismissal must be timely made in writing by the affected applicant or employee in accordance with this grievance hearing procedure.
 2. Any claim that any employee treatment, discipline, or dismissal is unconstitutional punishment due to the employee's exercise of a constitutionally protected "liberty right" or other constitutionally protected activity

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of the employee must be promptly made in writing by the affected employee following this grievance hearing procedure.

3. Any claim that any employee treatment, discipline, or dismissal is contrary to the public policy of Arkansas must be promptly made in writing by the affected employee following this grievance hearing procedure.

43.04 Availability of Name Clearing Hearings

1. Any claim that any employee's liberty interest in future employment has been damaged because of any "stigmatizing charge" publicly communicated by the county must be promptly asserted by the affected employee following this grievance hearing procedure.

43.05 Availability of Hearing Generally

1. A grievance hearing requested by an applicant or employee does not have to be held unless it is promptly requested in the manner required by this employee.
2. Grievance Hearing Procedure is not required by the constitution or by this policy.
3. Neither liberty rights nor property rights are created by this document.
4. The county may, in its discretion, hold a hearing prior to any decision or deprivation.

43.06 Time Request for Grievance Hearing

1. It is the applicant's or employee's duty to request a grievance hearing.
2. The applicant or employee must promptly file a written grievance hearing request after any claimed deprivation of the applicant's or employee's liberty or property, or any right to a hearing or to object to the deprivation shall be waived.
3. The hearing request should explain, in writing:
 - a. The grievance for which a hearing is requested.
 - b. The factual basis of the grievance; and
 - c. the relief looked for
4. The written request should be delivered to the County Grievance Council in care of the County Judge not later than four-thirty (4:30) p.m. on the third full business day (weekends and specified County holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
5. Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Council hearing. All accrued but unpaid leave time (i.e., vacation, comp time, etc.) will automatically run concurrently with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in the reduction or removal of pay or position shall automatically be deferred for three full business days, during which time the employee subject to discipline may request a pre-deprivation hearing, in which case the deferral shall continue until the conclusion of the County Grievance Council hearing. If the employee is not successful, the effective date of termination is retroactive to the end of the automatic 3-day suspension period.
6. The Grievance Council shall respond in writing to all timely submitted hearing requests stating:
 - a. The time and place of the hearing, if the hearing request is granted, shall be no later than fourteen working days of the request, and
 - b. The reason for denial if the hearing request is denied.

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43.07 Hearing Procedures

1. After an employee requests a grievance hearing, the employee should be notified of the date, time, and place of the hearing.
2. If the set time/date of the hearing is not acceptable, the grievant may request a change in date, time, and/or place.
3. If the grievant fails to notify the office of the County Judge of the intent to cancel the hearing, within twenty-four (2) hours of the hearing, they may be charged for the expenses incurred to hold the hearing, with the expense being withdrawn from his/her final paycheck.
4. If it is decided that the grievant employee should continue to work until the hearing is concluded, the employee may be requested to perform duties for the benefit of the county with pay pending the outcome of the hearing.
5. The hearing shall be reported by a court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the requesting party.
6. At the hearing, on the record, the parties shall suggest any desired hearing procedures and state any complaints regarding:
 - a. The notice; or
 - b. The date, time, or place of the hearing; or
 - c. The opportunity to refute fairly the charges; and
 - d. The impartiality of the decision maker(s)
7. Informal rules of procedure and evidence (Ark. Code Ann. 25-15-208) shall be followed
 - a. Witness shall testify under oath.
 - b. Parties shall be allowed, at their own expense, to obtain and use legal counsel for representation.
 - c. Parties shall be allowed to obtain and use the presence of witnesses for examination, cross-examination, and rebuttal.
 - d. Parties shall be granted a reasonable continuance if requested prior to the hearing in writing and if necessary for stated reasons to prepare for the hearing.
8. The County Grievance Council shall hear the evidence offered by the parties, hear any argument presented by the parties, and vote without public discussion or deliberation. Only the decision and not the factual or legal reasons, therefore, shall be announced publicly. The hearing shall be held in public, if so, required by the F.O.I.A.; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.
9. After the hearing, the grieving applicant or employee shall be sent a letter explaining the factual and legal bases found by the County Grievance Council for any refusal or removal of pay or position.

43.08 Property Interest Hearing

1. Since the Boone County Personnel Policy affirmatively creates at-will employment, the employee has the burden of proving by a preponderance of evidence that he or she has a property interest in his or her employment.
2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving "just cause" for the supervisory official's intended discipline or dismissal of the employee.

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43.09 Liberty Interest Hearings

2. Claim of Arbitrary Discrimination (Unequal Treatment)
 - a. The grieving employee has the burden of proving by a preponderance of evidence that he or she is being treated differently than another person otherwise similarly situated with the employee.
 - b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of evidence that the reason for the difference in treatment is rationally related to the effectuation of a legitimate county objective.
3. Claim of Unconstitutional Punishment
 - a. The employee has the burden of proving by a preponderance of evidence that he or she has engaged in constitutionally protected conduct that was a substantial or motivating factor in any adverse employment decision, discipline, or dismissal.
 - b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the constitutionally protected conduct.
4. Claim of discrimination due to race, color, religion, gender, sex, or national origin
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is being treated or affected differently than another person who, other than for race, color, religion, gender, sex, or national origin, is similarly situated with the applicant or the employee.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the proven inequality of treatment or effect is necessary to effectuate a compelling County objective.
5. Claim of Discrimination Due to a Disability
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is a qualified individual with a disability who, because of the disability, is being treated or affected differently than another person regarding job application, procedures, advancement, dismissal, compensation, training, or other terms, conditions, or privileges of employment.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the proven difference in treatment or effect is job-related and necessary to effectuate a legitimate county objective, that performance of the job cannot be accomplished by reasonable accommodation, or that the needed accommodation would result in undue hardship on the county.
 - c. Definitions: The following definitions apply to claims of discrimination due to a disability.
 - i. "Disabled" or "disability": A physical or mental impairment that limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment.
 - ii. "Regarded as having such an impairment" includes those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.
 - d. "Discrimination" includes:
 - i. Limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status.
 - ii. Participating in contractual or other arrangements that have the effect of subjecting individuals with disabilities to discrimination.

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- iii. Using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination.
- iv. Imposing or applying tests and other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test or selection criteria are job-related and consistent with county necessity.
- v. Not making reasonable accommodations to the known limitations of a qualified individual with a disability unless the covered entity can demonstrate that an accommodation would impose an undue hardship on the operation of the county; or
- vi. Denying employment opportunities because a qualified individual with a disability needs reasonable accommodations.
- vii. "Reasonable accommodation" examples include:
 - 1. Making existing facilities used by employees readily accessible to the disabled.
 - 2. Job restructuring.
 - 3. Flexible or modified work schedules.
 - 4. Reassignments to other positions; and
 - 5. The acquisition or modifications of equipment or devices.
- viii. "Undue hardship": an action requiring "significant difficulty or expense," considering:
 - 1. The overall size of the county with respect to the number of employees, number and type of facilities, and size of the budget.
 - 2. The type of operation supported by the county including the composition and structure of the work force of that entity; and
 - 3. The nature and cost of the accommodation needed.
- ix. "Qualified individual with a disability": an individual with a disability who, with or without reasonable accommodation, can perform the "essential functions" of the employment position held or desired.
- x. "Essential functions": job tasks that are fundamental but not marginal (not every job task is to be included in determining the essential functions.)
- xi. "Disabled" or "disability": A physical or mental impairment that limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment.
- xii. "Regarded as having such an impairment": includes those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.
- xiii. "Discrimination" includes:
 - 1. Limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status.
 - 2. Participating in contractual or other arrangements that have the effect of subjecting individuals with disabilities to discrimination.
 - 3. Using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination.
 - 4. Imposing or applying tests and other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test or selection criteria are job-related and consistent with county necessity.
 - 5. Not making reasonable accommodations to the known limitations of a qualified individual with a disability unless the covered entity can prove that

BOONE COUNTY EMPLOYMENT POLICY

an accommodation would impose an undue hardship on the operation of the county

- xiv. Denying employment opportunities because a qualified individual with a disability needs reasonable accommodations. "Reasonable accommodation" examples include:
 - 1. Making existing facilities used by employees readily accessible to the disabled.
 - 2. Job restructuring.
 - 3. Flexible or modified work schedules.
 - 4. Reassignments to other positions.
 - 5. The acquisition or modifications of equipment or devices.
 - 6. "Qualified individual with a disability" is an individual with a disability who, with or without reasonable accommodation, can perform the "essential functions" of the employment position held or desired.
 - 7. "Essential functions" are job tasks that are fundamental but not marginal (not every job task is to be included in deciding the essential functions.)
- xv. Claim of Completely Arbitrary Decision
 - 1. The grieving employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conceivable legitimate governmental objective of the county.
 - 2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the action taken against the grieving employee is rationally related to the effectuation of a conceivable legitimate governmental objective of the county.
- xvi. Claim of a Violation of Arkansas Public Policy
 - 1. The grieving employee has the burden of providing by a preponderance of the evidence that he or she is being treated in a manner that violates public policy in Arkansas.
 - 2. Where the employee meets his or her burden of proof, the supervisor and/or elected official have the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the violation of public policy in Arkansas.
- xvii. Name Clearing Hearings
 - 1. The grieving applicant or employee has the burden of alleging that a "stigmatizing charge" has been publicly communicated by the county or a county official or county employee and requesting an opportunity to publicly clear his or her name.
 - 2. Where the applicant employee meets his or her burden of proof, the county shall supply the applicant or employee a public hearing opportunity to clear his or her name.

43.10 County Grievance Council

- 1. The County Grievance Council shall be five (5) members of the Quorum Court, selected, on the biennium by the Quorum Court at their organizational meeting. If the Quorum Court does not select members of the Grievance Council, then it shall be composed of all members of the Quorum Court. The Grievance Council shall elect a chair from their number who shall serve for the year. The decision of the Grievance Council shall only be advisory to the County Judge.

BOONE COUNTY EMPLOYMENT POLICY

2. The purpose of the grievance hearing is to enable the county, through its Grievance Council, to hear from both the employee and the employee's supervisory official and to thereafter decide whether an executive decision of the county official or employee violates the Constitution or the Law. If the decision being challenged in the Grievance Hearing process is determined by the County Grievance Council to violate the Constitution or the Law, then the County Grievance Council shall declare the decision to be unconstitutional or illegal and shall direct the supervising elected county official to modify that executive decision to conform that decision to the requirements of the Constitution or the Law.
 3. The County Grievance Council is not to substitute its operational judgment for that of an elected official if the decision of the county official or employee does not violate the Constitution or the Law.
 4. If the employee's supervisory official refuses to abide by the County Grievance Council's decision, then the County Grievance Council must either access the courts to seek an order enjoining the supervisory official from acting contrary to the Constitution or the Law, or the County Grievance Council shall be deemed to have acquiesced to the decision of the supervisory official and the decision of the supervisory official shall become the county's final decision with respect to the employment action taken.
- 43.11 Public access to employee grievance records is authorized only if approved by the effected employee or authorized by the Arkansas Freedom of Information.

ARTICLE 44. UNLAWFUL HARRASSMENT (PROCEDURE TO REPORT AND RESOLVE)

- 44.01 This policy provides an informal procedure for reporting any conduct or condition perceived to be race, color, religion, gender, sex, national origin, age, or disability harassment to enable the County to receive prompt notice and to act affirmatively, if needed, to assure compliance with the law. If this informal procedure does not achieve the desired result, the affected person should use the Grievance Hearing procedure to bring the matter before the County Grievance Council. Race, color, religion, gender, sex, national origin, age, harassment (by conduct or condition), or any protected class is prohibited.
- 44.02 If the conduct of a county official, employee, or a workplace condition is harassment due to race, color, religion, gender, sex, national origin, age, disability, or any protected class, it should be reported immediately to any supervisor, elected official, the county attorney, or human resources.
- 44.03 The supervisor or elected official receiving any such report shall report the matter to the appropriate elected official or officials, which, for the implementation of this procedure, shall be the elected official(s) responsible for managing the day-to-day affairs of the office of county government in which the alleged harassment occurred or in which the alleged harasser works.
- 44.04 Any supervisor or elected official receiving any report of race, color, religion, gender, sex, national origin, age, or disability harassment shall take appropriate action and make report to the county attorney or human resources to remedy any race, color, religion, gender, sex, national origin, age, disability harassment or any protected class and shall respond to the person reporting the matter so the person originating the report can be informed of the action taken.

BOONE COUNTY EMPLOYMENT POLICY

- 44.05 If the person reporting the alleged harassment is not satisfied with the action taken or if the alleged harassment continues, that person shall report the matter to the county's prosecuting attorney or deputy prosecuting attorney.
- 44.06 Except to the extent needed to implement this policy and remedy the alleged harassment, the identification of the person reporting the conduct or condition shall remain confidential.
- 44.07 Reporting conditions or conduct believed to be prohibited harassment shall not adversely affect the reporting citizen or employee.

ARTICLE 45. CONTINUATION COVERAGE – COBRA

- 45.01 On April 7, 1986, a Federal law (Public Law 99-272, Title X) was enacted requiring that most employers sponsoring a group health plan offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform all employees, in a summary fashion, of their rights and obligations under the continuation coverage provisions of that law. (Both the employee and any family member affected should take time to read this notice carefully.)
- 45.02 If an employee of Boone County is covered by Boone County's group health plan, the employee has the right to choose this continuation coverage if group health coverage is lost because of a reduction in hours of employment or the termination of employment (for reasons other than gross misconduct on the employee's part).
- 45.03 A covered spouse of an employee has the right to choose continuation of coverage if group health coverage is lost under Boone County's group health plan for any of the following reasons:
1. The death of the employee (spouse).
 2. A termination of the spouse's employment (for reasons other than gross misconduct) or a reduction in the spouse's hours or employment.
 3. Divorce or legal separation from the spouse; or
 4. The spouse becomes eligible for Medicare.
- 45.04 In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health coverage under Boone County's group health plan has been lost for any of the following reasons:
1. The death of a parent.
 2. The termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment with Boone County.
 3. Parents' divorce or legal separation.
 4. A parent first becomes eligible for Medicare; or
 5. The dependent ceases to be a "dependent child" under the terms of the contract.

BOONE COUNTY EMPLOYMENT POLICY

6. Under the law, the employee or a family member has the responsibility to inform Boone County of a divorce, legal separation, or a child losing dependent status under the plan. This notification must be made within 60 days of the date of the qualifying event, which would cause a loss of coverage.

45.05 This notice must be in writing, and should be sent to:

Boone County - Human Resources
220 N Arbor Drive, Suite. 101 Harrison, AR 72601

45.06 When Boone County is notified that one of these events has occurred, the county forwards the request to the proper agency, which will then, in turn, notify the person requesting that they have the right to choose continuation coverage. Under the law, a person has at least 60 days from the date coverage would be lost due to one of the events described above to choose continuation coverage. If this election is made, coverage will become effective on the day after coverage would otherwise be terminated.

45.07 If continuation coverage is not chosen, the employee's group health insurance coverage will terminate in accordance with the provisions outlined in the booklet/certificate.

45.08 If continuation coverage is chosen, coverage will be identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that an employee be allowed to keep continuation coverage for three years unless group health coverage was lost because of a termination of employment or reduction in hours. In that case, the required continuation coverage is 18 months (an extension to 29 months is available under certain circumstances to disabled persons).

45.09 However, the law also provides that coverage may be stopped for any of the following reasons:

1.
 1. Boone County no longer provides group health coverage to any of its employees.
 2. The premium on the continuation coverage is not paid promptly.
 3. You become an employee covered under another group health plan (as an employee or otherwise) that does not contain a pre-existing condition limitation; or
 4. You first become eligible for Medicare.

45.10 You do not have to show that you are insurable to choose continuation coverage. However, you must pay all the premiums plus a 2% administrative fee for your continuation coverage. (The law also says that at the end of the 18-month or 36-month continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the current group health plan, if the plan provided a conversion privilege.)

45.11 If you have any questions about coverage, a change in marital status, or if you, a spouse, or any covered dependent has an address change, the County Clerk's office must be notified.

45.12 If any covered child has a different mailing address, you must notify the County Clerk's office so a separate notice may be sent.

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 46. WHISTLE-BLOWER ACT *Ark. Code Anno. 21-1-601 through 608, 21-1-610*

- 46.01 The Arkansas Whistle-Blower Act prohibits a public employer from taking adverse action against a public employee who communicates, in good faith, to a proper authority the existence of waste of public funds, property, or a violation of the law; or
- 46.02 Participates, or gives information in an investigation, hearing, court proceeding, legislative inquiry, or administrative review; or
- 46.03 Objects to carrying out a directive the public employee reasonably believes violates the law.
- 46.04 Good faith is lacking when the public employee does not have personal knowledge of a factual basis for the communication or when the public employee knew or should have known that the communication of the waste or of the violation was malicious, false, or frivolous.
- 46.05 The employee may report this violation to his/her supervisor, elected official, county attorney, human resources, prosecuting attorney, Office of the Auditor of State, Arkansas Ethics Commission, or the office of the Arkansas Attorney General.
- 46.06 If a public employer takes adverse action against an employee, that employee may bring civil suit against the public employer to recover actual damages **OR** injunctive relief **WITHIN 180 CALENDAR DAYS AFTER THE OCCURANCE OF THE ALLEGED VIOLATION.**

ARTICLE 47. FAIR LABOR STANDARDS ACT

- 47.01 The Fair Labor Standards Act establishes a general minimum hourly wage for those employees who are within its coverage and not exempt from its requirements. It also supports equal pay regardless of sex and the establishment of minimum wage rates. Except for child labor restrictions, the FLSA does not impose any limitation on the number of hours that may be worked by employees covered under the Act. Instead, it looks to limit the number of hours worked by requiring added pay, in the form of overtime pay or compensatory time, for hours worked more than the established 40-hour maximum.
- 47.02 The FLSA does not require:
 - 1. Discharge notices.
 - 2. Limits on the number of hours worked for persons 16 years of age or older, if overtime pay provisions are met.
 - 3. Extra pay for weekends or holidays.
 - 4. Pay for vacations, holidays, or severance pay.
 - 5. Time off for holidays or vacation. (If employees work on holidays, they need not be paid at time and one-half, or any other premium rate. Under the Act, holidays and Sundays are treated as other days.)
- 47.03 Not all workers are covered by the FLSA. Certain workers who are outside the reach of the Act include elected officials and their personal staffs, political appointees, legal advisors, bona fide volunteers, independent

BOONE COUNTY EMPLOYMENT POLICY

contractors, and prison laborers. Other employees, while covered by the record-keeping provisions of the Act, are exempt from the overtime and minimum wage requirements. These include executive, administrative, and professional employees.

- 47.04 Exempt employees are managers, professional staff, technical staff, and others whose duties and responsibilities allow them to be exempt from compensatory provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable State laws. All employees will be notified of this unclassified status at the time of hiring, transfer, or promotion.
- 47.05 The 207(k) exemption allows employers to compute overtime for law enforcement officers who must work 171 hours in 28 days before the employer becomes liable for overtime.

ARTICLE 48. DISABILITY POLICY

- 48.01 The County will provide reasonable accommodations to qualified individuals with disabilities, unless to do so would cause an undue hardship.
- 48.02 An accommodation is a change in the work environment or in the way things are customarily done that is reasonable and that enables an individual with a disability to enjoy equal employment opportunity.
- 48.03 An individual with a disability must inform his or her immediate supervisor that an accommodation is needed.
- 48.04 When the disability and need for accommodation are not obvious, the county may require the individual to supply documentation from a medical provider concerning the disability and the need for a reasonable accommodation.

ARTICLE 49. GENETIC INFORMATION NONDISCRIMINATION POLICY

- 49.01 The county follows the Genetic Information Nondiscrimination Act (GINA) and the Genetic Information in the Workplace Act (GIWA).
- 49.02 GINA and GIWA prohibit employers and other entities covered by these laws from requesting or requiring the disclosure of genetic information of an employee or family member of an employee, except as specifically allowed by these laws.
- 49.03 To follow these laws, employees should not directly or indirectly disclose any "Genetic Information" to the county at any time. "Genetic Information" includes an employee's family medical history, the results of an employee's or family member's genetic tests, the fact that an employee or an employee's family member sought or received genetic services, and genetic information of a fetus carried by an employee or an employee's family member, or an embryo lawfully held by an employee or family member receiving assisted-reproductive services.

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 50. FREEDOM OF INFORMATION ACT

- 50.01 The county follows the Arkansas Freedom of Information Act (FOIA). Upon receiving a FOIA request, a county employee shall immediately notify his or her EO or MGR for direction.
- 50.02 Any EO or MGR receiving notice of a FOIA request shall take steps to ensure timely compliance with the request.
- 50.03 Employees shall not provide records or otherwise respond to a FOIA request without consulting with their supervisor or elected official.

ARTICLE 51. CRIMINAL BACKGROUND CHECK

- 51.01 Offers of employment in Boone County may be contingent upon the results of a background check. Background checks shall be conducted on all newly hired staff members. Testing will be conducted through the Arkansas State Police.
- 51.02 Background checks may include any or all of the following:
1. Social Security verification to confirm the applicant's social security number, date of birth, and former addresses.
 2. State Criminal History checks in the states that applicants have listed on the release form.
 3. Federal Criminal History checks with the district courts for any crimes committed in violation of federal law in the district or current residence.
 4. Driving History report from the Department of Motor Vehicles on an individual's driving history in the state, requested when applicable.
- 51.03 Procedure
1. After a verbal employment or promotion offer is made, the chosen candidate must complete the Pre-Employment Certification/Release form and return it to the Human Resource Department.
 2. HR will notify the hiring manager upon receipt of the signed release. The chosen candidate is not to begin work prior to the hiring manager receiving approval from HR. This will be part of the new hire process.
 3. HR will order the background check upon receipt of the signed release form. The HR representative will review all results. The Sheriff's Department and 911 may conduct the criminal portion of such a background check for their department or any employee who falls under the criminal justice.
 4. The HR representative will notify the hiring manager of the results of the background check. In instances where negative or incomplete information is obtained, the hiring manager will assess the potential risks and liabilities related to the job's requirements and decide whether the individual should be hired.

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 52. WORKING REMOTELY

- 52.01 County government provides a public service to our community. Many county services are limited when employees are working remotely.
- 52.02 EO and MGR should maintain an in-office schedule to ensure all county business can be conducted without any inconvenience to the public.
- 52.03 Due to the nature of county government, EO and MGR should limit employees working remotely. The allowance of remote working should not be just a routine convenience for the employee.
- 52.04 No employee should work remotely without prior approval of their EO or MGR. When necessary, an employee may have to complete urgent county business, or in case of emergencies, or when the public health, welfare, and safety of the general community is in danger. (i.e., flooding, natural disaster, pandemic, critical county business, etc.)

ARTICLE 53. APPOINTMENT OF EMPLOYEES TO FILL VACANCIES IN ELECTED OFFICES

- 53.01 If a county employee is appointed to fill a vacancy in an elected County office, they shall return to the latest vacated position at the discretion of the newly elected official.
- 53.02 If return, they shall include whatever grade/step/salary increases would have normally occurred had that person remained in the latest vacated position as a county employee.

ARTICLE 54. EMPLOYEES CARRYING FIREARMS ON COUNTY PROPERTY

- 54.01 Any employee carrying a firearm on County property must provide a copy of their concealed carry license to the County Judge's office.

BOONE COUNTY EMPLOYMENT POLICY

ARTICLE 55. EMPLOYEE ID BADGES

- 55.01 To provide a safe and secure environment, all employees will be required to wear an ID badge while in county buildings. Badges will be county property issued during the new hire process.
- 55.02 All badges must be returned if employment terminates.

ARTICLE 56. COUNTY CREDIT CARD/TRAVEL

- 56.01 County credit cards are used solely for legitimate County work purchases. Under no circumstances are county credit cards allowed to be used for personal use. All itemized receipts shall accompany the statement.
- 56.02 For groceries/restaurant purchases, there shall be an explanation for the reasoning of the purchase, including with the itemized receipt and any supporting documents (agenda and or registration).
- 56.03 **NEW PROCEDURE:**
If an error has been made in a personal purchase on the credit card(s), the following shall happen:
 (A) Before the statement is turned in for payment, the individual will go to the Treasurer's office to give them the money for the personal purchases.
 (B) Treasurer's office will receipt the money, and the individual will receive a paper receipt that will need to be turned in with the statement and a copy of the itemized receipt that was paid on.
- 56.04 County credit cards that purchase gas, receipts shall have the identification of the vehicle and mileage at the time of fueling.
- 56.05 Travel: Meals will be reimbursed for day trips. See 56.06 for Day Trip Policy. When there are overnight business meetings, an agenda and/or registration are required for any reimbursement.
 Reference Ordinance 2022-29 (see attached) for allowance rates for business trips to be reimbursed.

56.06 Day Trip Policy

1. Purpose

To establish clear guidelines for safe, cost-effective, and accountable travel conducted within a single calendar day for county-related activities such as site visits, community outreach, training, and events.

BOONE COUNTY EMPLOYMENT POLICY

2. Scope

This policy applies to all county personnel engaging in day trips that:

- Begin and end within the same day
- Do not require overnight lodging
- Are pre-approved by a supervisor or department head

3. Authorization & Approval

- All day trips must be pre-approved using the County Travel Request Form.
- Approval must be obtained at least 3 business days prior to travel.
- Emergency or last-minute travel may be approved verbally but must be documented within 24 hours.

4. Transportation Guidelines

- **County Vehicles:** Preferred method of travel.
- **Personal Vehicles:** Permitted with prior approval. Mileage reimbursement is available at the State rate.
- **Carpooling:** Encouraged when multiple personnel are attending the same event.

5. Meal Reimbursement

- Meals are reimbursable **if travel occurs outside of county lines**.
- Registration form and/or agenda and Itemized Receipts must be submitted **with the timesheet** for the pay period in which the trip occurred.
- Alcoholic beverages are not reimbursable under any circumstances.
- Travelers represent the county and are expected to always maintain professional conduct.
- Per Diem Allowances: Breakfast \$16, Lunch \$19, Dinner \$28 as established by GSA. This amount is to include taxes and tips. Breakfast is allowed if the traveler leaves before 8 am and returns after 4:30 pm, Lunch is allowed if the traveler leaves before 11 am and returns after 4:30 pm, Dinner is allowed if the traveler returns after 6 pm.
- Meal Reimbursements are to be paid by the county employee and never put on a county credit card of any kind.

FILED
9:40 AM PM
JUN 15 2022
CRYSTAL GRADY
BOONE COUNTY CLERK
BY M. Anderson D.C.

ORDINANCE (7)
NO. 2022- 29

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BOONE, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO SUPERSEDE ORDINANCE NO. 2018-17: ESTABLISHING THE AMOUNT OF MONEY PERMITTED TO BE CHARGED ON A BOONE COUNTY CREDIT CARD OR TO BE REIMBURSED FOR OUT OF TOWN MEALS ON BUSINESS TRIPS TO REFLECT THE STATE OF ARKANSAS' RATE.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF BOONE COUNTY, ARKANSAS:

Section 1. Boone County supersedes the previous food allowance rate that is on file in the County Clerk's Office, Ordinance No. 2018-17, and from this point on shall abide by the State of Arkansas' permitted rate to be charged on a Boone County credit card or to be reimbursed for out-of-town meals on business trips. Tips are not to exceed 15%. There will be no alcoholic or virgin beverages charged to a Boone County credit card. The employee is solely responsible for any amount exceeding the daily allowance. Receipts are required to be turned in for reimbursement on all meals. Boone County will reflect these changes as they are made at the State level.

Section 2. If any provision or section of this Ordinance is held invalid by a Court of Competent Jurisdiction, such invalidity shall not affect other provisions and sections of the Ordinance, and to such end the provisions and sections of this Ordinance are declared to be severable.

Section 3. This Ordinance herein enacted is an Appropriation Ordinance and therefore It is effective immediately.

DATE PASSED: 6/14/2022

SUBMITTED BY: Justice Fred Woehl

DATE APPROVED: 6/14/2022

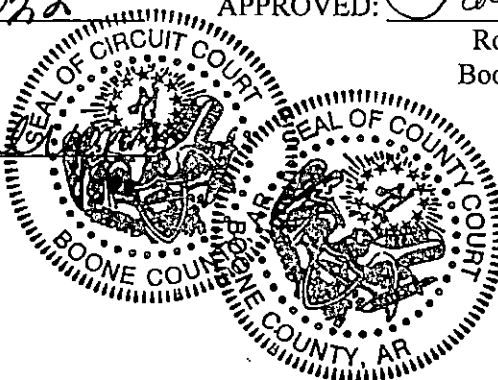
APPROVED: [Signature]

Robert Hathaway
Boone County Judge

ATTEST: [Signature]

Crystal Graddy
Boone County Clerk

Deputy



RECORDED IN

BOOK D PAGE 300