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Burt County

Employee Handbook

Effective Date: June 2022

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Section 1: Intent and Purpose

The County Board recognizes and declares the necessity of providing the most efficient and highest quality services for the citizens of Burt County while providing a work environment which is both competitive within the community and equitable for its employees.

It is the purpose of these rules to set forth the principles, procedures, and policies to be followed by Burt County in the administration of personnel. Personnel administration in all aspects shall be based on the principles of merit and equal opportunity employment.

This is a handbook guide to our policies, practices and benefits as of the date of the publication of the handbook. **It is also important to understand that the Burt County Personnel Policy and Procedure Manual does not constitute a contract between the Board and the County employees.** Rather, the information contained in this handbook reflects a general description of the policies, procedures and benefits currently in effect in the County.

The Board retains the right to modify or abolish these policies, procedures and benefits and reserves the right to adopt new policies, procedures, and benefits. Further, in any situation in which application of any provision of this handbook is contrary to Burt County's best interest, as determined solely by the Board of Supervisors of Burt County, the County is not required to apply or follow the provisions of this manual. In accordance with the above, the County also has the exclusive right and authority to exercise the customary functions of management, including, but not limited to, the right to manage and control the premises and equipment, the right to select, hire, promote, suspend, dismiss, assign, supervise and discipline its employees, and the right to determine, effectuate and implement the objectives and goals of the County.

The employees of Burt County are "at will" employees. This means any employee is free to resign from employment at any time. It also means that Burt County may terminate any employee at any time, with or without cause or notice.

An employee who accepts or continues in employment with Burt County agrees to the "at will" employment relationship described above. The employee further agrees and understands that the employee does not have, and cannot have, an enforceable agreement for employment for any specified period by Burt County or any other agreement inconsistent with the "at will" employment relationship described above, unless the agreement is in writing and signed by the Chairman of the Board of Supervisors. No employee or representative of Burt County, other than the Chairman of the Board of Supervisors, has any authority to offer or make any binding agreement to employ an employee for any specific period or any other agreement that is inconsistent with the "at will" employment relationship described above.

The personnel management system of Burt County, of which these rules are a part, is designed to bring to the County service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices.

The objectives of these rules include the following:

- to inform employees of Burt County of their rights and obligations in relation to the County,
- to inform Department Heads of their obligations toward, and their right to assign, instruct and discipline subordinate personnel, and
- to ensure compliance with applicable policies and procedures.

Section 2: Introduction

2.0 State Statues, Bargaining Agreements, and Individual Employee Contracts

The provisions of this policy manual shall be followed except where these provisions are in conflict with existing and current Nebraska Statutes. In such instances where a conflict exists, the current statutes shall take precedence over the provisions of this policy manual.

2.1 Code of Ethics for County Employees

- Employees shall not hold financial interests that conflict with the performance of their official duties.
- Employees shall not engage in financial transactions using non-public governmental information or allow the improper use of such information to further any private interest.
- An employee shall not, except as may be otherwise provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency or department, or whose interests may be substantially affected by the performance or non-performance of the employee's duties.
- Employees shall not use public office for private gain.
- Employees shall act impartially and not give preferential treatment to any organization or individual.
- Employees shall protect and preserve County property and shall not use it for other than authorized activities.
- Employees are expected to disclose waste, fraud and corruption to appropriate authorities.
- Employees shall adhere to all laws and regulations that mandate equal opportunity and treatment regardless of race, color, religion, sex, national origin, age, disability or marital status.

2.2 Amendments to the Personnel Manual

The County shall appoint a committee consisting of two Department Heads and two Board members to review the personnel policy manual every two years. The purpose of the committee will be to maintain the applicability of the policy manual and to update any material as necessary. The committee shall recommend revisions, additions, or deletions to the County Board. Amendments to the personnel policy manual may also be suggested to these committee members or to the Board by any County employee.

Amendments shall become effective upon resolution by the County Board. All such amendments shall be provided to all Department Heads for inclusion in their master copies of the personnel manual, and for posting in their departments.

Section 3: Employment Policies

3.0 Open-Door Philosophy

Our open-door philosophy is founded on Burt County's commitment to communicate openly with employees. This allows for constructive problem solving, open communication, and cooperation between Burt County and its employees. It is also designed to provide employees with resolutions to work-related problems.

Employees are encouraged to discuss any work-related issues, ideas, or concerns with their Department Head. If an employee feels the matter has not been addressed appropriately after speaking with the Department Head, or if the Department Head is not an appropriate person to go to, employees are encouraged to speak with the Board.

3.1 Equal Employment Opportunity

Burt County endorses the philosophy of equal opportunity and treatment. We provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, military, or veteran status, political affiliation, marital status, physical or mental disability, genetic information, or any other status or class protected by applicable local, state and federal law or Burt County policy. This policy shall apply to all terms and conditions of employment, including hiring decisions, compensation, promotions, privileges of employment, and discipline (including termination of employment). Burt County is firmly committed to the principle of equal employment opportunity.

3.2 Workplace Accommodation

Burt County supports and practices the principles articulated in the Americans with Disabilities Act (ADA). We make employment decisions consistent with the Act and do not discriminate against employees or applicants with disabilities, including pregnancy, childbirth, and related conditions. Burt County shall provide reasonable accommodation to otherwise qualified employees or applicants that are protected by the ADA, unless doing so will result in an undue hardship on the County.

If an employee requires an accommodation because of a disability, it is the employee's responsibility to notify their Department Head. Employees may be asked to provide medical certification from the employee's doctor including relevant information such as: (1) confirmation the employee has a medical condition requiring an accommodation; (2) a description of the proposed accommodation; (3) the reason the employee needs an accommodation; (4) how the accommodation will help the employee perform the essential functions of their job; and (5) how long the employee may need the accommodation.

After receiving the request and/or medical certification, Burt County will engage in an interactive process with the employee to determine the precise limitations of the employee's disability and explore potential reasonable accommodations that could allow the employee to perform the essential functions of their job. All medical information received by Burt County in connection with a request for accommodation will be treated as confidential and only shared with those within the County who have a business necessity to know and only to the extent necessary.

Burt County encourages employees to suggest specific reasonable accommodations that the employee believes would allow them to perform their job. However, the County is not required to make the specific accommodation requested by the employee and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the County.

If an employee is not satisfied with the Department Head's response to the request for a reasonable accommodation, employees must bring the matter to the attention of the Board.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other County provided leave where permitted by applicable state and federal law.

Burt County will not discriminate or retaliate against employees due to a disability, for requesting an accommodation, or for engaging in the interactive process.

3.3 Employee Protection (Whistleblower) Policy

If any employee reasonably believes some policy, practice, or activity of the County is in violation of law, a written complaint must be filed by that employee with the Department Head.

Anyone filing a complaint or concern must do so in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

All employees are protected from victimization, harassment, or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain. All complaints will be kept as anonymous as possible, though in some situations it may not be possible.

If at any point in time an employee is not satisfied with the resolution of or response to their complaint, or if the complaint is not resolved in a timely manner, the employee should bring the matter to the attention of the Board.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial, or business decisions taken by Burt County.

3.4 Harassment, Discrimination, and Offensive Conduct in Employment

It is the policy of Burt County to provide a businesslike work environment free from all forms of employee discrimination or harassment based on or because of race, color, sex, religion, disability, age, or national origin, including incidents of sexual harassment. No employee or member of the public shall be subjected to unsolicited and unwelcome sexual materials, overtures, or conduct, either verbal, written, electronic, or physical. Severe penalties including discharge will be imposed against those individuals who participate in incidents of sexual harassment.

Sexual harassment has been defined by the federal and state regulations as a form of sex discrimination. It is the deliberate or repeated behavior of a sexual nature by one individual to another that is unwelcome, unasked for or rebuked by the other employee. The behavior can be verbal, nonverbal or physical in nature. Examples of sexual harassment could include, but are not limited to, the following:

- Sexual comments of a provocative or suggestive nature;
- Jokes or innuendoes of a sexual nature;
- Suggestive or demeaning looks or leering;
- Creating an intimidating, hostile or offensive working environment;
- Making acceptance of unwelcome sexual conduct or advances or requests for sexual favors of any nature a condition of employment or continued employment;
- Physical contact such as patting, pinching, hugging, or brushing up against another's body;
- Materials or photographs of a sexual nature in the workplace.

Conduct of this type is improper if:

- submission to the conduct is either an explicit or implicit term or condition of employment,
- submission to or rejection of the conduct is used as a basis for employment decisions affecting the person involved, or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or environment.

3.5 Reporting Harassment, Discrimination, and Offensive Conduct

The County is committed to providing a work environment free of harassment and discrimination. All forms of harassment or discrimination directed to or suffered by any employee based on race, color, religion, sex, national origin, military, or veteran status, political affiliation, marital status, physical or mental disability, genetic information, or any other status or class protected by applicable local, state and federal law or Burt County policy.

Each employee has the right to work in a professional environment that promotes equal employment opportunities and is free from discriminatory practices, including without limitation, harassment. Statements or actions employees make

with regard to fellow employees, whether done jokingly or otherwise, may create feelings of ill will and interfere with productivity. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences.

In general, statements, slurs, jokes, and other verbal or physical conduct relating to any of the protected classes, characteristics, or bases listed above, constitute unlawful harassment when they unreasonably interfere with the person's work performance or create an intimidating work environment. Such conduct is strictly prohibited. Prohibited conduct may include, but is not limited to the following:

- Epithets, racial “jokes”, slurs or negative stereotypes, intimidating or hostile acts based upon protective classification, and/or written or graphic material that belittles or shows hostility or aversion to persons of a protected class that is posted or circulated on County property.
- Verbal harassment and unwelcome discussions relating to or motivated by a person's protected characteristic or class.
- Unwelcome requests or demands for sexual favors. This includes subtle or blatant expectations to engage in sexual relations and pressure for dates, especially when submission to such conduct is a condition of employment, or when submission or rejection of such conduct is used as a basis for employment decisions affecting the individual.
- Unwelcome or unwanted sexual advances, such as patting, pinching, brushing up against, hugging, cornering, kissing, fondling, sexual flirtations, or any other similar contact.
- Using coercive sexual behavior to control or affect the career, salary, or performance review of another employee.
- Verbal harassment or unwelcome kidding of a sexual nature, such as telling “dirty” jokes and comments about body parts, appearance, or clothing, where such comments go beyond mere courtesy or are unwelcome.
- Making threats of retaliation a term or condition of employment (explicitly or implicitly).

Of specific concern is sexual harassment, which is a violation of both state and federal law. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal, physical, or visual forms of conduct of a sexual nature when submission to that conduct is either explicitly or implicitly made a term or condition of employment or is used as a basis for employment decisions or when the conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment. Sexual harassment does not have to involve conduct of a sexual nature in order to constitute improper behavior. For example, abusive, offensive, or demeaning behavior that is directed to members of one gender only (whether male or female) may be deemed a form of sexual harassment, even though the conduct was not motivated by sexual desire or gratification. In addition, harassment of a male by another male, or a female by another female also constitutes a form of sex discrimination. Likewise, disparate treatment motivated by any other protected characteristic is discrimination and will not be tolerated.

If there are questions about whether conduct is permissible under this policy, employees should refrain from the conduct. Any person found to be engaging in any type of discrimination or harassment may be subject to disciplinary action, up to and including termination of employment.

Employees can raise concerns and make reports without fear of retaliation. The County prohibits retaliation against any individual who reports discrimination, harassment, sexual harassment, or participates in an investigation of such reports. If an employee feels they have been retaliated against, report such conduct to the County Clerk, Chairman, or County Attorney, immediately.

Any employee with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring issues to the County's attention by immediately reporting concerns or conduct to County Clerk, Chairman, or County Attorney.

All employees of the County have a responsibility to promote equal employment opportunities, and the County expects everyone to share this commitment. If an employee believes they have been subjected to any form of discrimination, harassment, sexual harassment, and/or offensive conduct, the employee must take the following action immediately:

Step 1: Ask the offending party to stop, unless confronting the offending party would be uncomfortable or place the employee in danger, and;

Step 2: Report the complaint to the employee's immediate supervisor. If the employee's immediate supervisor is unavailable or if the immediate supervisor is the person responsible for the discrimination, harassment, sexual harassment, or offensive conduct, or if the employee believes it would be inappropriate to contact the immediate supervisor or would feel uncomfortable doing so, the employee must immediately report the complaint to Human Resources.

Note the complaint must be reported in accordance with Step 2, even if the offending party is asked to stop. The County will not know of the discrimination, harassment, sexual harassment, or offensive conduct unless it is reported, and the County cannot correct it if the County does not know about it.

If an employee has reason to believe someone else has been subjected to discrimination, harassment, sexual harassment, or offensive conduct, the employee must report the conduct in accordance with Step 2 above.

The County takes all discrimination and harassment complaints seriously and will immediately investigate any concerns and/or complaints. The County will take appropriate disciplinary action under the circumstances after completion of an investigation, including but not limited to separation from employment. The County will maintain confidentiality of all complaints to the extent possible when conducting an investigation.

3.6 Personal Relationships at Work

Burt County strives to provide a work environment that is collegial, respectful, and productive. This policy establishes rules for the conduct of personal relationships between employees, including Department Heads, to prevent conflicts of interest, perceived favoritism, and maintain a productive, friendly work environment.

A "personal relationship" is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

An employee who is involved in a personal relationship with another employee may not occupy a position in the same department as, work directly for, or supervise the employee with whom they are involved.

Burt County reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who engage in a personal relationship that may affect terms and conditions of employment. Supervisors are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

When a conflict or the potential for conflict arises because of a personal relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment, or terminated from employment. If such a personal relationship between employees develops, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to their Department Head or Board. After discussion with the Board, a decision will be made at their discretion as to work assignments.

When a conflict or a potential for conflict affecting terms and conditions of employment arises because of the relationship, the individuals concerned will be given the opportunity to decide who is to be transferred to another position, or terminated, if no position is available. If no decision is made within thirty (30) calendar days of the offer to resolve the situation, Burt County will determine who is to be transferred, or if necessary, terminated from employment.

3.7 Employment of Relatives

Burt County is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

An official or employee of a political subdivision may employ, recommend, or supervise the employment of an immediate family member if: (a) he or she does not abuse his or her official position, (b) he or she makes a full disclosure on the record to the governing body of the political subdivision and a written disclosure to the person in charge of

keeping records for the governing body, and (c) the governing body of the political subdivision approves the employment or supervisory position.

Abuse of an official position includes, but is not limited to, employing an immediate family member (1) who is not qualified for and able to perform the duties of the position, (2) for any unreasonably high salary, or (3) who is not required to perform the duties of the position.

No official or employee shall employ an immediate family member (a) without first having made a reasonable solicitation and consideration of applications for such employment, (b) who is not qualified for and able to perform the duties of the position, (c) for any unreasonably high salary, or (d) who is not required to perform the duties of the position.

No official or employee of a political subdivision shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

This section does not apply to an immediate family member of an official or employee who (a) was previously employed in a position subject to this section prior to the election or appointment of the official or employee or (b) was employed in a position subject to provisions similar to this section prior to September 1, 2001.

Prior to, upon, or as soon as reasonably possible after the official date of taking office, a newly elected or appointed official or employee shall make a full disclosure of any immediate family member employed in a position with the County. *Nebraska Statute 49-1499.04-.07*

3.8 Safety Policy

Safety is important to Burt County and to all employees. It is the County's intent to provide a safe workplace for an employee's protection. Accidents cost the County money through property loss, lost time from work and increased insurance costs. All employees are expected to promote safety awareness, bring forth safety suggestions, wear protective equipment as provided and follow all safety rules. Safe work practices protect employees, their families, fellow employees, and the County.

Failure to follow safety rules or using poor safety judgment can result in disciplinary action, up to and including termination of employment.

3.9 Drug and Alcohol-Free Workplace Policy

Burt County acknowledges the problem of substance and alcohol abuse. Furthermore, we see substance abuse as a serious threat to our staff and customers. We are addressing this problem by introducing a new substance abuse policy to ensure that Burt County employees will have a drug and alcohol-free workplace.

Drug and alcohol addiction is a treatable disease. For this reason, our substance abuse program is targeted at alleviating the problem at the community level by involving our employees. Our commitment to eradicating substance abuse in the community reflects our firm belief that by building this community, we build our County.

While Burt County understands that employees and applicants under a physician's care are required to use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal substances.

The goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. Our intention is to prevent substance abuse. We would like to encourage those who use drugs or abuse alcohol to seek help in overcoming their problem. In this way, fully rehabilitated abusers who remain drug free can return to work as employees in good standing.

3.9a Definitions

Legal Drug: Prescribed drug or over-the-counter drug which has been legally obtained and is being used solely for the purpose for which it was prescribed or manufactured.

Illegal Drug: Any drug (a) which is not legally obtainable, (b) which may be legally obtainable but has not been legally obtained, or (c) which is being used in a manner or for a purpose other than as prescribed.

Alcohol: Any beverage that is considered an intoxicating agent.

3.9b Policy and Work Rule

Burt County's policy is to employ a work force free from use of illegal drugs and abuse of alcohol, either on or off the job. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense.

It is a standard of conduct of employees of Burt County that employees shall not use illegal drugs or abuse alcohol. To maintain this standard, Burt County shall establish and maintain the programs and rules set forth below.

3.9c General Procedures

An employee reporting for work visibly impaired or unable to properly perform required duties because of alcohol or illegal drug use will not be allowed to work. The employee's Department Head should first seek another Department Head's opinion to confirm the employee's status. Then the Department Head should consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred.

If, in the opinion of the Department Head, the employee is considered impaired, the employee should be sent to a medical facility for drug testing by safe transportation alternative, depending on the determination of the observed impairment, accompanied by the Department Head or another employee if necessary. An impaired employee will not be allowed to drive.

3.9d Current Employee Drug and Alcohol Abuse Testing

Burt County will maintain the right to do drug testing practices to identify employees who use illegal drugs or abuse alcohol, either on or off the job. It shall be a condition of continued employment for all employees to submit to a drug test:

- When there is a reason to believe that an employee is using or has used illegal drugs or is abusing or has abused alcohol or,
- When the employee is involved in any mishap or accident in which injury to himself or herself or other persons or damage to property has occurred. (An employee who tests positive for substance abuse at the time of treatment for work-related injury risks forfeiture of workers' compensation benefits and may be liable for his or her own medical treatment for the injury, in accordance with Nebraska Statutes).

3.9e Employee Assistance and Alcohol/Drug Rehabilitation Programs

Burt County will maintain information on local employee assistance programs and local alcohol/drug rehabilitation programs, which could provide help to employees who suffer from alcohol or drug abuse and their families. However, it is the responsibility of each employee to seek assistance from one of these programs before alcohol and drug problems lead to disciplinary actions. Once a violation of this policy occurs, subsequently using one of these programs on a voluntary basis will not necessarily lessen disciplinary actions and may, in fact, have no bearing on the determination or appropriate disciplinary action.

The employee's decision to seek prior assistance from the programs will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding, and Burt County strongly encourages employees who suspect they may have a problem to seek assistance. On the other hand, using the programs will not prevent disciplinary action when facts showing a violation of this policy are obtained outside of the programs.

Accordingly, the purposes and practices of this policy and these programs are not in conflict but are distinctly separate in their applications.

3.9f Termination or Discipline

Failure to submit to required medical or physical examinations, including drug testing, is misconduct and is grounds for immediate termination of employment.

An employee bringing onto Burt County property, having possession of, being under the influence of, possessing in the employee's body, blood or urine in any detectable amount; or using, consuming, transferring, selling, or attempting to sell or transfer any form of illegal drug (as defined above) while on Burt County business, or at any time during the hours between the beginning and ending of the employee's workday, whether on duty or not, and whether on Burt County business or on Burt County property or not, is guilty of misconduct and is subject to discipline, including immediate termination or immediate suspension without pay from employment, even for the first offense.

An employee who is under the influence of alcoholic beverages at any time while on Burt County business or at any time during the hours between the beginning and ending of the employee's workday while on duty, is guilty of misconduct and is subject to discipline, including immediate termination or immediate suspension without pay from employment, even for the first offense.

An employee shall be determined to be under the influence of alcohol if:

- The employee's normal faculties are impaired due to consumption of alcohol; or
- The employee has a blood alcohol level of .05 or higher.

Section 4: Employment Relationship

4.0 At-Will Employment

At any time, an employee has the right to terminate employment with the County for any reason or for no reason, and the County retains the same right to terminate an employee for any reason or for no reason.

It is, however, Burt County's policy to treat all employees fairly, with dignity and respect. When, in the determination of the Department Head, it is appropriate, progressive discipline may be used. This means that employees who are not performing their jobs up to expectations or who break rules or exhibit improper behavior may be subject to discipline. For minor problems, a verbal admonishment may be all that is needed to solve the problem. If there is not significant improvement or if the action is more serious, the employee could receive a written reprimand, suspension with pay, suspension without pay, or termination.

4.1 Rate Determination and Job Descriptions

The duties, responsibilities, and job descriptions will be determined by the Department Heads. The pay rate will be based on comparisons with jobs of similar duties, responsibilities, and ability requirements.

When an employee reaches milestone years of employment, they may be eligible for a merit-increase based on performance at the discretion of the Department Head and with approval of the Board.

4.2 Compensation

Employees will be paid monthly on the day of the last Board of Supervisors meeting. See the County Clerk for a schedule of these meetings.

Federal and state law requires certain deductions to be taken from each employee's paycheck. These include Federal Income Tax, State Income Tax, Medicare Taxes and Social Security (referred to as FICA), and any local tax withholdings, such as state disability or unemployment insurance. In addition, there may be other deductions that are mandated by court order such as garnishments, or child support payments that Burt County will be required to deduct from an employee's paycheck.

4.3 Introductory Period

The introductory period is used by the Department Head to observe the employee's ability to satisfactorily perform assigned duties and responsibilities. During the introductory period, the employee is expected to demonstrate the necessary skills and abilities to perform the duties for which he/she is employed. The Department Head, when assessing the employee's performance and suitability for continued employment, will pay particular attention to punctuality, attendance, willingness to work with others, and positive response to supervision. Successful completion of an introductory period does not imply guaranteed continued employment with the County.

4.3a New Hire (Including Re-Hire)

All new full-time employees shall be required to serve an introductory period of six (6) months from date of hire and shall be so notified. An employee shall be removed from original status on the day following the end of the introductory period, unless notified of extension or termination by the Department Head.

All new part-time employees shall be required to serve an introductory period of six (6) months from the date of hire and shall be so notified. An employee shall be removed from original status on the day following the end of the introductory period, unless notified of extension or termination by the Department Head.

4.3b Introductory Period for Promotions

All employees who are promoted shall be required to serve an introductory period of ninety (90) days in the new job classification before being confirmed in the new appointment.

Transfer During Introductory Period: In the case of personnel actions (lateral move or move to a lower position) employees may be required by the elected or appointed official to serve an introductory period. The length of the introductory period is at the Department Head's discretion but shall not exceed six (6) months beginning on the date of the transfer.

Extension of Introductory Period: A Department Head may extend the introductory period of an employee for reasons of performance, or transfer for a period not to exceed a total of one (1) year from the date of hire or rehire or transfer. The employee shall be notified in writing of the extension.

The notification of extension shall include the specific period of extension. In cases of extension for performance reasons, the employee shall be provided specific performance improvement requirements.

Notification of extension must be accomplished before the expiration of the introductory period and shall not be backdated once the introductory period has ended.

Completion of Introductory Period: **Completion of the introductory period in no way implies a contract of continued employment with the County nor does it create a property interest in employment with the County.** The employee and employer relationship is for the mutual benefit of both parties and either party may sever the relationship at their will at any time.

If an employee cannot or does not perform satisfactorily in the position to which he/she is transferred, the elected or appointed official may transfer the employee to another position of either the same salary grade or a lower salary grade. If no other position is available for transfer, the Department Head may reassign the duties of the employee, reclassify the employees to a classification of a lower salary grade, or terminate the employee.

4.4 Background Checks and Drug Testing

4.4a Background Checks

Depending on the Department, an offer of employment at Burt County are contingent upon clear results of a thorough background check. Background checks may be conducted on candidates and on all employees, who are promoted, at the discretion of the Department Head.

4.4b Drug Testing Policy

Candidates who have received an offer of employment may be required to undergo testing for commonly abused controlled substances in accordance with this policy. This is dependent on the position and department. Burt County also reserves the right to drug test at random, upon reasonable suspicion, as well as drug test post-accident at the discretion of the County. Any employee who refuses to take a drug test when asked may be subjected to disciplinary action up to and including termination.

4.5 Physical Examinations

As a condition of continued employment with Burt County, employees may be required to pass an annual physical examination. An employee shall be notified in writing if their job classification requires the passing of physical examinations. The physical examination shall be paid for by the County and shall be performed by a physician selected by the County. The attending physician will review the job description and make a determination as to whether or not the employee is able to perform the essential functions of their job classification. Failure to provide accurate or complete medical information to the physician will result in disciplinary action up to and including termination.

Any job offer made in instances where a physical examination is required is contingent upon the applicant passing the physical. Failure to provide accurate or complete medical information to the doctor physician will disqualify the applicant from the hiring process.

4.6 Performance Reviews

To ensure employees perform job functions to the best of their abilities, it is important employees are recognized for good performance and receive appropriate suggestions for improvement when necessary. To achieve this goal, Burt County evaluates employee performance on an ongoing basis and will attempt to give employees a written performance evaluation at least once per calendar year. If an employee has not received a performance evaluation in accordance with this time frame, it is the responsibility of the employee to notify their Department Head to help the County ensure the appraisal process is administered in a timely manner.

All written performance evaluations will be based on an employee's overall performance in relation to an employee's job responsibilities and the County will also consider such factors as attendance, tardiness, and conduct towards Burt County, fellow employees, and customers.

A performance evaluation is not a contract or a commitment to provide a pay raise or other compensation adjustment, promotion, bonus, continued employment or retention. Such an evaluation is but one of several factors the County may consider in making these and other employment decisions.

4.7 Progressive Disciplinary Steps

Burt County has established policies and guidelines to encourage efficient work operations and to encourage employees in correcting work-related issues. In cases where an employee fails to abide by guidelines, policies, or meet job requirements, the Department Head or Board will select the appropriate disciplinary action based upon the circumstances. Appropriate disciplinary action may include but is not limited to coaching, verbal warnings, written warnings, a performance improvement notice, probation, suspension, demotion, and termination, in no particular order.

Burt County reserves the right to exercise judgment in determining which level of discipline to impose, including termination, depending on the situation. Thus, any of the steps may be bypassed, skipped, or combined as deemed appropriate by Burt County under the circumstances.

Note that the same workplace violation or performance issue need not occur in order to progress through additional disciplinary steps. Burt County reserves the right to immediately terminate employment when conduct and circumstances support such action.

Verbal Warning: A verbal warning to an employee may be documented in writing should the Department Head or the immediate Department Head deem it necessary. In the event that the verbal warning is documented, the employee shall receive a copy.

Written Reprimand: A written reprimand is a documented written correspondence issued by the Department Head. The reprimand will state the action that caused the reprimand to be issued and what corrective action must be taken by the employee to ensure the violation does not reoccur. The employee will receive a copy of the written reprimand. A copy of the written reprimand, signed by the employee, will be placed in the employee's personnel file. A written reprimand is not subject to the "Grievance Procedure".

Suspension with Pay: A Department Head may suspend any employee with pay for a period of time pending the outcome of an investigation into a complaint. The Department Head shall notify the employee in writing of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure."

Suspension without Pay: A Department Head may suspend any employee without pay for a period not exceeding sixty (60) calendar days in any twelve (12) month period, however, no single suspension shall be for more than thirty (30) calendar days. The Department Head shall notify the employee in writing of the reasons for the action and the number of days of suspension. An employee who is suspended has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure."

Termination: A Department Head may dismiss any employee under his/her jurisdiction by delivering a written statement to the employee concerned. The written communication shall indicate the reasons for the action, any relevant supporting evidence and the date the dismissal is effective. If the Department Head wishes to make the action immediate, the employee may be placed on leave with pay pending the delivery to the employee of the written communication addressing the dismissal. Prior to the termination taking effect, the employee shall be provided with an opportunity to present facts and/or explain circumstances that he/she feels will refute the charges. An employee who is dismissed has the option to file a grievance, following the procedure outlined in the section entitled, "Grievance Procedure."

Examples: To give some idea of what the County considers improper behavior, see the following examples. These are not a complete list and the County reserves the right to investigate, make judgments and take appropriate disciplinary action in each individual incident. The level of severity of any infraction and the disciplinary action to be taken is solely at the discretion of the Department Head.

- Working under the influence of alcohol or any illicit drug that interferes with expected job performance.
- Conviction of a felony.
- Misconduct proven to be sexual harassment.
- Violation of a safety rule that would endanger a person or County property.
- Theft including either County property or another person's property
- Possession, distribution or use of drugs or alcohol on County property.
- Falsifying time keeping records with intent to defraud.
- Deliberate or willful misrepresentation of County policy.
- Willful damage or destruction of County property.
- Fighting or attempting bodily injury to another person on County property.
- Insubordination or willful refusal to follow an order.
- Loafing, loitering or sleeping during work time.
- Failure to report on-the-job injuries.
- Abuse of sick leave policy.
- Neglect of duty or incompetence.
- Improper recording of time worked.
- Habitual or excessive tardiness.
- Absenteeism determined to be excessive of the department's attendance guidelines.
- Work performance that is below the standards of performance required by the department.
- Distribution or posting of written or printed matter that is not authorized by management.
- Excessive use of County phones and/or Internet for personal use.

4.8 Vacancies – Promotional

All approved vacant full-time County positions that shall be filled through the promotional process, shall have a job opening announcement posted in the Courthouse for a minimum of fourteen (14) calendar days.

Job opening announcements shall specify the title and salary range of the position being announced, the nature of the work to be performed, the experience and training required, the time, place and manner of making application, and other pertinent information related to the position.

All applicants shall be filed with the appropriate Department Head or their designated representative on or before the closing date specified in the job announcement.

The promotional process shall be open to all persons who meet the qualifications and other requirements for the position as set forth in the job announcement.

4.9 Separation of Employment

Employment with Burt County is at will and may be terminated at any time by the employee or by Burt County with or without notice or cause. In the event an employee chooses to resign employment, employees are requested, but not required, to give two weeks advance notice. Employees may be asked to participate in an exit interview prior to their last day.

Generally, the last day an employee works will be considered the employee's last day of employment and is used to determine all benefits. Prior to an employee's last day, the employee must return all equipment or property. Otherwise, a deduction for the value of any non-returned property/equipment and any other amounts the employee may owe the County may be made from the employee's final paycheck, as authorized by the employee in the Acknowledgement form of this Handbook. Final pay of wages or other compensation due to an employee will be made in accordance with applicable federal, state, or local laws.

4.10 Reduction in Force

Employees may be laid off from any department in the County because of lack of funds or lack of work.

No regular employee shall be laid off from his/her job while there are introductory employees working in the same department at the same or lower classification grade for which such affected employee meets the minimum employment qualifications. In determining the order of layoff, Department Heads shall consider an employee's job performance rather than seniority. Layoffs shall not be considered disciplinary actions.

Employees subject to layoff shall be mailed a certified letter or some form of written notification at least ten (10) working days prior to the last effective date of employment. Such notice shall be mailed to their last known address shown on the Department Head's records. The time limit provided in this Section may be extended if the affected employee(s) did not have reasonable opportunity to have received the written notice.

The names of regular employees who have been laid off shall be placed on a layoff list maintained by the Department Head and such employees shall have priority for re-employment for a period of sixty (60) days.

4.11 Re-Employment Policy

Former employees of the County shall not be eligible for re-hire without prior approval of the County Board. Former employees who have been fired by Burt County, or who chose to resign in lieu of being fired, are not eligible for rehire by Burt County in any County position.

4.12 Job Abandonment

Employees who have been a no call/no show for 2 consecutive days without notifying Burt County may be considered, at the discretion of Burt County, to have voluntarily resigned from employment. If an employee were to walk off the job mid-shift and not return that day, the employee must return to work the following day with an explanation. This action will be allowed once, or this is considered a voluntary termination and an employee will not be eligible for rehire by Burt County.

Section 5: Employment Classification, Hour, and Wage Policies

5.0 Classification of Employment

Employment classifications are established as part of the Fair Labor Standards Act (FLSA) as administered by the Wage and Hour Division of the Department of Labor (DOL). Depending on an employee's position, each position is designated as either "non-exempt" or "exempt" from the overtime provisions of the federal and state wage and hour laws under the FLSA.

Understanding the definitions of the employment classifications are important. These classifications do not guarantee employment for any specified period.

Non-Exempt (Hourly) Employees are typically paid by the hour and are entitled to overtime pay under the specific provisions of federal and state laws.

Exempt (Salary) Employees are typically paid by salary and are excluded from overtime provisions of federal and state wage and hour laws.

5.1 Employment Categories

Introductory Employee is a new, rehired, promoted employee who has not yet completed Burt County's introductory period. New or rehired employees are not eligible to receive any pay out benefits. See health insurance and sick leave policies for clarification of when an introductory employee may start utilizing these benefits.

Regular Full-Time Employees have completed their introductory period and is regularly scheduled to work thirty (30) to forty (40) hours per week. Regular full-time employees are eligible for County benefits as explained in the employee benefits section.

Regular Part-Time Employees have completed the introductory period and is regularly scheduled to work less than thirty (30) or forty (40) hours per week. Part-time employees are not eligible for County benefits, unless otherwise provided in Burt County's benefit section of the Handbook.

Temporary Employees are hired to work full time or part time, with the understanding that he/she will be employed for only a short period of time or until a specific project is completed. Temporary employees may be terminated before the completion of a project or designated time when Burt County deems termination to be its best interest. Temporary employees may be eligible for select benefits, see Burt County's benefit section of the Handbook.

5.2 Hours of Work

Most County employees work Monday through Friday unless alternative hours are established by the Department Head and approved by the County Board of Supervisors, from 8:00 a.m. to 4:30 p.m. Any alternative hours established must be approved by the Burt County Supervisors. Employees will be given a 30-minute unpaid lunch period and two (2) fifteen-minute paid breaks during the day.

5.3 Attendance and Punctuality

Definition of an Absence

Burt County defines an absence as failure to report for and remain at work as scheduled. The only exceptions to this definition of an absence are those approved in this Handbook.

Notifying a Department Head

Regular attendance by all employees is an essential function of every position. An employee unable to report for work as scheduled must notify their Department Head as soon as possible. If the absence is excused, such notice must be given as far in advance as possible of the time assigned for reporting to work. Frequent, unexcused absence or tardiness may subject an employee to disciplinary action.

Expectations

A permanent attendance record for all employees is maintained. Attendance records are reviewed periodically and employees showing attendance problems will be counseled and/or disciplined by their Department Head. Regarding

attendance, employees are expected to exercise good judgment with respect to contagious ailments which might have an adverse effect on other employees and attend to personal affairs during nonworking hours where possible.

Reporting Late or Leaving Early

When an employee reports late for work or finds it necessary to leave early, the employee must check with the Department Head. Frequent tardiness may subject the employee to disciplinary action.

5.4 Recording Work Time

Exempt Employees: Exempt employees are not required to clock in and out during the workday. Exempt employees are, however, required to request time off for PTO and any other paid time off.

Non-Exempt Employees: All non-exempt employees are responsible for using Burt County timekeeping system to record all time worked accurately, without exception, so they will be paid correctly. This includes paid time off. Working off the clock is not permitted. Rest breaks of 15 minutes or less and infrequent restroom breaks are considered time worked and should not be entered on an employee's timecard. Non-exempt employees must clock out at the start of their meal break and clock back in when finished.

Non-exempt employees should not begin working, or clock-in, before their scheduled start time and should not work beyond their scheduled end time without approval from their Department Head. Employees who begin their shift prior to scheduled or stay longer than scheduled without prior approval will be paid for all hours worked but may be disciplined for violating this policy.

A timecard is considered a legal document. Employees are prohibited from engaging in any conduct to falsify their own or another employee's hours worked. Tampering, altering, or falsifying time records, or recording time on another employee's timecard is a serious infraction of policy and may result in disciplinary action, up to and including termination. Additionally, employees may only clock-in and out for themselves, never for another employee.

5.5 Overtime

Employees that are deemed not exempt under the Fair Labor Standards Act (FLSA) and who work in excess of forty (40) hours per week, shall receive overtime pay or compensatory time at a rate of time and one-half (1 1/2) for all hours worked over forty (40). The FLSA provides certain exemptions to these overtime provisions when it comes to public agency law enforcement personnel. In particular, the FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement, including security personnel in correctional institutions, if that public agency employs fewer than five such employees during the work week. See 29 U.S.C. 213 (b) (20); 29 C.F.R. 553.200 *et seq.*

For the purpose of computing overtime, the workweek will commence at 12:01 a.m. Saturday and end at 12:00 midnight on Friday. Days off, such as vacation, sick leave, and holidays, shall not be included in the accumulation of hours worked. Adjustments may be made to an employee's hours in an effort to maintain the hours worked by an employee at or below forty (40) in a week. Such adjustments must be made prior to the time that an employee works forty (40) hours in a week. Once an employee has worked over forty (40) hours, payment for time in excess of forty (40) hours must be at time and one-half (1 1/2) or given in compensatory time at time and one-half (1 1/2). The Department Head and the employee shall agree to the method in which payment is to be made prior to working the overtime hours.

Regulations:

- Authorization to work overtime shall be obtained from the employee's immediate supervisor prior to working overtime hours.
- Failure to obtain authorization before working overtime may subject the employee to disciplinary action.
- Employees working more than forty (40) hours per week must be credited overtime during the week in which it was earned and paid during the same pay period, if possible, or no later than the subsequent pay period; except in cases where compensatory time has been previously agreed upon in lieu of overtime payment.

5.6 Compensatory Time

Upon proper authorization, up to one hundred and sixty (160) hours of compensatory time may be accumulated by employees not involved in law enforcement activities.

Time accumulated over the 40-hour work week will be paid at time and one-half (1½). Payment of compensatory time shall be paid at the employee's current hourly rate. The Department Heads will oversee the employee's use of compensatory time to ensure the department will not be understaffed as a result of the employee's absence. All unused compensatory time remaining when the employee separates from Burt County shall be paid at the employee's current hourly rate or the average regular rate of pay for the final 3 years of employment, whichever is greater.

Accumulated compensatory time shall be used within 6 months.

5.7 Complaint Procedure Regarding Deductions/Overtime Eligibility

The County respects our obligations under the various federal, state and local laws that govern the workplace, including the Fair Labor Standards Act (FLSA). Accordingly, the County strictly prohibits the making of improper deductions from the salaries of exempt employees. The County wants employees to be aware of this policy and that the County does not allow deductions that violate the FLSA.

In the event an employee believes the County has made an improper deduction from an employee's wages, the employee must promptly bring the matter to the attention of the County Clerk. If an employee is not satisfied with Burt County's handling of the complaint, the employee must bring the matter to the attention of the Board. Reports of improper deductions will be promptly investigated. If it is determined an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

Section 6: Benefits and Leave Policies

Burt County offers a benefit package to full-time employees. Burt County reserves the right to amend or terminate any of these programs or to require increases in employee premium contributions toward any benefits, at the County's discretion.

6.0 Workers' Compensation Benefits

Employees may receive workers' compensation benefits if injured on the job, or if they contact an employment-related disease. Worker's compensation benefits shall not be received if the employee was willfully negligent at the time of injury or under the influence of drugs or alcohol.

Employees shall report all such incidents of work-related injuries to their Department Head immediately upon notice of injury, but no later than five (5) working days after the injury in order to obtain proper medical treatment and to complete the required forms. Eligibility for workers' compensation benefits is determined on the basis of an accurate report of the incident as well as the time frame in which it is reported.

An employee who is determined to be disabled and unable to work due to a work-related injury will be compensated at an amount determined by the workers' compensation laws in effect at the time of injury or disability. Medical expenses incurred in the treatment of an injury or illness determined to be work related will be paid upon receipt of documented medical statements supporting the claim.

Among other benefits available under workers' compensation are rehabilitation, total and partial disability allowances, and death benefits.

6.1 Health and Dental Insurance

All personnel hired as full-time employees are eligible for health insurance benefits under a group plan. All full-time employees will receive any tier (i.e.: employee, employee/spouse, employee/family, employee/child) of Health coverage they choose at the expense of the County. All full-time employees will receive Dental (employee only) coverage at the expense of the County. Full-time employees have the option to enroll in dental coverage for their family (spouse and children) at their cost through our payroll program. Health insurance will not be provided for part-time employees.

Specific benefits and plan information, including voluntary benefits, may be obtained from the County Clerk. All benefit plans are subject to change from time to time.

If an eligible employee foregoes Health coverage, they will receive cash in lieu of that coverage.

6.2 Retirement Benefits

A mandatory retirement benefit plan, which is set forth in statute, shall be applied to all County employees who are employed by the County for 20 hours or more per week. Mandatory enrollment is required upon hire.

A voluntary retirement benefit plan shall be provided to all part-time regular employees if the employee has reached the age of 18 or older.

For more specific details regarding the benefits provided to Burt County employees, an employee should contact the County Clerk's office.

6.3 Travel Expenses

Reimbursement will be made only for travel expenses strictly essential to the transaction of County business.

6.4 Full-time/Part-time Employee Benefits

Full-time/part-time employees of the County shall receive the following benefits.

Vacation: A full-time employee shall be granted annual vacation leave with pay, based on the employee's anniversary date with the County, in the following amounts per year:

Years of Service	Annual Vacation Time
End of Introductory Period – 1 Year	40 Hours
Beginning of 2 nd Year – 5 Years	80 Hours
Beginning of 6 th Year – 9 Years	96 Hours
Beginning of 10 th Year +	120 Hours

Employees are able to carry over up to 40 hours of vacation leave per anniversary year. Any vacation time left over will be paid out to the employee after their anniversary date on the next pay date.

Part-time regular employees shall receive the same vacation benefit as full-time employees on a prorated basis. Vacation time shall not be granted to, emergency, temporary or per diem employees.

Vacation of one week or more should be scheduled with the approval of the Elected Official or Department Head at least fifteen (15) days prior to said vacation. Vacations of less than one week duration should be scheduled with the approval of the Elected Official or Department Head at least five (5) working days prior to said vacation.

6.5 Holidays

Actual paid holidays for the employees of Burt County, Nebraska will be designated by the Board of Supervisors of Burt County via a Resolution on or before the beginning of each calendar year.

The following list **may** be designated as paid holidays:

New Year's Day	January 1
Martin Luther King Jr. birthday	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Columbus/Indigenous Peoples' Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25

Elected Officials of Burt County **may** choose **one** of these days to add to the paid holiday list for that year's Resolution.

Arbor Day	last Friday in April
Christmas Eve Day	December 24

All days declared by law or proclamation by the President or the Governor during the year after the Board of Supervisors have passed the Holiday Resolution List for that year **may** be put on the agenda at a regular County meeting to be presented, discussed, and passed by the Board of Supervisors before it is a paid holiday for that year. A special meeting may be called if needed by the Board of Supervisors.

A recognized paid holiday occurring on Saturday will normally be observed on the preceding Friday and a holiday occurring on a Sunday will normally be observed on the following Monday.

Employees must be a full-time or a regular part-time employee and normally scheduled to work the day any holiday falls on to qualify for holiday pay. Holiday pay will be the employee's straight-time hourly rate multiplied by the number of hours usually worked in a day by the employee.

A non-exempt employee may be required to work on a designated paid holiday. If a non-exempt employee is required to work on a designated paid holiday, the employee will be paid time and one-half (1 ½) the employee's straight time hourly rate for hours worked, plus holiday pay.

An exempt employee will not receive any additional compensation for holidays. Rather, they will receive the same salary for the week in which the holiday occurs that they would have received for the week had there been no holiday.

6.6 Sick Time

Years of Service	Monthly Sick Time
End of Introductory Period – 5 Years	8 Hours
Beginning of 6 th Year +	20 Hours

Sick leave shall not be used as vacation leave. Sick leave shall be used for purposes such as, but not limited to, actual sickness, injury, dental, physical optical exams to employee's self or a member of the immediate family when his or her presence is necessary.

If/When an employee is unable to report to work after two (2) days because of illness, they must provide a doctor's note to their Elected Official or Department Head.

Unused sick leave will expire on termination of employment for any reason and employees will not be reimbursed for unused sick leave. Sick leave will accrue to a maximum of 960 hours.

Employees may donate their sick time to another County employee in need of sick leave. Please reference the Sick Time Donation Policy.

Sick leave shall not be granted to emergency, temporary or per diem employees.

Qualifying part-time employees shall receive the same benefits as full-time employees only on a prorated basis.

6.7 Family Medical Leave Act (FMLA)

Basic Leave Entitlement:

Under the Family and Medical Leave Act of 1993 ("FMLA"), employees may be eligible for up to 12 weeks of unpaid leave. To be eligible for this leave, an employee must: (1) have been employed by Burt County for at least 12 months; (2) have worked at least 1,250 hours during the 12 months immediately preceding commencement of the leave; and (3) be employed at a location where 50 or more employees are employed or a location where there are 50 or more employees within 75 miles of your location. This leave consists of up to 12 weeks of unpaid leave during a 12-month period for any of the following reasons:

- The birth of a son or daughter/ to care for such son or daughter.
- The placement of a son or daughter with you for adoption or foster care.
- To care for a spouse, son, daughter, or parent with a serious health condition.
- Your own serious health condition which makes you unable to perform your job.
- To handle various non-medical "qualifying exigencies" arising out of the fact that your spouse, son, daughter, or parent is a "military member" on "covered active duty" or on call to "covered active-duty status".

Examples of "qualifying exigencies" arising out of the covered active duty, which may qualify for this type of FMLA leave include, but are not necessarily limited to: (a) short-notice deployment (seven calendar days or less); (b) military events and related activities; (c) childcare and school activities; (d) making financial and legal arrangements; (e) counseling sessions for you, the covered military member or for a child or dependent; (f) up to fifteen days of leave to spend time

with the covered military member who is on short-term, temporary rest and relaxation leave during the period of deployment; (g) post-deployment activities; (h) parental care leave to care for a military member's parents who is incapable of self-care when the care is necessitated by the member's covered active duty (including arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility); and (i) other events and additional activities that arise out of the military duty if we agree these qualify.

A husband and wife who are eligible for FMLA leave and are employed Burt County are limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken to care for the employee's parents with a serious health condition, for the birth of the employee's son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement.

FMLA leave for the birth of a child or placement of a child for foster care or adoption must be completed within 1 year after the birth or placement.

Servicemember Family Leave:

Additional leave time may be provided for the spouse, son, daughter, parents, or next of kin of an injured or ill "covered servicemember" or "covered veteran" who is undergoing medical treatment, recuperation, or therapy, is otherwise on outpatient status, or is otherwise on the temporary disability retired list, for a "serious injury or illness".

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember or covered veteran may be entitled to a total of 26 workweeks of leave during a single 12-month period to care for the injured or ill servicemember or veteran. Leave to care for an injured or ill covered servicemember, when combined with other FMLA qualifying leave, may not exceed 26 weeks in a single 12-month period.

For Servicemember Family Leave, the 12-month period begins on the first day of the leave.

The 12-Month Period:

In calculating entitlement to FMLA leave, the 12-month period is determined on a "rolling" basis, measured backward from the date an employee uses any FMLA leave. Under this method, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

For example, if you use four weeks beginning February 1, 2019, four weeks beginning June 1, 2019, and four weeks beginning December 1, 2019, you would be entitled to four weeks of leave; on June 1, 2020, you would be entitled to an additional four weeks, etc.

Concurrent Use of PTO & Worker's Compensation:

You will be required to take any available PTO (if any) as part of your FMLA leave that would otherwise be unpaid. Upon exhaustion of available PTO, the remainder of the FMLA leave will be unpaid. Employees do not continue to accrue PTO during any period of such leave.

Employees on leave for a condition or injury covered by Worker's Compensation will be required to take FMLA leave concurrently with that Worker's Compensation leave.

Notice:

In the case of foreseeable leave, you must provide 30 days advance notice, if possible. If 30 days' notice is not possible, notice must be provided as soon as possible.

Notice must be provided either in writing (for foreseeable leave only) or by calling (for either foreseeable or unforeseeable leave). When requesting leave for the first time for a FMLA-qualifying reason, the employee must provide sufficient information for Burt County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization, or continuing treatment

by a health care provider. Calling in “sick” is not enough and additional information should be provided so that Burt County is informed that FMLA leave is being requested or may otherwise apply.

Employees must also inform the appropriate the County representative if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Certification:

In the case of leave due to the serious health condition of you or your spouse, child, or parent, you will be required to provide appropriate medical certification. This certification must include information such as the date the serious health condition commenced; the probable duration of the condition; the appropriate medical facts within the knowledge of the health care provider regarding the condition; and, in the case of your own serious health, a statement from a health care provider that you are unable to perform your job duties. In addition, if your leave is to care for a family member, the health care provider must indicate that you are needed to care for the family member and provide an estimate of the time you will be needed.

In the case of servicemember family leave, you must provide appropriate certification to confirm the family member is a “covered servicemember” or “covered veteran”. This certification must include information such as the date the serious injury or illness commenced, the probable duration of the serious injury or illness, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, the health care provider must indicate that you are needed to care for the covered servicemember and provide an estimate of the time you will be needed, and if the individual is a covered veteran, confirmation that the military member is a veteran, the date of separation, and whether the separation was other than dishonorable.

In the case of military “qualifying exigency” leave, you will be required to provide appropriate documentation and certification of the need for leave and certain details related to the leave, including but not limited to, where applicable, a copy of the military member’s Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member’s leave.

Failure to Provide Notice/Certification:

Failure to provide required notices or certifications may result in a delay in the leave of absence or loss of the protections provided by the FMLA. It is vital that you comply with all notice and certification requirements in a timely manner. Burt County will do the same with its requirements.

Response by Burt County:

Burt County will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employee’s rights and responsibilities regarding FMLA leave. If an employee is not eligible, Burt County will provide a reason for the ineligibility. Burt County will generally notify an employee within 5 business days whether he or she is eligible for FMLA leave.

Burt County shall notify the employee in writing if the medical certification is incomplete or insufficient, and state the information needed to cure the deficiency. The employee shall have 7 calendar days to cure the deficiencies.

Regular Reporting:

While on FMLA leave, employees must keep Burt County informed of their plans to return to work. As a general rule, the employee must contact their Department Head at least once every two weeks. Other reporting schedules may be agreed on between the employee and the Department Head based on the employee’s individual circumstances. Reasonable notice (at least two business days, and more if possible) is required prior to returning to work on any date other than the originally scheduled return date.

Scheduling Treatment and Intermittent Leave:

If it is necessary for you to take leave to obtain planned medical treatment, you must make a reasonable effort to schedule the treatment, so it does not disrupt our operations. In some cases, you may need leave on only an

intermittent basis. In those cases, you may be assigned to an alternative position which better accommodates your intermittent absences.

Benefits:

Any group insurance you had prior to leave, if any, will continue during the term of your leave on the same basis as if you were not absent from work, including your obligation to pay your normal portion of the premium. Please note that if you fail to return from your leave, we may recover from you the cost of any premiums paid on your behalf to continue insurance coverage, as allowed by law.

Return to Work:

Upon return from your leave, we will reinstate you to your former position or to an equivalent position. Your seniority and benefits will not continue accruing during any unpaid period of your leave. If you are returning from a leave due to your own serious health condition, you must provide a note indicating that you may return to work and that you can perform all the essential functions of the position, with or without accommodation. For intermittent leave, Burt County may require a fitness for duty certification as often as every 30 days if the health condition involves a contagious disease, or could reasonably affect the employee's, a coworker's, or third party's safety.

An employee who is unable or declines to return to work upon expiration of FMLA leave, has exhausted all other leave, and is not entitled to any leave under any other applicable law, including the ADA, will be considered to have voluntarily resigned.

Additional Questions:

It is impossible to cover all aspects of the family medical leave act in this policy. Therefore, when you determine that you will need to take leave under this policy, please contact the County Clerk for additional details. For further information, you may also refer to the Federal Department of Labor's "Employee Rights and Responsibilities" notice.

6.8 Funeral Leave

An employee may be allowed up to five days paid funeral leave for a spouse or child. An employee may be allowed up to three days paid funeral leave for a parent, brother or sister, mother or father, mother-in-law or father-in-law, or grandparent, all with the approval of the employee's Department Head.

A special leave (non-family) of one-half day may be granted to attend a funeral, at the discretion of the Department Head.

6.9 Military Leave

All employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, and Coast Guard Reserve will be provided a leave of absence, without pay, to perform voluntary or involuntary military duties. Notify your supervisor as far in advance as possible of the date you need to be absent.

The County will comply with all applicable state and federal laws regarding military leave. Required forms are available in the Clerk's Office.

6.10 State-of-Emergency Leave

Employees called to active service by the state when the Governor declares a state of emergency will be granted state-of-emergency leave. Employees will receive their normal salary or compensation, less state active-duty base pay received from the state.

6.11 Jury Duty

An employee who is selected for jury duty shall receive a paid leave of absence for the time the employee spends on jury duty. The employee shall receive regular pay and may turn over any fees for jury service to the County. If an employee is excused early, they must return to work immediately and complete their shift since they are being paid for their time. Regular part-time employees receive pay for the hours they normally would have been at work.

6.12 Voting

Registered voters are encouraged to exercise their right to vote. If there is a two-hour block of time available for an employee to vote prior to or after scheduled work hours on election day, the employee must vote during that period. If there is not a two-hour block of time available, the County will permit such time off from work as may be necessary for the employee to have a two-hour block of time to vote, provided the employee requests such time off prior to the day of the election. For example, if the polls open at 7:00 a.m. and close at 7:00 p.m. and the employee's scheduled hours are 8:00 a.m. to 6:00 p.m. on the day of the election, the County will permit the employee to either be one hour late to work or leave one hour early on the day of election, to be determined by the County.

6.13 Birthday Leave

At the discretion and with the approval of the Department Head, each employee may be given leave for their birthday.

Section 7: General Personnel Policies

7.0 Outside Employment

Employees may be entitled to engage in outside employment, provided that the duties of the outside employment do not constitute a conflict of interest or conflict with an employee's job performance with the County. Prior to engaging in outside employment, an employee must communicate with their Department Head about the duties and required work hours of their additional occupation. Employees may not use Burt County resources or equipment for any work outside of their duties at Burt County.

7.1 Conflicts of Interest

An employee shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature that is in conflict with the proper discharge of their duties in the public interest.

An employee is prohibited from using or attempting to use their official position to secure unwarranted privileges or exemptions for themselves or others.

Employees shall not give the impression that any person can improperly influence them in the performance of their official duties, or that they are improperly affected by the kinship, rank, position or influence of any party or person.

Employees shall not accept gifts of value or loans from persons doing business with the County, which are intended to, or which appear to influence the official relationship between the donor and recipient.

7.2 Political Activity

No employee shall use his/her official authority or influence to further the cause of any political party, or candidate for nomination or election to public office. In addition, no employee shall use his/her job to distribute or receive political favors. If an employee wishes to take part in political activities (other than voting) during normal scheduled work hours, he/she must use vacation leave or leave without pay to cover this period of absence.

All employees have the right of protection from political coercion of any type from any person. Employees may not be interrupted during duty hours by political activities.

All employees have the right to vote as they choose and to express their opinions on political subjects and candidates.

7.3 Personnel Records

The County is responsible for maintaining a personnel file for each employee. These files are confidential and are available only to the employee to whom they pertain, to the Department Head, and to the Board of Supervisors.

An employee's personnel file contains important information pertaining to employment history including but not limited to job classification(s), employee benefits, performance evaluation reports, salary and leave history.

Personnel records are the property of the County and no information can be taken from the personnel records by any person including the person about which the record is concerned. Such conduct could result in severe disciplinary or corrective action up to and including termination. Employees shall make an appointment to review their personnel file and are allowed to make copies.

Documentation (including performance reports), which reflects unfavorably on an employee or former employee, shall not be placed in their personnel file without their knowledge. Any such documentation shall be signed by the employee prior to it being placed in his/her personnel file. If the employee refuses to sign the documentation, the Department Head shall so note on the report and shall then submit it to the employee's personnel file.

Any records generated as a result of post-employment medical testing or other medical records such as workers' compensation reports shall be kept in a locked confidential file separate from all personnel records.

7.4 Social Media Policy

Social media provides unique opportunities to participate in interactive discussions and share information. However, use of social media also includes certain risks and carries certain responsibilities. To minimize risks to Burt County, employees are expected to follow Burt County guidelines for appropriate use of social media. This policy applies to all employees who work for Burt County.

7.4a Guidelines

For purposes of this policy, social media includes all means of communicating, posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal, or diary, personal website, social networking website, web bulletin board or chat room, whether associated or affiliated with Burt County, as well as any other form of electronic communication.

Burt County principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, employees are solely responsible for what they communicate on social media. Employees may be personally responsible for any litigation that may arise should an employee make unlawful, defamatory, slanderous, or libelous statements against any customer, manager, owner, or employee of Burt County.

7.4b Know and Follow the Rules

Employees should ensure postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and/or threats of violence or other unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination.

7.4c Be Respectful

Burt County cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If an employee decides to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, color, religion, sex, national origin, military, or veteran status, political affiliation, marital status, physical or mental disability, genetic information, or any other status or class protected by applicable local, state and federal law or Burt County policy. Employees' personal posts and social media activity should not reflect upon or refer to Burt County.

7.4d Maintain Accuracy and Confidentiality

When posting information:

Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially sensitive information (i.e. financial or sales records/reports, donor records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to Burt County.

Do not create links from personal blogs, websites, or other social networking sites to a Burt County website that identifies the employee as speaking on behalf of Burt County.

Never represent yourself as a spokesperson for Burt County, unless authorized to do so by Burt County. If Burt County is a subject of the content the employee is creating, the employee should not represent themselves as speaking on behalf of Burt County.

Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

7.4e Using Social Media at Work

Do not use social media while on work time, unless it is work related as authorized by your Department Head or consistent with policies that regulate equipment owned by Burt County.

7.4f Media Contacts

Only authorized employees may speak on behalf of Burt County. Unauthorized employees must direct all media inquiries for official Burt County responses to the Department Head.

7.5 Nursing Mothers Policy

Burt County will provide nursing mothers reasonable break time to express milk for their infant child(ren) for up to one year following the child's birth. Nursing mothers will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public.

Expressed milk can be stored in Burt County refrigerators or personally owned coolers. Employees must sufficiently mark or label milk if placed in shared refrigerators to avoid confusion for other employees who may share the refrigerator.

Break time should, if possible, be taken concurrently with any other break time already provided. If an employee needs to express milk outside of an employee's scheduled break time, the employee should work with their Department Head and do so. Employees are encouraged to discuss the length and frequency of these breaks with their Department Head. No provision of this policy applies, or will be enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law.

7.6 Dress Code

Burt County employees are required to maintain a professional appearance while representing Burt County and during working hours. Each department shall have their own dress code, however, the following items are prohibited; (a) tank tops and spaghetti straps, unless covered, (b) t-shirts with obscenities and or profanities, (c) shorts, skirts, and dresses shall be arm's length to the tip of the longest fingers.

7.7 Inclement Weather Policy

The Emergency Manager and Sheriff must confer with the Elected Officials to make the final decision on closing the Courthouse. The Emergency Manager will utilize the all-call system to alert the public that the Courthouse will be closed.

If the courthouse is open for a portion of the workday and employees are sent home early due to weather, they will be paid for the full day. If the courthouse is closed for a full-day, employees will not receive compensation for that day but may use personal time to supplement their pay. There will be time and a half given to essential workers during regular courthouse hours, even if the courthouse is closed.

7.8 Tobacco Policy

Burt County is proud to be a tobacco-free workplace and believe it is critical to provide a safe and healthy environment for all employees, customers, and visitors. The use of any product containing tobacco on Burt County property is strictly prohibited outside of the designated spot for those who choose to use tobacco products. Product examples include, but are not limited to, cigarettes, cigars, cigarillos, pipes, bidis, electronic cigarettes, spit tobacco, chew, snuff, and tobacco free cigarettes (vaping). This applies to all Burt County employees as well as customers and visitors. Any unauthorized tobacco use on premise should be reported to a Department Head. Employees who engage in the use of any tobacco, or illegal drugs, on Burt County property will be subject to disciplinary action.

7.9 Use of County Vehicles

The following rules and regulations govern the general operation of all County vehicles. Each department has specific guidelines for the use of vehicles assigned to that department.

- Employees shall comply with both the general rules and the departmental rules when operating any County owned vehicles.
- An employee must have the appropriate valid driver's license for the vehicle or equipment to be operated and must be in compliance with any restrictions listed on the license in order to operate any County vehicle or equipment.
- Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device is prohibited.

- An employee, who drives a County vehicle, even on an occasional basis, must notify their Department Head immediately if their driver's license is suspended or in any other way restricted.
- County vehicles may not be operated at work or taken home by an employee without prior authorization of the employee's Department Head.
- County vehicles shall be used for County business only and not for any personal use or gain.
- A County vehicle shall not be operated by anyone other than an authorized employee of the county.
- During the time the vehicle is under the employee's control, it shall be the responsibility of the employee to operate the vehicle safely, comply with all traffic and parking rules and regulations and to secure the vehicle when leaving it unattended.
- An employee must call for a local law enforcement agency to come to the scene of any work-related vehicular accident immediately, even if there is no apparent damage. Every accident shall also be immediately reported to the employee's Department Head.
- An employee may be held personally responsible for damage to a County vehicle if an investigation discloses negligence, carelessness or misuse.
- It is the responsibility of the employee to wear seat belts while operating and/or riding in County vehicles.
- Employees shall not attempt to make any mechanical repairs to the vehicle unless properly authorized by the employee's Department Head or unless assigned to such duties.
- Employees shall immediately report to their Department Head any hazardous or unsafe condition of the vehicle that may result in injury to themselves or others.
- Employees shall keep all County vehicles free of objects that might lodge under the brake pedal or interfere with safe operation of the vehicle.
- It is the responsibility of the employee operating a County vehicle or equipment to ensure that all supplies, equipment, machines and vehicles being hauled or transported are properly secured to the transporting vehicle or trailer.
- Any vehicle or equipment that has been tagged unsafe to use shall not be used by any employee until such tag has been removed by order of a representative of the department.
- No smoking in Burt County vehicles, machinery, or equipment.

7.10 CDL Reimbursement

Burt County shall compensate Burt County Roads Department employees any license fees paid for renewing a valid Commercial Driver's License (CDL), at their regular renewal date, and any physical exam expenses required to maintain said permit. Per Resolution 2017-03.

7.11 Authorization for Use of Personal Vehicle

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. Employees who operate a vehicle for work must be willing to consent to a motor vehicle department check to validate an acceptable driving record upon request and proof of insurance. Any employee who must operate a motor vehicle must provide a copy of a current driver's license for the employee's personnel file. Any changes in a driving record, including but not limited to, driving infractions or changes to an insurance policy, must be reported to the County within 24 hours of the infraction or change.

If employees use a personal vehicle in the course and scope of employment, employees may not operate such vehicle while:

- Under the influence of drugs, alcohol, or any other substance that might impair judgment or ability to drive; or
- Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If employees use a personal vehicle as part of employment duties, employees must provide the County Clerk with a current proof of insurance statement or card. New proof of insurance is required every time a policy expires or renews. Note that personal auto insurance is the primary coverage for vehicles even while it is being used for business purposes.

Employees should track all mileage while using their personal vehicle for business purposes. Mileage must be submitted monthly to the County Clerk for reimbursement. Mileage submitted in a timely manner may be paid at the discretion of the County depending on the circumstances.

Section 8: Grievance Procedure

The County strives to ensure that all employees are treated fairly. This policy seeks to support the achievement of this goal by providing a just and equitable method for resolving grievances without discrimination, coercion, or reprisal against employees who may submit or be involved in a grievance. This procedure will not be used to change, but rather to clarify expressed provisions of The County and/or department policies and procedures.

The County Board shall establish a Grievance Committee. The County Board shall appoint two (2) of the members of the Grievance Committee. The Department Head and employee involved in the grievance will each select one member from a pre-designated list. The four people selected will then select the fifth member from the pre-designated list. The County Clerk shall create the pre-designated list of people to serve on the Grievance Committee.

Step 1: Employees submit a written request via email to either the HR Department, if applicable, or the Grievance Committee, indicating their desire to file a grievance. This written request must include all the information on the grievance form and, in addition, any information or proof that they will use throughout the procedure. The Grievance committee shall conduct a hearing concerning the grievance within five (5) working days from receipt of the appeal.

The Grievance Committee's decision is final.

Section 9: Terms and Definitions

Abandonment of Position – Any employee who is absent from duty for two (2) consecutive workdays without proper notification to and authorization from the Department Head, shall be deemed to have resigned.

Anniversary Date – The calendar date upon which employment started with the County by a specific employee. Some Offices may use January 1 as an anniversary date for calculating benefits.

Applicant – A person who has filed an application for employment with the County.

Appointed Position – An individual who has been appointed to a specific position in the County by Burt County Board of Supervisors.

Appointing Authority – County officials who have the final authority to appoint an individual to a position in the County Service.

Board – Burt County Board of Supervisors.

Child – A biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child must be under 18 years old, or 18 or older and incapable of self-care because of a mental or physical disability.

Compensatory Time – Time off from regularly scheduled work time in lieu of overtime pay.

County – Burt County, Nebraska.

Demotion – The movement of an employee from one class to another class with a lower pay grade or lower maximum rate of pay.

Department Head – An employee, elected official or appointed official who is directly responsible for the administration of a County department or office.

Disciplinary Action – The action taken to discipline an employee, which may include any action from a verbal admonishment up to and including discharge.

Dismissal – The involuntary termination of employment for reasons other than lack of funds or work.

Elected Official – An individual elected into their position by the public. This individual is not considered an employee of Burt County.

Employer – Burt County, Nebraska acting through its Board, or other persons designated by the Board to act on its behalf.

Essential Worker – An employee or employees whose department is unable to close in extreme/unforeseen circumstances. These include the Sheriff's department, Emergency Manager, Dispatchers, Roads Department, and other departments as deemed necessary by the Board of Supervisors.

Exempt Position – A position that is not required by the Fair Labor Standards Act to be paid overtime for hours worked over the standard work period.

Full-Time Employee – An employee who is scheduled to work thirty (30) hours per week or more as calculated on a calendar year.

Grievance – An employee or employees' complaints regarding alleged unjust application of discipline or unfair application, interpretation or violation of the rules and regulations of the County or the department for whom the employee works.

Intermittent Employee – An individual who is hired on an irregular or occasional basis and paid only for actual hours worked.

Introductory Period – A working test period, during which the employee is required to demonstrate ability and fitness for the position.

Layoff – The involuntary separation of an employee because of lack of work, lack of funds, or the abolishment of a position.

Leave – An authorized unpaid absence from regularly scheduled work hours which has been approved by proper authority.

New Position – A County position that did not previously exist.

Non-exempt Position – A position, which is eligible, according to the Fair Labor Standards Act, to receive overtime pay for hours worked over the standard work period.

Overtime – Work performed by eligible employees in excess of the regularly scheduled hours of work and which has been approved by a Department Head.

Parent – An employee's biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a child. This term does not include parent "in law".

Part-Time Regular Employee – An employee who is regularly scheduled to work at least twenty (20) hours per week and less than thirty (30) hours per week.

Position – A group of duties, tasks or responsibilities, assigned by the Department Head to be performed by an employee.

Promotion – The movement of an employee from a position of one class to a position of another class having a higher maximum salary rate.

Public Records – Those records which a governmental unit is required by law to keep or which it is necessary to keep in discharge of duties imposed by law.

Regular Employee – A person who is hired to work for an indefinite period of time and who has successfully completed his/her introductory period.

Seasonal Employee – An employee who is hired for a specific short-term period of time only. Such hiring occurs when there is a special demand for additional personnel due to increased activity within a department at a certain time of year.

Seniority – Employee's length of continuous service with Burt County from his/her most recent date of hire.

Separation – The removal of an employee from the payroll for either voluntary or involuntary reasons.

Standard Work Week – The normal working days and hours of attendance for an employee with a department. Normally, this is a forty (40) hour work week, Monday through Friday.

Temporary Employee – An employee who is hired for a specific short-term period of time only.

Vacancy – A duly created position that is not occupied and for which funds have been provided.

Written Reprimand – A formal written notice to an employee informing him/her of a specific manner in which his/her conduct or work performance does not meet prescribed standards.

Section 10: Receipt and Acknowledgement

This handbook has been prepared and distributed to employees of Burt County to help them understand the County and its policies. We expect to follow and enforce these policies as closely as possible, knowing, in some instances, that interpretations will be required, which will be made by the County in its sole discretion. We also recognize changes will be required in this handbook from time to time. The County reserves the right to make changes as it considers appropriate. Thank you for taking the time to read this handbook.

I have received a copy of the Burt County Employee Handbook and have either read it or have had it read to me carefully. I understand all of its rules, policies, terms, and conditions and agree to abide by them, realizing that failure to do so may result in disciplinary action and/or termination. I also understand that this handbook supersedes all previous written and unwritten policies, including any previous handbooks. I understand and agree that my employment is terminable at will so that both the County and I remain free to choose to end our work relationship for any lawful reason or no reason. Similarly, no County official has the authority to enter into an oral employment contract, modifying this employment-at-will relationship, and only the County Board can enter into a written employment contract changing the employment-at-will relationship.

I understand that the County will monitor County computer files, Internet activity, and email messages for various reasons. The County will disclose such activity and messages to a third party without my consent when it deems such action necessary. I consent to the County's monitoring of County computer files, email transmissions, voice mail messages, and Internet activity.

I understand nothing in this handbook in any way creates an express or implied contract of employment between the County and me but rather is intended to foster a better working atmosphere while the employee/employer's relationship exists.

Employee's Signature

Date

Employee's Name (Printed)

Date

Supervisor's Signature

Date