

3 | COMPENSATION & SCHEDULES

Compensation and work schedules are subjects that are obviously important to us all. The following provisions are intended to provide some guidance and understanding in relation to these topics.

Work Schedules

Work schedules are established and controlled by each department head or elected official, under the authority of the Board of Supervisors. Your immediate supervisor will inform you of work hours, overtime, days off, meal and break times, and other information related to your work schedule. While most County employees have standard hours of eight hours per day, five days a week, the business or staffing needs of individual departments or work groups may require that employees be scheduled to work overtime, work differing shifts, work on "off" days, or work out-of-the ordinary daily hours. All employees must be prepared to work all hours that are scheduled, including any additional hours or days as may be assigned, as failure to do so may result in corrective action. Please consult your immediate supervisor, department head, or elected official, or the County Human Resources Department if you have any questions or concerns related to your schedule.

Payday

Most County employees are paid on the last day of each calendar month. If a payday falls on a weekend or a scheduled holiday, employees will be paid on the last workday before the weekend or holiday. Employees are paid by either direct deposit or by paycheck. Advances on pay and County loans to employees are not permitted.

Direct Deposit: For employees paid by direct deposit, wages are deposited directly into a bank account specified by the employee. Changes to an employee's bank account for direct deposit should be made in writing to the County Payroll Department or to the County Human Resources Department at least five working days before the next payday, and should include a copy of a voided check for the new account. If an employee separates from employment with the County for any reason, the employee's final paycheck will be deposited according to the normal payday schedule. If a direct deposit is returned by the bank, the County may elect to mail a paycheck to employee's last mailing address of record with the County.

Paycheck: For employees paid by paycheck, the employee's paycheck will be delivered to the department head or elected official for whom the employee works. Paychecks will be distributed only to the employee, unless the employee gives the department head or elected official written, signed permission in advance to deliver the check to another individual. If an employee separates from employment with the County for any reason, any payroll check not picked up in-person on payday during normal business hours will be mailed to the employee's last mailing address of record with the County Human Resources Department. In general, it is the department head's or elected official's responsibility to pick up paychecks, and the County will not otherwise be responsible for any paychecks that are not delivered in-person to an employee or former employee.

Pay Stubs: Regardless of the method of payment (direct deposit or paycheck), a pay stub detailing your pay will be delivered to your department head or elected official and given to you on the corresponding payday. You should promptly review your pay stub each pay period and make sure that the pay amount is correct. This includes a careful review of the pay rates, calculations of hours worked and overtime paid, use of vacation days, sick days, and comp time, benefits-related payments and withholdings, tax withholdings, and any other deduction or item that may affect the paycheck

amount or your total compensation. If you feel your paycheck contains an error, please notify the County Payroll Department or the County Human Resources Department immediately, and the matter will be promptly reviewed.

Legally-Required Deductions: We are required by law to make certain deductions from paychecks, such as federal and state tax withholdings and social security tax. Garnishments, child support orders, tax levies, and similar deductions will also be withheld from your paycheck if required by a court order or other legal mandate. The County will not make voluntary withholdings from paychecks for the benefit of creditors or other third parties; only those withholdings that are required by law will be honored. Employees whose wages are subject to excessive garnishments may be subject to corrective action in accordance with applicable law.

Meal Periods

Meal periods of at least 30 minutes (up to one hour) may be scheduled for most full-time employees, as determined by the employee's department head or elected official and as work schedule and staffing needs allow. Meal periods of at least 30 minutes (up to one hour) may also be scheduled for employees working less than an eight (8) hour shift at the discretion of the department head or elected official.

Meal periods are unpaid and must be taken away from your desk or work area. No compensable work should be performed during this period unless absolutely required or unless you are directed to do so by your supervisor. If you spend time performing any compensable work during your lunch period, you must record all such time in the timekeeping system.

Meal periods must be taken during the scheduled time period, and may not be accumulated or used to compensate for tardiness or to leave early. Employees who leave early for, return late from, or otherwise extend a meal or break period without prior approval may be subject to corrective action.

Job & Compensation Classifications

Job and compensation classifications are designated by the County for each employee. These designations are used for administrative and compensation purposes only and do not affect or modify the at-will employment relationship, regardless of the wording used herein, and may be changed only upon written approval by the County. If you have any questions concerning your job or compensation classification, please consult the County Human Resources Department.

Job Classifications

Individuals employed by the County are assigned to specific job classifications, as follows:

1. *Full-Time:* After successful completion of the probationary period, an employee may be reclassified as full-time. Full-time County employees are regularly scheduled to work 40 hours per workweek (excluding daily and weekly overtime). Full-time employees are eligible for most County benefits, as set forth by the requirements of each specific benefit. (The Board of Supervisors must approve any full-time position that is to be scheduled for less than 40 hours per week on a regular basis. If approved, the employee filling the position may be subject to reduced benefits.)

2. *Part-Time:* After successful completion of the probationary period, an employee may be reclassified as part-time. "Part-time" indicates that the employee will perform work on a regular basis, but is normally scheduled to work less than 34 hours per workweek (excluding daily and weekly overtime). Part-time employees regularly scheduled to work 20 hours or more each week are eligible for selected benefits, as may be set forth in this Handbook. Employees regularly scheduled to work fewer than 20 hours per week are not eligible for most benefits.

3. *Temporary:* Temporary employees are those who are hired on a short-term basis for a specified time or a specific project, generally not to exceed six (6) months. Temporary employees may work a part-time or full-time schedule during their term of employment. Temporary employees are generally not eligible for County benefits. If a temporary employee is subsequently hired to a full-time or part-time position, seniority and benefits accrual will begin as of the first day of such full-time or part-time employment. Temporary student appointments and internships may also be approved by the County Administrator. Such appointees and interns may not participate for more than 10 hours per week and are not eligible for payment of wages or County benefits during their terms.

4. *Grant:* Certain employees who work full- or part-time schedules may be classified as grant employees. Grant employees are those who are in a position that is not required by state law, and the employee's regular wages are more than 50% funded by a state, federal, or private grant. Grant employees may not be eligible for certain County benefits.

Compensation Classifications

For payroll purposes, the position to which each employee is assigned is designated as either "exempt" or "nonexempt." Generally, employees in jobs designated as exempt are not eligible for weekly overtime pay, while employees in nonexempt positions are entitled to additional compensation (in the form of additional pay or compensatory time) for any overtime they may work during a given workweek.

1. *Nonexempt:* Employees in positions classified as "nonexempt" are paid a set hourly rate for all time worked, and are also entitled to receive additional compensation for overtime as required by the federal Fair Labor Standards Act ("FLSA") and other applicable laws. Employees in this classification must, for each established seven-day workweek: (a) be paid an amount that is at least equivalent to the federal minimum wage for all compensable time worked, and (b) either receive overtime pay or be credited with compensatory time for all compensable time worked over 40 hours during that workweek.

2. *Exempt:* The FLSA provides exemptions from the minimum wage and overtime pay requirements for certain jobs, such as executive, administrative, professional, and computer-related positions. These positions may be classified as "exempt" by the County if the duties performed by employees in those positions, and the manner in which they are compensated, meet certain tests and requirements as defined by law. Job titles do not determine exempt status; in order for an exemption to apply, an employee's specific job duties and, if applicable, the employee's method of compensation must meet all requirements of the relevant law.

Salary Basis: Employees in most positions classified as exempt are paid on a "salary basis." The salary is a fixed amount and is deemed to cover all time worked, without regard to the quality or quantity of the employee's work or the number of hours the employee actually works per day or per week. An exempt employee's salary is subject only to those deductions that are specifically authorized by law as consistent with their exempt status. Authorized deductions include, but are not limited to, proration of the salary for an employee's first and last weeks of employment.

County Policy for Exempt Salaried Employees: If you are in an exempt position and are paid on a salary basis, your pay is subject to certain deductions only as permitted by the FLSA or other applicable law. No deductions will be taken from a salaried employee's pay inconsistent with the employee's salaried status. Only those deductions allowed by law may be made. No policy or statement in this handbook, or in any other County policy or practice, will be construed as permitting or authorizing a salaried employee's pay to be subjected to deductions inconsistent with the employee's salaried status. All County personnel are prohibited from making improper deductions.

We want our employees to be aware of this policy and to know that we do not allow deductions that are not permitted by law.

What to Do If an Improper Deduction Occurs: If you believe an improper deduction has been made to your salary, you should immediately report this information in writing to the County Payroll Department, the County Human Resource's Department, or the County Administrator. Reports of improper deductions will be promptly reviewed. If it is determined that an improper deduction has occurred, you will be reimbursed for the improper deduction as soon as practicable, and the County will ensure that such deductions are not made in the future from any employee's salary. Regardless of whether an improper deduction was taken from your pay, we will ensure that there is no retaliation for bringing your good-faith concerns to our attention.

Overtime

Nonexempt employees will receive additional compensation for overtime for all time worked over 40 hours during a workweek. For overtime purposes, a "workweek" is defined as the seven consecutive day period commencing at 12:00 a.m. on Sunday and ending the following Saturday at 11:59 p.m. Time paid for but not actually worked (such as vacation, sick days, comp time, holidays, leave time, and the like) is not considered as time worked for the purpose of calculating overtime. If daylight savings time affects a time change, employees will be paid only for actual hours worked.

All supervisors, department heads, and elected officials are urged to make every effort to schedule work during regular hours and to arrange schedules in order to avoid overtime costs. Similarly, employees are expected to complete their duties during their regular working hours without the necessity of working overtime, as possible. In non-emergency situations, prior authorization for overtime work should be secured from your supervisor, department head, or elected official before starting the overtime. Please keep in mind that, regardless of the situation and regardless of whether approval was obtained, you *must* include *all* time worked—including overtime—on your time record.

Overtime Compensation: In accordance with applicable law, the County will compensate nonexempt employees for overtime by crediting the employee with compensatory time ("comp time") at the rate of one-and-one-half times the amount of overtime worked, in lieu of paying the employee a cash payment for the overtime, which would be calculated at one-and-one half times the employee's regular rate of pay. An exception to this comp time method for the payment of overtime is made for nonexempt Road Crew Department employees who are officially assigned in writing to their emergency duties (such as operational emergencies and natural disasters) by their department manager; these employees will be paid cash payments for all compensable overtime worked while performing their emergency duties.

Sheriff's Department: Certain nonexempt employees in the Sheriff's Department who are engaged in "law enforcement" (as defined under the FLSA) are subject to special provisions of the FLSA. In general, overtime for employees in this category is based on an established 14-day work period, and overtime compensation is paid for all time worked over 86 hours during this work period. In addition, employees in this category will normally be paid cash wages for overtime instead of compensatory time. Employees covered by this provision should consult the separate overtime policies and practices applicable to the position they hold, as maintained by the Sheriff's Department.

Compensatory Time ("Comp Time"): As a condition of employment, County employees who work in nonexempt positions and are subject to additional compensation for overtime will be compensated for overtime worked by being credited with comp time. Earned comp time will be credited to the employee's comp time "bank" as of the payday the employee would have otherwise been paid in cash wages for the overtime. The credited comp time may thereafter be used by the employee as time off

with pay. Comp time cannot be forfeited, and employees who leave employment with the County for any reason will be paid for all credited, unused comp time that remains as of the effective date of separation. Unless otherwise approved by the Board of Supervisors on a case-by-case basis, comp time will be used in lieu of cash wages for all overtime worked, in accordance with this policy.

Comp Time Limit: Each employee's comp time bank is limited to a maximum cumulative total of 240 hours of accrued, unused comp time. Once this limit has been met, any additional overtime worked by the employee will be paid as overtime wages, and the employee will not be credited with additional comp time unless and until the employee's comp time bank has been reduced below this limit.

Use of Comp Time: The use and scheduling of comp time for time off is subject to the same practices and procedures as the scheduling and use of vacation days. Available comp time must be used and exhausted before any available vacation days are used, and the comp time off must be taken in full-hour increments of at least one hour. The County may, at any time, require and schedule an employee to take some or all of the employee's credited, unused comp time as paid time off. Individual requests for pay for unused comp time in lieu of time off are not permitted. If an employee is transferred from a department or is promoted into an exempt position, the department in which the overtime was incurred will arrange for the employee to use and/or be paid the balance of the employee's credited, unused comp time at the employee's final hourly rate of pay prior to the change.

Pay for Comp Time: As applicable, an employee's rate of pay for comp time is calculated as of (i) the date the comp time off is taken by the employee, (ii) the date the employee's comp time is cashed out, or (iii) the effective date of the employee's separation. The rate of pay will be the higher of either (i) the employee's regular rate of pay at the time of calculation, or (ii) the employee's average regular rate of pay during the employee's last three years of employment with the County prior to the calculation.

Timekeeping

Nonexempt employees are required to keep accurate and up-to-date records of *all* time that they work. If you are a nonexempt employee, you must use the County's electronic timekeeping system to track your time. Because this is the only record of your compensable time, you must fully and accurately utilize the timekeeping system each day to "clock in" and "clock out"—before you start work and when leaving at the end of your workday—to ensure that all of your time is properly recorded.

Nonexempt employees should not begin working, or take any actions in preparation for work, until the scheduled start time for their shifts, and should not perform any work after the ending time for their shifts. If you do perform compensable work before or after your scheduled shift time, you should notify your supervisor immediately so that an adjustment may be made to your time records. Once your shift starts, you are on County time and should proceed immediately to your assigned area to begin work, and you are expected to continue working until your scheduled shift has ended. At the end of your shift, you should "clock out" on the timekeeping system to indicate the actual hours you worked that day. If you are tardy, leave early, or return to work after leaving early during the shift, you should record these times by clocking in and clocking out, as applicable, on the timekeeping system promptly upon your arrival, departure, or return.

Time Records: By accessing the electronic timekeeping system, you are affirming and acknowledging that the time indicated in your time records is complete and accurate in all respects, and that the time indicated represents *all* time actually worked during the time period involved, including all overtime. Please note that failure to properly or promptly utilize the timekeeping system may result in payroll errors or delays in receiving a paycheck. You should contact your supervisor,

department head, or elected official, the County Payroll Department, or the County Human Resources Department immediately if you believe there may be any errors on your time records, or if you have any other questions or concerns regarding your pay or the use of the timekeeping system. The unauthorized entering or altering of a time record, allowing incomplete or inaccurate time records to be entered or submitted for payment, accessing another's time record, and permitting another to access your time records are prohibited, as are any attempts to do so.

No Off-the-Clock Work Allowed: The County wants to ensure that you are properly paid for all compensable time that you work, including overtime. Therefore, at no time may an employee perform County-related work without recording the time worked in the timekeeping system for the applicable workweek in which the work was performed, even if the work was intended to be performed on a "voluntary" basis. Furthermore, no County personnel, including any supervisor, department head, or elected official, are authorized to instruct, require, or request that a nonexempt employee perform any County-related work for any amount of time without the time being fully and properly entered on the employee's time record in the timekeeping system, and all personnel are strictly prohibited from doing or attempting to do so. Any concerns about or possible violations of this policy should be immediately reported to the County Human Resources Department or the County Administrator and may result in corrective action.

Travel Expense Reimbursement

Bona-fide, business-related travel expenses incurred by a County employee may be eligible for reimbursement when appropriate under, and in accordance with, the Mississippi Department of Finance and Administration ("DFA") guidelines and any other applicable County requirements. To be eligible for reimbursement, the employee should receive advance approval from the employee's supervisor, department head, or elected official before incurring the expense, and must promptly submit the request for reimbursement (including any applicable receipts) after expense is incurred. Failure to obtain proper approval before incurring an expense, to submit sufficient documentation as may be required by the County, or to submit a request in a timely manner, may result in the denial of the request for reimbursement. Questions regarding this policy or concerns pertaining to specific reimbursements should be addressed to the County Human Resources Department or the County Administrator.

Transportation expenses for required business-related travel, other than commuting between the employee's regular place of work and home, may be reimbursed. Employees are paid a flat mileage rate (based on the then-current approved rate) for use of their own vehicles, plus necessary parking and tolls. Fares for necessary public transportation may also be reimbursed. Expenses related to optional travel are not reimbursable.

The actual cost of meals (including reasonable tips of no more than 20%) incident to business travel that includes an overnight stay are reimbursable, not to exceed the daily maximum amount as set forth under the DFA guidelines. Alcoholic beverages and meal expenses that are not incident to business travel with an overnight stay are not reimbursable.

Employees must request their own reimbursements, and no one may be reimbursed for an expense paid for or incurred by another. Detailed receipts must be provided for meals, hotel, parking and the like when paid by County check, County credit card, or when advance travel funds are obtained. When an employee pays in advance and requests reimbursement, receipts for hotel, parking, and private transportation must be submitted, but meal receipts are not required for reimbursement.

Benefits Plans & Programs

In addition to a paycheck, the County endeavors to provide our employees with other benefits. Along with wages, paid time off, and the like, employees who meet certain eligibility and enrollment requirements may have the opportunity to participate in group insurance plans and other benefits programs, such as:

- Healthcare Insurance
- Dental Insurance
- Vision Plan
- Life Insurance
- Cafeteria Plan
- Flexible Spending Account
- Retirement Program (through the Mississippi Public Employees' Retirement System ("PERS")).

Healthcare Benefits Continuation: If a qualifying event (as defined by law) occurs that causes the employee, the employee's current or former spouse, or dependent children to lose coverage under the County's group healthcare plan, continuation coverage is available in accordance with federal law ("COBRA"). Depending on the circumstances of a particular case, examples of qualifying events may include, without limitation, a reduction in the employee's work hours, termination of the employee's employment (except for gross misconduct), death of the employee, legal separation or divorce, the employee becoming entitled to Medicare, and loss of dependent child status under the plan rules.

PERS Retirement Benefits: Benefits for County employees eligible for the PERS retirement plan will be administered according to State law and requirements. All questions concerning this plan, including questions concerning eligibility and benefits, should be addressed to PERS (see contact information below). The following chart is provided by PERS to assist covered employees in calculating their service credit attributable to unused leave days:

Total Hours	Equivalent 8-Hour Work Days	Applicable Service Credit Based on 8-Hour Work Days (July 1, 2017, and After)
120	15	0.2500 (3 months)
288	36	0.2500 (3 months)
456	57	0.2500 (3 months)
624	78	0.5000 (6 months)
792	99	0.5833 (7 months)
960	120	0.6667 (8 months)
1,128	141	0.7500 (9 months)
1,296	162	0.8333 (10 months)
1,464	183	0.9167 (11 months)
1,632	204	1.0000 (12 months)
1,800	225	1.0833 (13 months)
1,968	246	1.1667 (14 months)

Contact Information: All questions and concerns regarding County group benefits plans and programs should be addressed to the County Human Resources Department. This includes matters such as the current availability of specific benefits, eligibility requirements, enrollment periods and procedures, and the continuation of healthcare benefits under COBRA. Information concerning the

retirement plan may be obtained from the PERS website (<http://www.pers.ms.gov>) or by contacting a PERS representative at (601) 359-3589.

Please note that the County makes no representation or guarantee of the present or future availability any particular benefits policy, plan, or program. In addition, no County documents or statements by County representatives should be considered or relied upon as a promise of any additional or separate requirements, rights, or benefits over and above those as officially set forth in the then-applicable official benefits policies or plan documents, or by law. All differences or conflicts will be resolved in favor of the wording of the then-applicable official benefits policy or plan document.

4 | Time Off from Work

We strive to provide the best possible working environment for our employees. With this in mind, we understand that everyone needs time off periodically, which the County provides for our employees as set forth below.

Holidays

The County normally observes the following holidays:

New Year's Day (January 1)	Independence Day (July 4)
M.L. King, Jr./R.E. Lee Birthdays (third Monday in January)	Labor Day (first Monday in September)
G. Washington Birthday (third Monday in February)	Armistice or Veteran's Day (November 11)
Good Friday (Friday before Easter Sunday)	Thanksgiving Day (fourth Thursday in November)
National Memorial Day/J. Davis Birthday (last Monday in May)	Christmas Day (December 25)

In addition, the Board of Supervisors, at its discretion, may recognize any other holidays created by executive order of the President of the United States or the Governor of the State of Mississippi, or by approval of the Board of Supervisors.

Employees will receive a full day's pay (based on the employee's normal established work schedule, not to exceed eight (8) hours per day and excluding extended hours and daily overtime) for holidays, at the employee's regular, straight-time rate of pay. In addition, the employee must be in an active pay status (i.e., either physically working or on paid leave) as of the day of the holiday, the day immediately preceding the holiday, or the day immediately following the holiday.

Typically, holidays that fall on a Saturday will be observed on the previous Friday, and those that fall on a Sunday will be observed on the subsequent Monday, although this may be altered in some instances to conform to business needs. Because of the nature of our operations, it may be necessary for an employee to work on a holiday, and the employee must do so if scheduled or requested.

Vacations

The County provides paid vacations (annual leave) as a benefit for eligible employees, which may be accrued and taken as set forth below. To be eligible, an employee must be officially classified as full-time or part-time and meet the schedule requirements as set forth below. **Employees classified as grant employees are not eligible for this benefit.**

Accrual: An eligible employee will begin accruing vacation time on the first day of the next calendar month after the employee's date of hire. The employee may begin taking the time off once it has been accrued. Former County employees who are rehired more than 90 days after initial separation will start earning vacation hours as any new employee. Vacation accrual will be prorated for a partial month of service, including the last month of employment. Vacation time does not accrue while an employee is on unpaid leave. County employees who are PERS retirees are not eligible to accrue vacation time.

Accrual Rates: An eligible employee who is expected to have a regular schedule of 40 hours per workweek will accrue vacation time at the following rates:

Continuous Full-Time Service (Completed Months)	Accrual Rate (Monthly)	Equivalent Annual Accrual Rate
1 month to 3 years	12 hours	18 days
37 months to 8 years	14 hours	21 days
97 months to 15 years	16 hours	24 days
Over 15 years	18 hours	27 days

An eligible employee who is expected to have a regular schedule of at least 21 hours, but less than 40 hours, will accrue vacation time at the rate of rate of six (6) hours for each calendar month of service.

The hours requirements set forth above for vacation time accrual eligibility are based solely on the County's official classification, and will not be affected if an individual employee's average working hours vary (such as extended hours and daily or weekly overtime) or if the employee is temporarily assigned to or placed in a different position.

Accrual Cap: Vacation time can generally be accrued with no cap. Upon separation from employment with the County, an employee will be paid up to a maximum of 240 hours of accrued, unused vacation time, and any balance in excess of 240 hours will be credited to the employee's State retirement plan fund in accordance with the then-applicable terms and requirements.

Vacation Scheduling: Vacation time normally is to be taken in full-day increments, but may be taken in partial day, hourly increments with the prior approval of the employee's department head or elected official. Employees must adhere to their department's procedures for requesting vacation time (e.g., request vacation time through the electronic timekeeping system, to be considered for approval by the department head or elected official). Vacation time will, in most instances, be scheduled on a first-come, first-served basis, and is scheduled at the discretion of the employee's department head or elected official, subject to workload and staffing needs. Vacations must be scheduled and approved in advance of being taken. Vacation time may not be taken in advance of being accrued. All available, unused comp time must be scheduled and used in this same manner and before any vacation time may be used. Please note that previously-approved time off may be cancelled and rescheduled based on operational requirements and business needs.

Time off with no explanation or for unsatisfactory reasons will not be acceptable, even if the employee has vacation time available. Employees who are "no report" or otherwise fail to provide timely notice of an absence may not subsequently request and use vacation time, unless extreme mitigating circumstances existed which prevented the employee from reporting in. Employees are urged to utilize lunch hours and time before and after work as much as possible for personal needs.

Vacation Pay: If vacation time is approved, the employee will be paid for the time off taken, up to a maximum of eight (8) hours per day (based on the employee's normal, established work schedule, excluding extended hours and daily overtime). Pay will be based on the employee's regular, straight-time rate of pay that is in effect on the day of the absence or, if paid to a departing employee, on the effective date of separation. Vacation time does not count as hours worked for the purpose of calculating overtime.

Sick Leave

The County provides paid sick leave as a benefit for eligible employees, which may be accrued and taken as set forth below. To be eligible, an employee must be officially classified as full-time or part-

time and meet the schedule requirements as set forth below. **Employees classified as grant employees are not eligible for this benefit.**

Accrual: An eligible employee will begin accruing sick leave time on the first day of the next calendar month after the employee’s date of hire. The employee may begin taking the time off once it has been accrued. Former County employees who are rehired more than 90 days after initial separation will start earning sick leave hours as any new employee. Sick leave accrual will be prorated for a partial month of service, including the last month of employment. Sick leave does not accrue while an employee is on unpaid leave. County employees who are PERS retirees are not eligible to accrue sick leave.

Accrual Rates: An eligible employee who is expected to have a regular schedule of 40 hours per workweek will accrue sick leave time at the following rates:

Continuous Full-Time Service (Completed Months)	Accrual Rate (Monthly)	Equivalent Annual Accrual Rate
1 month to 3 years	8 hours	12 days
37 months to 8 years	7 hours	10.5 days
97 months to 15 years	6 hours	9 days
Over 15 years	5 hours	7.5 days

An eligible employee who is expected to have a regular schedule of at least 21 hours, but less than 40 hours, will accrue sick leave time at the rate of rate of four (4) hours for each calendar month of service.

The hours requirements set forth above for sick leave accrual eligibility are based solely on the County’s official classification, and will not be affected if an individual employee’s average working hours vary (such as extended hours and daily or weekly overtime) or if the employee is temporarily assigned to or placed in a different position.

Accrual Cap: Sick leave can generally be accrued with no cap. Upon separation from employment with the County, all accrued, unused sick leave hours will be credited to the employee’s State retirement plan fund in accordance with the then-applicable terms and requirements.

Reasons for Taking Sick Leave: An employee may use sick leave in the event the employee is unable to perform his or her job duties due to illness or injury, including without limitation injuries suffered on the job and incapacitation due to maternity. Sick leave may also be used when caring for the employee’s sick or injured spouse or child.

Sick Leave Scheduling: Sick leave normally is to be taken in full-day increments, but may be taken in partial day, hourly increments with the prior approval of the employee’s department head or elected official. To qualify for sick leave, the employee is responsible for directly notifying his or her supervisor, department head, or elected official within two hours after the employee’s normal starting time on the day of the illness. If physically unable to do so, someone must call on the employee’s behalf within two hours of normal starting time. Employees must otherwise adhere to their department’s procedures for requesting sick leave (e.g., request sick leave through the electronic timekeeping system, to be considered for approval by the department head or elected official). After using all available sick leave, the employee must then use all available, accrued comp time and then accrued, unused vacation time, all in accordance with the requirements for using vacation time as set forth above. Sick leave may not be taken in advance of being accrued. Employees absent due to illness or injury for five (5) or more days will be required to provide documentation from the employee’s healthcare provider to

verify the nature of the condition and will be required to complete necessary paperwork for FMLA leave.

Time off with no explanation or for unsatisfactory reasons will not be acceptable, even if the employee has sick leave available. Employees who are “no report” or otherwise fail to provide timely notice of an absence may not subsequently request and use sick leave, unless extreme mitigating circumstances existed which prevented the employee from reporting in. Employees are urged to utilize lunch hours and time before and after work as much as possible for health care and other personal needs.

If an employee is determined to be eligible for Worker’s Compensation benefits, available, unused sick leave may be used to cover the time lost from work (waiting period) until the employee becomes eligible for Workers’ Compensation benefits. If the employee begins to receive Worker’s Compensation benefits, available, unused sick leave (and, if depleted, any available, unused comp time and then vacation time) will be used to make up the difference so that the employee receives a full day’s pay for each day of absence, based on the regular, straight-time hours the employee would have been scheduled if at work (excluding daily and weekly overtime).

Sick Leave Pay: If sick leave is approved, the employee will be paid for the time off taken, up to a maximum of eight (8) hours per day (based on the employee’s normal, established work schedule, excluding extended hours and daily overtime). Pay will be based on the employee’s regular, straight-time rate of pay that is in effect on the day of the absence. Sick leave time does not count as hours worked for the purpose of calculating overtime.

General Considerations: The official records for sick leave balances are maintained by the County Payroll Department and the County Human Resource Department. For accounting purposes, the employee’s anniversary date for sick leave purposes is the effective date of employment into an eligible position. Please note that abuse of sick leave may result in corrective action, up to and including dismissal.

Bereavement Leave

An employee may be granted up to three (3) days of excused time off in the event of the death of a member of the employee’s immediate family. Immediate family includes the employee’s parent, grandparent, spouse, sibling, child, step-parent, step-child, grandchild, son- or daughter-in-law, parent-in-law, or brother- or sister-in-law. If granted, the employee will be required to use available paid sick leave. If additional time off for bereavement is needed, prior approval by the department head or elected official for whom the employee works will be required and, if approved, the employee will be required to use available paid leave (sick leave, then comp time, then vacation time). Documentation may be required for a request for bereavement leave to be considered.

Jury Duty

The County will grant administrative time off with pay when a full-time or part-time employee is subpoenaed to appear, or is summoned to serve on a jury, in a state or federal court. Pay will be for the actual time spent in court or serving on jury duty during the employee’s regularly-scheduled shift, less the amount the employee was paid for the appearance, subject to the following: (i) the employee must notify his or her supervisor no later than the next business day after receiving a subpoena or a notice of selection for jury duty, and (ii) the employee must furnish his/her department head or elected official with written documentation (signed by the appropriate court official) showing the date and the time spent in court or on jury duty, and the amount paid for the employee’s appearance.

Time Off to Vote

The County encourages all employees to fulfill their civic responsibilities by participating in elections. Generally, most employees are usually able to find time to vote either before or after their regular work schedule. For those unable to vote in an election during their non-working hours, the County may, if scheduling and operations needs permit, grant up to two unpaid hours off to vote.

Employees should request time off to vote from their supervisors at least one working day prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work day, whichever provides the least disruption to the normal work schedule and operations.

Military Leave

The County will comply with all applicable state and federal laws pertaining to the rights of employees entering or returning from military service, including the granting of leaves of absence to and/or the reinstatement of eligible employees. Employees who desire to seek reinstatement after service must comply with all notice requirements and other applicable legal provisions both before the commencement of and after the completion of the term of duty. All matters pertaining to these issues should be addressed with the County Human Resources Department.

Employees who are members of the military services will be paid for up to fifteen (15) days of paid leave of absence when ordered to duty and required to participate in training or military exercises. Once these 15 days have been exhausted, employees on temporary or extended military leave may, at their option, use available, unused comp time (and, thereafter, vacation time) during their absence, up to a full day's pay for each day of absence based on the regular, straight-time hours the employee would have been scheduled if at work (excluding daily and weekly overtime). If comp time or vacation time is to be used while on military leave, the employee should notify the County Human Resources Department in advance, in writing.

FMLA Leave

In certain situations, County employees may be entitled to leaves of absence under the federal Family and Medical Leave Act ("FMLA"). To be eligible for FMLA leave, an employee must: (i) have been employed by the County for a total of at least 12 months, (ii) have been employed for at least 1,250 hours of service with the County during the previous 12-month period, and (iii) be employed at a worksite where at least 50 employees are employed by the County within 75 miles.

It is the intent of the County to fully comply with all requirements of the FMLA as may be applicable. With this in mind, the function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law, and nothing herein is intended to extend the requirements or protections of the FMLA for any purpose. All terms referenced in this policy incorporate the definitions as set forth by law. Any questions regarding leaves of absence, the FMLA, or this policy should be addressed with the County Human Resources Department.

Types of Leave Under the FMLA: For the purposes of this policy, FMLA leave is divided into two types:

- "General Family Leave" and
- "Military Family Leave."

"Military Family Leave" includes two sub-types:

- "Qualifying Exigency Leave" and

- “Military Caregiver Leave.”

A. FMLA General Requirements and Provisions

Amount of Leave/General Family Leave and Qualifying Exigency Leave: Eligible employees may take a combined total of up to 12 weeks of General Family Leave and Qualifying Exigency Leave during a 12-month period. This period is a “rolling” 12-month period measured backward from the date an employee uses any such FMLA leave. General Family Leave may be taken over a continuous period or, in some cases, intermittently or on a reduced leave schedule when medically necessary. Leave due to qualifying exigencies may also be taken on an intermittent basis. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County’s operations.

Amount of Leave/Military Caregiver Leave: Eligible employees may also be entitled to take up to 26 workweeks of leave during a single 12-month period for Military Caregiver Leave. During this “single 12-month period,” an eligible employee is entitled to a combined total of 26 workweeks of Military Caregiver Leave and leave for any other FMLA-qualifying reason, provided that the employee may not take more than 12 workweeks of leave for any other FMLA-qualifying reason during this period.

Combined Leave for Spouses: Spouses who are eligible for FMLA leave and are both employed by the County are limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken (i) for the birth of the employee’s son or daughter or to care for the child after birth, (ii) for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement, or (iii) to care for the employee’s parent with a serious health condition. Spouses who are eligible for FMLA leave and are both employed by the County are limited to a combined total of 26 weeks of leave during a single 12-month period if Military Caregiver Leave is taken to care for a covered servicemember with a qualifying injury or illness.

Pay & Benefits: Generally, FMLA leave is without pay. However, employees will be required to use to use any available, unused paid time off (sick leave, comp time, vacation) during the leave. Sick leave and vacation time will not accrue during any period of unpaid FMLA leave. Group health plan benefits (individual and dependent coverage) are maintained during the FMLA leave period on the same basis as coverage would have been provided if the employee had been continuously employed, but the employee must continue to pay any share of health plan premiums that had been paid by the employee prior to the leave. If the employee fails to pay the premium, the group health coverage may be cancelled; alternatively, the County may, in its discretion, continue the coverage premiums at its own expense and recoup payments from the employee upon the employee’s return to active employment. In addition, if an employee fails to return from FMLA leave after the employee’s FMLA leave entitlement has been exhausted or expires, the County may recover its share of health plan premiums it paid for maintaining coverage for the employee under the group health plan during any period of unpaid leave, unless the reason the employee does not return is due to: (i) the continuation, recurrence, or onset of either a serious health condition of the employee or the employee’s family member, or a serious injury or illness of a covered servicemember, which would otherwise entitle the employee to leave under the FMLA, or (ii) other circumstances beyond the employee’s control.

Requests for FMLA Leave: All requests for approval of FMLA leaves (which includes extensions of previously-approved FMLA leaves) should be submitted to the County Human Resources Department. When the need for leave is foreseeable, the employee must provide thirty days advance notice before the leave is to begin; failure to do so may result in the denial of the leave until a thirty-day notice period has expired, and any absences not covered by the leave may be considered as unexcused and will be subject to the County’s normal attendance and discipline

policies. If thirty days' notice is not possible, the employee must provide notice as soon as practicable (ordinarily one or two business days) after the employee learns of the need for the leave, and must comply with the County's call-in procedures. Employees must also inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. If an employee takes paid time off for a condition that progresses into a serious health condition and the employee requests FMLA leave as provided under this policy, the County may designate all or some portion of the related time off as leave under this policy, to the extent all or part of the earlier time off meets the necessary qualifications.

Documentation: An employee must provide sufficient documentation (such as certification by a healthcare provider, military orders, etc.) in order to determine if the time off qualifies under the FMLA. This documentation must be submitted to the County Human Resources Department within fifteen days of the employee's initial request for leave. Medical-related certifications must be submitted on the appropriate forms, which may be obtained from the County Human Resources Department. It is the employee's obligation to timely and fully submit all forms and other documentation as may be required or requested. If the documentation indicates that the employee does not qualify for FMLA leave, or if the employee fails to return the fully-completed form(s) in a timely manner, any time off taken by the employee will be considered as unexcused and will be subject to the County's normal attendance and discipline policies.

Certifications for Leave: In order for a request to be considered, an employee must provide sufficient certification to determine if the leave qualifies under the FMLA. This may include, without limitation, certification to establish a serious health condition involving the employee or employee's family member, to establish the medical need for intermittent or reduced leave, to establish the need for the employee to care for a family member, or to support a request for Military Family Leave. If applicable certifications involving medical conditions must be submitted on the appropriate form which may be obtained in the County Human Resources Department. After a leave or a leave extension is granted, the employee may be required to submit re-certifications on a periodic basis, as applicable. An employee on leave should notify the County Human Resources Department periodically (but at least every thirty days) of the employee's status and intention to return to work.

Fitness-for-Duty Certification: An employee returning from a leave of absence for personal medical reasons will be required to present satisfactory medical certification from the employee's health care provider that the employee is fit for duty and able to return to work. If the employee fails to provide either a fitness-for-duty certification or new medical certification for a serious health condition by the time FMLA leave is concluded, the employee may not be allowed to return to work and may be subject to dismissal.

Failure to Comply with Procedures: Failure to fully and timely comply with any of these procedures may result in the request for a leave or leave extension being delayed, denied, or revoked. If this occurs, any time off for which the employee does not have leave approval may be considered as unexcused. Employees are reminded that excessive unexcused absences, failure to follow notice procedures for absences, and overstaying a leave of absence or an extension thereof, may constitute grounds for corrective action, including dismissal. Employees are also reminded that for two or more consecutive days of absence without notice or prior authorization may be considered as a resignation, and the employment relationship will cease. Therefore, employees are encouraged to submit their requests in full on a timely basis, and to promptly provide any requested forms, certifications, and other documentation far in advance as practicable to avoid these issues.

Compliance: The County prohibits the unlawful interference with, restraining of, or denial of an employee's rights under the FMLA, as well as all forms of FMLA-related discrimination and retaliation as proscribed by law. If you feel that you have been or are about to be subjected to, or

have witnessed, conduct of this nature, you should immediately report the matter to your department head or elected official or, at your option and if you prefer, to the County Human Resources Department or the County Administrator (see Section 1 for contact information). in the way you feel most comfortable. If you have questions or concerns after making a report, you may follow up with any of these individuals, regardless of to whom the initial report was made. Such matters will be investigated, and, if warranted, appropriate corrective action may be taken, up to and including dismissal. All actions taken to investigate and resolve these matters will be conducted in a restricted and confidential fashion to the extent practicable under the circumstances, keeping in mind that some level of disclosure may be necessary to ensure a complete and fair investigation.

B. General Family Leave

Eligible employees may be entitled to 12 weeks of General Family Leave during a rolling 12-month period for one or more of the following reasons: (1) because of the birth of a son or daughter of the employee and in order to care for such son or daughter, (2) because of the placement of a son or daughter with the employee for adoption or foster care, (3) in order to care for the employee's spouse, son, daughter, or parent who has a serious health condition, or (4) because of a serious health condition that makes the employee unable to perform the functions of the employee's position. Employees requesting a leave of absence for the birth of a healthy child or placement of a healthy child for adoption or foster care may be required to take all or part of their leaves of absence at one time.

Generally, a "serious health condition" for General Family Leave purposes is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the employee's qualified family member from participating in work, school, or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may also meet the definition of continuing treatment.

As used herein, "parent" means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter, but does not include parents "in law." For purposes of FMLA leave taken for birth or adoption, or to care for a family member with a serious health condition, "son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence. "Spouse" or "husband or wife" refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State, including common law and same-sex marriage.

Employees returning from leaves of absence for personal medical reasons will be required to present satisfactory certification from the employee's health care provider that the employee is fit to return to duty. If the employee fails to do so, the employee may not be allowed to return to work and may be deemed to have overstayed the leave of absence.

C. Military Family Leave

Eligible employees may be entitled to FMLA leave with respect to covered family members who are in the military.

1. Qualifying Exigency Leave

Eligible employees may take up to take up to 12 weeks of FMLA leave during a rolling 12-month period because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status with the Armed Forces. "Covered active duty" in the case of a member of the Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. "Covered active duty" in the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of certain contingency operations.

The "qualifying exigencies" for which leave may be granted include matters related to the following: short-notice deployment (seven days or less), military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, care for the parent of the military member, and additional activities related to the member's covered active duty or call to covered active duty status (provided that the employer and employee agree that such leave shall qualify as an exigency, and agree to both the timing and duration of such leave).

"Son or daughter" means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. "Child" for the purposes of "childcare" means a biological, adopted, or foster child, a stepchild, or a legal ward of the covered military member, or a child for whom the covered military member stands in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

Qualifying Exigency Leave may commence as soon as the individual receives the call-up notice, upon approval by the County. Employees requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service before leave is granted. This may include a copy of the military orders or other official Armed Forces communication, or other allowable documentation as may be requested.

2. Military Caregiver Leave

Eligible employees may be entitled to up to 26 weeks of FMLA leave in a single 12-month period to care for a covered servicemember with a serious illness or injury. "Covered servicemember" means: (a) a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (b) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

A "serious injury or illness" means an injury or illness that was incurred by the covered servicemember in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, that: (a) in the case of a current member of the Armed Forces, may render the servicemember medically unfit to perform the duties of the member's office, grade,

rank or rating, or (b) in the case of a covered veteran, manifested itself before or after the member became a veteran.

“Son or daughter” means a covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age. “Parent” means the covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember, but does not include parents “in law.” “Next of kin” is the nearest blood relative, other than the covered servicemember's spouse, parent, son, or daughter. “Serious injury or illness” means an injury or illness incurred by the covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the servicemember’s office, grade, rank, or rating.

Employees requesting this type of FMLA leave should provide certification of the servicemember’s injury, recovery, or need for care. This may include a copy of the military medical information, orders for treatment, or other official Armed Forces communications pertaining to the servicemember’s injury or illness incurred on active military duty and ability to perform duties. Confirmation of the covered family relationship to the servicemember may also be required.