



HARRISON COUNTY COMMISSION

EMPLOYEE PERSONNEL POLICIES AND PROCEDURES



**229 S. Third Street
Clarksburg, WV 26304
<https://www.harrisoncountywv.gov>**

NOTICE TO EMPLOYEES

This Employee Handbook of Personnel Guidelines is not intended to create any contractual rights in favor of the employee. Nor does this Employee Handbook of Personnel Guidelines alter the at will nature of the employment relationship between Harrison County (the “County”) and its employees, which means that the employee may resign at any time and the employer may discharge an employee at any time with or without cause.



Welcome!

Congratulations on being selected for employment with Harrison County. The constitutional officials and staff welcome you in serving the citizens of Harrison County in your new position. In most situations the County Commission is considered a joint employer with the other constitutional officials, which includes the Assessor, Circuit Clerk, County Clerk, Prosecuting Attorney and Sheriff. Our mission is to serve the citizens of Harrison County in a manner that is in keeping with the highest traditions of public service.

The purpose of this Handbook is to provide employees with general guidelines of the rules and operating procedures which the Harrison County Commission and other constitutional officials believe will be useful to all such employees. This policy replaces and supersedes all previous instructions, policies and amendments issued by Harrison County Commissioners.

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Reference and Schedule of Adoption and Revisions

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Revision 1	August 14, 2014
Revision 2	January 8, 2015
Revision 3	March 20, 2015 and July 16, 2015
Revision 4	July 28, 2016
Revision 5	XX/XX/2026

INTRODUCTION AND PURPOSE OF HANDBOOK

This handbook provides a summary of the employment policies of the County. This handbook is designed to acquaint you with the terms of your employment. The policies will inform you of the benefits and responsibilities of employment. It is neither an employment contract nor a promise of specific treatment but is rather a general reference to inform and assist you as a County employee by setting forth general County policies. The County has developed these policies for the purpose of promoting fair and consistent practices by department heads, constitutional officials and employees.

It is the policy of the County that all personnel actions are conducted in a manner that provides equal opportunity to all employees and prospective employees. Every effort is taken to ensure that employees and prospective employees are treated fairly and their civil rights protected. The County's employment practices and policies will apply equally to all employees, unless they are exempted by law, contract or the terms of a policy. Where state or federal laws or regulations supersede County policies, employees are instructed to observe the requirement of such state and federal laws. Employees who are governed by a civil service commission or are regulated in accordance with the West Virginia Code provisions pertaining to civil service coverage are exempt from some of the provisions of this document. In addition, certain employees, including but not limited to the County Administrator, Departmental Managers, Departmental Supervisors and Assistant Prosecuting Attorneys are exempt from overtime provisions of the Fair Labor Standards Act (FLSA).

This handbook does not contain all the information you will need during the course of your employment and may not be applicable in every situation. Each constitutional officer, with review of the County Commission for compliance with local, state and federal procedures, regulations and statutes, may publish, as an addendum to this handbook, those policies and procedures which are in consonance or agreement with those outlined in this handbook, but are unique to the individual office. In addition, employees working in specifically covered jobs such as law enforcement or other agencies should use the handbook supplement supplied to them by their department head. You will undoubtedly receive additional information through various written notices (Standard Operating Procedures) as well as orally.

Obviously, no handbook can anticipate every circumstance or question which can arise in our government offices, but we will strive to use common sense and good judgment for any and all circumstances that do arise.

The Harrison County Commission reserves the right to interpret, modify, revise or supplement any policies, benefits and/or portions of this handbook from time to time as is deemed appropriate. Any changes thereto supersede any prior written, verbal or implied policies.

The Harrison County Commission encourages open communication between the employee and their department head or constitutional official and also the employee and the Commission. Employees are encouraged to talk openly with their supervisors about any concerns they feel need addressed with respect to their particular working conditions and employment.

We hope all employees will have successful employment with the County. All employees should understand, however, job security can never be guaranteed and depends upon a variety of circumstances. This handbook will help you better understand your responsibilities and benefits as an employee of the County, but it is not in any way a guarantee of indefinite employment or job security for any particular length of time; nor is it a guarantee of any particular level of benefits.

Once again, congratulations on being selected to join us in our mission serving the citizens of Harrison County.

Susan J. Thomas
Harrison County Commissioner

David L. Hinkle
Harrison County Commissioner

Patsy S. Trecoast II
Harrison County Commissioner

Date

GENERAL INFORMATION

At Will Employment

Since 1913, West Virginia has recognized the employment at will doctrine. Each and every County employee, except those under the protection of Civil Service (such as Deputy Sheriffs), is an at will employee. This handbook, personnel policies and the terms of employment do not change the employee's at will status. Violations of current policy standards are subject to immediate disciplinary actions up to and including termination.

Since employees of the County are employed "at will", dismissal can take place at any time, and for any or no reason, with or without notice.

Additionally, discipline or dismissal may result from policy violations including, but not limited to, insubordination, dangerous behavior or horseplay, felony or misdemeanor conviction, neglect of duty, drug, cannabis or alcohol use, theft or unauthorized use of County resources, falsification of documents, incompetence, or other actions that violate regulations or policies or otherwise disrupt the workplace.

The County will attempt to ensure that employee terminations are not made in an arbitrary or capricious manner. However, this handbook and personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The County Commission also reserves the right to change these policies at any time without prior notice to employees.

Authority and Administration Roles

The County Commissioners serve as the governing body of the County and retain ultimate authority over all employment, financial, and legal decisions.

While day-to-day administration of County operations is delegated to the County Administrator and departmental leadership, the Commissioners retain the authority to make final determinations.

The Prosecuting Attorney's Office and other legal counsel provides legal guidance to the County regarding employment actions, contracts, settlements, and compliance with applicable law. Recommendations from Administration regarding legal or employment matters may be reviewed in consultation with the Prosecuting Attorney's Office to ensure legal compliance prior to presentation to the Commissioners for final approval.

Management Rights

The County Commission retains the exclusive right to manage and direct operations, including, but not limited to:

- Assigning work and determining job duties;
- Establishing work schedules, hours of work, and shifts;
- Directing the workforce and determining staffing levels;

- Making operational and administrative decisions necessary to carry out County functions efficiently; and
- Implementing policies and procedures in accordance with law.

These rights are exercised at the discretion of management and do not diminish the County's obligations under applicable federal, state, or local laws, including labor and employment statutes.

This policy does not limit the County Commissioners' and/or Administration discretion to act in accordance with law, County ordinances, or fiduciary duties.

Equal Employment Opportunity

Purpose

It is the policy of the County to provide equal opportunity in employment to all employees and applicants for employment and to prohibit unlawful discrimination in employment based on any classification protected under the law.

Policy

The County is committed to providing a work environment free of harassment, discrimination, retaliation, disrespectful behavior and/or other unprofessional conduct based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, race (including traits historically associated with race, including but not limited to, hair texture and hairstyles), religion (including religious dress and grooming practices), color, gender, national origin (including language use restrictions), ancestry, physical or mental disability, medical condition, genetic information, marital status, age, sexual orientation, citizenship status, military and veteran status or any other basis protected by federal, state and/or local law, ordinance or regulation.

The County also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics or is associated with a person who has, or is perceived as having, any of those characteristics.

In addition, the County prohibits retaliation against individuals who raise complaints of discrimination or harassment or who cooperate in workplace investigations.

All such conduct violates County policy, federal and/or state law.

This policy applies to all terms, conditions, and privileges of employment. Discrimination in employment will not be tolerated. In addition, the County will not tolerate retaliation against an employee for having opposed discrimination, having made a complaint of discrimination, having advised of allegedly discriminatory conduct, or having participated in any manner in an investigation or proceeding regarding an allegation of discrimination. Employees are prohibited from engaging in any discrimination or retaliation.

Diversity, Equity, Inclusion, and Belonging

The County values diversity, equity, inclusion, and belonging in the workplace. We are committed to fostering an environment where all employees are respected, supported, and treated fairly, and where differences are recognized as strengths that contribute to the success of our organization.

Workplace Harassment

Purpose

The County's policy prohibiting harassment applies to all persons involved in the operation of the County. The County prohibits harassment, disrespectful or unprofessional conduct by any employee of the County, including elected officials, supervisors, managers, and co-workers. The County's anti-harassment policy also applies to vendors, suppliers, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract, and other persons with whom one may come into contact with while working.

Policy

Harassment is defined as behavior which has the purpose or effect of creating an intimidating, hostile or offensive working environment, or has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages.
- Visual displays such as derogatory posters, photography, cartoons, drawings or gestures that are sexual in nature or sexually graphic.
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis.
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors.
- Retaliation for reporting, or threatening to report, harassment.
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by County policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual in nature but can be harassment based on any protected category.

In addition to discriminatory harassment based on protected basis, the County prohibits acts of bullying, whether by words, gestures, written and/or electronic communications.

A safe and civil environment is necessary for employees to achieve the high standards we expect. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment and bullying are expected of all employees.

Abusive Conduct

For the purpose of this policy, abusive conduct is defined as, "Conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious."

Anti-Bullying

Bullying is the repeated, health-harming mistreatment of another employee. Examples of prohibited bullying include but are not limited to screaming, swearing, name calling, stealing, giving hazardous work assignments, using threatening, intimidating, or cruel behaviors, deliberately humiliating a person, denying advancement, and stealing work credit.

Generally, bullying involves any of the following:

- Written, verbal, graphic, and/or physical acts (including electronically transmitted content, such as using the internet, a cell phone, wireless handheld or similar device).
- Behavior that substantially interferes with work, opportunities, and benefits of one (1) or more employees, sometimes through actual sabotage of work.
- Behavior that adversely affects an employee's ability to function at work by placing the employee in reasonable fear of physical harm or by causing emotional distress.

Because bystander support can encourage harassment, abusive conduct, and bullying, the County prohibits both active and passive support of these acts. Employees should either walk away from these acts when witnessed or attempt to stop them. In either case, employees should report incidents to a manager or supervisor or to Human Resources. Those who engage in harassment, abusive conduct, bullying, or retaliation for complaints about harassment will be subject to appropriate discipline up to and including termination of employment.

Sexual Harassment

Sexual harassment is prohibited and includes any unwelcome sexual advance, requests for sexual favors and/or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, as a term or condition of employment;
- Submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual; or
- Such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating an intimidating, hostile or offensive working environment.

This policy prohibits sexual advances, requests for sex (with or without related threats and promises of favors or other benefits), or other verbal or physical sexual conduct which could have a harmful effect on any employee's work performance or which creates a hostile or offensive work environment.

Examples of sexual harassment include but are not limited to:

- Obscene or sexually suggestive comments about a person's body;
- Off color language or dirty jokes of a sexual nature;
- Slurs, threats, repeated commands or other offensive verbal or physical conduct relating to person's sex or sexual orientation;
- Offensive or unwelcome sexual flirtations, advances or propositions communicated verbally, by touch or in writing;
- Use of sexually degrading words to describe a person or a group of people; any display of sexually explicit photographs, drawings, greeting cards, articles, books, magazines or other printed items or emails or websites; or
- Repeated unwelcome or unnecessary touching of any part of another's body.

Sexual and other forms of harassment are strictly prohibited, whether committed by employees (management or non-management), vendors, citizens, volunteers or others involved in the operations of the County. Under this policy, supervisors, department heads or constitutional officials cannot threaten or imply that giving into or rejecting sexual advances will influence any decision regarding your employment.

Any form of harassment, including sexual, by an employee will result in disciplinary action up to and including termination of employment, and may lead to personal legal and financial liability.

You are encouraged to report your complaint if you believe you have been subjected to any form of harassment at work or during a work related activity. Complaints of sexual and other forms of harassment at work will be promptly and carefully investigated and handled appropriately. Under this policy, your supervisor, department head or constitutional official cannot retaliate or try to harm you in any way if you choose to file a harassment complaint.

Procedure

If you have concerns about being harassed or have been harassed at work by anyone, including but not limited to supervisors, department heads, constitutional officials, co-employees, guests, citizens, volunteers or visitors, you should immediately bring those concerns to your supervisor's/department

head's or constitutional official's attention and report the incident in writing to the Human Resources Department.

Complaints will be promptly, thoroughly and fairly investigated. Disciplinary and corrective actions will be taken depending upon the circumstances and as appropriate. Such concerns involving a constitutional official, including the Prosecuting Attorney, should be brought to the County Commissioners and, if involving a member of the County Commission, the matter should be brought to the Harrison County Prosecuting Attorney.

Every employee has an obligation to report any discriminatory conduct which they believe has occurred or is occurring, whether such conduct is directed toward that employee or another. If any employee or applicant for employment believes they have been discriminated against or believes they have observed or are aware of any discrimination, such employee or applicant should immediately report this information. If the discriminatory act is alleged to have been undertaken, ratified or condoned by the employee's department head, constitutional official or County Commissioner then such report shall be made to the Prosecuting Attorney. An investigation will be conducted and remedial action will be taken as appropriate. Furthermore, any type of retaliation for reporting discrimination will be investigated and disciplinary action will be taken, if warranted.

Every employee who does not comply with this policy will be subject to disciplinary action, up to and including termination of employment by the County Commission or appropriate constitutional official.

Non-Discrimination

The County is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in County operations. The County prohibits unlawful discrimination against any job applicant, employee, or intern by any employee of the County, including officials, managers, supervisors, and co-workers.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work is prohibited. Pay differentials may be valid in certain situations as defined by law. Employees will not be retaliated against for inquiring about or discussing wages.

Anti-Retaliation

The County will not retaliate against an employee for filing a complaint or participating in any workplace investigation or complaint process and will not tolerate or permit retaliation by others, including but not limited to management, employees, or co-workers.

All complaints will be treated seriously, kept as confidential as possible and investigated fully. The County expressly forbids any retaliation against employees for reporting sexual harassment. If, however, the County finds that false charges have been intentionally filed, disciplinary action may be taken against anyone who provides false information.

Whistleblower Protection

The Harrison County Commission is committed to maintaining transparency, accountability, and ethical conduct in all operations.

In accordance with West Virginia Code §6C-1, employees are protected from retaliation when they report violations of law, misuse of public funds, abuse of authority, or substantial and specific dangers to public health or safety.

Employees who make good faith reports to appropriate authorities, whether internal or external, are shielded from adverse employment actions, including termination, demotion, suspension, or other forms of retaliation. This protection applies whether the report is made to a supervisor, department head, County official, Human Resources or a public body such as law enforcement or a regulatory agency.

Employees are encouraged to raise concerns through established internal channels whenever possible. Reports should be factual, timely, and submitted in good faith. False or malicious allegations may result in disciplinary action.

The County will investigate all whistleblower reports promptly and confidentially to the extent permitted by law. Retaliation against any employee for exercising whistleblower rights is strictly prohibited and may result in disciplinary action, up to and including termination.

Reasonable Accommodation

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship. To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the County will make reasonable accommodations, if available, for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless it would result in an undue hardship.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a County representative within Human Resources to discuss the need for an accommodation. The County will engage in the interactive process with the employee to identify possible accommodations, if any, which will help the applicant or employee perform the essential functions of the job. An applicant, employee or intern who requires an accommodation of a religious belief, holiday, or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should contact their supervisor or department head or commission official to discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the County will make the accommodation.

The County will not retaliate against an employee for requesting reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees, or co-workers.

Open Door Policy

Good-faith complaints, questions, and suggestions are always of interest and concern to the County. Suggestions for improving the County are always welcome. If at any time an employee has a complaint, suggestion, or question about their job, working conditions, or the manner in which they have been treated, they are welcome to provide input and feedback to their supervisor, Human Resources, department head or constitutional official, who has an Open Door Policy.

Regarding suggestions and questions, employees should speak with their immediate supervisors at the earliest possible opportunity to discuss these concerns and how they may follow up, if applicable.

If there is a complaint, the preferred method is for employees to first discuss concerns with their supervisor. If the employee is not comfortable speaking to their immediate supervisor, the issue should be brought to department head, constitutional official, Human Resources or another member of management. Moreover, if a complaint has been raised, yet the issue continues to persist, beyond a reasonable amount of time needed to enact any necessary measures or improvements, the complaint may be brought to department head or constitutional official or Human Resources, who will initiate an investigation process to work to provide a resolution, explanation, or solution. Safety issues should be brought to the attention of management, the department head or constitutional official or Human Resources immediately and without delay.

While a written complaint is preferred, and assists in the investigation process, it is not required that complaints be made in writing.

We believe this process is important for both employees and the County. We cannot guarantee that every concern will be resolved in a manner or method that ultimately fully satisfies all parties involved in the process. We do, however, value and respect all observations, beliefs and personal experiences. Employees should feel free to raise issues of concern free of any fear of retaliation.

Conflict Resolution and Mediation

The County encourages employees to resolve workplace conflicts promptly and constructively. Employees should first attempt to address concerns directly with the parties involved or their supervisor. If informal resolution is unsuccessful, employees may request mediation, a voluntary and confidential process facilitated by a trained mediator to help reach a mutually agreeable solution. Mediation does not replace formal grievance procedures, but successful mediation may prevent the need for a formal grievance.

Complaints/Grievances Procedures

The Harrison County Commission recognizes the importance of resolving workplace concerns promptly, fairly, and in accordance with applicable law. Pursuant to West Virginia Code §6C-2, employees have the right to file a grievance regarding:

- Violations, misapplications, or misinterpretations of statutes, policies, rules, or written agreements;
- Unsafe or unhealthy working conditions;
- Discrimination or harassment;
- Reprisal or retaliation for exercising rights under law;
- Any other matter relating to terms and conditions of employment.

Filing a Grievance

Grievance Procedures

The County is committed to providing employees with a fair, timely, and orderly process to resolve workplace concerns. In accordance with West Virginia Code §6C-2, employees of county agencies are entitled to pursue grievances related to their employment. A grievance is defined as a claim by an employee alleging a violation, misapplication, or misinterpretation of statutes, policies, rules, or written agreements applicable to the employee, or a claim of discrimination, favoritism, or harassment.

Informal Resolution

The County encourages all individuals to report any incidents of harassment, discrimination, retaliation, or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved. Employees are encouraged to first discuss workplace concerns informally with their immediate supervisor in an effort to resolve issues quickly and at the lowest possible level. Many issues can be resolved through open communication without the need for a formal grievance.

Supervisors must refer all complaints involving harassment, discrimination, retaliation, or other prohibited conduct to their department head or constitutional official or to Human Resources so that the County can address the complaint.

Investigations

When the County receives allegations of misconduct, it will immediately undertake a fair, timely, thorough, and objective investigation of the allegations in accordance with all legal requirements. The County will reach reasonable conclusions based on the evidence collected.

The County will maintain confidentiality to the extent possible; however, the County cannot promise complete confidentiality. The County's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be handled as follows:

- Responded to in a timely manner.
- Kept confidential to the extent possible.
- Investigated impartially by qualified personnel in a timely manner; the right to have a representative present during the investigative interview will be provided to the accused employee(s), as disciplinary action could potentially result from the investigation.
- Documented and tracked for reasonable progress.

- Given appropriate options for remedial action and resolution.
- Closed in a timely manner.
- Have findings/conclusions timely-communicated to the parties, as appropriate.

If the County determines that harassment, discrimination, retaliation, or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The County will also take appropriate action to deter future misconduct.

Any employee determined by the County to be responsible for harassment, discrimination, retaliation, or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if an employee engages in unlawful harassment, said employee can be held personally liable for the misconduct.

Formal Grievance Process

If the concern is not resolved informally, employees may file a formal grievance. The process consists of the following levels:

Level One – Employer Hearing:

The employee must file a written grievance with the County Administrator and/or Human Resources Department within fifteen (15) days of the event giving rise to the grievance. A conference will be scheduled, and a written decision will be issued within fifteen (15) days of the conference.

Level Two – Mediation:

If dissatisfied with the Level One decision, the employee may file an appeal to the West Virginia Public Employees Grievance Board for mediation. Mediation is intended to facilitate a mutually agreeable resolution.

Level Three – Grievance Board Hearing:

If mediation does not resolve the issue, the grievance may proceed to a Level Three evidentiary hearing before an Administrative Law Judge of the Grievance Board. The Administrative Law Judge will issue a written decision, which is final and binding unless appealed to circuit court.

Filing Requirements

Grievances must be filed in writing using the official form provided by the West Virginia Public Employees Grievance Board, available at <https://pegb.wv.gov>. Filing deadlines are strictly enforced and failure to file within the required time may result in dismissal of the grievance.

Representation

Employees may represent themselves, be represented by legal counsel, or choose another representative of their choice at any stage of the grievance process.

Retaliation Prohibited

The County strictly prohibits retaliation against any employee for filing or participating in a grievance. Retaliatory actions are subject to disciplinary action up to and including termination.

Drug-Free Workplace and Criminal Reporting Policy

Purpose

The County has implemented a Drug-Free Workplace Policy, as it is committed to the principle of keeping illegal drug use out of the workplace and society in general. The use of alcohol, illegal substances, cannabis (including medical cannabis), or misuse of prescription medications may endanger fellow workers and public.

Policy

Accordingly, Harrison County has implemented this policy in accordance with the Drug-Free Workplace Act of 1988 to help ensure and maintain a drug-free, safe and secure working environment. For the purpose of this policy, the definition of "drug" includes alcoholic beverages, inhalants, and any illegal or controlled substances. It is a violation of this policy for an employee to use cannabis (including medical cannabis) because such use remains prohibited under federal law, regardless of state registration status, or prescription drugs or to report to work under the influence of illegal or controlled substances and/or alcohol. This policy includes the prohibition of possession or distribution of any controlled substance or alcoholic beverages at work, while in a position representing the County or while conducting County business. An employee and/or constitutional official that would consume an alcoholic beverage during a County related social function would not be in violation of this policy. An example of such an activity would be a reception or hospitality time at a County-related function. The unlawful manufacture, distribution, dispensation, possession or use of a drug on County property or in County vehicles is absolutely prohibited. This policy does not apply to lawful possession, storage or transportation of any drug by law enforcement and/or court personnel.

Violations of this policy will result in disciplinary action, up to and including termination of employment, and notification to appropriate law enforcement agencies as applicable.

In accordance with the Drug-Free Workplace Act and as a condition of employment, County employees must comply with this policy and notify Harrison County officials within five (5) days of a conviction for any criminal drug violation, most notably any that have occurred in the workplace or involve County property or County vehicles. Failure to do so will result in disciplinary action, up to and including termination of employment. Harrison County, as required by the Act, will report such information within ten (10) days of learning of the conviction to the appropriate state and federal agencies.

In addition, employees are required to promptly notify the County Administrator or designated official if they are arrested for any criminal offense. The County will review the matter to determine whether the arrest or charge reasonably affects the employee's ability to perform job duties, workplace safety, or the County's operations. Failure to report an arrest may, in itself, result in disciplinary action up to and

including termination. Notification of an arrest does not, by itself, constitute grounds for discipline; however, the County may be required to review and investigate the matter to determine whether there is a nexus between the alleged conduct and the employee's job duties, workplace safety, or the County's operations. Appropriate action, if any, will be determined in accordance with applicable law and County policy. Failure to report such information may, in and of itself, result in disciplinary action up to and including termination.

Federal and State Law Compliance

While West Virginia permits limited use of medical cannabis under state law (WV Code §16A), cannabis remains a prohibited substance under the federal Controlled Substances Act.

Because the County is a public employer subject to the Drug-Free Workplace Act of 1988 and other federal laws, cannabis use, possession, or impairment is prohibited regardless of medical cannabis registration status.

Employees are expected to comply with both federal and state laws, and when in conflict, the County must follow federal law.

Drug, Cannabis and Alcohol Testing

Policy

The Harrison County Commission is committed to maintaining a safe, productive, and drug-free workplace. To ensure the safety of employees and the public we serve, all candidates selected for employment are required to undergo and successfully complete a pre-employment drug/ cannabis /alcohol screening before beginning work.

If you are employed by Harrison County and operate a Harrison County vehicle in any capacity, you will be drug tested if you are involved in any accident or incident.

Scope

This policy applies to all employees and final candidates for employment with the Harrison County Commission, including full-time, part-time, seasonal, temporary, and internship positions.

Procedure for Final Candidates

1. Conditional Offer
 - a. A conditional offer of employment will be extended to the selected candidate.
 - b. The offer is contingent upon passing a drug/ cannabis /alcohol screening test.
2. Scheduling the Test:
 - a. Human Resources will provide the candidate with information regarding the approved testing facility, hours of operations and any required forms. The approved drug/ cannabis /alcohol testing facility is Harrison County Community Corrections, located at 220 Washington Avenue, Clarksburg, WV 26301.

- b. Candidates must complete the drug/ cannabis /alcohol screening within seventy-two (72) hours of receiving the conditional offer, unless otherwise approved by Human Resources.
 - c. Human Resources will contact the appropriate staff member at Harrison County Community Corrections to inform them the applicant will be reporting for a pre-employment drug/ cannabis /alcohol screen within the following seventy-two (72) hours.
3. Testing Method:
- a. Testing will be performed by a certified laboratory using a standard five-panel (or expanded panel as required by position or regulation) urinalysis or equivalent approved method.
 - b. The collection and testing process will follow federal chain-of-custody procedures to ensure accuracy and integrity.
4. Results and Notification:
- a. The testing facility will provide results directly to Human Resources.
 - b. Human Resources will notify the candidate of the results.
 - c. A negative test result is required before employment can begin.
5. Positive or Refused Test:
- a. A positive test result, adulterated sample, or refusal to submit to testing will result in withdrawal of the employment offer.
6. Confidentiality:
- a. All drug/ cannabis /alcohol screening results and related information will be kept strictly confidential and maintained in separate medical files in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and any other applicable state and federal laws.

In addition to pre-employment drug, cannabis and alcohol testing, any and all County employees will be subject to post-accident testing, testing upon reasonable suspicion of being under the influence during the performance of work functions, and random testing. If required, drug, cannabis and alcohol testing will be paid for by the County Commission. Testing for current employees subject to the circumstances listed above will be subject to essentially the same process as that which is outlined above for pre-employment purposes.

Confirmed tests will result in immediate suspension without pay. The employee will then be discharged unless the employee can demonstrate within fourteen (14) days that the positive test is the result of a lawfully prescribed substance taken in compliance with that prescription.

Random Drug Testing Policy

Purpose

Harrison County Commission is committed to providing a safe, healthy, and productive work environment for employees and the public we serve. The use of illegal drugs, misuse of controlled substances, or abuse of alcohol in the workplace poses significant safety, health, security, and operational risks. The purpose

of this policy is to deter substance abuse, promote workplace safety, and ensure employees are fit to perform the essential functions of their positions.

Scope

This policy applies to all employees designated by the Commission as subject to random drug and alcohol testing, including employees in safety-sensitive positions and any other positions identified by the Commission where testing is authorized by law or County policy.

Nothing in this policy limits the Commission's authority to conduct pre-employment, post-accident, reasonable suspicion, return-to-duty, follow-up, or other legally authorized testing.

Random Selection Process

Employees subject to random testing shall be selected through a scientifically valid, computer-generated random selection process administered by the County or an authorized third-party administrator.

Selection shall be made without regard to an employee's job performance, length of service, race, sex, age, disability, or any other protected characteristic.

Employees may be selected for testing more than once during a calendar year or may not be selected at all. Each selection is independent and random.

Notification

Employees selected for random testing shall be notified as close as reasonably possible to the time of testing.

Upon notification, the employee shall immediately report to the designated testing location unless otherwise directed by the County. Unreasonable delays, failure to report, or attempts to avoid testing may be considered a refusal to test.

Testing Procedures

All testing shall be performed by qualified laboratories and collection facilities utilizing accepted chain-of-custody procedures.

Drug testing shall be conducted in accordance with applicable federal and state laws and recognized laboratory standards.

Alcohol testing, when applicable, shall be conducted using approved testing methods and equipment.

Prescription Medications

Employees are responsible for ensuring that prescription medications do not impair their ability to safely perform their job duties.

Employees who are using prescription medications that may impair judgment, coordination, alertness, or the safe performance of assigned duties must notify Human Resources before reporting to work or immediately upon becoming aware of such impairment. Employees are not required to disclose the underlying medical condition or diagnosis unless otherwise required by law.

The County may require medical documentation regarding an employee's ability to safely perform essential job functions and may require a fitness-for-duty evaluation when appropriate.

Refusal to Test

The following may constitute a refusal to submit to testing:

- Failing to report immediately after notification.
- Refusing to provide a specimen.
- Leaving the testing site before completion of the testing process.
- Failing to cooperate with testing personnel.
- Tampering with, adulterating, or substituting a specimen.
- Providing false information during the testing process.
- Any other conduct determined to be a refusal under applicable testing procedures.

A refusal to test may result in disciplinary action, up to and including termination of employment.

Positive Test Results

An employee who tests positive for illegal drugs, unlawfully used controlled substances, or prohibited levels of alcohol may be removed from duty pending review.

Following confirmation of the test results and any applicable review process, disciplinary action may include suspension, mandatory evaluation, mandatory treatment, last chance agreement, or termination of employment, depending upon the circumstances, the employee's position, applicable law, and the Commission's determination.

Confidentiality

Drug and alcohol testing records shall be maintained as confidential medical records to the extent required by law and shall be disclosed only to individuals with a legitimate business or legal need to know.

Compliance with Law

This policy shall be administered in accordance with all applicable federal and West Virginia laws. Where federal regulations require different or additional procedures for specific employees, those regulations shall control.

Policy Administration

The Director of Human Resources is responsible for administering this policy, selecting qualified testing providers, maintaining confidential records, and ensuring consistent application of this policy throughout County departments.

General Conduct Guidelines

Conduct that interferes with operation, discredits the County or is offensive or dangerous to others in the workplace is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive. Every employee is required to conduct themselves in accordance with that general principle and with all rules, policies and directives, as well as with all other standards of conduct which a reasonable person would know is expected of someone in the workplace. Any noncompliance or violation is grounds for discipline. Tasks are to be performed efficiently and safely. All employees are expected to comply with attendance requirements and every directive from the County or from any authorized department head or constitutional official including any written memo, posting or other advisement to employees. All employees are expected to treat visitors, employees, department heads, constitutional officials and others in the workplace with the utmost courtesy and respect. This attitude and policy are intended to foster trust throughout County offices, benefiting both employees and visitors.

While the County does not seek to regulate the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the County's legitimate business interests where there is a reasonable nexus between the off-duty conduct and the employee's duties and responsibilities to the County. Under these limited circumstances, such off-duty conduct by an employee that directly and adversely impacts the County's essential business interests and disrupts business operations will not be tolerated. One example includes, an employee who is responsible for fiscal management/oversight being arrested/convicted of financial crimes. The County has an interest in maintaining the fiscal integrity of public finances, and as a result, the County may appropriately take disciplinary action against this employee.

Confidential Information

No present or former employee of the County may knowingly and improperly disclose any confidential information acquired during the course of their official duties nor use such information to further their personal interests or the interest of another person. Employees should be aware that there is no expectation of privacy. Each employee has a responsibility to prevent revealing or divulging any such information, unless it is necessary to do so in the performance of official duties, or as required by law.

The misuse, unauthorized access to, or mishandling of confidential information, particularly personnel information, is strictly prohibited.

Confidential Medical Data and Reporting

The County may be required to track and keep a record of certain personal information concerning infectious or contagious illnesses, i.e., COVID-19, tuberculosis, etc., including information related to close contacts. Information and data required may include recording and tracking cases with employee name, occupation, work location, date last at work, date of positive test(s) for illness, contact information, etc. The County may be obligated to provide data/information to the local health department, the Occupational Safety and Health Administration (OSHA,) office, the Department of Public Health, and the National Institute for Occupational Safety and Health immediately upon request. Medical and other sensitive information is kept confidential unless disclosure is permitted or required by law.

Employee References

All requests for references must be directed to Human Resources. No other manager, supervisor, or employee is authorized to release references for current and/or former employees. By policy, the County discloses only dates of employment and the title of the last position held of former employees unless the employee requests, in writing, that additional information be disclosed.

Privacy at the Work Place

An employee's use of County equipment and/or facilities is permissive and not by right, thus employees have no expectation of privacy involving their employment with Harrison County. In compliance with any applicable law or regulation, the County reserves the right to monitor the work space, office correspondence, email correspondence, telephone usage, internet usage and/or history of sites viewed.

Political Activity and Hatch Act Notification

Employees are protected from any requirement, whether real or implied, to contribute time or money to any person or political party. Solicitation of employees by a constitutional official and/or supervisor for political party campaign contributions, promoting fund-raising drives and even encouraging subordinates to contribute to community non-profit organizations are prohibited activities. County employees, while working for the County, with the exception of constitutional officials, are not allowed to participate in political activities during normal working hours. No County property, such as equipment, buildings or vehicles, can be used to display campaign materials and County property may not be used for any other political activity. Violators will be subject to disciplinary procedures, up to and including termination of employment.

It is declared that high moral and ethical standards among County employees are essential to the conduct of free government; that the County believes that a code of ethics for the guidance of County employees will help them avoid conflicts between their personal interests and their public responsibilities, will

improve standards of public service and will promote and strengthen the faith and confidence of the citizens of Harrison County in their public employees.

The provisions of this section apply to all County employees, whether full or part time, in County government and its respective boards, agencies, departments and commissions.

A County employee may not knowingly or intentionally use their office or the prestige of their office or department for their own private gain or benefit or that of another person. The performance of usual and customary constituent services, without compensation, does not constitute the use of prestige of that office/department for private gain.

Employees that receive any compensation from and/or administer federal grant funds must comply with the requirements and restrictions of the "Hatch Act." Employees who are considering participating and filing as a partisan candidate during an election are encouraged to review those statutory guidelines.

Conflicts of Interest

The County believes that the holding of public employment is a public trust. Independence and impartiality of County employees are essential for the maintenance of the confidence of our citizens in the operation of a democratic government.

The County expects all employees to conduct themselves and county business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interest. Employees are expected to avoid situations involving any actual or potential conflict between the employee's personal interests and the interests of the County. Both the facts, and the appearance of conflict of interest, should be avoided. Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their department heads, constitutional officials, Human Resources.

The decisions and action of County employees must be made free from undue influence, favoritism or threat, at every level of government. County employees who exercise the powers of their office or employment for personal gain beyond the lawful compensation or emoluments of their position or who seek to benefit narrow economic or political interests at the expense of the public at large undermine public confidence in the integrity of a democratic government and will not be tolerated in Harrison County. Therefore, County employees may not enter into dealings or financial interests in contract and services performed by the County. This includes deriving any direct or indirect profit resulting from the sale, service, contracting or purchases made on behalf of the County. Even the appearance of a conflict of interest must be avoided.

Gifts and Gratuities

County employees may not accept financial benefits that would reasonably tend to influence decisions or encourage that employee to disclose confidential County business. County employees and officers are

not allowed to receive gifts or gratuities in any personal or professional capacity that could even create the impression that the giver was seeking favor or trying to influence an opinion or a judgment from the employee or official. Any offers of money, gifts, services, benefits, favors or other possible conflicts should be discussed with department heads, constitutional officials and/or Human Resources.

No County employee may solicit any gift. No employee may knowingly accept any gift, directly or indirectly, from any person whom the employee knows or has reason to know:

- Is doing or seeking to do business of any kind with their department;
- Is engaged in activities which are regulated or controlled by their department;
- Has financial interests which may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of their official duties.

Notwithstanding the provisions of this subsection, a County employee may accept a nominal gift as described below, and there shall be a presumption that the receipt of such gift does not impair the impartiality and independent judgment of the person:

- Meals and beverages — purchaser must be in attendance during the meal;
- Ceremonial gifts or awards which have insignificant monetary value;
- Unsolicited gifts of nominal value or trivial items of informational value;
- Reasonable expenses of food, travel and lodging of the employee for a meeting at which the employee participates in a panel or speaking engagement at the meeting;
- Gifts of tickets or free admission extended to a County employee to attend a charitable, cultural or political event, if the purpose of such gift or admission is a courtesy or ceremony customarily extended to the office. An employee or constitutional official may not accept any tickets for an athletic event.
- Gifts that are purely private and personal in nature, and;
- Gifts from relatives by blood or marriage, or a member of the same household as an individual seeking to do business of any kind with their department, engaged in activities which are regulated or controlled by their department, and/or one who has financial interests which may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of their official duties.

Employees and constitutional officials are subject to the provisions of the West Virginia Ethics Act, which includes an annual monetary limit or value, currently \$25.00, for gifts from any one source.

Criminal Conduct

Employees will not engage in any criminal conduct. Activity of this nature will result in disciplinary action, up to and including termination of employment. Any employee accused of criminal conduct may be placed on administrative leave, with or without pay, at the discretion of the constitutional official while the accusation is investigated.

SAFETY AND HEALTH

Health and Safety

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to a supervisor, department head, commission official or Human Resources Department.

Emergency Preparedness and Evacuation Plans

The County is committed to ensuring the safety and well-being of all employees during emergencies, including natural disasters, fires, medical incidents, or other unforeseen events. All departments shall maintain emergency preparedness and evacuation plans that comply with applicable laws, regulations, and County safety protocols.

Employees are expected to:

- Be familiar with their department's emergency procedures and evacuation routes;
- Participate in scheduled emergency drills and training;
- Follow instructions from supervisors or emergency personnel during an actual emergency; and
- Report hazards or unsafe conditions to their supervisor or the County Safety Officer immediately.

Failure to follow established emergency procedures may compromise personal safety and the safety of others and may result in disciplinary action. The County will review and update emergency plans periodically to ensure effectiveness and compliance with all applicable safety standards.

Heat Illness

The County is concerned with employee health and safety. Employees who work outside may be exposed to extreme temperatures or adverse working conditions. All pertinent employees are trained in the prevention of heat illness. Employees who work outside are encouraged to frequently drink water. Employees who work outside are also allowed and encouraged to take a cool-down rest in the shade of at least five (5) minutes (in addition to the time needed to access the shade) when needed to protect themselves from overheating. These preventative cool-down rests are paid time.

Please speak with your supervisor for details on how to ensure protection from heat illness dangers.

Lactation Accommodation

All eligible employees who breastfeed their child, and who need to express milk during the working day, will work with their supervisor or commission official and Human Resources to determine how best to accommodate the needs of the mother while still accomplishing the performance of their job. Accommodations will include time for lactation and the environment provided for lactation in accordance with state and federal laws.

Recreational Activities and Programs

The County or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

Security

The County has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. An employee should secure their desk or office at the end of the day. When called away from their work area for an extended length of time, do not leave valuable and/or personal articles in or around their workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. An employee should immediately notify their supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

Ergonomics

The County will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training as needed. The County encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

The County believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being and is essential to our business. We intend to provide appropriate resources to create a safe environment.

Please direct any questions or concerns regarding ergonomic modifications to your supervisor, department head or commission official.

Workplace Violence Prevention

The County is committed to providing a safe workplace, free from violence and threats of violence to ensure a safe working environment for all employees.

The County has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work-related weapons on County premises and at County-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to themselves or their co-workers or any event which is reasonably believed to be

threatening or violent. An employee may report an incident to any supervisor, department head, commission official or Human Resources.

A threat includes, but is not limited to, any indication of intent to harm a person or damage County property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

Workers' Compensation

The County requires employees to conduct job tasks safely to protect themselves and others at work. Every work-related accident, injury or illness is required to be reported to their supervisor and Human Resources immediately. All on-the-job injuries must be reported to the County Commission Office by the injured employee and their supervisory department head as soon as practicable to ensure medical treatment is obtained, as needed, to investigate as necessary, and to allow the County's insurance carrier to be notified. The department head or constitutional official will file a written report with the Human Resources Department which includes the date, time and place of accident/injury/illness, first report of injury, results of any required alcohol/drug/cannabis test(s) and any other information about the incident, as appropriate.

In the case of injury requiring medical attention, employees should seek care at the nearest medical facility. Any and all emergency conditions, employees or supervisors should immediately call 911 before taking any other action.

Employees must file the appropriate workers' compensation documentation with the Harrison County Commission Office to ensure the proper notification is completed. If any work time is missed as a result of such injury, upon return to work, a physician's statement of medical condition and release to return to work, including any necessary work limitations if applicable, must be submitted to the department head/supervisor, with a copy going to the County Commission Office. No employee may return to work without first providing a properly filled out and executed release indicating approval by the County for the employee to return to work.

If an employee is temporarily disabled as a result of a work-related injury or illness, as defined by applicable workers' compensation law, the employee may be eligible for workers' compensation benefits subject to acceptance of the claim by the County's workers' compensation insurance carrier.

For accepted workers' compensation claims involving four (4) or more consecutive days of disability, employees will not be charged vacation or sick leave for the period covered by workers' compensation benefits. If a claim has not yet been accepted, or if the claim is ultimately denied, the employee may be required to use available accrued leave or may be placed on unpaid leave, in accordance with County policy. Any leave adjustments will be made consistent with the final determination of the claim.

An employee may utilize available accrued leave, if applicable, for a workplace injury resulting in fewer than four (4) consecutive days of absence, or while a claim determination is pending.

If a workplace injury requires ongoing medical treatment, the employee will work with the treating physician and the department head or constitutional official to determine the employee's ability to

return to work, eligibility for temporary or light-duty assignments if available, and/or eligibility for continued employment consistent with applicable law.

All workers' compensation claims are submitted to the County's workers' compensation insurance carrier, the West Virginia Counties Risk Pool, for determination of coverage related to occupational injury, occupational illness, or death arising out of and in the course of employment. Workers' compensation coverage is provided through the Harrison County Commission.

Nothing in this policy guarantees acceptance of a workers' compensation claim or alters the authority of the workers' compensation insurance carrier to determine compensability.

Incident Report Form

All incidents, regardless of whether or not an illness or injury occurred, must be documented using the attached Harrison County Commission Incident Report Form. This includes, but is not limited to, employee injuries, property damage, vehicle accidents, safety hazards, and near-miss events.

Key Requirements

- All incidents involving employee injuries, property damage, vehicle accidents, safety hazards, and near-miss events must be documented on the Incident Report Form.
- Completed forms must be submitted to the office of Harrison County Administrator within twenty-four (24) hours of the incident.
- Employees involved in any workplace incident or accident must submit to a mandatory drug, cannabis and alcohol test as soon as possible. Refusal to test will be treated as a positive result and subject to disciplinary action.
- Employee completing the form must ensure all relevant details are included to best allow for proper review and corrective actions.

If you have questions or need additional copies of the form, please contact the Harrison County Administrator.

USE OF EQUIPMENT AND PROPERTY

Driving and Vehicle Policy

Employees are provided with adequate tools and equipment to safely perform their jobs. It is the responsibility of the employee to use them safely and to cooperate in the maintenance of equipment owned by the County.

Any employee operating a County vehicle or a personal vehicle for conducting County business is required to have a current, valid West Virginia state driver's license. Should an employee lose or not have a current West Virginia driver's license, receive a violation for DUI, DWI or any violation that results in a charge or loss of points on their license, and be asked to or required to operate any vehicle for conducting County business, said employee shall advise their supervisor/department head of the issue and shall not,

under any circumstances, operate a vehicle for County business until authorized. If operation of a County vehicle is necessary for the performance of an employee's job for the County and said employee has temporarily lost their driver's license, every attempt will be made to assign employee to another job, if the loss is promptly reported to the Constitutional Officer or their designee.

If an employee receives any warning, violation or has an accident involving a County vehicle or a personal vehicle while conducting County business the situation must be reported immediately to the appropriate law enforcement agency, to the employee's department head or constitutional official of the employee's department and to the County Commission office. The employee shall provide a written narrative of the accident, warning or violation to the department head or constitutional official with a copy to the County Commission office. Failure to adhere to this policy by reporting any accident, warning or violation will result in disciplinary action, up to and including termination of employment.

If there is a reasonable concern about possible drug or alcohol use, an employee may be asked to complete a drug and/or alcohol test. In these situations, the County Commission will cover the full cost of the testing.

All employees who will be driving County vehicles or driving personal vehicles on County related business may require a Motor Vehicle Records (MVR) check prior to first operating the vehicle(s). Each constitutional official and department head shall submit a list each January (updated throughout the year as necessary) of employees authorized to operate a County owned vehicle or a personal vehicle on County business to the Office of the County Commission. The Office of the County Commission may then request an MVR.

Only drivers who meet the following criteria will be allowed to operate a County vehicle and/or operate a personal vehicle for County-related business:

- Possess a valid WV Driver's License with a copy on file with the constitutional official or designee
- Twenty-one²¹.
- Be at least eighteen (18) years of age.
- Possess a Commercial Driver's License if driving a vehicle requiring such a license.
- Provide proof of valid and current insurance coverage for personally owned vehicle at any time if required by the Harrison County Commission with a copy on file. Be placed on the County driver's list by their supervisor, department head by contacting the County Commission Office

Driver Responsibilities

- Shall comply with all applicable state and local driving laws, parking regulations, and all County safety policies and rules. All drivers and passengers shall wear seat belts at all times when the vehicle is in motion.
- Shall be held personally responsible and liable for any parking tickets received while driving a vehicle on County business. Parking fines received on County vehicles shall be paid or otherwise

resolved promptly by the driver. Drivers shall notify their supervisor within twenty-four (24) hours of receiving a citation on a County vehicle.

- Shall be held personally responsible and liable for any failure to comply with the rules of the road for drivers while driving a vehicle on County business. Drivers shall notify their supervisor within twenty-four (24) hours if in receipt of a citation or being arrested for failure to comply with the rules of the road.
- In the event of an accident while on County business, drivers shall, at the earliest possible opportunity, file an accident report with the Harrison County Commission.
- A driver whose license has been suspended, revoked or otherwise restricted shall immediately notify the department head.
- Drivers shall ensure that any passengers riding in a County vehicle or in any other vehicle while on County business are insurable and authorized to be in that vehicle by the County Commission.
- If an employee of the County encounters a stranded motorist, please be aware:
 - there is no obligation to stop or render assistance (on-duty law enforcement personnel will have certain obligations),
 - you should consider all objective circumstances regarding your own personal safety and safety of any passenger in your vehicle before choosing to stop,
 - The only authorized action the County gives is to help connect the motorist with the appropriate roadside assistance.
- Drivers of County vehicles or vehicles used for County business shall not drive or operate such vehicles when required to take any medication that impairs their ability to safely operate a moving vehicle.
- When operating a vehicle on County business, driving is the first responsibility. If a call must be made or taken while driving on County time or conducting County business, only a hands-free device shall be used.
- Employees shall not use any tobacco products, including e-cigarettes or vaping devices, while operating a County vehicle. If employees are caught using tobacco products while operating county vehicles, they will be subject to the County's disciplinary program of verbal, verbal written and written warning.
- Employees must maintain a valid West Virginia State driver's license appropriate for the vehicle being operated and at minimum full coverage of automobile insurance coverage at all times while driving on County business. Both the license and insurance must remain current, and proof may be requested by the County at any time.

Vehicles

- **County Supplied Vehicles:** The County provides vehicles for use by some departments. These vehicles are for qualified drivers that have a clean and clear MVR and only to conduct official County business and to maintain the ability to respond to County business outside of normal work hours when the employee's position requires such use of the vehicle or equipment contained. County vehicles are not to be used for personal business.

- **Privately Owned Motor Vehicles:** The County allows for use of privately owned vehicles to conduct official County business. A privately owned vehicle used for County business must be a conventional, four-wheel vehicle, and be in safe mechanical condition. The driver of a privately owned vehicle used to conduct County business must obtain and carry full coverage insurance in an amount not less than the minimum requirements of the State of West Virginia. The driver's insurance is primary with respect to bodily injury and property damage. The vehicle owner is responsible for any comprehensive and collision coverage the owner may elect to carry. Mileage reimbursement for the use of privately owned vehicles for official County business is considered full payment for its use, including depreciation, insurance, maintenance and operating costs.
- **Out of Town Rental Vehicles:** On rare occurrences, travelers are required to apply the criteria of common sense, propriety, and relationship to business purpose, to the use of rental vehicles for County business.

Authorized Passengers

Only authorized passengers are allowed to ride in County owned vehicles. Authorized passengers include the following:

- County employees conducting business or other passenger(s) in extenuating business-related circumstances.
- Officers and agents representing the County.
- Approved volunteers acting on behalf of the County.
- Vendors or contractors working on behalf of the County.
- Participants in official County business and programs.
- Representatives or other government agencies working with the County.
- Other person(s) with prior written approval of the County Commission.

Maintenance - Safety

It shall be the responsibility of the supervisor to ensure and provide needed safety equipment. To ensure proper health and safety, employees shall be responsible for using proper personal protective equipment (PPE) in accordance with the needs of the task being completed. If unavailable, the employee shall request such PPE in writing to their immediate supervisor.

Should a situation arise when an employee is not sure whether the use of safety equipment is necessary, they shall consult with the appropriate department head or constitutional official immediately before proceeding with the specified task.

Employees will be expected to ensure the safe and proper use of PPE as well as be responsible for the proper care and maintenance of the PPE. Necessary PPE will be provided by the County and will be replaced on an as needed basis as determined by the County Commission upon notification by the maintenance department.

Any time any County employee works in one of these capacities, they shall be expected to follow this policy. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

Employer Property

Furniture, desks, computers, cell phones, data processing equipment/software, lockers, vehicles, and electronic devices that are County property must be maintained according to County rules and regulations. They must be kept clean and are to be used only for work-related purposes. The County reserves the right to inspect all County property including, but not limited to, computers, phone data and messages to ensure compliance with rules and regulations, without notice to the employee and, at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any County property may be removed from the premises. County voice mail and/or electronic mail (e-mail) including texting, instant messaging, and/or any other mobile messaging system are to be used for business purposes. The County reserves the right to monitor voice mail messages, e-mail messages, instant messages, text messages, posts and any other related communications to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence. The County may periodically need to assign and/or change "passwords" and personal codes for voice mail, e-mail, and cell phones. For security reasons, employees should not leave personal belongings of value in the workplace.

Parking

Employees may park their vehicles in designated areas if space permits. If space is unavailable, employees may park in permissible public areas in the vicinity of the County property. Employees may not use parking areas specifically designated for visitors, County vehicles, or reserved parking spaces. The County is not responsible for any loss or damage to employee vehicles, or the contents of vehicles, while parked on County property. A citation may be issued and/or vehicles may be towed if they are parked in an undesignated space.

RECRUITMENT, HIRING AND EMPLOYMENT

Applications

Applications for employment should not be submitted unless there is an immediate vacancy to be filled. In the event it is necessary to solicit employment applications to fill a vacancy the constitutional officer is free to, but not required to, utilize existing applications on file for expediency in filling position. If applications on file are not within six (6) months from the date of vacancy, then the position shall be posted and/or advertised as outlined below. Retention of any application not submitted for a specific vacancy will not constitute application for any specifically advertised position and will not require further action by any constitutional official or county administrative person.

Notice of Vacancies

All vacancies for the County will be announced in the following manner:

At the discretion of the constitutional official, all vacancies, job postings and positions for full time and part-time employment may be posted for a period of not less than five (5) days and may be advertised for a period of no less than three (3) days and on the Harrison County Courthouse website. Notice shall contain a brief description of the position, minimum requirements, and a deadline for accepting applications. Electronic mailings to local employment agencies and/or national or internet listings may also be used. The employment application solicitation process may also include a recruitment effort which may extend beyond the County when deemed necessary to obtain applications from individuals with necessary technical skills or other specialized qualifications.

Ethics in Employment

No person will be employed by the County when that employment would result in a violation of the ethics in government provisions found in state and/or federal statutes. Any such appointment may be voided by the County Commission if not done voluntarily by the hiring department, employee or candidate.

Anti-Nepotism Policy

The Harrison County Commission has determined that it will be in its best interest to avoid conflicts of interest between work-related and family-related obligations, avoid favoritism or the appearance of favoritism, and avoid family conflicts from affecting the workplace.

Relatives of Harrison County employees may be considered when hiring an applicant. Relatives will not be hired if any of the following job relations or situations would result:

- The supervisor is related to a direct subordinate.
- The person interviewing the applicant is a relative.
- The person recommending salary increases or promotions is a relative.
- The person considered for hiring is in the same department as their relative and absence by both would create a staffing difficulty.
- No person will be hired to any position within a department when that individual's spouse is already serving in any position within the same department as an employee of the County.

No person will be hired if such hiring would result in a direct or indirect supervision conflict due to a relationship between the prospective employee and a supervisor, which falls within any of the relationships described in the two (2) paragraphs above. No constitutional officer may appoint or select for employment a blood relative to any position within the same department.

Advice and Consent

The department head or constitutional official must complete the proper process for advertising a position and complete the selection process deriving the best candidate for the position based solely on the applicant's qualification for the position. In accordance with WV Code §7-7-7, the department head or constitutional official must obtain the advice and consent of the County Commission prior to extending an offer of conditional employment and/or hiring the qualified applicant. The department head or constitutional official must submit proper documentation, including the "Payroll Change Notice", to the County Commission for approval. Such documentation will then be forwarded to the Payroll Department by the County Commission. Upon the County Commission's approval, the qualified applicant may be offered the position by the department head or constitutional official.

Employment Testing

Any tests for job applicants will be limited to skills or performance testing, to determine the level of competence or ability to perform certain tasks associated with the job being sought. An applicant will be disqualified from consideration for employment in a position if they do not meet the job qualifications for that position. Reasonable accommodations will be made for any applicant testing per appropriate state and/or federal statutes.

Verification of Work Eligibility

Background Investigations

The Harrison County Commission relies upon the accuracy of information contained within the employment application, as well as the accuracy of other data presented throughout the hiring process and during employment. Any misrepresentation, falsification, or material omission in any of this information can result in the exclusion of the individual from further consideration of employment or, if the person has been hired, may result in the termination of employment. The employing department is responsible for verifying the applicant's employment experience, education, and skills before presenting the employment recommendation to the County Commission.

Background investigations will be performed on the successful applicant and employment is conditional until receipt, review and approval of any and all information from such investigation. The employment application contains certain authorizations or releases and if an applicant refuses to sign the same they may be disqualified as a candidate. Any offer of employment and actual employment is conditional until a satisfactory background investigation process has been completed.

Each new employee must, at least three (3) days prior to employment if at all possible, complete and sign an INS Form 1-9, including showing acceptable proof of identity and eligibility. The new applicant must have also completed a W-4 form, IT-140 form, insurance forms, provide insurance information about dependents, sign the employee acknowledgement from this Employees Handbook and any other necessary employee benefit forms. Finally, if the prospective employee has not provided proof of citizenship or legal work status three (3) days prior to employment, they may be disqualified. It is the

responsibility of each employee to promptly notify their supervisor, department head and bookkeeping/payroll clerk (County Clerk's Office) of any changes in personnel data. This includes personal mailing addresses, telephone number, names of dependents (if applicable), individuals to be contacted in event of an emergency, and/or educational accomplishments. All statements should be accurate and current at all times.

Orientation

The Human Resource Department will provide a general orientation about the benefits offered by the County and a copy of this handbook. It is the responsibility of the employee to read and gain an understanding of the handbook, work rules and comply with them. The employee will acknowledge receipt of the handbook and provide that acknowledgment form to the Harrison County Commission office. Periodic updates will be sent and receipt will also be acknowledged by signature of the employee with such acknowledgement provided to the Harrison County Commission office.

Job orientation will be given to all new employees from the Human Resources Department.

Training will be given within the specific department in which they will work.

All employees are required to report to the Payroll Department of the Office of the County Clerk on their first day of employment to complete payroll and tax documents.

New hire employees will need to meet with Human Resources to be instructed regarding the County's Orientation, including a photograph for identification which will be distributed to employee, in most all cases, within twenty-four (24) hours of first day of employment.

Department heads or constitutional officials should contact the Human Resources to arrange for that appointment on behalf of new staff.

Employment Classifications

Fair Labor Standards Act (FLSA) Exempt

Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay. Employees may be reclassified if their duties or responsibilities change, in accordance with County policy and FLSA regulations. Periodic audits of job duties and classifications may be conducted to ensure compliance with FLSA requirements.

Fair Labor Standards Act (FLSA) Non-exempt

Non-exempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked. Employees may be reclassified if their job duties or status change, and periodic audits may be conducted to ensure accurate classification and proper overtime administration.

Hourly Full-Time Employees / Professional / Administrative

A full-time employee's regular employment consists of working forty (40) hours per week on a regular basis. Regular full-time hourly employees are eligible for additional pay for approved hours worked in

excess of the normal work week, excluding any paid meal time in which the employee is substantially relieved from duty. (Refer to Overtime Section of Handbook for hours worked in excess of forty.) Employees hired as a full-time employees are eligible for all benefits outlined in this Handbook. No employee shall be employed in more than one (1) full-time position with Harrison County. Employees in regular full-time positions shall only receive compensation such as cost of living increases, pay raises, or other benefits equal to one (1) full time regular position.

Hourly Part-Time Employees

Typically, hourly part-time employee's regular workweek consists of less than thirty-five (35) hours per week. An hourly part-time employee that works 1,040 or more hours during the calendar year (averages twenty [20] or more hours per week) must be a member of the West Virginia Public Employees Retirement System (WVPERS). A part-time employee is paid an hourly rate for the number of hours worked. Hours worked in excess of forty (40) in a week will be paid at the overtime rate for that employee. A part-time employee normally working less than an average of thirty (30) hours per week is eligible for coverage by workers' compensation and WVPERS, but is not eligible for holiday pay, accrued paid time off such as annual vacation leave, paid sick leave, paid medical insurance, or any other County benefit. A part-time employee working an average of at least thirty (30) hours per week, but less than forty (40) hours per week, may be eligible for medical insurance coverage as per federal statutes.

Hourly Temporary / Seasonal Employees

Temporary employees may be hired for specific periods or for the duration of specific assignments. Temporary employees are paid an hourly rate for the number of hours worked each week and are eligible for overtime compensation for more than forty (40) hours worked in a week. A temporary/seasonal employee is covered by workers' Compensation but is not eligible for holiday pay, accrued paid time off such as annual vacation leave, paid sick leave, paid medical insurance, retirement coverage or any other County benefit. Temporary/seasonal employees working more than one hundred twenty (120) days in a calendar year, and an average at least thirty (30) hours per week. May be eligible for medical coverage as per federal statutes.

Part-time Salaried Employees

Due to the nature of their job duties, a part-time salaried employee is not eligible for overtime compensation unless their annual compensation is less than the compensation limit (currently \$35,568 as of January 2020) that would require overtime consideration per federal statutes. Depending on the number of hours worked, a part-time salaried employee may or may not be a member of WVPERS. If working more than 1,040 hours per calendar year, they must be a member of WVPERS. A part-time salaried employee is covered by workers' compensation but is not eligible for overtime pay, holiday pay, accrued paid time off such as annual vacation leave, paid sick leave, paid medical insurance, or any other County benefit.

Constitutional Officials

The West Virginia Constitution and West Virginia Code prescribe the duties and responsibilities of constitutional officials. Constitutional officials that have been assigned duties and compensation by the West Virginia Constitution and West Virginia Code are eligible for benefits offered by the County.

Probation Period

All new employees shall serve a minimum probationary period of six (6) months. Successful completion of a probationary period will not alter any employee's at-will status. A department head or constitutional official, with approval of the County Commission, may waive the probationary period if the new employee has previous County and/or state employment service. Such waiver shall only be valid if in writing and signed and dated by the department head or constitutional official with approval reflected in the Harrison County Commission's minutes. Employees who are covered by West Virginia Civil Service Commission statutes are subject to requirements and regulations as outlined by said statutes.

Employees who are promoted will be required to serve a probationary period upon the promotion taking effect unless a waiver is approved by the County Commission and/or the constitutional official. All current benefits of said employee will remain in force and effect during that probationary period. This period is designed to acquaint the employee with their new position and allow the department head or constitutional official to measure the employee's ability and aptitude for the job. If the employee's performance is inadequate, they may be terminated or reassigned to another position at any time during this probationary period. The department head or constitutional official may, but is not required to, notify the employee in writing of the reason(s) for the action prior to the effective date of termination or reassignment.

Job Descriptions and Expectations

The County maintains a written job description for each position that outlines the essential duties, responsibilities, qualifications, and reporting relationships. Job descriptions are intended to provide guidance and clarity regarding the expectations for performance and accountability.

Employees are expected to perform the duties and responsibilities outlined in their job description to the best of their ability and in compliance with County policies, applicable laws, and supervisory direction. Job descriptions may be updated or revised periodically to reflect changes in work requirements, operational needs, or organizational priorities.

The County reserves the right to modify, add, or remove duties as necessary, and employees are expected to perform other related tasks as assigned, consistent with their skills and position.

Employee Performance Evaluation

Employee evaluations must be in writing and signed by the evaluated employee, the evaluating supervisor or County official, dated and deposited in personnel files maintained by the constitutional

official. The constitutional official will provide written verification, signed by the employee, that an evaluation was completed to the Office of the County Commission. Constitutional officials and/or supervisors shall review the individual employee's job description and advise the employee of related job performance expectations within the first thirty (30) days of employment. The primary purpose of the employee performance evaluation shall be to advise employees of performance expectations in the coming evaluation period, inform employees of their work performance and promote healthy communication and/or constructive criticism between employees and their department head or constitutional official. The evaluation may also be used for determining a salary increase, basis for training, promotion, demotion and/or the order of a reduction of force. The evaluation is to be conducted at least annually and preferably completed by December 31.

If the employee disagrees with any statement or recommendation in the evaluation, they may submit to Human Resources, within the following five (5) working days, a written rebuttal which shall be attached to the evaluation report and filed in the employee's personnel file. All performance evaluations shall be confidential and shall be made available only to the employee, the department head or constitutional official, the County Commission, County Administrator or other parties with a legitimate need for such information upon written request and in compliance with federal and/or state law and administrative judicial process.

Compensation Policy

The County will comply with all federal and state statutes and/or regulations regarding the compensation of employees for services performed. Employees will be paid for all hours worked, including any work performed outside of normal work hours, in accordance with applicable wage and hour laws. This includes proper calculation of overtime pay for non-exempt employees as required under the Fair Labor Standards Act (FLSA) and applicable state law.

Right to Change Compensation

The County compensates employees in accordance with decisions by the County Commission as budgets are set. Pay for any given position is subject to the annual budgetary process and, as such, may be subject to increase, reduction, or status quo maintenance for any time period. The constitutional official and/or County Administrator may make suggestions about salary compensation and other pay system concerns, but the final decision for the overall departmental personnel budgets and other payroll procedures rests with the County Commission. The constitutional official has final authority to establish individual personnel compensation within the overall departmental personnel budget. Constitutional officials may adjust compensation, within the approved budgetary amount established by the County Commission for the current fiscal year, based upon job performance and the availability of funds to maintain a solvent budget.

Pay Schedule

County employees will receive payroll checks every other Friday. If the Friday falls on an authorized holiday, the pay date will be the preceding work day.

Employees will have to have compensation direct deposited by submitting the required written documentation to the Payroll Department in the Office of the County Clerk. Employees, department heads and constitutional officials must file the necessary documentation within the required time limits for proper payment of regular and any overtime wages to be included in the employee's check. Failure to follow the correct procedure may delay payment of the proper compensation.

The department head, constitutional official or authorized departmental employee will collect deposit notices and/or paychecks from the Payroll Department in the Office of the County Clerk. Those authorized representatives will distribute the deposit notices and/or paychecks to the departmental employees on the designated pay date unless an employee chooses to personally collect his own deposit advice or paycheck from the Office of the County Clerk. All employees must personally appear at the Payroll Department to collect and sign for their deposit advice or pay check on the first pay period in February of each year. Employees will have a two (2) week time period in which to complete this requirement.

Pay Transparency

The County is committed to pay transparency and fairness. Employees have the right to discuss, inquire about, and receive information regarding their own compensation without fear of retaliation, in accordance with federal and state law.

This includes the right to:

- Access information about their own pay, benefits, and wage statements;
- Ask questions regarding the County's pay policies or practices; and
- Report concerns about wage discrepancies or inequities.

Supervisors and department heads must respond to employee inquiries regarding pay in a timely and professional manner. Employees may also contact Human Resources or the Payroll Department for assistance with understanding their compensation.

Total Compensation Overview

The County provides employees with a comprehensive total compensation package, which includes not only base pay but also benefits, leave, retirement contributions, and other forms of compensation or recognition. Total compensation is designed to reward employee contributions, attract and retain qualified staff, and support employee well-being.

Employees are encouraged to review their pay statements, benefits materials, and other available resources to understand the full value of their total compensation. Questions regarding total

compensation may be directed to their supervisor, department head or commission official, or the Human Resources or Payroll Departments.

Payroll Deductions

No payroll deduction will be made from an employee's paycheck unless authorized by the employee or required by law. Employees are required to report changes in family status, address or other information that could affect amount of deductions withheld. This is done through the Payroll Department in the Office of the County Clerk. Deductions would include, but are not limited to, social security, income taxes, retirement system contributions, court-ordered child support and other deductions required by law. Additionally, deductions may be authorized for employee contributions to employer sponsored plans, such as health insurance, dental insurance, vision insurance, and supplemental life insurance and deferred compensation plans requested by the employee following the appropriate process.

Payroll Time Records & Payroll Reporting Policy

Employee Responsibility

- All employees are responsible for the accurate and timely submission of payroll records.
- Hourly employees must record and report all hours worked during each payroll period.
- Hourly employees are required to report and record any partial-day absences (e.g., leaving early, arriving late, or attending an appointment) so that total hours worked are accurately reflected.
- Salaried employees are not required to record daily hours worked but must submit payroll records reflecting the use of sick leave, vacation leave, or other approved leave.
- At the end of each reporting period, employees must electronically submit their payroll record, verifying and attesting that the information provided is accurate.

Submission of Payroll Records

Payroll records must be remitted through the County's approved payroll system on the last day worked within the payroll period. The department head, constitutional official, or their designee will review, verify, and approve payroll records. Approved payroll records will be submitted through the electronic payroll system on the first business day following the close of the payroll period.

Corrections

If an employee discovers an error or omission after submitting a payroll record, they must immediately notify their supervisor, department head, or constitutional official so the correction can be made promptly.

Overtime Reporting

Hourly employees may not work more than forty (40) hours in a week without prior approval. Any hours worked in excess of forty (40) per week must be supported by written documentation that:

- Explains the duties requiring overtime; and

- Is signed by both the employee and the department head or constitutional official.

Recordkeeping

Approved payroll records and related documentation will be maintained electronically by the Payroll Department in the Office of the County Clerk. Departments under the supervision of the County Administrator and/or County Commission must provide copies of payroll records and related documentation as required.

Accuracy and Accountability

Any issues regarding the accuracy of payroll records must be brought to the attention of the County Administrator. Records in question should not be submitted until the issue is resolved.

Fraudulent Reporting

Falsification of payroll records, whether for one's own record or on behalf of another employee, constitutes fraud and is grounds for disciplinary action, up to and including termination of employment.

Work Periods

The work week for all employees will commence at 00:00 a.m. on Sunday of each week and conclude at 11:59 p.m. on the succeeding Saturday. Departmental managers under the supervision of the County Administrator and/or the County Commission shall inform their designee and the Office of the County Commission of all times when said departmental manager is not in the Harrison County Courthouse or their normal work location during regular business hours.

Flex Time and Compensatory Time

The County does not permit flex time or compensatory time. Employees are expected to work their assigned schedules as established by their department or supervisor.

Remote Work / Telework

The County generally does not permit remote work or telework. Employees are expected to perform their duties at their assigned County work location during regular work hours.

In rare, limited circumstances, the County may consider allowing remote work on a case-by-case basis. Such arrangements require prior written approval from the County Administrator or constitutional official. Approval is discretionary and may be revoked at any time.

Employees approved for remote work must comply with all County policies, including those related to confidentiality, data security, workplace safety, and work hours. Remote work arrangements do not change the terms or conditions of employment, including eligibility for benefits, compensation, or performance expectations.

Salaried employees may occasionally be expected to address work matters outside of standard hours while working remotely. This does not entitle them to additional compensation. Hourly employees must

accurately record all time worked while teleworking, including answering calls, emails, or messages. Any overtime must be pre-approved by the County Administrator or constitutional official at the request of the supervisor. Unreported or unauthorized work time is not permitted.

Regular Business Hours

Harrison County governmental offices are open from Monday through Friday with a lunch period to be scheduled at the discretion of the department head or constitutional official. Please note that an employee's regular work schedule will or may deviate from the regular operating hours so as to be classified as a full-time employee. In addition, there are instances when the courthouse or certain offices must be open other than normal regular hours as required by statute, i.e. elections. Further, certain departments, law enforcement, E911 etc., will maintain a different work schedule and work hours because of the nature of the work performed in those offices. Refer to your department for the applicable work schedule and hours.

All employees are expected to observe the designated working hours of their respective department. All full-time employees are paid for the regular work day schedule of the department. However, department heads or constitutional officials have the right to occasionally require employees to work through all or a portion of their mealtime to ensure that the public is properly served.

Work Outside Regular Business Hours

Hourly employees are entitled to pay for all time worked, including time spent answering work-related phone calls, emails, or messages outside their regular schedule. Such time must be reported on the employee's timesheet and is subject to the County's overtime rules. Hourly employees are not permitted to work overtime without prior approval from their supervisor, department head, or constitutional official.

Salaried employees may occasionally be contacted outside of normal work hours to respond to work-related matters. While they are not entitled to additional pay for such time, they are expected to exercise reasonable judgment in handling occasional after-hours communications.

Meals and Rest Periods

The standard and normal meal period is a sixty (60) minute employer-paid meal period, scheduled at the discretion of the department head or constitutional official. Subject to prior approval by the County Administrator or other authorized official, the sixty (60) minute paid meal period may alternatively be scheduled as one (1) thirty (30) minute meal period and two (2) fifteen (15) minute rest periods, or as one (1) continuous sixty (60) minute meal period, based on operational needs.

On the rare occasion that a meal period would exceed sixty (60) minutes, prior approval must be obtained from the department head or constitutional official.

For non-exempt employees, only actual hours worked are counted toward straight-time and overtime calculations. Time spent in an employer-paid meal period during which the employee is substantially

relieved of all duties is considered compensable time but does not count as hours worked for overtime calculation purposes.

Exempt employees are paid on a salary basis and are not eligible for overtime compensation under the FLSA. Meal periods and rest periods for exempt employees are provided for scheduling consistency and operational efficiency and do not affect exempt status or salary.

All meal periods, rest periods, and work schedules will be administered in compliance with applicable federal and state wage-and-hour laws. Nothing in this section is intended to alter an employee's classification under the FLSA or create a guarantee of specific scheduling arrangements beyond operational requirements.

Overtime Compensation

Per the Fair Labor Standards Act (FLSA), certain employees are exempt from receiving overtime pay. Exempt employees include the County Administrator, Department Heads, Departmental Managers or Administrators, and Assistant Prosecuting Attorneys (licensed professional legal staff) in the Office of the Prosecuting Attorney. Depending on the nature of their responsibilities, exempt employees may be required to work additional hours to complete projects or meet operational needs. However, FLSA-exempt employees who work in excess of forty (40) hours in a workweek are not eligible for overtime compensation or compensatory time.

Other employees (FLSA Non-Exempt) are eligible for overtime compensation and must receive pay for any time in excess of forty (40) hours per week. For employees whose regular schedule includes a paid lunch hour, overtime is calculated based on hours paid in excess of forty (40) hours per week, not strictly on hours physically worked. Prior written approval from the appropriate constitutional official or department head is required before an employee works scheduled overtime beyond their normal work schedule. In emergency situations, verbal approval may be granted, provided that written approval is completed immediately after the overtime is worked.

Expense Reimbursement and Travel Policy

An employee may use the purchasing card (P-Card) and/or a County credit card, provided the employee has been issued and authorized to utilize said card(s). If the employee has not been issued and authorized to utilize a card(s), then the employee will need to personally pay for any travel related expenses. All work related purchases and/or requests for out-of-County travel must be pre-approved. An employee will be reimbursed for expenses incurred in completing their work-related assignment in accordance with the policies established by the County. Each employee is responsible for completing the appropriate reimbursement form and providing proper verification, including itemized receipts for any expense for which reimbursement is requested. The documentation must be completed by the employee requesting the reimbursement and signed by both the employee and the department head or constitutional official. Travel reimbursement requests and all required documentation, including itemized receipts, must be submitted to the Office of the County Commission within ninety (90) days from the date on which the

expense was incurred. For any request over the ninety (90) day limit to be considered for approval of payment, it must be accompanied by a letter of explanation as to why the request could not be made within that time period and submitted to the County Commission for consideration. Request should be made within the current fiscal year if feasible.

Department heads or constitutional officials may impose more restrictive policies for their department. However, in all cases, any modifications and/or justifications shall be approved by the County Commission.

Mileage reimbursement standards for authorized use of private vehicles will follow rates as established by the IRS. Mileage is calculated round trip from the Harrison County Courthouse or your normal work location as appropriate. Your department head or constitutional official will retain the proper forms for reimbursement of mileage. The amount of reimbursement to be paid per mile will be determined by the County Commission and may change. When the reimbursement amount for mileage changes, a memo will be sent to the department head or constitutional official stating the new reimbursement amount.

Each department head or constitutional official shall be responsible for making their own, or their departments, reservations subject to the current Harrison County Requisition Policy. All reservations, attendance fees, etc. may be made by using the purchasing card or a County credit card issued to the employee by his department head or constitutional official.

An employee may request reimbursement for normal and customary meal expenditures for a pre-approved travel request. Expenditures incurred for food, service and any reasonable gratuity may be placed on the purchasing card or County credit card if one has been assigned to you. Under no circumstances will the County reimburse costs associated with the purchase of alcoholic beverages and/or room service fees. Meals may be paid or reimbursed for out-of-County travel; however, only travel requiring an overnight stay is eligible for reimbursement under County policy.

Equal Pay Act Compliance

In accordance with the Equal Pay Act of 1963 (29 U.S.C. § 206(d)), the County is committed to ensuring that employees are paid fairly and equitably. The law requires that men and women in the same workplace be given equal pay for performing jobs that require substantially equal skill, effort, and responsibility, and that are performed under similar working conditions.

Pay differentials are permitted only when based on legitimate, non-discriminatory factors such as:

- A seniority system;
- A merit system;
- A system which measures earnings by quantity or quality of production; or
- A differential based on any other factor other than sex.

The County prohibits discrimination in compensation on the basis of sex and will promptly investigate and correct any disparities found to be inconsistent with the law.

Employees who believe they may have experienced unequal pay are encouraged to raise their concern with their department head. Retaliation against any employee for inquiring about, discussing, or filing a complaint regarding equal pay is strictly prohibited.

EMPLOYEE BENEFITS

Health, Life, Dental and Vision Insurance

Regular full-time employees, defined as employees who are regularly scheduled to work forty (40) hours per week, are eligible to participate in the health, life, dental, and vision plans offered by the County.

Part-time employees working an average of at least thirty (30) hours per week may be eligible for medical insurance coverage as per federal statutes. If you believe you may be eligible, please contact Human Resources.

Any part-time employee working less than an average of thirty (30) hours per week would not be eligible for these benefits.

Group health insurance coverage is reviewed annually by the County with coverage and cost to the employee being evaluated. As of the adoption date of this Handbook, Harrison County is a member of the Public Employees Insurance Agency (PEIA) and employees will be subject to plan requirements and limits established by the County and/or plan administrators.

As of the adoption of this handbook, the County pays 100% of the employee-only health insurance premium for the employee that has been a member with a covered employer enrolled in PEIA for at least six (6) months.

If an employee has not yet met the minimum six (6) month requirement, the County pays seventy percent (70%) of the employee-only premium during the six (6) month period and the employee pays the balance from the first date of coverage, subject to the provisions of the Patient Protection and Affordable Care Act.

The premium apportionment table below illustrates the rate structure:

New Hire/Employee Status	Premium Apportionment	Dependent(s)	Coverage Effective Date
New Hire: Not a member with a covered employer enrolled in PEIA for minimum 6 months	County pays 70% of employee health insurance premium (employee-only rate); Covered employee pays 30% of health insurance premium	County pays 70% of employee health insurance premium (employee-only rate); Covered employee pays the remaining portion of the applicable premium for self and dependent(s)	Coverage is effective the first day of the month following the date of hire contingent upon successful submission of enrollment form(s) and applicable supporting document(s)
New Hire: Member with a covered employer enrolled in PEIA for minimum 6 months	County pays 100% of employee health insurance premium (employee-only rate)	County pays 100% of employee health insurance premium (employee-only rate); Covered employee	

		pays the remaining portion of the applicable premium for self and dependent(s)	
Employee: Not previously a member with a covered employer enrolled in PEIA following 6 months' active employment with the County	County pays 100% of employee health insurance premium (employee-only rate)	County pays 100% of employee health insurance premium (employee-only rate); Covered employee pays the remaining portion of the applicable premium for self and dependent(s)	

If an employee desires to have coverage for dependent(s), the employee must complete the necessary documentation. The Payroll Department in the Office of the County Clerk can advise employees as to the current contribution by the County for dependent coverage. The ratio of employee and employer cost allocation for dependent coverage will be determined by the Harrison County Commission on, at least, an annual basis. The Office of the County Clerk will have the current cost allocation chart available for employees to review.

When an employee separates from employment, insurance coverage will cease as per the plan documents and the employee will be responsible for costs as outlined in those plan documents. Pursuant to certain federal statutes (Consolidated Omnibus Reconciliation Act or COBRA), an employee may continue health coverage insurance at their own cost. The County and/or plan administrator will notify individuals of their options and the related costs as necessary and applicable.

Dental and vision insurance is available to regular full-time employees. The employee-only premium is paid by the County for full-time regular employees. The County reviews coverage and cost allocation for the employee and employer on an annual basis, and it may be modified at the County Commission's sole discretion. The employee has the option of paying for coverage for their dependent(s) at the current premium rate. When an employee separates from employment, coverage for the employee and their dependent(s) will cease as per the plan documents and the employee will be responsible for costs as outlined in those plan documents.

Life insurance, in the coverage amount of \$10,000, for full-time regular employees is currently paid for by the County. Regular full-time employees have the option of purchasing additional supplemental life insurance at the current premium rate as established by PEIA. Optional dependent life insurance is available and is payable by the employee. Information regarding supplemental life insurance plans and associated costs may be acquired through the County Clerk's office.

Health Insurance Open Enrollment

PEIA has established the month of April of each year as open enrollment for changes to health insurance.

Dental and Life Insurance Open Enrollment

The month of May has been designated as open enrollment for dental and vision insurance.

Credit Union — City of Clarksburg Federal Credit Union

As an optional benefit, regular full-time employees may join the credit union and contribute a portion of their wages to their account. Information may be obtained through the Payroll Department in the Office of the County Clerk.

Direct Deposit

County employees are paid through direct deposit to the financial institution designated by the employee. Employees who are unable to participate in direct deposit may receive their wages through a payroll card. The County's payroll processor will provide information and assistance regarding payroll card enrollment and use.

Employees will have timely access to their full wages on the designated payday, in accordance with applicable state and federal law. No employee will be required to incur unreasonable fees in order to access earned wages.

Employees are responsible for promptly notifying and updating the County of any changes to banking or payroll card information. Failure to provide timely or accurate information may result in delayed payment, for which the County will not be responsible.

Deferred Compensation Plan

A tax deferred compensation plan (IRC section 457-b) is an optional benefit for regular full-time employees. Such employees may elect to have a portion of their pre-taxed wages deposited into this program. No matching funds will be paid by the County. Further information is available through the Payroll Department in the Office of the County Clerk.

Social Security and Medicare

The County participates in Social Security Administration programs and employees are eligible for benefits offered by those programs.

Federal law establishes Social Security and Medicare withholding rates. Social Security and Medicare contributions are deducted from employees' regular paychecks.

Pension/Retirement Plan

All full-time employees, and part-time employees that work at least 1,040 hours (average of twenty (20) hours or more per week) during a calendar year, must be a member of the Public Employees Retirement System (PERS) or the Deputy Sheriffs Retirement System (DSRS), whichever is appropriate. The employer and employee contribution rates are established by the governing boards of those programs. Please note that the percentages of contributions are subject to change by those boards.

Depending on an employee's date of hire, accumulated leave may be applied to credited service time or the premium cost of PEIA insurance coverage for the purpose of retirement benefits. Due to statutory

provisions, please note that certain employees, depending on date of hire, are ineligible to utilize accumulated leave for any purpose related to retirement benefits. Employees of Harrison County may utilize such leave as outlined by section thirteen, article sixteen, chapter five of the Code of West Virginia, (55-16-13) as amended and in accordance with any local County policy concerning usage of such leave. In addition to any local County policy concerning the usage of said leave, Harrison County hereby adopts the procedure and policy of the State of West Virginia as outlined in said Code. If the procedures outlined by such local County policy and the Code would appear to be in conflict, the more restrictive shall take precedence. Example: Depending on date of hire, employees of Harrison County may utilize and convert a maximum of sixty (60) days of such leave towards the premium cost of PEIA insurance coverage for the purpose of retirement benefits. Depending on date of hire, employees may utilize and convert all such leave towards credited service for the purpose of retirement benefits. Regardless of date of hire, employees may not utilize such leave for both premium cost of insurance coverage and credited service. Verification of accumulated unused leave shall be taken from approved and dated timesheets on record and filed with the County.

Workers' Compensation

As required by the statutes, County employees, except for constitutional officials, are covered under the County's workers' compensation policy for which the County pays the premiums. Workers' compensation pays for eligible medical expenses and wage replacement for employees who have become injured, ill or were killed as a result of an occupational occurrence. The employee must notify their department head or constitutional official as soon as possible in the event of a work-related accident, injury and/or illness. The department head or constitutional official will file a written report including date, time and place of accident, first report of injury and any other information about the incident, as appropriate. The written report is to be filed with the Office of the Harrison County Commission. In case of an injury requiring medical attention, employees should seek the nearest medical facility. If the situation involves a life-threatening or emergency condition, employees or supervisors should immediately call 911 before taking any other action. Upon return to work, a physician's statement of medical condition, including any work restrictions if applicable, and a release to return to work must be submitted to the Office of the Harrison County Commission and approved for return to work. In no event should the employee delay notification of an incident for longer than twenty-four (24) hours. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

Unemployment Compensation

As required by statutes, all employees, except for constitutional officials, are eligible for unemployment compensation benefits. The employee must meet the eligibility requirements established by the State of West Virginia for unemployment compensation. The County pays the cost of this benefit.

Education and Training

When the County requires employees to participate in training program(s), all approved training costs are paid for, or reimbursed by, the County. The time an employee spends away from work to attend required training is considered work time. Authorization to attend professional seminars, training, and certification courses is determined on a case-by-case basis and is subject to departmental budgetary constraints and operational needs. Department heads may request approval from the County Administrator or the appropriate constitutional official, as applicable.

LEAVE TIME

Work Leave Time

Various leave time is available to employees unable to work during their normal working hours. Accrued leave time may be paid time or unpaid as available to the employee. The employee's department head or constitutional official must approve all leave time. Leave time is entered on each employee's time sheet for that period. Regular full-time County employees are eligible for paid holidays, vacation, and sick leave, as well as other types of authorized and approved leave time. Holidays are those designated days that County offices are closed to business.

Unauthorized absence time is time away from work not authorized by the appropriate department head or constitutional official. Employees will not be paid for this type of absence. Unauthorized absences may result in disciplinary action, up to and including termination.

Inclement Weather and Other Unique Situations

The County Commission shall have the authority to close the Harrison County Courthouse and other County department offices on days when, in the Commission's opinion, inclement weather or unique situations create a need for changing normal or regular patterns of operation. The determination of such a situation shall always be at the discretion of the County Commission and shall never be up to the employee for determination. Employees with work stations in buildings which are closed shall not attend work unless the employee is classified as an essential employee.

Essential personnel are defined as operations that work seven (7) days per week, twenty-four (24) hours a day or are subject to twenty-four (24) hour call. Essential personnel would be located in the E911 Communications Center, Animal Control Department, Law Enforcement Department, Maintenance Department, Departmental Managers and the County Administrator. Hourly essential personnel will not receive any additional premium or compensatory time for hours worked during such condition, unless hours worked are in excess of forty (40) for that week. Essential personnel are expected to report to their assigned work location as directed by their supervisor. Other personnel may receive credit for up to eight (8) hours per day for a state of emergency or related condition in which the courthouse is closed. (Employees credited with this time will not receive in excess of forty (40) hours per week.) If the courthouse is open and the employee does not report to work by the scheduled time, they shall be

required to utilize personal leave time to account for said absence. The County Commission or their designee shall have the authority to determine which personnel are required, as well as those that are not required, to report to work during inclement weather or unique situations.

If an employee elects to use accrued paid time off, such as vacation or annual leave or other applicable leave, for a day when the County offices are closed or during an inclement weather situation but then performs work from another location (such as answering phone calls, responding to messages, or emails), the time spent performing such work must be recorded as hours worked, not as leave time. In such cases, the employee's leave balance will be adjusted accordingly. Hourly employees must record this time on their payroll time record, and overtime rules requiring prior approval remain applicable. Salaried employees will not receive additional pay for such work but are expected to accurately reflect leave usage in accordance with County policy.

Holidays

The County provides a certain number of holidays each year. Holidays include all statutory holidays (WV Code §2-2-1) and such other days as the President of the United States and/or Governor of West Virginia may designate.

Eight (8) hours of holiday time shall be paid through the regular payroll process to regular full-time employees of the County for authorized full-day holidays.

If the President or Governor declares a day or partial day as a holiday during the month of December for the current calendar year, regular full-time employees will be permitted to carry over additional vacation leave beyond the standard eighty (80) hour carry over limit. The additional carry over shall be equal to eight (8) hours for each full day, or the corresponding number of hours for a partial day, designated as a holiday by the President or Governor during that December period. This additional carry over is a one-time exception applicable only to holidays declared in December of the current year.

The specific holiday schedule for each year will be distributed during or before December of the preceding year notify employees of the authorized paid holidays for that year.

In addition, regular full-time employees are eligible for one (1) "Staff Appreciation Personal Leave Day" to be scheduled during the year with the prior approval of their department head or constitutional official. The Staff Appreciation Personal Leave holiday is equivalent to eight (8) hours and is provided on the first day of the calendar year. If not utilized, this leave day will be lost and cannot be carried over to the next calendar year.

Generally, the following holidays are recognized on an annual basis. Note, however, the Commission reserves the right to change, add, or remove holidays from the list of approved recognized holidays at its discretion.

Certain positions require work on holidays (e.g., E-911, maintenance, law enforcement). Employees required to work on a County holiday are eligible for an alternate day off.

- The alternate day off will be equivalent to the employee's regular shift (e.g., 8, 10, or 12 hours).
- The alternate day must be approved in advance by the department head or elected official to ensure continuity of public service.

Annual/Vacation Leave

The leave accrual schedule is as follows for current full-time employees:

Years of Service	Amount of Annual Leave Earned
0 – 2 years	Four (4) Hours Per Pay
3 – 4 years	Five (5) Hours Per Pay
5 –9 years	Six (6) Hours Per Pay
10 –14 years	Seven (7) Hours Per Pay
15+ years	Ten (10) Hours Per Pay

Annual or vacation leave is sometimes also referred to as Paid Time Off (PTO). Vacation leave is accrued from the employee's most recent full-time hire date. Employees may not use vacation leave until it has been earned and accrued. Negative leave balances are not permitted.

The first day of work is considered the employee's date of hire for accrual eligibility unless prior arrangements and approval are obtained from the County Commission. Such approval may be based upon a recommendation from the department head or constitutional official for consideration and transfer of previous governmental employment service.

Employees are not permitted to receive pay in lieu of vacation leave except upon separation from County employment, at which time the employee will be paid for any unused, earned vacation leave balance.

An employee is permitted to carry over a maximum of eighty (80) hours unused, earned vacation leave from one calendar year to the next. The vacation leave period for eligible employees is the calendar year beginning January 1 and ending December 31. Annual vacation leave must be taken, or any leave in excess of the carry over provision will be forfeited. Employees may not choose to forego their vacation leave and elect to receive additional pay in lieu of such vacation leave.

Exception: If the President of the United States or the Governor of West Virginia declares a day or partial day as a holiday during the month of December for the current calendar year, regular full-time employees will be permitted to carry over additional vacation leave beyond the standard eighty (80) hour limit. The amount of additional carry over allowed will equal eight (8) hours for each full day or the corresponding number of hours for a partial day designated as a holiday during December. This exception applies only to holidays declared in December of the current year and does not alter the standard carry over limit for any other period.

In the event of separation from employment an employee will receive compensation for any unused earned or accrued vacation leave.

Supervisors may deny or reschedule vacation requests to ensure adequate staffing based on operational requirements or business needs. Supervisory approval of leave is subject to the discretion of the employee's department head or constitutional official to ensure adequate staffing and continuity of County operations.

If an employee elects to use accrued paid time off, such as vacation or annual leave or other applicable leave, but then performs work from another location (such as answering phone calls, responding to messages, or emails), the time spent performing such work must be recorded as hours worked, not as leave time. In such cases, the employee's leave balance will be adjusted accordingly. Hourly employees must record this time on their payroll time record, and overtime rules requiring prior approval remain applicable. Salaried employees will not receive additional pay for such work but are expected to accurately reflect leave usage in accordance with County policy.

Sick Leave (Paid) for Full-Time Employees

It is the policy of Harrison County that sick leave is provided only for, and is intended to be used only for, absences from scheduled work due to personal illness or injury which is not a result of, or related to, work activities. Sick leave benefits are not to be used for purposes of engaging in various forms of leisure, social or personal time, nor is it to be used as a way to extend holidays, vacation periods, or weekends. The County's sick leave policy has been established to help employees cope with the financial burden of lost time incurred due to personal illness and, to the extent of available leave, an employee may utilize available sick leave to receive compensation for a forty (40) hour work week. Available sick leave may not be utilized to receive compensation in excess of a forty (40) hour work week. An employee will not receive sick leave compensation for utilizing sick leave on a holiday in which they were scheduled to work. Sick leave eligibility is granted each year to be used for bona fide personal illness absences during that year or maternity leave as hereinafter set forth. Sick leave is an employee benefit to be used when the employee is incapacitated due to illness and is not to be taken as personal leave time. Harrison County will not pay an employee for the balance of unused accumulated sick leave time upon the discontinuation of the employment relationship. When the employment relationship of an employee ends for any reason other than retirement, all sick leave credit shall be canceled as of the last day of work with the County.

Sick leave may be utilized under the following conditions:

- When the employee is unable to perform their duties because of illness or injury, which is not incurred or suffered in the course of, and resulting from, employment covered by workers' compensation laws.
- When the employee undergoes medical, dental, optical examination and/or other treatment related to a medical condition which is not due to illness or injury incurred or suffered in the course of, and resulting from, employment covered by workers' compensation laws.

- When a doctor requires the employee to be absent from work because of exposure to a contagious disease that would jeopardize the health and welfare of other employees, which disease was not incurred or developed in the course of, and resulting from, employment covered by workers' compensation laws.
- When an employee needs time off for bereavement purposes and has either exhausted or is not eligible for County-paid bereavement leave, and no other accrued paid leave is available, sick leave may be used.

Sick leave may be utilized under the above conditions for the employee and/or an immediate family member defined as the following and refers to biological, adoptive step and in-law relatives: spouse, children, parents, siblings, grandparents, grandchildren, and other individuals in a legal guardian relationship with the employee.

For purposes of federal Family Medical Leave Act (FMLA) and West Virginia Parental Leave Act (PLA) status only family members defined under those statutes qualify for job-protected leave. This broader definition applies for use of County-paid sick leave.

Sick leave accrues at four (4) hours per pay period for regular full-time employees. An employee accumulates or earns sick leave upon the date of hire unless prior arrangements and approval are obtained from the County Commission. Such approval may be based upon a recommendation from the department head or constitutional official for the consideration and transfer of previous governmental employment. There is no limit or restriction as to number of days an employee may accumulate as sick leave. Therefore, employees earn and may accumulate sick leave from the time earned by pay period of eligibility to separation of employment.

When using sick leave for health care appointments that are non-emergency and/or regularly scheduled, employees are required to notify their department head or constitutional official at least a day in advance of the requested sick leave day and to obtain their prior approval.

A department head or constitutional official may request that employees furnish a medical leave certification from their health care provider for sick leave taken for two (2) days or less. When the sick leave extends to three (3) successive days, a medical leave certification from employee's medical care provider is mandatory and must be attached to the employee's time sheet for each occasion on which sick leave is taken.

Again, in the event of separation from employment, no compensation will be paid for any unused earned or accrued sick leave.

Note: Employees are expected to report workplace injuries in good faith, cooperate in the claims process, and use workers' compensation benefits only for legitimate occupational injuries or illnesses. Knowingly submitting false or fraudulent statements or documentation regarding workers' compensation benefits is prohibited and may result in serious legal consequences under West Virginia law.

Legal Authority & Prohibited Conduct

Under West Virginia Code § 61-3-24F and related statutes:

It is a felony for any person to knowingly and with fraudulent intent:

- Secure, or attempt to secure, workers' compensation for a greater amount or longer period than they are entitled.
- Make false statements, reports, or certifications under oath, or by other means, respecting any information required under West Virginia workers' compensation laws.

Under West Virginia Code § 61-3-24G, it is likewise a felony to execute or attempt to execute a scheme to defraud the Workers' Compensation Fund, private carriers, or self-insured employers in connection with payment for or delivery of health care benefits or services related to workers' compensation. Falsified documentation, over-billing, or misrepresentation of services are examples of prohibited behavior. Restitution is required: A convicted person must repay all improperly obtained funds or benefits resulting from fraudulent actions. Penalties include imprisonment, fines, or both. The statute provides that someone convicted under § 61-3-24F is punishable by imprisonment for one (1) to three (3) years, or fines ranging from \$1,000 to \$10,000, or both.

If the County has reasonable cause to believe that a workers' compensation claim or related documentation is false, fraudulent, or misleading, the County has a duty to report the matter to the appropriate workers' compensation carrier or regulatory authority in compliance with state law. The County may require documentation or verification in support of claims and may collaborate with investigators as needed.

Consequences of Violations

Violations of this policy may lead to disciplinary action, up to and including termination of employment. In addition, individuals may face criminal prosecution, restitution obligations, and monetary penalties under state law.

No Bridging of Service

Employees who separate from County employment and are subsequently rehired will be treated as new employees for all purposes. Prior service, seniority, or accrued leave (vacation, sick, or other paid time off) will not carry over or be credited toward benefits or eligibility for leave accruals.

Bereavement Leave

In the event of the death of a family member, loved one, or another individual with whom the employee has a close personal relationship, a regular full-time employee may be granted up to five (5) days of bereavement leave with pay per calendar year. Bereavement leave counts toward the employee's normal forty (40) hour work week and may not be used to exceed forty (40) hours in a given work week.

Bereavement leave is intended to provide flexibility to employees in recognizing the wide range of family structures and personal relationships. The County does not limit eligibility to only legally-defined or immediate family members; however, the use of bereavement leave is subject to the approval of the department head or constitutional official.

County-paid bereavement leave is capped at a total of five (5) paid days per calendar year per employee. If an employee requires additional time off for bereavement purposes beyond the five (5) days provided, they may request the use of other accrued paid leave (such as vacation leave, sick leave, or other available paid time off), in accordance with County policy. Should no accrued leave be available, an employee may request unpaid leave in accordance with County policy.

Non-full-time employees are not eligible for County-paid bereavement leave but may request unpaid leave in accordance with County policy.

Medical Leave of Absence (Unpaid)

A medical leave without pay may be granted in the event of a regular full-time employee's sick leave, vacation leave, and any other authorized leave is exhausted prior to the employee's ability to return to work. To be eligible for a medical leave of absence, the employee must have exhausted all accumulated sick leave and annual leave.

Non-full-time employees who require a medical leave may also request one; however, approval of such requests is at the discretion of the County. All leaves of absence on an unpaid basis that are not required by law are subject to the sole discretion of the County. Medical documentation supporting the need for the leave may be required as a condition of approval.

The employee's department head or constitutional official and the County Commission must approve any medical leave of absence. A medical leave of absence may be granted for a period of up to sixty (60) calendar days. If additional time is needed, the employee must submit a new request, subject to the same approval process and documentation requirements.

An employee will not earn vacation leave or sick leave while on unpaid leave due to any authorized reason, including, but not limited to, medical reasons and FMLA/PLA status.

Emergency Leave of Absence (Unpaid)

The County Executive may approve a leave of absence on an emergency basis under certain unforeseen emergencies or circumstance that prevent an employee from reporting to work. Such leave is generally unpaid unless the employee has accrued paid time off (such as vacation or sick leave) available, which may be applied in accordance with County policies. Employee may also be eligible to request leave donations for catastrophic leave if applicable.

Emergency leave is granted at the discretion of the County Commission and/or the constitutional official and does not alter the employee's status, benefits, or other terms and conditions of employment.

Employees must notify their supervisor or department head as soon as practicable and follow any instructions and procedures established and issued to request such leave.

Leave Donation Policy (Catastrophic Leave)

Purpose

The County recognizes that employees may face serious personal or family medical emergencies or other catastrophic circumstances that require extended time away from work beyond available leave balances. To support employees in these circumstances, the County has established a leave donation program that allows eligible employees to voluntarily donate accrued leave to assist co-workers who have exhausted, or are not eligible for, accrued paid time off.

Eligibility for Donated Leave

An employee may request donated leave if:

- They have been actively employed with the County for a minimum of twelve (12) full months.
- They are experiencing a catastrophic medical condition or life event, or are caring for an immediate family member with such a condition, and
- They have exhausted all available accrued paid leave, or are not otherwise eligible for paid leave under County policy, and
- They have submitted a written request for donated leave to their Department Head or the County Administrator, subject to approval in accordance with this policy and all other County leave regulations.

Donation of Leave

Only regular full-time employees who have been actively employed with the County for a minimum of twelve (12) full months and who have accrued unused sick and vacation leave. Donations must be submitted in writing using the County's designated leave donation form. All donations are irrevocable. Once donated, the donating employee may not later withdraw or reclaim the leave. Donations will be credited to the recipient in hours, and payment will be made at the recipient's regular rate of pay, regardless of the pay rate of the donor. The donation will be based on a 1-1 donation and the donor may only donate five (5) days in the first six (6) month period and then an additional five (5) days in the second six (6) month period. There is a max of ten (10) donations days allowed per employee per year.

Administration and Use of Donated Leave

Donated leave may only be used for approved catastrophic leave situations and in accordance with all other County leave policies, including FMLA and West Virginia Parental Leave Act as applicable. Donated leave may not be used to extend employment beyond separation, resignation, or termination. If donated leave is not used by the recipient (e.g., the employee returns to work sooner than expected, separates from employment, or no longer requires leave), the County reserves the right to return unused donated hours back to donor(s) on a pro rata basis. Donated leave may not be accrued/carried over, cashed out or converted to another benefit.

Approval Process

Employees requesting donated leave must submit a written request to their Department Head or the County Administrator, including documentation supporting the need for catastrophic leave. The County Administrator or designee, in consultation with Human Resources, will determine whether the request qualifies under this policy.

Approval of both requests to receive leave and donations of leave is subject to the County's sole discretion and must be consistent with applicable federal and state laws, including the Family and Medical Leave Act (FMLA), West Virginia Parental Leave Act (WV Code §21-5D).

Confidentiality

Medical information provided in support of a catastrophic leave request will be treated as confidential and maintained in accordance with the Americans with Disabilities Act (ADA), HIPAA as applicable, and other applicable laws.

Military Leave

The Harrison County Commission complies with all applicable federal and state laws governing the employment and reemployment rights of uniformed service members. This includes the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (Title 38 U.S. Code, Chapter 43, Sections 4301–4333) and West Virginia Code §15-1F-1 et seq., which are incorporated by reference as if fully set forth herein.

Eligibility and Paid Leave

Employees who are members of the National Guard or any federal armed services reserve component are entitled to up to thirty (30) days (240 hours) of paid military leave per calendar year for authorized training or duty. Employees called to active duty by proper federal authority may receive an additional thirty (30) days (240 hours) of paid leave, for a total of sixty (60) days (480 hours) per calendar year.

Military leave is separate from other accrued leave and does not affect an employee's efficiency rating, seniority, or benefits. Employees requiring leave beyond the statutory limits may use accrued annual leave or request a personal leave of absence without pay, subject to approval.

Notification and Documentation

Employees must provide advance notice of military service and submit documentation of military orders to their supervisor. Employees should coordinate with their department head to ensure operational coverage. The County may request verification of military orders using standard forms provided by the West Virginia Division of Personnel.

Resources

For additional guidance, employees may refer to:

- Military Leave Fact Sheet for Public Employees – West Virginia Division of Personnel.

- A Non-Technical Resource Guide to USERRA – U.S. Department of Labor Veterans Employment and Training Service.

Civil Air Patrol Leave

In accordance with West Virginia Code §15-1F-15, employees who are members of the Civil Air Patrol (CAP) are entitled to leave without loss of pay, time, or efficiency rating when participating in authorized CAP missions.

Eligible employees may be granted up to ten (10) days of paid leave per calendar year to support official CAP duties, including emergency services, disaster relief, and search and rescue operations. This leave is separate from other forms of paid leave and does not count against accrued vacation, sick or personal time.

Employees must provide reasonable advance notice to their supervisor and submit documentation verifying the nature and duration of the CAP mission. Supervisors may request confirmation from CAP authorities to ensure compliance with the statute. Employees should also coordinate with their department head to ensure operational coverage and minimize disruption to County services.

The County encourages public service and recognizes the value of employees' contributions to emergency preparedness and response through Civil Air Patrol activities.

Volunteer Emergency Service Leave

The Harrison County Commission supports employees who serve as volunteer firefighters, emergency medical service (EMS) personnel, peace officers, and other recognized emergency responders.

Emergency Service Duty

Employees who are members of a volunteer fire department, EMS organization, or other recognized emergency service organization shall not be terminated or disciplined for being absent or late to work while performing emergency duty, in accordance with West Virginia Code §15-5-11a.

Employees must provide their department head or supervisor with verification from the supervisor of the volunteer organization confirming the emergency service performed.

Training Leave (Optional / Discretionary)

The County may, at its discretion, grant temporary leave to volunteer emergency service personnel for the purpose of attending fire, law enforcement, or emergency rescue training. Any such leave must be coordinated with the employee's supervisor and approved in advance to ensure operational coverage. Leave for training may be unpaid unless the employee chooses to use accrued vacation, personal leave, or other available paid time off in accordance with County leave policies.

General Conditions

Employees are expected to provide reasonable notice to their supervisor whenever possible. Any absence or leave taken under this policy must not interfere with essential departmental operations.

Jury Duty

Upon receiving a summons or subpoena to report for jury duty, an employee shall notify their department head or constitutional official no later than the next business day and the employee shall be excused from employment for the time required in service as a juror in any court of competent jurisdiction. Employees are to obtain documentation from the Clerk of the Court which indicates time served as a juror and provide the same to their department head or constitutional official.

Employees classified as non-exempt (eligible for overtime compensation) by the Fair Labor Standards Act (FLSA) or classified as exempt (not eligible for overtime compensation) by the FLSA, will receive the balance of their normal compensation, less any payments due and/or received as a member of a jury for time required in service as a juror. Employees will be entitled to all other benefits, and accrual of benefits, upon responding to a summons or subpoena in which they are required to serve as a juror.

Court Duty - Witness

Upon receiving a summons or subpoena to report as a witness, an employee shall notify their department head or constitutional official no later than the next business day and the employee shall be excused from employment for the day or days required in service as a witness in any court of competent jurisdiction. Any employee required to serve or called as a witness due to their employment by the County shall be entitled to receive any and all regular or overtime compensation.

In all other circumstances, unless an employee would utilize approved accrued annual or vacation leave, if applicable, an employee classified as non-exempt (eligible for overtime compensation) by the Fair Labor Standards Act (FLSA) will not receive any compensation for any time during their service as a witness, and an employee classified as exempt (not eligible for overtime compensation) by the FLSA will not receive any compensation for any day in which they performed no work related duties.

Employees will be entitled to all other benefits and accrual of benefits upon responding to a summons or subpoena in which they are required to serve as a witness.

Voting Rights and Leave

The County supports civic engagement and recognizes the importance of participating in elections. In accordance with West Virginia Code §3-1-42, employees who are registered voters are entitled to up to three (3) hours of paid leave to vote in any statewide election.

To ensure adequate coverage and to minimize disruption to operations, employees must notify their supervisor at least three (3) days in advance of their intent to use voting leave. Supervisors may designate the time of day the leave is taken, based on departmental needs.

Employees whose work schedules begin three (3) or more hours after polls open or end three (3) or more hours before polls close are not eligible for paid voting leave under this provision.

Family and Medical Leave Act (FMLA) and West Virginia Parental Leave Act (PLA)

The County complies with the federal Family and Medical Leave Act of 1993 (FMLA) and the West Virginia Parental Leave Act (PLA). This policy provides employees with a summary of rights and responsibilities. It does not replace or supersede the law, applicable insurance contracts, or other governing documents. In the event of a conflict, federal or state law will control.

Eligibility

To be eligible under the provisions of FMLA, an employee must have been employed by the County for at least twelve (12) months (not necessarily consecutive) and have worked at least 1,250 hours in the twelve (12) month period immediately preceding the leave.

To be eligible under the provisions of PLA, an employee must have been employed by the County for at least twelve (12) consecutive weeks.

Qualifying Reasons for Leave

- Employee's own serious health condition that makes the employee unable to perform the essential functions of their job.
- To care for an eligible family member with a serious health condition.
- Birth, adoption, or foster placement of a child and to bond with the child. Under the provisions of FMLA, employee may take up to twelve (12) weeks within one (1) year of the child's birth or placement, and under PLA, they may take up to twelve (12) weeks within twelve (12) months of the birth or adoption (foster care not covered).

Definition of Eligible Family Members

- FMLA family members include spouse, child (biological, adopted, foster, stepchild, or legal ward under age 18, or 18+ and incapable of self-care due to disability), and parent (biological, adoptive, step or foster, an individual who has stood in loco parentis. Note this provision does not include in-laws).
- PLA family members include: a newborn child or newly adopted child of the employee.

Military family leave under FMLA

- Qualifying exigency leave of up to twelve (12) weeks for certain activities arising out of a family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the Armed Forces.
- Military caregiver leave of up to twenty-six (26) weeks in a single twelve (12) month period to care for a covered service member with a serious injury or illness.
- Definition of eligible family members under this provision includes those listed above and next of kin.

Length of Leave

- Eligible employees may take up to twelve (12) weeks of unpaid leave in a rolling twelve (12) month period (measured backward from the date leave is used) under FMLA, or up to twelve (12) weeks in a twelve (12) month period under PLA.
- Military caregiver leave allows up to twenty-six (26) weeks in a single twelve (12) month period.
- FMLA and PLA leave may run concurrently when both laws apply.
- Extended Leave: If an employee requires leave that extends beyond the maximum twelve (12) week FMLA/PLA entitlement, the employee may request an additional unpaid leave of absence. Such requests are subject to discretionary approval by the County and may be granted based on operational needs, staffing considerations, and applicable law. Approval of extended leave does not change the employee's FMLA/PLA rights or benefits.

Intermittent or Reduced Schedule Leave

Leave may be taken intermittently or on a reduced schedule when medically necessary and supported by certification. For birth or adoption, intermittent leave may only be taken with County approval.

Substitution of Paid Leave

Employees are required to use all accrued sick leave, vacation leave, and compensatory time prior to beginning unpaid FMLA/PLA leave.

Notice and Certification

Employees must provide thirty (30) days' advance notice for foreseeable leave (such as planned medical treatment). If not possible, notice must be provided as soon as practicable. The County may require medical certification from a health care provider to support leave requests, as allowed by law.

Benefits and Insurance Continuation

The County will continue group health insurance coverage during FMLA leave on the same terms as if the employee were actively working. Employees must continue to pay their share of health insurance premiums. Failure to do so may result in cancellation of coverage. Other benefits (such as vacation and sick leave accrual) will not continue to accrue while on unpaid leave.

Job Restoration

Upon return from approved FMLA or PLA leave, an employee will be restored to their same or an equivalent position with equivalent pay, benefits, and terms of employment, as required by law. Certain "key employees" (as defined by FMLA) may not be guaranteed job restoration if reinstatement would cause substantial and grievous economic injury to the County.

Additional Rights under the West Virginia PLA

PLA guarantees up to twelve (12) weeks of unpaid leave for the birth or adoption of a child or for an employee to care for a newborn or newly adopted child. PLA leave may not run concurrently with FMLA if the employee is otherwise ineligible for FMLA.

Employee Responsibilities

- Submit written leave requests to the Office of the County Commission/County Administrator.
- Provide required certifications promptly.
- Arrange to pay employee insurance contributions while on unpaid leave if applicable.

Return-to-Work and Modified Duties

Employees returning from FMLA, PLA, or other medical leave may be required to provide a medical release from their healthcare provider confirming their ability to resume work. If the release includes restrictions, limitations, or recommended accommodations, the County will engage with the employee to determine whether reasonable accommodations can be provided in accordance with the Americans with Disabilities Act (ADA) and applicable state law.

Reasonable accommodations may include, but are not limited to:

- Modified or light-duty assignments,
- Adjusted work schedules,
- Temporary reassignment of certain tasks, or
- Other workplace adjustments consistent with the employee's medical restrictions and County operational needs.

The County will evaluate accommodation requests on a case-by-case basis, balancing the employee's needs with the essential functions of the position and operational requirements. Employees must communicate any limitations or accommodation needs promptly to their supervisor or Human Resources to facilitate a safe and compliant return to work.

EMPLOYEE PERSONNEL RECORDS

Personnel Files

In each employee's file certain records regarding position, pay and employee status actions will be retained by the Human Resources Department. Items that may be contained in the file are written notes of explanation, employee forms for taxes, retirement application, disciplinary actions, awards received, training records, evaluations or performance reviews and any other type of employee personnel documentation.

Enrollment or change forms for insurance, medical, retirement and any payroll related forms for employees will be maintained by the Human Resource Department. There can be a duplicate file kept, separate from personnel files, by the Office of the Clerk of the Harrison County Commission.

All other personnel related files will be maintained by the constitutional official.

Employees have the right to review their personnel file in accordance with applicable law. To arrange an appointment to inspect their file, employees should contact the Human Resources Department. Access

will be provided during normal business hours, and employees may be accompanied by a representative if permitted by law.

EMPLOYEE CONDUCT

Work Standards

Every employee must remember that the County is a tax-supported entity. Citizens of the County should receive the best quality and highest standard of service possible. Public employees should act in a professional manner, using good judgment and courtesy at all times. Employees should avoid any type of behavior that would even appear illegal, unethical or disrespectful. Employees should carry out their work efficiently, honestly and with the intention of keeping good and positive relationships with the public. Individual employees must be responsible to their department head or constitutional official. Work directions and measurement of performance are the responsibility of the department head or constitutional official.

Timeliness

Employees are to report for work on time and ready to work and must be punctual for appointments and meetings. Furthermore, work is to be completed successfully at the time it is due. Frequent tardiness can result in disciplinary action, up to and including termination of employment.

Attendance

Notification of an absence to the department head or constitutional official should occur as soon as the employee is aware of the pending absence. If an employee is going to be absent and was unable to previously advise their department head or constitutional official, they must report that absence no later than within the first fifteen (15) minutes of the scheduled start time. Failure to report, other than in an emergency situation, may result in disciplinary action. In the rare event of an emergency, the employee should report the absence as soon as is practicable. Unexcused absences and/or excessive absences can lead to disciplinary action, up to and including termination of employment. Attendance expectations do not override employee rights under federal and state leave laws.

Appearance

Citizens observe employees of the County often in the course of their work. As the County's representatives, employees are asked to meet the highest standards in both the quality of their work and in presenting a professional image to the public. While there is not a formal dress code, employees are expected to maintain a neat and clean appearance and to display a pleasant disposition to citizens and colleagues. Uniforms may be required for certain positions. Employees will be responsible for keeping their uniforms clean and neat. These uniforms will be provided by the County. Each constitutional official may have a more restrictive policy, such as a no jeans policy for example, however all dress requirements will be applied in a nondiscriminatory manner.

Supplies

The County operates on tax dollars. Using equipment improperly, ordering too many supplies, wasting supplies and time are all examples of inefficiency. Employees, department heads and constitutional officials are expected to be cost conscious to promote the most efficient operation of the County government. Items such as stationery, envelopes, cleaning materials, and other supplies are purchased from public funds for County operations and are neither to be wasted nor to be used for personal use. All County machines and equipment should be used properly and with reasonable care. Employees are not permitted to receive or send personal mail via any County computer network. Employees are not permitted to use metered or County-paid postage on personal mail.

Communications and Telecommunications

Any communication with the public is the responsibility of County officials or the person designated for that communication. Any non-routine or controversial questions or those out of the scope of the employee's job duties should be referred to the County Administrator with the Office of the Harrison County Commission or the appropriate constitutional official.

Telephone Usage

County telephones are to be used for County business. Calls are to be answered promptly and courteously. Employees should identify themselves and their respective department. Personal calls, authorized at the discretion of the constitutional official, should be limited both in frequency and length of the call. Long distance personal calls are not allowed, except in an emergency situation. If possible, employees should have prior approval of the department head or constitutional official for such calls. Employees using the telephone for personal long distance phone calls will be expected to reimburse the County for any applicable toll charge.

Cell phones should be turned off, or set to silent or vibrate mode, during meetings, conferences, and in any other circumstance where incoming calls may be disruptive.

Personal Cell Phones

While at work, employees are expected to exercise discretion in using personal cell phones. Excessive personal calls during the workday can interfere with employee productivity, be distracting to others, and potentially be a safety issue. Employees are encouraged to make any personal calls during non-work time when possible.

County-provided Cell Phones

When job duties or business needs demand, the company may issue a business cell phone to an employee for work-related communications. Use of County provided cell phones shall be limited to official County business.

Employees in possession of County-owned cell phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee must return the phone.

Prohibited Use of Cell Phone While Driving

It is preferred that employees pull away from the roadway and come to a complete stop prior to making or receiving any cell phone calls while driving.

Electronic Devices, Internet, and Technology Use

The County provides access to computers, email, internet, software, and other technological resources to support employees in performing their job duties efficiently and securely. These resources are the property of the County and are intended for official business purposes.

Acceptable Use

Employees must use County technology resources responsibly and in compliance with all applicable laws, regulations, and County policies.

Acceptable use includes:

- Performing work-related tasks and duties assigned by the department;
- Accessing resources needed for official County business; and
- Communicating professionally using County-approved platforms.
- Personal use should be limited, infrequent, and must not interfere with work responsibilities or violate any County policies.

Employees must not use County technology resources for:

- Illegal activities or purposes;
- Political campaigning or personal profit;
- Harassment, bullying, or discriminatory communications;
- Unauthorized access to confidential, sensitive, or protected information; or
- Downloading, installing, or distributing unauthorized software or applications.

Cybersecurity and Data Protection

Employees are responsible for protecting County technology resources and data.

This includes:

- Maintaining strong passwords and keeping login credentials confidential;
- Locking computers or devices when unattended;
- Reporting suspicious emails, security incidents, or potential breaches to the department of Information Technology (IT) or the appropriate supervisor immediately;
- Avoiding the use of personal devices for County business unless expressly authorized; and

- Complying with all County cybersecurity policies, encryption standards, and data handling procedures.

Monitoring and Enforcement

The County reserves the right to monitor, access, and review all use of its technology resources to ensure compliance with policy and applicable law. Improper use of County technology resources, including violations of cybersecurity requirements, may result in disciplinary action up to and including termination.

Use of Social Media

At the County, we understand that social media can be a fun and rewarding way to share experiences and opinions with family, friends, and co-workers around the world. However, the use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media as an employee, we have established the following guidelines:

- To the extent that social media use impacts County employees and clients, please follow County policies and regulations as applicable, including, but not limited to, those that protect individual privacy rights, anti-discrimination and harassment prevention policies, and the Workplace Violence Prevention policy.
- Keep in mind that work-related complaints are more likely to be resolved by speaking directly with co-workers or via other channels, such as speaking with Human Resources or by filing an internal complaint, if applicable. Nevertheless, if employees decide to post complaints or criticism, it is suggested they avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful harassment or discrimination or otherwise violate the law such as unlawful or threatening conduct. Examples of such conduct might include offensive posts that could contribute to a hostile work environment on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation or any other status protected by law. Examples of unlawful threatening conduct include posting material that would make a reasonable person afraid for their safety or the safety of their family.
- Do not disclose information that may violate client or employee rights. For example, do not disclose another individual's social security number, medical information or financial information in a manner that violates that person's rights.
- If an employee publishes a post online related to their work or subjects associated with the County, it should be made clear that the employee is not speaking on behalf of the County. It is best to include a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of the County."

- Employees must refrain from using social media for personal purposes while on County time or when otherwise expected to be performing work duties. Social media use should not interfere with job performance, workplace productivity, or the effective operation of County services.
- If an employee wants to keep their personal life separate from their professional or work life, they should use privacy settings to restrict personal information on public sites. Consideration should be made on who is invited and/or accepted to join social network sites since those individuals may have access to profiles, photographs, etc.
- Understand that even if private settings have been used, people can easily print, save, cut, paste, modify, and/or publish anything that has been posted. Material can be archived on the internet even after it has been removed.

Conducting Personal Business

Employees are to conduct only County business while at work. Employees may not conduct personal business or business for another employer during their scheduled work hours.

Other Employment

Any employee wishing to engage in any occupation or outside activity for compensation shall inform their department head, in writing and in advance, of the time required and the nature of such activity. It shall be the responsibility of each department head to ensure that employees in their department do not engage in any activity which constitutes a conflict of interest.

Customer Relations

Employees are expected to be polite, courteous, prompt, and attentive to every customer, member of the public, and/or co-workers and management/administration. In the event an employee encounters an uncomfortable situation that the employee senses they do not feel capable of handling alone, a supervisor should be called immediately. We are available to support you in providing the training, tools and resources you need to achieve our customer service goals.

Ours is a service-based business, and it is important for all of us to remember that the public always comes first. The public are always to be treated courteously and given proper attention. The public's questions or concerns should never be regarded as an interruption or an annoyance. Employees must respond to inquiries from the public, whether in person or by telephone, promptly and professionally.

Telephone callers should never be placed on hold for an extended period of time. Incoming calls should be directed to the appropriate person. Employees should ensure the call is received before disconnecting. Employee actions should demonstrate their desire to assist the customer in obtaining the help they need. If the employee is unable to help a customer, they should locate another team member who is able to provide assistance.

All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates our commitment to those with whom we do business.

Never argue with a customer. If a concern develops, or if a customer remains dissatisfied, ask a supervisor or management team member to intervene.

News Media Contacts

Employees may be approached for interviews or comments by the news media. Only employees designated by the County may make official comments to news reporters on the County policy or events relevant to the County. The unauthorized disclosure of sensitive or non-public County information or the unauthorized representation that one is speaking in their official capacity as a County employee is strictly prohibited.

Smoking, Vaping, and Tobacco Use Policy

The County is committed to providing a safe and healthy workplace and prohibits smoking, vaping, and/or the use of any tobacco products, including but not limited to cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes, and other vaping devices, in all areas of County buildings and County vehicles.

The Harrison County Commission, in order to provide a safe environment and to comply with the adopted Harrison County Clean Indoor Air Regulation, has adopted and implemented the following Smoking, Vaping, and Tobacco/Nicotine Use Policy.

Smoking, vaping, and/or the use of any tobacco products, including but not limited to cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes, and other vaping devices, shall be prohibited in all areas of all County buildings, whether owned or leased, and in all County-owned and/or County-leased vehicles. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, and all other enclosed facilities.

Smoking, vaping, and/or the use of all tobacco products shall not occur within twenty (20) feet outside any entrance, exit, or ventilation units of any County-owned or County-leased buildings or enclosed areas where such activities are prohibited, to ensure that smoke, vapor, or aerosol from such products does not enter the area through entrances, windows, ventilation systems, or any other means. This restriction also includes fresh air intake areas for heating, ventilation, and air-conditioning (HVAC) systems.

Officials and employees are expected to respect and be courteous to non-smokers and non-tobacco users while smoking, vaping, or using any tobacco or nicotine products in designated areas.

This policy applies to all employees, non-employees, and visitors on all County-owned and/or County-leased properties and in all County-owned and/or County-leased vehicles. The Commission shall enforce the Harrison County Clean Indoor Air Regulation as adopted by the Harrison County Board of Health, which is on record in the Office of the Harrison County Clerk in Miscellaneous Record Book 34, Page 747.

Any County employee, official, or department head who fails to comply with this policy will be subject to disciplinary action in accordance with the disciplinary policy provisions of this handbook.

Off-Duty Use of Facilities

Employees are prohibited from remaining on County premises or making use of County facilities while not on duty. Employees are expressly prohibited from using County facilities, County property, and/or County equipment for personal use.

Housekeeping

All employees are expected to keep their work areas clean and organized. People using common areas such as lunchrooms, locker rooms, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

EMPLOYEE DISCIPLINE

All employees are required to comply with all applicable rules, policies, directives, and standards of conduct. Any noncompliance or violation is grounds for disciplinary action, up to and including termination of employment. Conduct that interferes with operation, discredits the County or conduct that is offensive or dangerous to others in the workplace is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive. Every employee is required to conduct themselves in accordance with that general principle and with all applicable rules, policies and directives as well as with all other standards of conduct which a reasonable person would know is expected in the workplace, whether or not such other standards are expressly set forth in any rule, directive or policy. Discipline is determined by the Human Resources department. The discipline process includes steps such as a verbal or oral warning, written warning or reprimand, suspension from duty, dismissal and termination of employment. Any written warning or suspension, other than a suspension pending termination, shall include a written plan for improvement.

The following list is not all inclusive or complete but is given as examples of some of the most common infractions found in an employment setting. The discipline set forth below is the discipline which is typically rendered. However, the level of discipline may increase or decrease as the circumstances warrant and is at the discretion of the County. Previous disciplinary history may impact the response to a violation of policy. The County may use any number of these steps in any combination or sequence and may skip steps as warranted by the circumstances.

A verbal reprimand by the supervisor, department head or constitutional official shall be documented and the note placed in the employee's personnel file.

A written reprimand shall be dated and signed by both the employee and the department head or constitutional official and shall be witnessed. A copy of which will be sent to the Harrison County Commission to review for compliance with local, state and federal procedures, regulations and statutes. Documentation will be placed in the employee's personnel file.

Suspension with or without pay for up to ten (10) working days may be used as a disciplinary tool and will be memorialized in writing, dated and signed by both the employee and the department head or constitutional official and shall be witnessed. A copy of which will be sent to the Harrison County Commission to review for compliance with local, state and federal procedures, regulations and statutes. Documentation will be placed in the employee's personnel file.

Termination of an employee will be memorialized in writing, dated and signed by the Human Resources department and the constitutional official and immediately sent to the County Administrator with the Office of the Harrison County Commission at least forty-eight (48) hours before the actual termination of employment. Should an employee commit an immediately terminable offense, said employee shall be suspended without pay pending termination.

Guidelines on Discipline

Section 1. Examples of offenses that could result in a verbal warning for the first offense, written warning for the second offense and suspension or discharge for third offense:

- Tardiness
- Unauthorized absence from job or work area
- Foul or abusive language
- Inefficiency or negligence in performance of duties
- Inability to work with others
- Violation of any work rules
- Horseplay

Section 2. Examples of offenses that could result in immediate suspension without pay or termination of employment:

- Careless or improper use of County property or equipment
- Sleeping on the job
- Absence from work without notification
- Excessive absenteeism
- Unlawful discrimination
- Creating a hostile work environment
- Theft or misappropriation of County property
- Refusal to perform assigned lawful tasks
- Destruction of property
- Unauthorized possession of a firearm on County property
- Gross insubordination, defined as: Failure to follow rules and regulations, willfully disobeying a lawful order, using abusive, threatening and profane language

Section 3. Examples of offenses that could result in immediate discharge:

- Embezzlement, theft or misappropriation of County property

- Sabotage of County operations or interests
- Chronic significant cash shortages
- Unauthorized release or disclosure of confidential information
- Falsification of records, including time worked
- Assault of a fellow employee, official, individual doing business with the County or a member of the general public while at work or while representing the County
- Sexual harassment or other workplace harassment
- Violation of any criminal law or other offense involving moral turpitude
- Receiving or soliciting a bribe or other similar improper payment for services
- Intoxication or illegal use of drugs, cannabis or prescriptions while on the job
- Reporting for work or entry upon County property while under the influence
- Distribution, transfer sale, possession or consumption of alcohol, intoxicant, illegal drugs, cannabis or prescription not prescribed for the employee while at work or on County property
- Improper or illegal political activities during work time

Disciplinary Action Form

All instances of employee discipline shall be documented using the Harrison County Commission Disciplinary Action Form. This form is the official record for any disciplinary action, including verbal warning, written warning, suspensions, and final notices.

Key Requirements

- The form shall be completed by department heads each time employee discipline is implemented.
- A copy shall be submitted to Human Resources within twenty-four (24) hours of the disciplinary action.
- Department heads are responsible for ensuring all sections are filled out accurately and completely, including supervisor comments and employee acknowledgment/signature.
- Employee's signature acknowledges receipt, not necessarily agreement.
- Department heads shall retain a copy for their records.

Separation from Employment

Separation of employment usually results from resignation, retirement, layoff, termination or death. If the reason is resignation, an employee is requested, but not required, to give notice in writing at least two weeks (10 working days) in advance to their department head or constitutional official before the last day of work. If the separation of employment is due to retirement, a sixty (60) day notice is requested. Layoff may occur if a position is eliminated or when there is a lack of funding or work. Termination can occur for any reason; however, the County intends to work with employees, where possible, to avoid involuntary separation.

Payment of wages for separation of employment due to resignation, retirement, layoff or death will be made on the next scheduled payday. In the event of involuntary separation because of dismissal or discharge, payment will be made within the statutory requirements. When the employee is separated from employment, they will receive a final paycheck to be calculated on their work time only. Employees will not receive compensation for any accumulated but unused sick leave or any form of severance pay.

Exit Interviews

The County may conduct exit interviews with employees who are separating from employment, whether voluntarily or involuntarily.

The purpose of the exit interview is to:

- Discuss the reasons for separation;
- Provide an opportunity for feedback on workplace practices, policies, and working conditions; and
- Ensure the return of County property and completion of final payroll and benefits processes.

Participation in an exit interview is encouraged but not mandatory, and information shared may be used to improve County operations and employee experience.

Reductions in Force

From time to time, budgetary or operational considerations may make it necessary to reorganize, reduce work hours, or lay off County employees. Determining the need for layoffs and the classifications of employees to be laid off is within the sole discretion of the County. If restructuring operations or reducing the number of employees becomes necessary, the County will attempt to provide advance notice, if possible, to help prepare affected individuals.

COBRA Continuation Coverage

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives eligible employees and their covered dependents the right to continue group health insurance coverage when coverage would otherwise be lost due to certain qualifying events.

Eligibility

Qualifying events include, but are not limited to:

- Voluntary or involuntary termination of employment (other than for gross misconduct);
- Reduction in hours worked;
- Transition between jobs;
- Divorce or legal separation;
- Death of the covered employee; or
- A dependent child ceasing to meet the eligibility requirements under the plan.

Coverage and Premiums

Eligible individuals may elect to continue their group health insurance coverage at their own expense. The premium cost may be up to 102% of the full cost of coverage (including both the employer and employee share, plus a 2% administrative fee).

Duration of Coverage

- In most cases, COBRA coverage may be continued for up to eighteen (18) months following a qualifying event.
- If a qualified beneficiary is determined to be disabled by the Social Security Administration within the first sixty (60) days of COBRA coverage, all covered individuals in the family may be entitled to an extension of up to twenty-nine (29) months.
- Certain qualifying events, such as divorce, legal separation, death of the employee, or a dependent child's loss of eligibility, may allow dependents to extend coverage for up to thirty-six (36) months.

Notice Requirements

Employees and their dependents must provide timely notice of qualifying events such as divorce, legal separation, or a child's loss of dependent status. The County will provide required COBRA notices in accordance with federal law.

Taxable Fringe Benefits

The Harrison County Commission will review procedures to comply with applicable regulations established by the Internal Revenue Service (IRS) regarding the taxation of certain employee benefits. The Office of Federal State and Local Governments (FSLG) within the IRS has published a "Fringe Benefit Guide" that provides governmental entities with a basic reference guide to federal tax rules relating to employee fringe benefits and reporting. The most recent version of this IRS Publication, Publication Number 5137 (October 2022) is available on the website for the IRS (www.irs.gov) or a copy is located in the Office of the Harrison County Commission and available for review.

Many fringe benefits or items will remain classified as excluded and thus are not a taxable fringe benefit. Examples of generally excluded benefits would include the following: health or medical insurance, business travel expense reimbursements paid via an established accountable plan (please note that to be eligible for meal reimbursement an overnight stay is required), clearly marked public safety vehicles utilized for authorized commuting purposes (such vehicles may not be utilized for personal travel or use), law enforcement vehicles utilized for authorized commuting purposes (such vehicles may not be utilized for personal travel or use), Class "A" uniforms for law enforcement personnel, other law enforcement uniforms designated as "Uniform of the Day or Task" that are clearly marked, identifiable and returned to the County upon end of employment, Class A type uniforms for service of process personnel or other departments, County provided cell phones, and OSHA approved steel toe work boots or safety

equipment provided by the County. Please understand this list is not all inclusive and subject to change based upon IRS regulations and rulings.

However, certain other fringe benefits or items paid for and/or provided by Harrison County Commission will be subject to reporting to the IRS and thus will become taxable to the employee and employer. Examples of certain taxable fringe benefits for Harrison County would include the following: clothing paid for by the County, including but not limited to, casual, dress or work shirts, casual, dress or work pants, ball caps, tee shirts, jackets, boots etc. purchased for law enforcement department personnel, courthouse security department personnel, staging department personnel or any other departmental personnel, any reimbursement to an employee for a gym membership or any direct payment of a gym membership for an employee, and usage of a County owned vehicle (excluding clearly marked public safety and law enforcement vehicles) utilized for authorized commuting purposes with no additional utilization for personal travel or use. Please understand this list is not all inclusive and subject to change based upon IRS regulations and rulings.

Each constitutional official and/or department manager will be responsible for documenting and providing notification to the bookkeeping department within the Office of the County Clerk of any taxable fringe benefits or items and to which employee received such benefits or items. Such documentation and notation would be included on the purchase requisition and invoice noting the value of the taxable fringe benefit and to which employee received the benefit or item. Usage of a County owned vehicle for authorized commuting purposes that is subject to reporting would be noted in the "Vehicle Benefit" column of an employee's payroll time record. The Office of the County Clerk will maintain documentation files of taxable fringe benefits received by employees.

Questions regarding taxable fringe benefits should be directed to the County Administrator or administrative staff located in the Office of the Harrison County Commission.



EMPLOYEE ACKNOWLEDGEMENT

By signing below, I acknowledge that I have received a copy of, and it is my responsibility to have read and understood, the policies outlined in the Harrison County Employee Personnel Policies and Procedures Handbook. I understand that this Handbook is intended only as a general reference and not a full statement of policies and procedures, a legal contract or an employment contract. Nothing contained within this Handbook alters the at-will employment doctrine of Harrison County. I understand that employees governed by civil service provisions of state or federal statutes may have additional employment benefits and/or restrictions.

I understand that the Harrison County Commission may update all or part of this Handbook with or without notice. Employees will receive a "Notice of Revision" unless circumstances warrant an immediate modification with the issuance of the "Notice of Revision" after the fact. I agree to keep this Handbook for reference during my employment and to update said Handbook whenever provided the documentation.

Employee's Signature

Date

Review contents before signing and return within ten (10) days of employment date.



CONSTITUTIONAL OFFICIAL ACKNOWLEDGEMENT OF RECEIPT

By signing below, I hereby acknowledge receipt of the Harrison County Employee Personnel Policies and Procedures Handbook. I understand this Handbook is intended as a general reference for employees in my office and not a full statement of policies and procedures, a legal contract or an employment contract. Nothing contained within this Handbook alters the at-will employment doctrine of Harrison County for employees located within my office. I understand that employees governed by civil service provisions of state or federal statutes may have additional employment benefits and/or restrictions. Each constitutional officer, with review of the County Commission for compliance with local, state and federal procedures, regulations and statutes, may publish, as an addendum to this handbook, those policies and procedures which are in consonance or agreement with those outlined in this Handbook, but are unique to the individual office.

I understand that the Harrison County Commission may update all or part of this Handbook. Constitutional officials will have a reasonable opportunity (ten (10) days prior notice) to receive and discuss any "Notice of Revision". I agree to keep this Handbook for reference during my term of office and to update said Handbook whenever provided the documentation.

Constitutional Official's Signature

Date



APPENDIX: FORMS