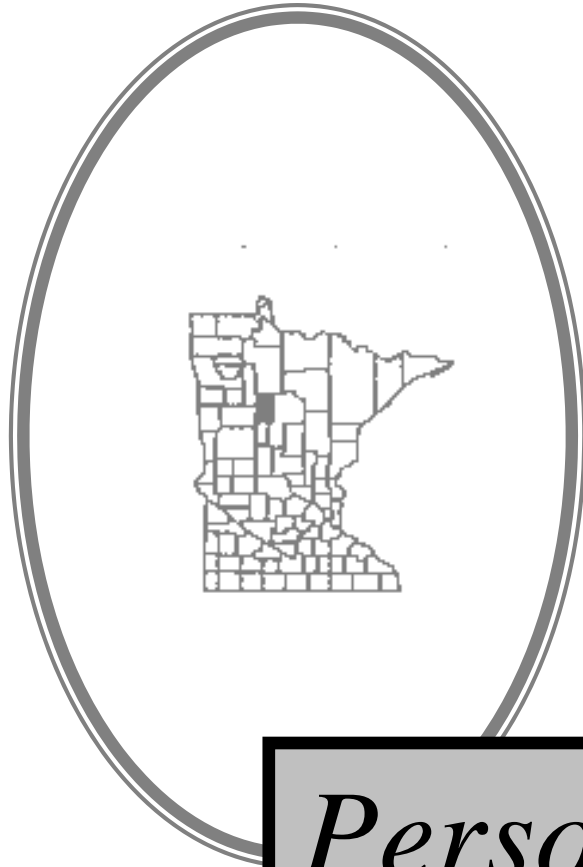


# *Hubbard County*



## *Personnel Policy Manual*

*Revised January 1, 2012*

**ANNUAL POLICY REVIEW**

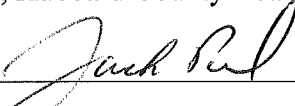
The policy and procedures in this manual have been reviewed and approved by the Hubbard County Board of Commissioners to be effective July 2, 2008.



Cal Johansson  
Chairman, Hubbard County Board of Commissioners

07/02/08

Date



Jack Paul  
Coordinator

07/02/08

Date

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**SECTION 2**  
**INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY**

**INTRODUCTION**

This policy manual is intended to provide Hubbard County (County) administrative and supervisory personnel, as well as county employees, a guide and resource to Board of Commissioner (Board) approved policies and procedures regarding employment and personnel issues. The policies and procedures in this manual are intended to ensure County employees are afforded fair and consistent treatment, and equal opportunity in accordance with applicable law.

The Hubbard County Board of Commissioners expects employees to conform to the policies and procedures defined within this manual and to accept full accountability while striving for personal productivity, integrity, and professionalism.

THIS MANUAL AND ITS SPECIFIC COUNTENTS, STATEMENTS, AND POSITIONS ARE NOT INTENDED TO CREATE A CONTRACT BETWEEN THE COUNTY OR ANY OF ITS EMPLOYEES. IT IS UNDERSTOOD THAT EMPLOYMENT WITH THE COUNTY IS AT-WILL, AND EMPLOYEES MAY TERMINATE THEIR EMPLOYMENT WITH THE COUNTY AT ANY TIME FOR ANY REASON. THE COUNTY RESERVES THE SAME RIGHT (AT WILL EMPLOYMENT) REGARDING DISCONTINUATION OF EMPLOYMENT. THE TERMS OF THIS MANUAL ARE IMPLEMENTED AND APPLIED AT THE SOLE DISCRETION OF THE COUNTY OR ITS REPRESENTATIVE AND MAY BE MODIFIED OR WITHDRAWN AT ANYTIME. THIS MANUAL SUPERSEDES ANY PRIOR POLICIES, PAST PRACTICES, OR ORAL REPRESENTATIONS MADE BY THE COUNTY OR ITS DESIGNEES.

**SCOPE**

Subject to the requirements of state and federal law, and any provision of a collective bargaining unit, the policies within this manual apply to all employees.

**EXPECTED BEHAVIOR**

Our main purpose is to provide services, to the public and to each other, with a tone of behavior that manifests respect and would be perceived as commendable. Each and every employee is expected to show a kind and courteous demeanor towards the general public and also towards fellow employees. Violent, offensive or rude behavior shall not be tolerated nor condoned.

**POLICY RESPONSIBILITY**

**Board of County Commissioners** - responsible for the approval and revisions of personnel policies; final arbitrator in questions of interpretation and application of NON Contract polices.

**Personnel Committee** - responsible for offering recommendations to the Board of County Commissioners on personnel policy related issues.

**Coordinator:** - responsible for the administration of all personnel and benefit policies in the County. (Human Resource Manager is a subset of the Coordinator)

**Department Managers/Supervisors** - responsible for the application of personnel policies within departments and for employees under their immediate supervision; may develop operational departmental procedures.

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NOTICE: Employees and prospective employees are at will employees, and should be advised that the policies expressed herein do not create any rights of employment, nor do the policies constitute a contract of employment between the County and employee or officers thereof. This policy is not to be deemed as a contract between any employee or prospective employee and the County, and can be amended or eliminated at any time, without notice, at the discretion of the County Board.

## SECTION 2

### INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY

#### TERMINOLOGY

**BENEFIT ELIGIBLE: Part-time Non-exempt employees** who are regularly scheduled and remain in pay status a minimum of 20 hours per week or more are eligible for vacation leave (Section 12), sick leave (Section 14), personal leave (Section 15) and when appropriate a vacation benefit day (Section 14) on a pro rated basis. Those employees who are working in a recurring twelve month per year position, and remain in pay status a minimum of 32 hours per week, are eligible for the health insurance benefit (Section 16) and vacation leave, sick leave, personal leave and a vacation benefit day, per policy, on a prorated basis. Exempt part-time are the same but do not earn a prorated vacation benefit day incentive. (Section 14) Temporary employees (Section 3) are eligible for holiday pay with on-call employees (Section 3) receiving no benefits.

**CLASS or CLASSIFICATION:** All positions sufficiently similar in duties, authority, and responsibility to permit grouping under a common title with equity of common standards of selection.

**COLLECTIVE BARGAINING AGREEMENT (UNION CONTRACT):** A contract negotiated between the County and a union representing a defined group of employees outlining wages, benefits, and terms and conditions of employment.

**CONTINUOUS SERVICE:** Shall consist of employment with no break in employment. (i.e. not having to be re-hired.)

**UNION EMPLOYEE:** An employee within a defined bargaining unit and governed by a collective bargaining agreement (union contract).

**DEPARTMENT MANAGER:** Those elected or appointed officials who are responsible for management of a department.

**EXEMPT POSITIONS:** Those positions that by the Code of Federal Register (CFR) 29 are exempt from overtime and minimum wage law or requirements. See Addendum V.

**FULL-TIME EMPLOYEE:** An employee who is regularly scheduled, on an annual basis, to work 40 hours per week and remains in pay status.

**FULL YEAR OF EMPLOYMENT:** Non-Exempt - The completion of a minimum of at least 2080 regular, non-overtime hours in pay status over a twelve month period and Exempt – The completion of a minimum of at least 52 weeks in pay status over a twelve month period.

**GRANT EMPLOYEE:** An employee who works for the county under a grant will be considered a county employee and is eligible for applicable county benefits as allowed by policy or grant.

**HIRE DATE:** Hire date shall be defined as the date an employee's employment with Hubbard County begins and consists of continuous service with the county not to include on-call positions.

**INDEPENDENT CONTRACTOR:** An individual, firm, or business who provides services for the county under a purchase of service agreement or other contract, and is not eligible for any county benefits.

**KINDRED:**

<b>First Degree of Kindred:</b>	Spouse, child, parent, parent-in-law, step-parent, step-children and foster children.
<b>Second Degree of Kindred:</b>	Sister and sister-in-law, brother and brother-in-law, grandparent, spouse's grandparents and grandchild.
<b>Third Degree of Kindred:</b>	Aunt, uncle, niece, nephew, great-grandparent, and great grandchild (including spouses third degree of kindred). See Addendum I

**NON UNION EMPLOYEE:** An employee who is not represented by a third party or governed by a collective bargaining

## SECTION 2

### INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY

agreement (union contract).

**NON EXEMPT POSITIONS:** Those positions that by CFR 29 are not exempt from overtime and minimum wage law requirements. See Addendum V.

**ON-CALL EMPLOYEE:** An employee who is hired to work for the county on an intermittent basis, is not regularly scheduled nor accrues any benefits and whose position is expected not to exceed 30 days of employment in one given department periodically. (Section 3)

**PART-TIME EMPLOYEE:** An employee who remains in pay status and is regularly scheduled to work, on an annual basis, less than 40 hours per week.

**POSITION:** A group of duties and responsibilities requiring the full-time or part-time employment of one person.

**PROBATIONARY PERIOD:** A specified period of time during which an employee is required to demonstrate suitability for the position for which they were hired, with suitability of employee for continued employment to be determined by the department manager. (Section 4)

**PROMOTION:** The movement of an employee to a higher rated job position with the consent of the employee and employer and the completion of a job description for that posted position.

**RECLASSIFICATION:** The re-rating of an existing job with more or less duties where the essential job functions have remained in tact. (Section 6)

**REGULAR POSITION:** A position which is continuous in nature and is more than six (6) months in duration.

**TEMPORARY POSITION:** A position which is expected to be at least 31 days but does not exceed a continuous 6 months (180 days) in a calendar year, and includes paid holidays. (Section 3)

**TOTAL YEARS COUNTY EMPLOYMENT SERVED:** Shall consist of total years of employment with the county, with or without a break in service.

**TRANSFER:** A change of an employee from one position to another position in the same class or a comparable class in the same pay range.

**VETERAN:** Applicants and employees who are entitled to a veteran's preference as outlined in M.S.A. §197.45 - 197-481. Provisions of this law shall supersede any provisions of the policies outlined this policy manual.

**VOLUNTEER:** An individual who volunteers to perform services for the county and does not receive compensation of any kind and such services performed are not the same type of services an individual is employed to perform.

## SECTION 3 EMPLOYMENT

### I. FULL TIME AND/OR PART TIME REGULARLY SCHEDULED EMPLOYEES

**A. POLICY STATEMENT:** It is the Policy of Hubbard County to practice equal opportunity employment in the recruitment and selection of candidates for position openings. Hubbard County does not discriminate on the basis of race, color, national origin, gender, religion, age, sexual orientation or handicapped status in employment or the provision of services. The following statement shall appear on all position vacancy notices and advertisements: "Hubbard County is an EOE." ***THE COORDINATOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND TERMINATION PROCEEDINGS.***

#### B. AUTHORIZATION

1. When a department has a full time or part time position opening to be filled, the department manager or the Coordinator shall get Board approval in order to fill the position.
2. If there are changes requested to a vacant position, or creation of a new position, then the Department Manager must seek Board approval prior to the classification committee rating the position.
3. If there are changes in a present position refer to Section 6.
  - a. The effective date of compensation shall be the date the position is filled, following the Board's acceptance of the classification committee point recommendation (for existing filled positions, see Section 6 – Position Descriptions & Point Reviews).

#### C. RECRUITMENT

1. A "position vacancy" form shall be submitted to the Coordinator's Office by department managers and posted for all position openings. No transfers or promotions shall be awarded outside of the procedure described in this policy.
  - a. The Coordinator's Office shall be responsible for posting a copy of the "position vacancy" form on the county website, the bulletin board outside the Coordinator's Office of the County Courthouse, the Heritage Living Center, the Hubbard County Public Works Department, the North and South Transfer Stations and at the Law Enforcement Center. The position vacancy form shall remain posted until the vacancy closing date listed on the notice.
2. At the discretion of the department manager and/or Coordinator, the position opening shall be advertised in the county legal newspaper and other acceptable recruitment methods.
  - a. Application forms shall be available from the Coordinator's Office or on the county website ([co.hubbard.mn.us](http://co.hubbard.mn.us)).
  - b. The Coordinator's Office shall maintain all completed applications for one (1) year.
  - c. The Coordinator's Office shall forward appropriate applications to the department manager for review. All applications shall be returned to the Coordinator's Office after review has been completed.
  - d. In the event a position is vacated within the original probationary period the Department Manager shall post the vacated position per proper procedure previously outlined and may consider the original applications received for that position prior to further advertising. (See Section 4 for Probationary Period)

#### D. SELECTION

1. The department manager and Coordinator shall be responsible for coordinating the screening of applicants and selecting the best qualified candidate that matches the requirements of the position.
2. Acceptable selection methods may include personal interviews, verification of educational background and employment records, validated testing and physical examinations and completion of a criminal background check.
  - a. All selection methods shall measure only the criteria required to perform the duties outlined by the job description and criteria and methods must be applied consistently to all candidates.

## SECTION 3 EMPLOYMENT

- b. We will make reasonable accommodations to those applicants who request it per the Americans with Disabilities Act (ADA).
3. Prior to making the final selection, the method of selection must be reviewed and approved by the Coordinator.

### **E. NOTIFICATION OF CANDIDATES**

1. The Coordinators Department shall be responsible for coordination of the notification of all candidates who were not selected within (10) working days after the position is filled.
2. The Coordinators Department shall be responsible for the coordination of providing the candidate selected to fill the position, with a written confirmation of the selection.
  - a. The notification shall include the job title, starting salary, list of benefits, starting date and time and date to report upon acceptance of the position. A copy of the notification shall be filed in the employee's personnel file.
3. The Coordinators Department and the hiring department shall complete an employee orientation with each new employee.
4. All new employees will be advised of the "Employees Right to Know" Laws and of the county's AWAIR program.

## **II TEMPORARY AND ON-CALL POSITION POLICY**

The rate of compensation for Temporary or On-Call positions shall be 80 percent of Step 1 of the position being filled or if a past county employee, 80 percent of the last wage earned as a county employee or a salary range of \$8.00 minimum to \$13.00 maximum with the starting wage to be determined by the Department Manager and Coordinator at an appropriate rate for those employees who have experience in a similar position or the same as an existing county position. Exception to rate of pay shall require Board approval depending upon skills, knowledge and abilities necessary to accomplish the essential job functions of the work required. When a department manager has a need for a temporary or on-call position, the department manager or the Coordinator shall get Board approval in order to fill the position.

### **F. TEMPORARY POSITION:**

1. TERMS OF POSITION
  - a. A position which is expected to be at least 31 days but does not exceed 6 months (180 days) in a calendar year and will not receive benefits except for Holiday pay.
  - b. Temporary position employees are expected to comply with all policies and procedures and meet the same job performance expectations as regularly scheduled employees.
  - c. Compensation of a temporary employee will be the responsibility of the department in which the work is performed.
2. PROCEDURE
  - a. A "position vacancy" form shall be submitted to the Coordinator's Office by the department manager and posted for the temporary position as listed in Section 3,C.1.
    1. In the event the departmental need is an annual recurring need, the department may contact previously employed personnel for continued interest in completion of job duties required.
    2. In the event the need for an on-call employee increases to the need for a temporary employee, there is no need to post the temporary position but board authorization is required for the increase to temporary status.
3. EXTENSION OF TEMPORARY EMPLOYMENT: A department manager may request an extension of employment of temporary employee provided temporary employee was hired to fill a regular employee's position, who has been granted a leave of absence and has asked for an extension of leave of absence.
  - a. A department manager may also request an additional 10% compensation for temporary employee who is asked to extend temporary employment.

## SECTION 3 EMPLOYMENT

**G. TEMPORARY INTER-DEPARTMENT JOB REASSIGNMENT:** A temporary position being filled within or between the departments shall be compensated with a 10% increase of the employee's present salary provided newly assigned temporary position is at a higher classification and of a duration more than 20 days.

1. Temporary inter-department job reassignments may be allowed when employee is reassigned for a sick/medical leave of more than 20 days.

**H. PROCEDURE IN THE EVENT OF EXTENDED EMPLOYMENT:** In the event a temporary employee moves directly into a full time position or part-time position that qualifies for pro-rated benefits, the employee's temporary employee hours will count toward completion of 2080 hours required for first lane increase. Benefit accrual or pro-rated accrual shall commence upon date of qualifying employment. Hire date will be date that continuous service with Hubbard County commenced in a regularly scheduled position.

**I. ON-CALL POSITION:**

1. TERMS OF POSITION

- a. An on-call position is one that works on an intermittent basis throughout the year. An on-call position may be regularly scheduled but not recurring and does not accrue any benefits.
- b. An on-call position is not expected to exceed 30 days of continuous employment in any one given department per occurrence.
- c. On-call position employees are expected to comply with all policies and procedures and meet the same job performance expectations as regularly scheduled employees.
- d. Compensation of an on-call employee will be the responsibility of the department in which the work is performed.

2. PROCEDURE

- a. The Coordinators Department will maintain a "pool" of on-call employees who are available to work on an intermittent basis and meet minimum qualifications.
- b. Upon Board authorization the department manager will review the register of on-call employees consisting of education, work experience, and skills.
- c. The department manager will then contact on-call employees viewed qualified for the work to be completed. Training will be the responsibility of the manager in need of assistance.
- d. Upon the request of a Department Manager, the Coordinator shall have the discretionary authority to approve use of "emergency" on call personnel, for any department deemed necessary, with a follow up report, by the Department Manager, to the Board at the next Board Meeting for approval.

### III PERA PHASED RETIREMENT OPTION (PRO) Program

**J. TERMS OF POSITION**

1. Per legislative action effective 05/23/09, a PRO program is available to members of the Coordinated and Basic plans.
2. Member must be 62 years of age or older.
3. Members under a PRO program may begin collecting their PERA retirement benefits without a formal termination of employment.
4. No 30-day break in public service prior to collecting a retirement benefit will be required and there will be no prohibition against having any agreement to return to work with the current employer.
5. Post-retirement earnings will not be subject to the limits that apply prior to full Social Security retirement age.
6. Neither the member nor the employer is required to make any further contributions to PERA.
7. No PERA service credits will be earned by the employee, so there will be no future adjustment to the high-five average salary.
8. The program is scheduled to sunset June 30, 2011.
9. A current retiree cannot participate in the program
10. More information is available on the PERA website along with frequently asked questions.

## SECTION 3 EMPLOYMENT

### K. ADMINISTRATION

1. The County Board has the discretion to determine if it will offer the PRO program to an employee and for how long.

### L. PERA MEMBER QUALIFICATIONS

1. Be age 62 or older
2. Be eligible for monthly retirement benefit
3. Have worked at least 1044 hours per year for the five years preceding participation in the PRO Program
4. Agree to a reduced schedule, defined as
  - ◆ 25% or greater reduction in hours and
  - ◆ will not exceed 1044 hours of work per year.

### M. LENGTH OF PHASED RETIREMENT OPTION Program

1. The initial employment option under the PRO program cannot exceed one year in length.
2. The employment agreement may be renewed annually, but may not extend beyond five years. The renewal must occur before the employee attains full retirement age.

### N. TERMINATION OF EMPLOYMENT UNDER THE PRO Program

1. Upon completion of the phased retirement, a member must meet the requirements normally applied to someone who is terminating public service, including the prohibition of any future employment agreement, and the minimum 30-day break in public service.
2. If the retiree later returns to PERA-covered employment, the earnings limits would apply.
3. Any Vacation or Personal Leave accrual remaining at the time of a PRO employee termination of employment shall be paid to the employee. The PRO employee will not be eligible for further severance pay.

### O. PRO EMPLOYEE BENEFITS

1. SEVERANCE AVAILABILITY: a PRO employee shall be entitled to severance pay, as outlined in Section 11, on the last day of work prior to the effective date of the PRO agreement. In addition, accrued vacation, as outlined in Section 12, shall be paid to a PRO employee on the last day of work prior to the effective date of the PRO agreement.
2. WAGE: a PRO employee shall continue at the same rate of pay as he/she was earning as a regular employee prior to the effective date of the PRO unless negotiated differently at the time of PRO Agreement approval by the County Board. (See Salary Administration below for duration of PRO Agreement)
3. VACATION ACCRUAL: A PRO employee shall be eligible for continuation of pro-rated vacation accrual and it shall be available to the employee as outlined in Section 12.
4. SICK LEAVE ACCRUAL: a PRO employee shall be eligible for pro-rated sick accrual as outlined in Section 14. In addition, a PRO employee shall be eligible for a pro-rated vacation incentive day as outlined in Section 14.
5. HOLIDAY ACCRUAL: a PRO employee shall be eligible for pro-rated holidays, named in Section 13, based on percentage of annual hours scheduled.
6. PERSONAL LEAVE: a PRO employee shall be eligible for pro-rated personal leave, as outlined in Section 15.
7. SALARY ADMINISTRATION & LONGEVITY PAY: a PRO employee shall be eligible for wage review and treatment after a full year of employment (completion of 2080 hours) and continuation of service increment based on anniversary date as outlined in Section 5.

## SECTION 4 PROBATIONARY PERIOD

**A. POLICY STATEMENT:** It is the policy of Hubbard County that employees serve an initial probationary period of six (6) months for the purpose of demonstrating satisfactory job performance. If the employee fails to demonstrate satisfactory job performance, they may be dismissed during the probationary period without prior notice or obligation at the sole discretion of the department manager. After the employee meets the satisfactory six month review, the employee shall receive an annual performance review based upon the date as defined in Section 5.

**B. ELIGIBILITY**

1. All employees newly hired or re-hired shall serve a probationary period.
2. An employee promoted or transferred to a vacant position shall serve a probationary period of thirty (30) working days for that position. These employee's accrued benefits will remain available throughout the probationary period. If the employee fails to meet the qualifications of the new position during the probationary period, the employee may apply for their prior position as a new applicant.

**C. PROCEDURE**

1. A performance evaluation shall be completed by the Department Manager on each employee prior to the completion of the probationary period.
2. An employee in any probationary period shall be terminated if the employee has not demonstrated satisfactory job performance. In all cases, the Department Manager shall discuss the intent to discharge with the Coordinator prior to the termination to insure consistency and compliance with county policy and applicable law.
3. The initial probationary period for an employee can be extended upon department manager's recommendation and/or Board action. The extension shall be in writing with copies going to the employee, supervisor, and the employee's personnel file.

**D. COMPENSATION**

1. No raises, for new employees, shall be enacted during any probationary period except for the annual cost-of-living adjustment approved by the Board of Commissioners.
2. Any increases awarded upon completion of the initial probationary period shall be based upon performance as determined by the employee's Department Manager and/or Board approval.

**E. BENEFITS DURING THE PROBATIONARY PERIOD**

1. Health insurance coverage becomes effective the 1<sup>st</sup> of the month following 30 days employment, subsequent to all proper paperwork being submitted within the required period. (Refer to Section 16, page 1).
2. Vacation leave is accrued from the most recent hire date but is not available to be used during initial probationary period. Exception: Section 12, page 1
3. Sick leave is accrued from the most recent hire date and is available to be used during the initial probationary period however if the employee does not complete his/her initial six (6) months of continuous employment any sick leave utilized shall be deducted from the employee's final payroll. (Refer to Section 14, page 1).
4. Holiday pay is available to an employee provided the employee is in pay status the last regular shift to which the employee would have been assigned prior to the holiday and the first regular shift to which the employee would have been assigned following the holiday (Refer to Section 13, page 1).
5. A prorated personal leave day is accrued and available for use during the initial probationary period. (Section 15, page 5)

## SECTION 5

### COMPENSATION ADMINISTRATION FOR STEP INCREASES & LONGEVITY PAY

**A. POLICY STATEMENT:** It is the policy of Hubbard County to provide step increases in increments of a full year of employment for all employees who have not reached the top of their compensation range. Employees are also rewarded for their years of continuous service through the addition of longevity pay to the employee's base pay. An employee on an approved leave without pay shall not lose prior accrued years toward longevity and benefits.

#### **B. INTRODUCTION**

1. The purpose of this section is to explain the procedures used as the basis for uniform compensation administration and to provide a guide for supervisors in determining when a step increase and longevity pay are to be granted.

#### **C. STARTING COMPENSATION**

1. A starting compensation for a new employee is normally the minimum of the compensation grade range. There may be circumstances when an employee with long term prior experience may be placed within the step system. Prior approval by the Coordinator and the board is necessary.
2. An employee promoted to a higher rated position will move across the compensation grade range to the step in the new position that has a minimum of a 3% increase in compensation. They will then advance as outlined in D. 3.
3. An employee's compensation, whose position is eliminated and is transferred to a lower rated position, shall be frozen until such time as the compensation schedule may or may not afford an upward movement. This employee's compensation would be eligible for any applicable cost of living increase (COLA) provided.

#### **D. STEP INCREASES**

1. Wages will be reviewed and treated after the completion of a **full year of employment** (as defined in Section 2) of successful performance as stated in F.1 below.
2. When an employee who is not at the top of their salary grade range completes a **full year of employment** and satisfactory service, they will advance to the next step in the salary range of their grade.
3. Employees will continue to advance annually through the steps upon completion of a **full year of employment** and satisfactory performance from the date of last step increase, until they reach the top of their grade.

#### **E. INITIATION AND APPROVAL OF COMPENSATION ADJUSTMENTS**

1. Compensation adjustments require the approval of the department manager and the Coordinator, unless the adjustment is for a department manager, then the Board and the Coordinator shall sign that.

#### **F. PERFORMANCE MEASUREMENT**

1. Prior to requesting a step increase for a subordinate, a satisfactory employee performance evaluation needs to be completed and submitted to the Coordinator. The period of employment covered in the performance evaluation should be the prior **full year of employment** required for the requested step advancement. The employee's evaluation must be completed by their supervisor and approved by the department head.
2. Employees who are currently receiving step increases and have been receiving step increases on January 1, of each year, will continue to receive step increases upon completion of a full year of employment until they reach the top of their grade. Those hired prior to January 1, 1997 have their step increases on January 1; those hired after January 1, 1997 have their step increases based upon their hire date. Both require a complete year of employment and a satisfactory annual review by the supervisor and/or department manager.

**SECTION 5**  
**COMPENSATION ADMINISTRATION FOR STEP INCREASES & LONGEVITY PAY**

**G. LONGEVITY PAY EFFECTIVE DATE:** Longevity pay shall be effective at the anniversary date.

**H. LONGEVITY SCHEDULE:** Longevity pay will be paid according to the following schedule:

<b>Years of continuous service:</b>	<b>Percentage of Longevity pay added to base pay:</b>
10 years	1%
15 years	2%
20 years	3%
25 years	4%
30 years	5%
35 years	6%

## SECTION 6 POSITION DESCRIPTIONS & POINT REVIEWS

**A. POLICY STATEMENT:** It is the policy of Hubbard County to maintain current job descriptions. Position descriptions should be reviewed on an as needed basis to determine if there have been significant changes, increases, or decreases in the essential job functions, and in job duties associated with a current position.

**B. REVIEW TIMELINE:** Should monumental internal and/or external situations arise such that there is a significant change in a position's essential job functions, the following procedure shall be followed:

- The Department Manager shall request the Coordinator to review the position to determine reclassification necessity.
- If the Coordinator agrees there has been significant change in the position to warrant a review, the Department Manager shall then prepare a revised job description reflecting old and new language and complete an Explanation of Proposed Changes Form as provided by the Coordinator's Office.
- The revised job description and the Explanation of Proposed Changes Form is then included in the Commissioner packet prior to the meeting at which the request for a Classification Committee review is made.

**C. COMPENSATION:** The compensation effective date, of a reviewed position, shall be the date the Board authorizes the Classification Committee review of the requested job description.

If the position is re-rated to greater points than before the approved review, the compensation shall be the next higher rate of pay within the new range and continue to advance as in Section 5 D.3. If the position is re-rated to fewer points than before the approved review, the compensation shall remain the same, and be frozen until the new lower range surpasses the frozen rate. Both increases and decreases shall be entitled to a cost of living increase (COLA) provided.

**REQUEST FOR JOB DESCRIPTION REVIEW  
AND  
EXPLANATION OF PROPOSED CHANGES**

Along with the proposed job description highlighting the actual changes in the position, please answer the following questions to assist both the Commissioners and the Classification Committee with their review, if directed by the Board.

1. What increases or decreases in responsibilities have there been for this job position? Please list those that have been dropped and those that have been added, and any comments on your perception of the degree of change regarding the net increases/decreases.
  
2. What increase or decrease has there been regarding the supervision of others for this job position?
  
3. What additional areas of expertise or training are required for the changes in the job description?
  
4. Summarize the greatest areas of change -- what really changed & why you believe it to be important. List the most important first, next important 2nd, etc.

## SECTION 7 EMPLOYEE PERSONNEL RECORDS

**A. POLICY STATEMENT:** It is the policy of Hubbard County to maintain a private personnel file for each employee in accordance with M.S. 13.01 through M.S. 13.88 (Minnesota Government Data Practices Act).

**B. ACCESS:** Employee personnel files are open for inspection and review during office hours by the subject employee, the employee's authorized representative, the immediate Department Manager, the Coordinator and his/her deputy, subject to limitations contained in M.S. §13.43.

### **C. RESPONSIBILITY FOR RECORD KEEPING**

1. The employee shall be responsible for keeping personal data current.
2. The Department Manager shall be responsible for submitting employment data.
3. The payroll person shall keep benefit data current as received.
4. The Coordinator shall be responsible for maintaining all active and inactive personnel files including the review of all items prior to filing. Official personnel records of county employees are held within the Coordinator's Office.

### **D. CONTENTS**

1. Personal Data
  - a. Employee name
  - b. Current address
  - c. Telephone number
  - d. Person to be contacted in case of emergency
2. Employment Data
  - a. Application, pre-employment tests, reference checks, and data relevant to decision to hire, when applicable
  - b. Copy of written notification of hire
  - c. "Position vacancy" posting leading to transfer or promotion
  - d. Official correspondence between a county authority and the employee
  - e. Annual Performance evaluations – It is the responsibility of each supervisor and/or department manager to review every subordinate at least annually and complete an employee evaluation.
  - f. Salary changes
  - g. Leave requests
  - h. Authorization of leave requests
  - i. Medical statements and physical examination results - separate file
  - j. Documentation of unsatisfactory work performance or behavior
  - k. Termination notice
  - l. Employee acknowledgment and authorization of reference checks and employment verification completion (on completed employment application).
3. Benefit Data
  - a. Record of regular hours and overtime worked
  - b. Record of vacation accrued and used
  - c. Record of sick leave accrued and used
  - d. Record of holidays used
  - e. Insurance information

## SECTION 8 PAYROLL

- A. POLICY STATEMENT:** It is the policy of Hubbard County to compensate employees bi-weekly. Direct payroll deposit requests must be in writing at hire and thereafter on an annual basis.
- B. PAY PERIODS:** A payroll schedule shall be determined annually by the Coordinator's Office and distributed to each department prior to the beginning of each year. The Coordinator will provide the schedule to all new employees.
- C. PAYSTUBS/PAYCHECK**
1. Pay stubs shall reflect compensation for regular hours and overtime worked, vacation pay, sick pay, holiday pay, and other paid leaves.
  2. Bi-weekly direct deposit slips shall be available on or before 2:00 p.m. on the Thursday before the scheduled pay date.
  3. When a payday occurs on a holiday or a weekend, pay stubs shall be issued on the preceding work day.
  4. When an employee terminates whether by resignation or discharge the terminal paycheck shall be issued in accordance with Minnesota Law.
  5. Direct deposit is mandatory for all employees.
- D. RECORD KEEPING**
1. Time cards or time sheets shall be the official record of hours worked and paid leave hours claimed by all employees in each pay period. Non-exempt employee's hours worked and leave taken shall be recorded to the nearest ¼ hour increment. Exempt employees should record only leave used to the nearest half day.
    - a. The Department Manager shall be responsible for the completion of time cards or time sheets for each employee in the department.
      1. Regular hours and overtime worked and holiday, vacation, sick and other paid leave hours claimed by each employee must be accurately identified on the time cards or sheets.
      2. Completed time cards or sheets must be signed or initialed by the Department Manager and the subject employee to verify accuracy of the reporting.
      3. The Department Manager shall submit the completed and signed time cards or sheets for the pay period to the payroll person within two (2) working days after the end of the pay period, whenever possible.
    - b. The payroll person shall maintain a cumulative record of regular hours worked, overtime worked, and any holiday, vacation, sick and other paid leave hours claimed by the employee.
    - c. An employee may be subject to disciplinary action up to and including dismissal for making false claims of hours worked or leave hours taken.
  2. The department manager shall be responsible for providing the Coordinator's Office with current information regarding new hires, terminations, and changes in salary, job classification, department, and hours (change in shift or the number of regularly scheduled hours).
    - a. New hires - The "Employment Data Changes" form shall be completed by the department manager and submitted to the Coordinator for review prior to submission to payroll.
    - b. Terminations and changes in salary, job classification, department and hours - The "Employment Data Change" form shall be completed by the department head and submitted to the Coordinator for review at least five (5) working days before the end of the pay period in which the changes are to become effective. If the changes are consistent with the approved personnel policies and the classification and pay schedule, the form shall be forwarded to the payroll person for processing. The form shall be filed in the employee's personnel file.

## SECTION 9 HOURS OF WORK & ATTENDANCE

**A. POLICY STATEMENT:** It is the intended policy of Hubbard County that generally full time employees be regularly scheduled to work 40.0 hours per week. When possible, a work week shall be five days, measured from Sunday through the following Saturday. When possible, the normal work day shall be 8:00 a.m. to 4:30 p.m. (8.0 hours) Monday through Friday understanding that normal workday and workweek shall necessarily be adjusted to accomplish the manpower needs of the County.

### **B. ATTENDANCE**

1. Assignment of scheduled working hours shall be made by the employee's department head or supervisor.
2. Employees are to be present at work during all regularly scheduled hours, unless arrangements in accordance with the leave policies have been made.
3. Unexcused absence and tardiness shall be subject to disciplinary action up to and including dismissal.

### **C. LUNCH PERIODS**

1. Any employee working a shift of at least six (6) continuous hours shall be entitled to a thirty (30) minute lunch period.
2. Lunch periods are not a compensated part of the work shift. An employee shall not be compensated in money or time off for refusing to take a scheduled lunch period.
3. Lunch periods shall be scheduled by the department head or supervisor.
4. An employee shall be at the assigned work area at the beginning and end of the lunch period.

### **D. REST PERIODS**

1. An employee is entitled to a fifteen (15) minute rest period during each four (4) hour period of continuous work.
2. Rest periods are part of the paid work shift. An employee shall not be compensated in additional money or time off for refusing to take a scheduled rest period.
3. Rest periods shall be scheduled by the department head or supervisor.

## SECTION 10 OVERTIME

**A. POLICY STATEMENT:** It is the Policy of Hubbard County to compensate "non-exempt" employees for time worked in excess of forty (40) hours, in a regular work week by compensatory time off or in accordance with the Federal Fair Labor Standards Act (FFLSA). The regular work week is defined in Section 9, Hours of Work and Attendance, page 1.

**B. ELIGIBILITY:** All employees of Hubbard County who meet the CFR 29 Part 516.2 criteria and are therefore non-exempt employees, shall be paid overtime. (See exempt employee list, Addendum V)

### **C. ASSIGNMENT AND AUTHORIZATION OF OVERTIME**

1. Department Managers must obtain prior approval from the Board of County Commissioners in order to schedule overtime.
2. Department Managers shall be responsible for assigning and authorizing overtime.
3. Overtime shall be distributed as equally as practical among employees in a department. If it has been established that overtime has not been fairly distributed in a department, future scheduling shall compensate for past discrepancies until overtime opportunities become equitable.
4. Employees shall be expected to work overtime when requested.

### **D. CALCULATION AND COMPENSATION**

1. For all recorded hours in excess of forty (40) hours per week, in a regular work week, non-exempt employees shall receive compensatory time or overtime pay equal to one and one half times their regular pay at the county's discretion.
2. Compensatory time shall be taken as assigned by the Department Manager. Compensatory time may not be accrued in excess of 40 hours. The Department Manager is responsible for monitoring booked comp time and assuring compliance with the 40 hour maximum.
3. When compensatory time off for overtime hours worked is not possible or upon an employee's request to receive monetary compensation, the employee shall receive pay at the rate of one and one half times the employee's regular hourly wage. No request will be considered outside the regular payroll deadlines for any given pay period. (Refer to Item D.2, this Section).
4. Overtime shall be calculated in fifteen (15) minute periods.
5. Sick leave, Holidays, and Vacation leave shall count toward the calculation of overtime. Comp time can not be used to exceed the 40 hour work week.
6. Travel time spent by an employee to attend an authorized seminar or conference shall count towards the calculation of overtime for those hours in excess of the normal work day, as the lessor of:
  - a. time spent in excess of the employees round trip travel time to their normal work location or
  - b. travel time spent round trip from their home.

## SECTION 11

### SEVERANCE OF EMPLOYMENT

**A. POLICY STATEMENT:** It is the policy of Hubbard County to provide terminal benefits to employees, in good standing, voluntarily terminating employment with proper notice or employees dismissed by the County. An employee's effective date of severance is the last work day and shall not be considered extended by use of banked leave. ***THE COORDINATOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND SEVERANCE PROCEEDINGS.***

#### **B. VOLUNTARY SEVERANCE**

1. Resignation with proper notice: Proper notice shall be defined as department manager's receipt of written notification within ten (10) working days unless, due to extenuating circumstances beyond the control of the employee, he/she is unable to do so and the department manager agrees the circumstances are extenuating. The signed notice shall state the effective date of severance and the reasons for resignation.

#### **C. INVOLUNTARY SEVERANCE**

1. Discharge: Refer to Section 4, Probationary Period, and Section 18, Discipline, for policies regarding discharge of employment.
2. Layoff: In the event the Board of Commissioners determine conditions require a reduction of staff, a method is established to accomplish such reductions in a fair and equitable manner. Considerations are given to an employee's performance and tenure. Voluntary layoffs will be sought before any involuntary layoffs.
  - a. Within each department and job class selected for a reduction in staff, the order of layoff is determined by considering the employee's performance and seniority.
  - b. The department manager shall give the employee written notice of any proposed layoff. The notice shall be submitted to the employee at least fourteen (14) calendar days prior to the effective date of layoff.
3. Recall From Layoff: Employees who have been selected for layoff will have recall rights for one (1) year following the effective date of the layoff.
  - a. Within each department, employees on recall will be offered open and available positions prior to the position being posted, provided the employee meets minimum qualifications.
  - b. Laid off employees requested to return to work are required to report to work 14 days after accepting a position.
  - c. Laid off employees who do not report to work within 14 days, or who decline a position lose their recall rights.
  - d. Consideration will be given to employees on recall who are interested and qualified as determined by the County for the open position in another department.

#### **D. TERMINAL BENEFITS**

1. Sick Leave: Regular employees who terminate their employment because of disability, retirement, or written resignation with proper notice accepted by the County, shall be entitled to severance pay pursuant to the following conditions:
  - a. Employee shall have completed at least ten (10) years of continuous service with the County.
  - b. The employee, to be eligible for provisions of this section, shall have an accumulation of at least 30 days (240 hours) of sick leave.
  - c. The amount of severance pay shall be the mathematical product obtained by multiplying the employee's hourly rate of pay at the time of severance times the employee's unused accumulated sick leave hours, not to exceed 1000 hours, according to the following schedule:

**SECTION 11**  
**SEVERANCE OF EMPLOYMENT CONTINUED**

After ten (10) total years of service	50% of unused accumulated hours
After fifteen (15) total years of service	60% of unused accumulated hours
After twenty (20) total years of service	70% of unused accumulated hours
After twenty-five (25) total years of service	80% of unused accumulated hours

- d. The above severance package of exempt and non-exempt employees leaving employment with Hubbard County shall be provided by the County by 100% deposit of their severance pay to a Minnesota State Retirement System (MSRS) Health Care Savings Plan (HCSP).
  - e. In the event of death, the severance pay shall be paid to the employee's estate.
  - f. Employees who voluntarily resign without proper notice, or who are discharged, are not eligible for severance benefits.
2. Vacation & Personal Leave: Accrued vacation & Personal Leave shall be paid upon severance including severance during probationary period.
  3. Health and Life Insurance: The County shall pay for employee coverage through the last day of the calendar month of the effective date of severance. For continuation of insurance after severance, see Section 16.

**SECTION 11**  
**SEVERANCE OF EMPLOYMENT CONTINUED**

After ten (10) total years of service	50% of unused accumulated hours
After fifteen (15) total years of service	60% of unused accumulated hours
After twenty (20) total years of service	70% of unused accumulated hours
After twenty-five (25) total years of service	80% of unused accumulated hours

- d. The above severance package of exempt and **non-exempt** employees leaving employment with Hubbard County who have a minimum balance of eight hours in their personal leave accrual balance in the year prior to the year of severance, shall be paid by the County by 100% deposit of their severance pay to a Minnesota State Retirement System (MSRS) Health Care Savings Plan (HCSP).
  - e. **Exempt and Non-exempt** employees leaving employment who have no personal leave balance in the year prior to the year of severance, shall be paid their severance pay by the county in a lump sum distribution subsequent to the effective day of severance.
  - f. In the event of death, the severance pay shall be paid to the employee's estate.
  - g. Employees who voluntarily resign without proper notice, or who are discharged, are not eligible for severance benefits.
2. Vacation & Personal Leave: Accrued vacation & Personal Leave shall be paid upon severance including severance during probationary period.
  3. Health and Life Insurance: The County shall pay for employee coverage through the last day of the calendar month of the effective date of severance. For continuation of insurance after severance, see Section 16.

## SECTION 12 VACATION

**A. POLICY STATEMENT:** It is the policy of Hubbard County to provide employees with paid vacation leave to be used with the approval of the Department Manager.

**B. ELIGIBILITY:** Employees must be regularly scheduled and remain in pay status a minimum of twenty (20) hours per week. Employees who work more than twenty (20) hours per week but less than forty (40) hours per week shall have their vacation pay prorated

### C. ACCRUAL

1. Vacation accrual starts on the employee's most recent hire date.
2. Schedule:

First year of service through fifth year	ten (10) working days (3.34 hours/pay period)
Sixth year of service through 10th year	fifteen (15) working days (5.00 hours/pay period)
After ten (10) full years of service	twenty (20) working days (6.67 hours/pay period)

3. Provisions for accrual:
  - a. If employee status changes to on-call or (less than twenty (20) hours per week, accrual will discontinue upon the date of change.
  - b. If employee status changes from on-call to part time or full time (at least twenty (20) hours per week) accrual will commence on the date of change.
  - c. During an unpaid leave of absence vacation is not accrued.
  - d. During paid leaves vacation is accrued at the normal rate.
  - e. During the probationary period vacation is accrued.

### D. AVAILABILITY

1. Accrued vacation becomes available upon completion of the initial probationary period and thereafter on a pay period by pay period basis. Absence of a new employee during their probationary period for an event that was scheduled prior to hire date and discussed with the department manager during the hiring process may be granted by the department manager with no pay. (No vacation accrual will be reflected on employee pay stubs in the third pay period of any given month.)
2. Employees shall be allowed to accumulate vacation, vacation benefit day (non-exempt) and personal leave day up to a maximum of thirty-two (32) working days, (256 working hours). Employees will suffer no loss of benefit unless over the maximum upon reaching the first pay date of each year, at which point the maximum shall apply.
3. In the event an employee's vacation balance is over the maximum on the first pay date of the new year, the department manager may approve the excess balance and notify payroll and the Coordinator of the extension. In the event a department manager is over the maximum on the first pay date of the year, an extension requires Board approval. If department scheduling prevented the employee from taking vacation during a particular year the employee shall suffer no loss of benefits.

### E. COMPENSATION

1. One hour of vacation pay shall be equal to the employee's regular hourly straight time earnings.
2. Vacation pay shall be on the pay stub issued for the pay period in which the vacation is taken.
3. No vacation shall be paid in lieu of taking time off, unless approved by the County Board, except as provided for terminating employees
4. Provisions for the calculation of vacation pay:
  - a. When an illness or disability lasting more than two (2) days occurs during a scheduled vacation, sick leave may be claimed if the employee submits a physician's written statement verifying the illness or disability.
  - b. When an official holiday occurs during a scheduled vacation, the time shall be considered a holiday.

## SECTION 12 VACATION CONTINUED

### **F. PROVISIONS FOR EMPLOYEES TERMINATING EMPLOYMENT**

1. When an employee terminates employment, the employee shall be paid for accrued vacation.
2. When an employee is laid off, the employee shall be paid for accrued vacation.
3. In event of the death of an employee, accrued vacation shall be paid to the employee's estate.
4. Terminal vacation pay reflects payment to which an employee is entitled. Terminal vacation pay does not extend the employee's effective date of termination beyond the last work day.
5. When an employee transfers from one department to another within the County the accrued vacation time shall be charged back to the department where the vacation time was accrued.

### **G. SCHEDULING**

1. Department Managers are responsible for approving scheduled vacation leaves for employees under their supervision.
2. Consideration shall be given to seasonal demands and department staffing needs before granting any vacation leave requests.
  - a. Preference in scheduling shall be based on the order in which vacation requests are received.
3. Vacation may not be taken in less than one-quarter (1/4) hour increments.

## SECTION 13 HOLIDAYS

**A. POLICY STATEMENT:** It is the policy of Hubbard County to provide employees with certain paid holidays.

**B. ELIGIBILITY**

1. An employee must be regularly scheduled and remain in pay status a minimum of twenty (20) hours per week. Employees who work more than twenty (20) hours per week but less than forty (40) hours per week shall have their holiday pay prorated.
2. Employees must be in pay status the last regular shift to which they would have been assigned prior to the holiday and first regular shift to which they would have been assigned following the holiday.

**C. SCHEDULE**

1. The following days have been designated as official paid Holidays:

<b>New Year's Day</b> (January 1)	<b>Labor Day</b> (1st Monday in September)
<b>Martin Luther King Day</b> (3 <sup>rd</sup> Monday in January)	<b>Veterans' Day</b> (November 11)
<b>President's Day</b> (3rd Monday in February)	<b>Thanksgiving Day</b> (4th Thursday in November)
Friday before Easter	<b>Day after Thanksgiving</b>
<b>Memorial Day</b>	<b>Christmas Day</b> (December 25)
<b>Independence Day</b> (July 4)	

2. Changes in this schedule shall be authorized by the Board of County Commissioners.
3. When a holiday falls on a Saturday, the previous Friday shall be designated as the official holiday. When a holiday falls on a Sunday, the following Monday shall be designated as the official holiday.
4. Official holidays commence at the beginning of the first shift of the holiday and continue for twenty-four (24) hours.

**D. COMPENSATION AND CALCULATION**

1. When an eligible employee works an official holiday, the employee shall receive time and one half for hours worked in addition to regular holiday pay.
2. When an official holiday falls during a scheduled vacation, the day shall be considered a holiday.
3. When an employee is sick on an official holiday, the time shall be considered a holiday.
4. When an official holiday falls during a paid leave of absence, the day shall be considered a holiday.
5. Paid holiday hours shall count toward the calculation of overtime.

## SECTION 14 SICK LEAVE

**A. POLICY STATEMENT:** It is the policy of Hubbard County to provide employees with paid sick leave.

**B. ELIGIBILITY:** An employee must be regularly scheduled to work and remain in pay status a minimum of twenty (20) hours per week.

**C. ACCRUAL**

1. Sick leave accrual starts on the employee's most recent hire date.
2. Accrual is at the rate of four hours (4) per pay period per 24 pay periods per year. (No sick leave will be accrued in the third pay period of any given month.) Eligible employees regularly scheduled to work less than forty (40) hours per week, but work a minimum of twenty (20) hours per week and remain in pay status, shall accrue sick leave on a prorated basis.
3. Sick leave accrued up to the maximum one hundred twenty-five (125) working days (1000 hours), per calendar year, shall be used to determine severance pay per Section 11, Page 1 of this policy.
4. Additional hours will be allowed to accrue beyond one hundred twenty-five (125) working days (1000 hours) maximum during a calendar year but will be adjusted annually after the last pay date of the year to the 1000 hour maximum.
5. Sick leave shall not be accrued during a leave of absence without pay.

**D. AVAILABILITY:** An employee shall be allowed to use accumulated sick leave according to the provisions of this policy upon hire, however if the employee does not complete his/her initial probationary period, any sick leave utilized shall be deducted from the employee's final payroll.

**E. AUTHORIZATION OF SICK LEAVE**

1. The Department Manager may authorize sick leave for medical or dental appointments, illness, or accident of employees or Kindred to the Second Degree as defined in the "Degree of Kindred" chart located in Addendum I. Such absence not to exceed two consecutive days for Kindred except for those kindred qualifying for an FMLA event whereby the Department Manager may grant more than two consecutive days.
2. In order for sick leave to be authorized, an employee must contact the Department Manager within thirty (30) minutes of the start of the employee's scheduled shift. If the Department Manager determines that it was not possible for the employee to make contact in the allotted time, the department head may authorize the sick leave.
3. The employee must keep the Department Manager advised of the illness or disability.
4. At any time during the sick leave the Department Manager may request a physician's statement to update the employee's condition and projected date of return to work.
5. Prior to an employee's return to work from a sick leave, the Department Manager may request a physician's statement indicating the employee is able to return to work.

**F. COMPENSATION AND CALCULATION**

1. One hour of sick pay shall be equal to the employee's regular hourly straight time earnings.
2. Sick leave pay shall be shown on the pay stub issued for the pay period in which the sick leave is used to the nearest ¼ hour increment.
3. Provisions for specific situations:
  - a. While on a scheduled vacation, an employee shall claim sick leave only if the employee provides a physician's written statement that the employee was ill or disabled for more than two (2) consecutive days.
  - b. While utilizing accumulated compensation time, an employee shall not claim sick leave.
  - c. Sick leave shall count toward the calculation of overtime.

**SECTION 14**  
**SICK LEAVE CONTINUED**

d. After all accrued sick leave is used, vacation leave may be used according to the provisions of the sick leave policy.

**G. PROVISIONS FOR INELIGIBLE EMPLOYEES:** Employees ineligible for paid sick leave may request an unpaid medical leave of absence or an unpaid personal leave of absence.

**H. MISUSE OF SICK LEAVE:** An employee making a false claim of sick leave shall be subject to disciplinary action up to and including dismissal.

**I. PROVISIONS FOR TERMINATIONS AND TRANSFERS**

1. For terminal benefits see Section 11, page 1.
2. When an employee transfers from one department to another within the County, the accrued sick leave will be charged back to the department where the sick leave was accrued.

**J. VACATION BENEFIT DAY INCENTIVE:** Non-exempt, full time employees who do not use more than twenty-four (24) hours of sick leave in any annual payroll cycle, consisting of those accruals on the last pay date of December to December, shall be rewarded with one eight (8) hour vacation day that will be added to the employee's vacation balance on the first pay date of the new year. A prorated benefit will be determined for new, full time employees by use of the following chart, based on time served from their respective date of hire to the last pay date of the year:

If employee does not use more than specified hours of sick leave:	24 hours	18 hours	12 hours	6 hours
Date of Hire falls within:	January – March	April – June	July – September	October – December
Full time Vacation Benefit Accrued:	8 hours	6 hours	4 hours	2 hours

A new part time, benefit eligible employee, will receive a pro rated Vacation Benefit Day based on the chart above and a prorated Vacation Benefit Day thereafter.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY**

**FAMILY MEDICAL LEAVE ACT**

**A. POLICY STATEMENT:** It is the policy of Hubbard County that any Family Medical Leave is to run concurrently with any paid leave available to the employee and be in accordance with state and federal law.

**B. ELIGIBILITY:** To be eligible, an employee must have been employed by Hubbard County for at least 12 months; have completed at least 1250 hours of service in the last 12 months and should make an eligible leave request. Eligible leave requests are determined by the following:

1. Employee needed to care for their spouse, son, daughter, or parent with serious health condition;
2. Birth of child, placement of child by adoption or foster care; and/or
3. Serious health condition that makes the employee unable to perform his or her job functions.

**C. AUTHORIZATION**

1. Advance notice of at least 30 days or as far in advance as possible in written form or verbally followed by written verification is required.
2. The department manager shall be responsible for approving requests for FMLA leave.
3. In the event of sick relative care or employee medical leave, a doctor's statement may be required. The statement must include the dates/duration of the leave. Status reports, upon request, during the absence may be requested. Hubbard County reserves the right to request further information concerning the care required at any time during the absence.
4. Parental leave will not be granted more than twelve months after the birth or placement of the child.
  - a. With regard to parental leave, if both parents are employees of Hubbard County their total parental leave allowed will be no more than 12 weeks.

**D. LENGTH OF LEAVE**

1. An employee is entitled to up to 12 weeks in a 12 month period of time for qualifying events as described above.
2. The twelve month period of time is measured from the date of the first qualifying FMLA leave taken.
3. FMLA leave may be taken in one block of time or intermittently.

**E. BENEFITS**

1. Hubbard County will continue to provide insurance coverage at the same level and the same cost to the employee as before the qualifying leave.
  - a. It is at the option of the employee whether or not to continue insurance coverage.
  - b. If the employee does not return to work following the leave, the employer-paid portion of the insurance premiums will be recovered.
2. As long as the employee remains in pay status by using sick, vacation, and/or personal leave each leave benefit will continue to accrue during the leave. After each benefit leave availability is exhausted, accrual will discontinue.
3. All other benefits will be discontinued during this leave.
4. Leave under FMLA will count toward years of service and longevity with Hubbard County.

**F. RETURN TO WORK**

1. Employees will be returned to his/her previous position or an equivalent position.
  - a. An equivalent position is measured by the following: comparable duties, terms, conditions, pay, benefits, and/or hours worked before the leave.
2. There is no guarantee the employee will be returned to the exact position as prior to the leave.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

3. If the employee fails to return after a granted, qualifying leave, unless authorized by the County Board, the employee's employment may be automatically terminated.
4. A doctor's statement will be required in the event of a medical leave to enable the employee to return to work. The doctor's statement shall state the employee's capability to fully perform the duties of his/her position and any restrictions necessary.

**G. THE "KEY" EMPLOYEE EXCEPTION:** Hubbard County may refuse to restore an employee's position that is in the upper 10% of the county's salaried work-force when that denial is necessary to prevent serious economic injury to the county.

1. Upon the determination of the county of a resulting serious economic injury, the employee must be notified they will not be provided a position upon their return.
2. If the serious economic injury occurs after the employee is on leave, the county must notify the employee and provide the employee a reasonable time to return to work.
3. If after the employee is notified there will not be a position available upon his/her return and the employee chooses to remain on leave the full amount of time provided, Hubbard County must maintain health coverage under the same terms and conditions for the leave period.

**LEAVES OF ABSENCE WITHOUT PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to consider the following employee leaves without pay:

- Child Care Leave *(In addition to FMLA Leave)*
- Educational Leave
- Medical Leave *(In addition to FMLA Leave)*
- Personal Leave

**B. ELIGIBILITY:** An employee must be full time or part time in a regular position.

**C. AUTHORIZATION**

1. The employee shall submit a written request for a leave of absence to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for approving requests for leaves of absence except an **Educational Leave** and a **Personal Leave** in excess of ten (10) working days. **Educational Leaves** will be considered only, upon the recommendation of the Department Manager, by the County Board on a case by case basis and **Personal Leaves** beyond ten (10) working days require Board approval.
  - a. A **child care** or **medical leave** of absence shall be considered only if an employee has exhausted all accumulated sick and vacation leave. An **educational** or **personal leave** of absence shall be considered only if an employee has exhausted all vacation leave.
  - b. The Department Manager shall consider the circumstances surrounding the request and may, for a **medical leave**, require the submission of a physician's written statement citing that the employee is unable to work due to a personal, physical or mental illness or injury or treatment of a chemical dependency, and the projected date of return to work.
  - c. The Department Manager shall consider the work load and staffing of the department prior to approving the request.
  - d. The Department Manager shall consider the employee's length of employment and attendance record.
  - e. For a **Medical Leave** a Department Manager may, at any time during the leave, request a physician's statement updating the employee's condition and projected date of return to work.
3. Authorized Leave requests and medical statements shall be filed in the employee's personnel file or appropriate employee medical file.

**D. LENGTH OF LEAVE**

1. Leaves of absence may be granted for a maximum of six (6) months.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

2. One extension of a maximum of six (6) months may be considered, providing the employee requests such extension, in writing, at least 15 calendar days in advance of the expiration of the original leave.

**E. EFFECT ON BENEFITS, LEAVES, AND SENIORITY**

1. For continuation of employee insurance benefits, full premium payments to the Auditor's office one month in advance of the coverage must be made.
2. There will be no Sick leave or vacation accrual, no holidays paid or PERA contributions made during an unpaid leave of absence.

**F. REINSTATEMENT AND TERMINATION DURING A MEDICAL LEAVE OF ABSENCE**

1. Prior to returning to work from a **medical leave** of absence, the employee shall provide a physician's statement that the employee is able to return to work.
2. An employee returning to work within the authorized leave period shall be reinstated to the original position or a position in the same classification. The employee shall be reinstated in the same department with the current hours and pay.
3. An employee exceeding the authorized leave period without giving proper notice shall be dismissed.
4. An employee giving proper termination notice within the authorized leave period shall be eligible for terminal benefits.

**ELECTED OFFICE MEETING ATTENDANCE LEAVE OF ABSENCE WITH OR WITHOUT PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to authorize employee attendance of elected office meetings per M.S. §211B.10.

**B. AUTHORIZATION**

1. The Department Manager must receive written notification of intended absence at least 20 days in advance.

**C. COMPENSATION**

1. The Department Manager may authorize make-up of hours absent to allow this employee to remain in pay status, at their own discretion.

**MILITARY LEAVE - LEAVE OF ABSENCE WITH OR WITHOUT PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a maximum of fifteen(15) working days off with pay during any calendar year for National Guard, Reserve duty, or militia duty as outlined in M. S. §192.26. In addition, a **military leave without pay** will be granted to an employee engaged in active service in war time or other emergency in the military or navel forces of the United States in accordance with M. S. §192.26. Other benefits will be granted per State and Federal law.

**B. AUTHORIZATION**

1. The employee shall submit a written request for a leave of absence due to military duty to the Department Manager at the earliest possible date. A copy of the orders shall be presented to the Department Manager, if possible.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.

**LEAVES OF ABSENCE WITH PAY**  
**APPEARANCE AT GOVERNMENT PROCEEDINGS - LEAVE OF ABSENCE WITH PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a leave of absence with pay for a subpoenaed appearance before a court, legislative committee, or other body as a witness in a proceeding involving the federal government, State of Minnesota, or one of its political subdivisions, if the appearance is in

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

connection with the employee's official duties.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

**B. AUTHORIZATION**

1. The employee shall submit a written request for a leave of absence due to a subpoenaed appearance at a government proceeding to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.

**BEREAVEMENT LEAVE - LEAVE OF ABSENCE WITH PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a maximum of three (3) days with pay in the case of a death in the immediate family of the employee or the employee's spouse to the second degree of kindred. The immediate family shall also include others who function as first or second degree of kindred. Leave may also be taken with respect to the third degree of kindred if such leave is deducted from employee's sick leave.

**B. AUTHORIZATION**

1. The employee shall submit a written request for a leave of absence due to death in the immediate family to the Department Manager at the earliest possible date. If circumstances prevent submission of a written request, the employee shall contact the department head within thirty (30) minutes of the start of the employee's scheduled shift.
2. The Department Manager shall be responsible for authorizing leaves of absence and may, at their discretion, authorize additional utilization of sick leave, on a case by case basis, due to the individual circumstances.
3. The authorized written request or a notation of the verbal request shall be filed in the employee's personnel file.
4. Leave to be prorated accordingly for employees working less than 40 hours per week.

**C. ELIGIBILITY:** An employee must be regularly scheduled to work a minimum of twenty (20) hours per week, per pay period, in a regular position, to be eligible for this benefit.

**JURY DUTY - LEAVE OF ABSENCE WITH PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a leave of absence with pay for required jury duty.

**B. AUTHORIZATION**

1. The employee shall submit a written request for leave of absence due to jury duty to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.
4. The employee shall return to work if excused or released from jury duty during regular working hours.

**C. COMPENSATION**

1. An employee, full-time or part-time, summoned to serve on any court jury shall be compensated by the County at the regular rate of a regular work day, without any reduction of vacation or sick leave time accumulation. In return therefore, any compensation, other than mileage received by the employee for serving on jury duty, shall be turned over to Hubbard County and re-deposited in its original fund.
2. If a holiday occurs during jury duty, the employee shall be paid for the holiday.

**ELECTION JUDGE - LEAVE OF ABSENCE WITH OR WITHOUT PAY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to approve Election Judge leaves of absence with pay per M.S. §204B.195.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

**B. AUTHORIZATION**

1. The Department Manager must receive written notification of intended absence at least 20 days in advance
2. In addition to the written notice a certification from the appointing entity stating the hourly election judge compensation must be provided.
3. No Department Manager can be required to allow more than 20% of the total work force to be absent from any one work site to serve as election judge.

**PERSONAL LEAVE DAY - LEAVE OF ABSENCE WITH PAY**

- A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees one (1) day off per year with pay for personal purposes.
- B. ELIGIBILITY:** An employee must be regularly scheduled to work a minimum of twenty (20) hours per week in a regular position. Employees who work less than forty (40) hours per week shall have their Personal Leave Day prorated.
- C. AVAILABILITY**
1. New, full time employees will have personal leave hours available upon hire and shall be determined per the following chart, for the first year only: An eligible employee under B of the Personal Leave Day section, working less than full time, shall accrue a prorated benefit per the following chart:

<b>Date of Hire falls within:</b>	<b>January – March</b>	<b>April – June</b>	<b>July – September</b>	<b>October - December</b>
<b>Full time Personal Leave Accrued:</b>	8 hours	6 hours	4 hours	2 hours

Thereafter those employees working less than 40 hours per week, but that are eligible for a Personal Leave Day, will receive a pro rated benefit.

2. The personal leave hours shall be credited to employees on the first pay date of each year and will be counted toward the maximum vacation hours allowed per policy (Section 12 D 2).

**SICK LEAVE AVAILABLE THROUGH VACATION DONATION PROGRAM**

**A. DONATION PROCEDURE & AUTHORIZATION**

1. When an employee determines their accrued vacation and sick leave has been depleted and they qualify for sick leave due to a serious health condition, as defined in the County FMLA Leave (Section 16 – Page 1) of the employee or the employee’s spouse or kindred to the second degree, that employee may approach their department manager for vacation donation. At that time, the department manager may request vacation donations of one (1) hour increments of county employees by notifying county departments of the employee’s requested need.
2. The donating employee must fill out a Vacation Program Donation Form and notify their Department Manager of the amount of accrued vacation time they wish to voluntarily donate and name the other county employee who is to benefit from the donation.
3. Upon approval, the Department Manager shall determine the monetary value of the donated time, using the gross salary of the employee making the donation.
4. The Department Manager shall transfer the monetary value of the donated vacation time into accrued sick for the county employee who is to benefit from the donation through the payroll department.
5. A donation of accrued vacation time shall be dated by the payroll department and utilized per pay period on a first in first out basis.
6. In the event there is an unused Vacation Donation balance, due to the employees return to work, the remaining balance will be redistributed to respective contributing parties.

**SECTION 15**  
**LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED**

**VOTING IN NATIONAL AND STATE ELECTIONS - LEAVE OF ABSENCE WITH PAY**

- A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a reasonable amount of time off with pay in the forenoon to vote in any statewide general election or federal general election, in accordance with M.S. §204C.04.
- B. AUTHORIZATION:** The Department Manager and employee shall arrange a mutually agreeable time for the employee to vote.

# Vacation Donation Program Form

I \_\_\_\_\_ hereby voluntarily donate \_\_\_\_\_  
(print name)

hours of my accrued vacation to be accredited to \_\_\_\_\_.  
(print name)

for Sick Leave.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ DATED: \_\_\_\_\_

**DEPARTMENT USE ONLY**

Received: \_\_\_\_\_ Implemented: \_\_\_\_\_ Returned: \_\_\_\_\_

Hourly Rate x Hour = Monetary Value  
\_\_\_\_\_

Monetary Value / Hourly Rate = Hours  
\_\_\_\_\_

DEPARTMENT MANAGER'S APPROVAL: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

## SECTION 16 CAFETERIA PLAN

- A. **POLICY STATEMENT:** It is the policy of Hubbard County to offer eligible employees benefits through the Cafeteria Plan, including health insurance. Please see Addendum VII for the current contribution.

The County will increase the contribution to the cafeteria plan for regular, benefit eligible employees in a percentage equal to the average percentage of insurance premium increase not to exceed 15%. All contributions will be rounded to the nearest dollar.

In addition, the county will contribute \$2.00 per month/per benefit eligible employee for provision of \$10,000 life insurance coverage.

- B. **ELIGIBILITY:** An employee who is working in a position expected to recur annually and remains in pay status a minimum of 32 hours per week during those 52 weeks.

C. **COVERAGE:**

1. Summary of Coverage: Comprehensive Hospitalization, Medical – Surgical & Major Medical.
2. Dates of Coverage: Coverage becomes effective the first of the month following 30 days of employment and remains effective as long as employee is benefit eligible. Coverage for an employee not maintaining eligibility shall be effective through the last day of the calendar month in which the employee is benefit eligible.

- D. **OPTIONS TO CONTINUE COVERAGE:** Payment of full premiums for continued coverage must be made in the Auditor/Treasurer's Office one month in advance of the desired coverage.

1. An employee not in pay status has the option to continue coverage per current state and federal law.
2. A terminating employee that is PERA annuity eligible may continue their insurance coverage indefinitely.
3. A county employee who terminates after ten or more years of service is eligible to continue coverage on the group plan indefinitely.
4. A terminating employee that is not PERA annuity eligible may continue coverage per COBRA guidelines. Cobra coverage requirements are available in the Coordinator's Office.
5. Terminating or retiring enrollees can choose to enroll in a different health plan from the county offered plans, only during an open enrollment period.

## SECTION 17

### EXPENSE REIMBURSEMENT

**POLICY STATEMENT:** It is the policy of Hubbard County to reimburse employees for meals, lodging and mileage expenses incurred while performing duties required by the employer. Lodging expenses to be reimbursed by the county, **require receipts**.

#### A. EXPENSE REIMBURSEMENT

1. **Mileage** incurred while using private transportation for county business will be reimbursed at the rate established in January of each year by the County Board. Personnel will be required to furnish their own car if a county car is not available. Employees will be required to provide proof of auto insurance to the Auditor's Office prior to payment of personal mileage expenses. Mileage incurred while traveling between the employee's residence and normal work location is not reimbursable. This includes repeat trips back to the normal work location for work related responsibilities. Mileage will be reimbursed based on the following:
  - a. The actual miles traveled when driving from the normal work location to another work site(s), and back again.
  - b. The miles driven in excess of the employees normal commute if stopping at a work site while traveling between the employees residence and normal work location.
  - c. The miles driven in excess of the employee's normal commute when the employee drives from their residence, to another work site (e.g. a conference), and then returning to their residence.
2. **Fare** while using public transportation.
3. **Lodging** will be reimbursed at actual cost when overnight travel is necessary and receipts will be required.
  - a. Personal expenses such as personal phone calls, movie rental charges, etc. are not reimbursable.
  - b. Tips and alcohol are not reimbursable and shall not be included on claims.

#### C. MEAL REIMBURSEMENT

1. Meals while traveling for **business purposes**, outside of the County whether an overnight stay is required or not, will be paid for the actual amount of the meal not to exceed the schedule as established by the County Board in January of each year with said schedule to be reflected in Addendum VI of this policy.
2. Tips and alcohol are **not** reimbursable and shall not be included on claims.
3. Meal receipts are not necessary.
4. No meal reimbursement is allowed if meal is included with registration fees.
5. Meal reimbursements are taxable income unless involving an overnight stay.

#### D. AUTHORIZATION

1. The Department Manager shall be responsible for authorizing business travel and approving meal reimbursements per the time requirements established by the Board and listed in Addendum VI.
2. The employee shall be representing the interests of the County.
3. Travel must not be related to union activities.

#### E. PROCEDURE FOR REIMBURSEMENT

1. The employee shall submit an expense sheet for overnight stays for meals, lodging and other itemized proper reimbursements. For those meal reimbursements not during an overnight stay, the form to be used is the time card. Receipts for meals are not required.
2. The Department Manager shall approve expenses claimed before submitting the bill to the Board of County Commissioners.
3. A special check shall be issued for overnight expense reimbursement.

## SECTION 17

### EXPENSE REIMBURSEMENT CONTINUED

#### **CONFERENCE & SEMINAR EXPENSES/EDUCATIONAL TUITION REIMBURSEMENT**

**A. POLICY STATEMENT:** Hubbard County seeks to assure the delivery of quality services by supporting the professional growth and development of its employees and elected officials. All employees and elected officials will be afforded opportunities and resources for continuing education, technical training updates, required training, and other experiences which fit within the approved budget.

It is the policy of Hubbard County to allow regular employees educational opportunities that are directly related to the employees current position and intending to update and enhance an employees ability to perform the responsibilities of their current position.

#### **B. ALLOWABLE EXPENSES**

1. Fees for seminars, conferences, or conventions, including additional required materials, directly related to the current position.
2. Travel expenses incurred, per policy.
3. Travel time as defined in Section 10, D,6.
4. Fees, tuition, or expenses for education opportunities which are not directly related to an employee's current position are approved on a case by case basis by the Board of Commissioners.

#### **C. EDUCATIONAL TUITION REIMBURSEMENT**

1. Employees who work (32) hours or more per week on an ongoing basis and have completed their probationary period may be eligible for tuition reimbursement. Resignation or termination of the employee automatically terminates their eligibility for educational assistance benefits.
2. Education assistance will be provided for courses offered by technical institutes, trade schools or accredited colleges or universities. The classes chosen must be related to the employee's development in their current position, improve their job skills and knowledge and/or prepare the employee for advancement within county government. Under this plan, an employee will be reimbursed up to \$300/year providing monies are available within the current year's county training budget with prior approval as outlined below. Textbooks purchased as a requirement of a course of instruction will be paid for by the employee.
3. Approval of reimbursement must be granted in advance of enrollment in the course. A request by the employee must be completed and submitted to the Department Manager including the following: 1) course name, brief description and how the proposed course relates to the employee's current or future position; 2) sponsoring organization; 3) time element involved; 4) credit to be received; 5) location where course is conducted; 6) cost; 7) employee's intention regarding time off and travel. The Department Manager must acknowledge 1) the education is required by Hubbard County to keep the employee's present position (salary, status or job) and serves a bona fide business purpose of Hubbard County, or 2) the education maintains or improves skills needed in the employee's present or future work. The Department Manager will forward the request and their recommendation to the County Board for final authorization.
4. All requests must be pre-approved before employee enrollment at the beginning of each quarter to be considered for this reimbursement. All request approvals shall be on an individual basis based on the employee's attendance, work history, and other contributing employment factors. Once authorized, and upon satisfactory completion of the course (Grade "C" or better, "Pass" on "Pass/Fail" grading system and/or Certification of Completion or Attendance), the employee will submit reimbursement documentation to the Coordinator's Office. The employee will required to submit a receipt of payment and a certificate of participation or credit earned before reimbursement will be paid. Reimbursement will not be given when an employee has not satisfactorily completed a course or received a failing grade.
5. Employees wishing to participate in the educational reimbursement program shall do so on their own time. Attendance at classes is not reimbursable under this policy. Time used to attend courses of study during normally scheduled work hours must have prior department manager approval and utilization of flex time in accordance with the Fair Labor Standards Act may be authorized to make up any hours used for class attendance if available.
6. **Retention Period:** The retention period is considered a twelve month period after the completion of the reimbursed course. It is understood and agreed to by the employee that the employee will reimburse the

**SECTION 17**  
**EXPENSE REIMBURSEMENT CONTINUED**

county in full if voluntary resignation occurs within one (1) year of completion of the course unless forced to

## SECTION 17

### EXPENSE REIMBURSEMENT CONTINUED

resign for health reasons verified by a licensed physician, or due to department head failing to be reappointed or re-elected to the position resulting in the employee's loss of county employment. If any of these criteria have not been met after county monies have been extended for such purposes, the employee will make full restitution of all county funds expended. This reimbursement shall be paid to the county either by direct payment, or the employee may sign a release agreement to withhold the amount from their wages.

#### **D. AUTHORIZATION**

1. Educational opportunities directly related to the employee's current position, and offered in-state, must be approved by the Department Manager (B.1).
2. Educational opportunities that are either not directly related to the employee's current position, or are out-of-state, must receive prior approval by the Department Manager and the Board of Commissioners (B.4.).
3. Attendance shall not be related to union activities.

### **EMPLOYEE PER DIEM**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to reimburse employees while attending committee meetings when they are Board appointed and when their representation is not related to the employee's Hubbard County employment.

#### **B. PAYMENT OF PER DIEM**

1. Per diem will be paid, as set annually by the Board, for attendance at committee meetings, as a Board appointed, non-employee representative, not held during work hours.
2. Attendance of county employees at committee meetings, as a Board appointed, non-employee representative held during work hours, will be dealt with as follows:
  - a. Employee attendance at a committee meeting while in Hubbard County employee pay status, will not be entitled to a per diem.
  - b. An employee who uses vacation, personal leave, or compensatory time in order to attend a committee meeting, shall be entitled to per diem.

**SECTION 17**  
**EXPENSE REIMBURSEMENT CONTINUED**

**CONFERENCE & SEMINAR EXPENSES**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to allow regular employees educational opportunities that are directly related to the employees current position and intending to update and enhance an employees ability to perform the responsibilities of their current position.

**B. ALLOWABLE EXPENSES**

1. Fees for seminars, conferences, or conventions, including additional required materials, directly related to the current position.
2. Travel expenses incurred, per policy.
3. Fees, tuition, or expenses for education opportunities which are not directly related to an employee's current position are approved on a case by case basis by the Board of Commissioners.
4. Travel time as defined in Section 10, D,6.

**C. AUTHORIZATION**

1. Educational opportunities directly related to the employee's current position, and offered in-state, must be approved by the Department Manager.
2. Educational opportunities that are either not directly related to the employee's current position, or are out-of-state, must receive prior approval by the Department Manager and the Board of Commissioners.
3. Attendance shall not be related to union activities.

**EMPLOYEE PER DIEM**

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1. Per diem will be paid, as set annually by the Board, for attendance at committee meetings, as a Board appointed, non-employee representative, not held during work hours.
2. Attendance of county employees at committee meetings, as a Board appointed, non-employee representative held during work hours, will be dealt with as follows:
  - a. Employee attendance at a committee meeting while in Hubbard County employee pay status, will not be entitled to a per diem.
  - b. An employee who uses vacation, personal leave, or compensatory time in order to attend a committee meeting, shall be entitled to per diem.

## SECTION 18

### DISCIPLINE

**A. POLICY STATEMENT:** It is the policy of Hubbard County to administer discipline consistently in an effort to improve an employee's performance and/or conduct as needed. *THE COORDINATOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND TERMINATION PROCEEDINGS.*

**B. PROCESS:** The County will discipline the employees for just cause only. Discipline will be in the form of one or more of the following:

1. Oral reprimand
2. Written reprimand
3. Suspension
4. Demotion
5. Discharge

Written reprimands, notices of suspension, notices of demotion, and notices of discharge are to become a part of the employee's personnel file. Employees will receive notices of such discipline. Written reprimands, notices of suspension, and notices of discharge that are to become a part of the employee's personnel file shall be read and acknowledged by signature of the employee. The signature of the employee does not mean that he or she agrees with the discipline. The employee shall receive a copy of such discipline.

Prior to any discharge proceedings, the department manager must confer with the Coordinator to review and confirm all relevant information to determine if discharge is in compliance with county policy and applicable law.

Employees who are being considered for discharge shall be advised in writing of the impending action and the reasons for it. The employee is then given an opportunity to respond to the charges prior to the decision to discharge (Loudermill hearing).

Employees who are veterans and qualify for the Veterans Preference Act are allowed additional rights under the act. Veterans must be provided with a written notice detailing the charges and the right to request a hearing within 60 days consistent with Minnesota Statutes §197.46.

In the event of a discharge, the supervisor and/or department manager, and Coordinator will meet with the employee to be terminated. The reasons for termination will be discussed with the employee and documented on the county Notice of Discharge form. After all parties have signed the form, the employee and supervisor/department manager shall receive copies and the original shall be placed in the employee's personnel file.

A discharged employee will receive their final paycheck including any terminal benefits on the next scheduled payday unless otherwise requested.

## SECTION 19 GRIEVANCES

**POLICY STATEMENT:** It is the policy of Hubbard County to provide employees a means of communicating disagreements or disputes involving the interpretation or application of the personnel policies and procedures approved by the Board of County Commissioners. The established formal procedure ensures employees access to all levels of management, complete and impartial hearings, and expedient, objective resolutions to problems.

### LEVELS OF APPEAL

- ▶ Level 1                    Immediate Supervisor
- ▶ Level 2                    Department Manager
- ▶ Level 3                    Human Resource Manager/Board of Commissioners

### GRIEVANCE PROCEDURE

Step 1	TIME LIMIT
An employee, or group of employees having a grievance shall discuss the problem with the immediate supervisor within five (5) working days of the situation precipitating the grievance.	5 Working Days
After a thorough investigation of the problem, the supervisor shall provide the employee with a verbal answer, not later than five (5) working days after the initial discussion of the grievance. The response should reflect a thoughtful justification of the situation or a course of action to resolve the problem.	5 Working Days
If the grievance is not resolved in Step 1 and the employee wishes to further appeal the grievance, refer to Step 2.	

Step 2	TIME LIMIT
The employee shall submit a signed statement of the grievance to the department manager within three (3) working days of the supervisor's response. The written statement shall include the date of the incident precipitating the grievance, the nature of the grievance, and the desired settlement. In the event the immediate supervisor is the department manager, all provisions of this procedure shall nonetheless be followed.	3 Working Days
After a full investigation of the problem and the facts involved, the department manager shall submit a written response to the employee within ten (10) working days of receipt of the written grievance. If the department manager believes the situation discussed in the grievance was justifiable, the response should contain facts or arguments supporting its justification. If the department manager believes the situation was not justifiable, the response should thank the employee for raising a valid question and indicate a means of resolving the problem.	10 Working Days
If the grievance is not resolved in Step 2 and the employee wishes to further appeal the grievance, refer to Step 3.	

**SECTION 19**  
**GRIEVANCES CONTINUED**

<b>Step 3</b>	<b>TIME LIMIT</b>
The employee shall submit a signed statement of the grievance to the human resources manager within three (3) working days of the department manager's written response.	3 Working Days
The human resources manager shall, within ten (10) working days, include discussion of the grievance on the agenda for the next meeting of the Board of County Commissioners.	10 Working Days
The Board of County Commissioners shall conduct a hearing and investigation, submitting a written decision to all involved parties.	
The board shall have authority to call any County employee for testimony pertinent to the grievance.	
The Board may investigate any department for the purpose of resolving the grievance.	
The decision of the Board shall be final.	10 Working Days

**PROVISIONS TO THE GRIEVANCE PROCEDURE**

1. If an employee does not present the grievance within the time periods established, the grievance shall be considered waived.
2. If a grievance is not appealed to the next step within the time period established, the grievance shall be considered settled on the basis of the last answer.
3. If a supervisor or department manager does not answer a grievance within the time period established, the employee may consider the grievance denied and immediately appeal the grievance to the next step.
4. The time limit in each step may be extended by mutual agreement of the employee and the county authority involved in the step.

**E. PROTECTION OF EMPLOYEE RIGHTS:** No employee shall be subject to harassment, reduction of employment status, benefits or pay, or loss of advancement opportunities as a result of participating in a grievance procedure or testifying in a grievance proceeding.

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE

**GENERAL STATEMENT OF POLICY** It is the policy of Hubbard County (hereinafter "County") to maintain an environment that is free from offensive conduct, harassment and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation. The County prohibits any form of religious, racial, sexual, gender, marital status, age, national origin, status with regard to public assistance, sexual orientation or disability discrimination, harassment and violence.

It shall be a violation of this policy for any employee, agent, officer, commissioner or other elected official of the County to engage in offensive or harassing verbal or physical conduct of a sexual nature or regarding race, national origin, gender, religion, disability, age, status with regard to public assistance, marital status or sexual orientation towards any County employee, officer, agent, or member of the public seeking public services or public accommodations.

It shall be a violation of this policy for any County employee, agent, officer commissioner or other elected official to inflict, threaten to inflict, or attempt to inflict sexual violence or violence based on religion, race, gender, marital status, status with regard to public assistance, sexual orientation, age, national origin or disability, upon any employee, agent, officer or member of the public seeking services or accommodation from the County.

The County will act to investigate all complaints, either formal or informal, verbal or written, of offensive, harassing or violent conduct of a sexual nature or based upon religion, national origin, race, gender, sexual orientation, marital status, status with regard to public assistance age, or disability, and to discipline or take appropriate action against any employee, agent, officer, commissioner or other elected official who is found to have violated this policy.

#### **OFFENSIVE CONDUCT, HARASSMENT AND VIOLENCE DEFINED**

1. **Sexual Gender Based Offensive Conduct or Harassment: Definition:** Sexual/Gender based offensive conduct/harassment includes unwelcome physical or verbal conduct relating to an individuals gender or directed at an individual because of gender; unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual or gender biased nature when:
  - a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, public services or public accommodations;
  - b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individuals employment, public services or public accommodations; or
  - c. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individuals employment or use of public services or public accommodations or creating an intimidating, hostile or offensive employment, public service or public accommodation environment.  
Examples of sexual/gender harassment may include but are not limited to:
    - ◆ unwelcome verbal remarks, jokes or innuendoes of a sexual nature or based upon gender;
    - ◆ unwelcome pressure for sexual activity;
    - ◆ unwelcome, sexually motivated or inappropriate patting, pinching, or other physical contact;
    - ◆ unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individuals employment or access to public services or public accommodations;
    - ◆ unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises or preferential treatment with regard to an individuals employment or access to public services or public accommodations;
    - ◆ any sexually motivated unwelcome touching;
    - ◆ distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature;
    - ◆ other unwelcome behavior or words directed at an individual based of gender.
2. **Sexual Violence Definition:** Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts including the genital area, groin, inner thigh, buttocks or breasts, as well as the clothing covering these areas.

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

Sexual violence may include, but is not limited to:

- ◆ touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- ◆ coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- ◆ coercing, forcing or attempting to coerce or force a sexual act on another; or
- ◆ threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

3. **Race/National Origin Based Offensive Conduct/Harassment and Bias Definition:**

Racial/national origin harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature based on race/national origin is made a term or condition, either explicitly or implicitly, of obtaining, or retaining employment, or of obtaining or retaining access to public services or public accommodations;
- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on race/national origin by an individual is used as a factor in decisions affecting that individual's employment or access to public services or public accommodations; or
- ◆ the conduct or communication of a derogatory, harassing or biased nature based on race/national origin has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or creating an intimidating, hostile or offensive employment or public service/accommodation environment.

4. **Racial/National Origin Violence Definition:** Racial/National Origin violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or national origin.

5. **Religion Based Offensive Conduct/Harassment and Religious Bias Definition:**

Religious harassment/bias occurs when:

- ◆ submission to conduct or communications of a religiously derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- ◆ submission to or rejection of conduct or communications of a religiously derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- ◆ the conduct or communication of a religiously derogatory, harassing or biased nature has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.

6. **Religious Violence Definition:** Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.

7. **Disability Based Offensive Conduct/Harassment and Disability Bias Definition:**

Disability based harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's disability is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's disability, by an individual is used as a factor in decisions affecting that individual's employment or access to public service/accommodations; or
- ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's disability has the purpose or effect of substantially interfering with an individual's employment or use of public service/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.

8. **Age Based Offensive Conduct/Harassment and Age Bias Definition:**

Age based harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's age is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's age, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
  - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's age has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
9. **Marital Status Based Offensive Conduct/Harassment and Marital Status Bias Definition:** "Marital status" means whether a person is single, married, remarried, divorced, separated or a surviving spouse, and in employment cases includes protection against discrimination on the basis of the identity, situation, actions or beliefs of a spouse or former spouse.
- Marital status based harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's marital status is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/ accommodations;
  - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's marital status, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
  - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's marital status has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
10. **Status With Regard to Public Assistance Based Offensive Conduct/Harassment and Bias Definition:** "Status with regards to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, housing subsidies, AFDC or general assistance.
- Public assistance status based harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's status with regard to public assistance, as defined above, which is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
  - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's status with regard to public assistance, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
  - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's status with regard to public assistance has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
11. **Sexual Orientation Based Offensive Conduct/Harassment and Bias Definition:** "Sexual Orientation" means having or being perceived as having an emotional, physical or sexual attachment to another person without regard to the sex of that person or being perceived as having an orientation for such an attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include physical or sexual attachment to children by an adult.
- Sexual orientation based offensive conduct/harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's sexual orientation, as defined above, is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
  - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's sexual orientation, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
  - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's sexual orientation has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating hostile or offensive employment or public service/accommodation environment. See also Section 21 B, 1, Sexual Harassment.

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

12. **Sexual Orientation Based Violence Definition:** Sexual orientation violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, that individual's actual or perceived sexual orientation.
13. **Assault: Definition. Assault is:**
  - ◆ an act done with intent to cause fear in another of immediate bodily harm or death;
  - ◆ the intentional infliction of or attempt to inflict bodily harm upon another; or
  - ◆ the threat to do bodily harm to another with present ability to carry out the threat.
14. **Applicability: Offensive conduct, harassment or bias may occur**
  - ◆ Between a supervisor and an employee;
  - ◆ Between co-employees;
  - ◆ Between an employee or supervisor and a member of the public seeking to obtain or use public services/accommodations;
  - ◆ Between a commissioner or other elected official and an employee or member of the public receiving or seeking public services/accommodations.
  - ◆ Between an agent of the County and an employee, Supervisor, elected official or member of the public.

**REPORTING PROCEDURES:** Any person who believes he or she has been the victim of offensive conduct of a sexual nature, sexual harassment or harassment or bias based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation by an employee, agent, official, commissioner or other elected official of the County, or any person with knowledge or belief of conduct which may constitute such harassment or bias toward an employee, official or member of the public seeking or receiving public services or accommodations, shall report the alleged conduct immediately to an appropriate County official designated by this policy.

The County encourages the reporting party or complainant to use the report form available from the County Human Resource office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the County Human Rights Officer.

1. **In Each County Department**
  - a. The department head of each department is the person responsible for receiving oral or written reports of all types of offensive conduct, harassment and bias described in Section II, page 1 at the department level.
  - b. Any supervisory employee, whether or not the person is a department head, who receives a formal or informal, oral or written report of harassment, bias or violence as defined in this policy, shall inform the department head immediately without screening or investigating the report, unless the department head is involved in the alleged harassment, bias or violence. In the event that the department head is involved the report shall be made directly to the County Human Rights Officer or Alternate Human Rights Officers as described below. Failure of a supervisory employee to forward such a report to the appropriate party shall be grounds for discipline, including immediate discharge of employment.
  - c. Upon receipt of a report, the department head must notify the County Human Rights Officer immediately, without screening or investigating the report. The department head may request, but may not insist upon, a written complaint by the complainant. A written statement of the facts alleged will be forwarded as soon as practicable by the department-head to the Human Rights Officer. If the report was given verbally, the department head shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the department head.
  - d. If the complaint involves the department head, the complaint shall be made or filed directly with the County Human Rights Officer by the reporting party or complainant.
2. **County-Wide**
  - a. The County Board hereby designates the County Coordinator, 301 Court Ave., Park Rapids, Minnesota, 56470, (218)732-9023, as the County Human Rights Officer(s) to receive reports of sexual harassment and of offensive conduct, harassment and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation.

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

- b. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with one of the Alternative Human Right Officers Gregory D. Larson, County Attorney, P. O. Box 486, Park Rapids, Minnesota, 56470, (218)732-4133 and/or County Board Chairman, 301 Court, Park Rapids, Minnesota, 56470, (218)732-9023. The County shall conspicuously post the name of the Human Rights Officer and Alternative Human Rights Officer, including mailing address and telephone number.
3. Submission of a good faith complaint or report of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation shall not affect the reporter's future employment or access to public services or public accommodations.
4. Use of formal reporting forms is not mandatory.
5. The County will process complaints made under this policy as discreetly as possible, consistent with the County's legal obligations and the necessity to investigate allegations of discriminatory harassment and violence and take disciplinary action when the conduct has occurred.

#### INVESTIGATION

1. By authority of the County Board, the Human Rights Officer or Alternative Human Rights Officer, upon receipt of a report or complaint of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation, shall undertake or authorize an investigation. The investigation may be conducted by County officials or by a third party designated by the County.
2. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
3. In determining whether alleged conduct constitutes a violation of this policy, the County should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and the surrounding circumstances.
4. In addition, the County may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.
5. The County Human Rights Officer shall make a written report to the County Human Resource Manager. If the complaint involves the Human Resource Manager, the report may be filed directly with the County Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### E. COUNTY ACTION

1. The County will take such action as appropriate based on the results of the investigation. In the event that the investigation establishes that a violation of this policy has occurred, disciplinary action may be taken.
2. Consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes §13.01 et. seq., the results of the County's investigation will be made available to the complainant.

**F. REPRISAL:** The County will discipline or take appropriate action against any employee officer, commissioner, agent or other elected official who retaliates against any person who reports alleged harassment, bias or violence under this policy or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment, bias or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

**G. DISCIPLINE:** Any county action taken against an individual pursuant to this policy shall be consistent with the requirements of;

1. Applicable Collective Bargaining Agreements;
2. County Policies;
3. State and Federal Law.

The County will take such disciplinary action it deems necessary and appropriate, including warning, suspension immediate discharge or other appropriate action to end discriminatory harassment and violence and prevent its recurrence.

## SECTION 20

### POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

#### H. DISSEMINATION OF POLICY

1. This policy shall be conspicuously posted in each County building in areas accessible to employees and members of the public.
2. This policy shall be distributed to all employees upon its adoption and to all new employees upon hire.

**I. PROMOTION OF RESPECTFUL BEHAVIORS:** As employees working in Hubbard County, we believe everyone plays a role in reducing violence. Violent crime, abuse, and injustice occur in families and in places of work, learning, and play. The resources of the entire community are needed to identify the multiple causes of violence, to diminish the harm inflicted by violence, and to create relationships that promote peace and safety. Networking, cooperation, and collaboration are required to promote respectful interactions, which in turn will result in the reduction of violence.

Therefore...

We promise and ask all to join us, to practice and promote the following respect policies at home, at work, at our schools, and within our communities.

We agree:

#### **To Respect Self and Others**

To respect myself, to affirm others; to avoid uncaring criticism, hateful words, physical attacks, and self-destructive behavior.

#### **To Communicate Effectively**

To share my feelings honestly, to look for safe ways to express my anger, and to work at solving problems peacefully.

#### **To Listen**

To listen carefully to others, especially those who disagree with me, and to consider others' feelings and needs rather than insisting on having my own way.

#### **To Forgive**

To apologize and make amends when I have hurt another, to forgive others, and to keep from holding grudges.

#### **To Be Courageous**

To challenge disrespect in all forms whenever I encounter it, whether at home, at church, at school, at work, within the community or wherever it might exist, and to stand with others who are treated unfairly.

## SECTION 21 CONFLICTS OF INTEREST

**A. POLICY STATEMENT:** It is the policy of the County of Hubbard to prohibit its employees from engaging in any activity practice, or act which conflicts with or appears to conflict with the interests of the county or its citizens. Examples of conflicts of interest that should always be avoided are set forth below.

**B. PERSONAL GAIN:** The following actions by an employee of the County shall be deemed to be conflicts of interest and subject to disciplinary action as appropriate:

1. Use or attempted use of the employee's official position to secure benefits, privileges, exemptions, or advantages for the employee or the employee's immediate family or an organization with which the employee is associated which are different from those available to the general public.
  - a. If an employee or a member of the employee's immediate family has a financial interest in a firm that does business with the County, the employee must not represent the county in such transactions.
  - b. No employee shall accept gifts from any person or firm doing or seeking to do business with the county other than plaques or similar mementos recognizing individual services in a field of specialty or to a charitable cause; payment of reimbursement expenses for travel or meals, not to exceed actual expenses incurred, which are not reimbursed by the County of Hubbard, and which have been approved in advance by the employee's supervisor as part of the employee's work assignment; honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the County of Hubbard; advertising novelties such as pens, pencils, calendars, or other gifts of nominal value.
  - c. An employee of the County of Hubbard shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.
  - d. An employee shall not use or allow the use of county time, supplies, or county owned or leased property and equipment for the employee's private interest or any other use not in the interest of the county, except as provided by law.
  - e. No employee shall, directly or indirectly, give, offer, or promise anything of value to any representative of any financial institution in connection with any transaction or business that the county may have with such financial institution.

**C. OUTSIDE EMPLOYMENT**

1. No employee of the County of Hubbard shall accept other employment or contractual relationship that will affect the employee's independence of judgment in exercise of official duties.
  - a. No employee shall accept full time, part time, or temporary employment in any organization that does business with the county. The county recognizes the right of its employees to spend their non-working time away from the job as they please. It does, however, require that activities away from the job must not compromise the public interest or adversely affect the employee's job performance and ability to fulfill all responsibilities to the county.

**D. CODE OF ETHICS:** The Code of Ethics and Implementation Guidelines of the American Society of Public Administration shall be an integral part of this policy and employees of the County of Hubbard are expected to familiarize themselves with it and subscribe to it. (See Addendum III, to this Policy.)

**E. VIOLATIONS:** Violations of the provisions of this policy shall be grounds for disciplinary action against an employee.

**F.** It is the policy of Hubbard County that close personal or intimate relationships between employee and supervisor are not permitted because of potential conflicts of interest, as well as potential issues of liability pursuant to state and federal laws and Section 20 of this policy. Any such conduct or behavior in violation of this policy shall be subject to discipline pursuant to Section 18 of this policy.

## SECTION 22

### SUBSTANCE ABUSE POLICY

**A. POLICY STATEMENT:** Hubbard County recognizes that alcoholism and other drug dependencies are a significant social problem and highly detrimental to the safety and productivity of individuals in the County workplace. In accordance with the Drug-Free Workplace Act of 1988, Hubbard County has a responsibility to maintain a drug free working environment.

The County recognizes that drug dependency may be an illness. Consistent with this understanding, however, the County has an obligation to insure that individuals perform their jobs efficiently, safely and in a professional business-like manner. The purpose of this policy is to set forth Hubbard County's position regarding alcohol and other drug use and possession in the workplace.

This policy is applicable to all employees, independent contractors and volunteers or any individual representing the County in any capacity and shall be referred to as individuals hereafter within this policy.

**B. SCOPE:** The county at its discretion may, because of a reasonable suspicion, have any individual tested for any controlled substance in accordance with Minnesota Statutes §181.950-957 (1987), the Minnesota Drug and Alcohol Testing in the Workplace Act. Individuals do have the following rights: 1. To refuse a substance abuse test; 2. To have a positive test re-tested at the individual's expense; or 3. To provide evidence as to why the test was positive by providing prescription medication the individual is currently taking or other relevant information. An individual who refuses to be tested will be treated the same as an individual with a positive test and afforded the same rights. Questions regarding the policy should be referred to the Coordinator's Office.

#### **C. PROHIBITIONS**

1. No individual shall report to work under the influence of alcohol, marijuana, controlled substances, or other drugs which affect the individual's alertness, coordination, reaction, response, judgment, decision-making or safety. Said conditions hereafter referred to as *substance abuse*. The County encourages individuals in safety sensitive positions to notify their supervisor if they are taking medically prescribed drugs that may impair job performance. *Under the influence of alcohol* shall mean a test result is determined to be equal to or greater than a .04 blood alcohol level.
2. No individual shall unlawfully manufacture, distribute, dispense, possess\*, transfer\* or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance, as defined in Schedules I-V of Section 202 of the Controlled Substance Act (21 USC 812) and as further defined by regulation at 21 C.F.R. 1300.15, during work hours, on County owned property or wherever the County's work is being performed. \*The only exception being Law Enforcement Personnel transporting amounts used for evidence or for training purposes.
3. No individual shall operate, use or drive any equipment, machinery or vehicle owned or leased by Hubbard County while impaired due to substance abuse.

#### **D. REQUIREMENTS**

1. Each individual is required to notify their supervisor of the following: 1. Any criminal drug statute conviction for a violation occurring in the workplace, no later than five (5) days of such conviction or 2. Any alcohol statute violation that would affect their legally operating a county owned vehicle upon return of the individual to work after the event. The County will notify any contracting/granting agency within ten (10) days of receipt of an individual conviction notice.
2. Hubbard County individuals have a responsibility to abide by the provisions of this policy. Any supervisor and/or individual who observes an individual in violation of these provisions shall document the circumstances, facts and observations made, with individuals making their report to their supervisor. Department heads or supervisors shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe an individual may have illegal drugs in their possession at work or on County premises.

**SECTION 22**  
**SUBSTANCE ABUSE POLICY CONTINUED**

3. Upon a report of reasonable suspicion to the Coordinator and agreement of the Department Manager and Coordinator that a reasonable suspicion of substance abuse does exist, the individual in question will be given a Substance Abuse Form stating his/her choices, prior to completion of a substance abuse test. In the event the Coordinator and/or Department Manager are not available when an observable offense exists, or when there is a strong reasonable suspicion that an offense does exist, a supervisory level individual may document the situation and have the suspected person(s) complete the testing form and proceed with appropriate action. It is encouraged that at least two people of supervisory level or above observe or investigate an alleged observation of abuse, and both must concur with the action to be taken. **This action MUST be kept confidential, and reporting individuals should be directed NOT to divulge any investigation or testing.**
4. Tests will be obtained by Dakota Clinic in Park Rapids. Tests during off hours or anytime the clinic is closed will be done by St. Joseph's Hospital, Park Rapids. The County will be billed directly for such services and shall be the responsibility of the department involved. The employee to be tested must be driven to the testing facility by the appropriate law enforcement personnel and accompanied by management, if possible.

**E. CONSEQUENCE OF VIOLATIONS:** Violations of any of the provisions of this policy shall constitute cause for disciplinary action, up to and including termination. Each situation will be evaluated on a case by case basis depending upon the severity and circumstances involved.

**F. EMPLOYEE ASSISTANCE:** Hubbard County will take an active role in educating employees of the danger involved in substance abuse.

Individuals who voluntarily admit to having substance abuse problems may be eligible for paid and/or unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the individual abstains from use of the problem substance while on leave, abides by all organization policies, rules, and prohibitions relating to conduct in the work place, and if the County will not suffer an undue hardship as a consequence of granting the leave.

Hubbard County recognizes that individuals may wish to seek professional assistance in overcoming substance abuse problems. Please contact the Coordinator's Office for more information about benefits potentially available under the individual medical benefit plans and any possible referral sources.

**G. DATA DISCLOSURE:** Disclosure of information regarding individual substance abuse in the workplace will be consistent with applicable collective bargaining agreements and law. Questions in this area should be directed to the Coordinator's Office.

**HUBBARD COUNTY  
SUBSTANCE ABUSE FORM**

It has been determined that there is reasonable suspicion to believe \_\_\_\_\_ should be tested per the Hubbard County Substance Abuse Policy.

The county has determined there is a need for the above-named employee to be substance abuse tested in accordance with Minnesota Statutes §181.950-957 (1987).

The individual has the following rights regarding a substance abuse test request and shall be read these rights before completing this form:

Their rights are:

1. to refuse the test and/or
2. to have a positive substance abuse test re-tested at their own expense and/or
3. to provide evidence as to why the test was positive by providing prescription medication the employee is currently taking or other relevant information.

An individual that refuses to be tested will be treated the same as a positive test and afforded the same rights.

I have heard, read and understand the above. Furthermore, I acknowledge the above information to be a portion of Section 22, Substance Abuse Policy as set forth in the Hubbard County Personnel Policy.

\_\_\_\_ I am participating in a substance abuse test voluntarily, as requested.

\_\_\_\_ I refuse to participate in a substance abuse test, which has been requested of me.

Individual Name (printed): \_\_\_\_\_

Individual signature: \_\_\_\_\_

Date: \_\_\_\_\_

## SECTION 23 INCLEMENT WEATHER POLICY

**A. POLICY STATEMENT:** It is the policy of Hubbard County that all County facilities remain open during normal business hours. In the event of inclement weather, the County Board Chairman has the authorization per Minnesota Statute §373.052, to close all or part of Hubbard County's facilities.

**B. NOTIFICATION:** In the event of a county facility closure prior to the beginning of a regular work day, the closure will be announced over the local radio stations, KDKK/97.5 FM and KPRM/870 AM prior to 7:15 a.m.

1. In the event of a county facility closure during a regular work day, the Coordinator and/or the County Auditor/Treasurer will make the Inclement Weather Policy announcement upon direction of the County Board Chairman.

**C. COMPENSATION:** In the event of a county facility closure prior to the beginning of a regular work day all employees will be paid regular time for hours missed due to closure.

1. In the event of a county facility closure during a regular work day any employee currently at work will be paid regular time for hours missed due to closure.
2. In the event an employee chooses to remain at home due to inclement weather and the county facilities remain open, the employee will be required to use vacation or personal leave to remain in pay status.
3. If an employee has chosen to stay home due to inclement weather and during the course of the day the county facilities are closed, the employee will be paid regular time for those hours missed after the county facilities have closed.
4. Due to inclement weather conditions, employees may be advised to remain on the premises after working hours due to safety concerns. Such action would not entitle employees to overtime or compensatory compensation.

## SECTION 24

### COLLECTIVE BARGAINING PRINCIPLES

**A. POLICY STATEMENT:** It is the policy of Hubbard County to commit to sound collective bargaining principles and practices which will serve to resolve differences through negotiations to the mutual satisfaction of the parties and avert, to the greatest extent possible, work actions such as strikes.

**B. DEPARTMENT HEAD RESPONSIBILITIES:** The County Board also recognizes that work action is the ultimate exercise of bargaining power unions may employ as an economic sanction against the County in the event bargaining demands cannot be satisfied and recognizing that the County must take responsible precautions to ensure necessary public services will be provided in the event such action is employed, County Department Heads are hereby directed to make such preparations as will ensure continuation of necessary public services. Such preparations shall, among other things, provide that:

1. Priorities must be established for all services provided by affected departments from critical, which must not be interrupted; to the maximum level of service that can be performed.
2. Instruction is given supervisory personnel regarding their responsibility and conduct during a strike.
3. All employees are advised of their rights and obligations during a strike and the County's policy regarding striking employees.

**C. CONDITIONS:** The following conditions shall prevail:

1. Any county employee who is absent from any portion of his/her work assignment without permission of the appropriate department head on the date or dates when a strike occurs will be presumed to have engaged in a strike on such date or dates and will be appropriately disciplined by the County Board.
2. No wages shall be paid to employee engaging in a strike.
3. The County will mail a check by certified mail for the amount of wages due a striking employee for work performed prior to the strike on the first regularly scheduled payday after the commencement of the strike.
4. The County will not continue contributions to group insurance coverage and other benefits for striking employees. Notice will be provided such employees on how they may continue to maintain group insurance coverage.
5. No striking employee shall be entitled to vacation pay while on strike.
6. No sick leave shall be granted to a striking employee while on strike.
7. No striking employee shall be eligible for any type of leave including attendance at conferences and conventions while on strike.
8. There shall be no benefit accrual (vacation leave, sick leave, etc.) during a strike period to any employee participating in such action including credit towards step increases.
9. No holiday pay will be granted to a striking employee (nor retroactive).
10. The County will implement provision of M.S. §179A.19 Subd. 2 which provides that an employee who strikes illegally may be terminated effective the date the violation first occurs. If the County should subsequently agree to reappoint or reemploy an illegal striker, M.S. §179A.19 Subd. 4 requires that such employee shall be on probation for two years with respect to such employment.
11. All leaves of absence for all employees will be automatically canceled unless re-authorized by the County Board upon input by the Department Head. Any leaves of absence during a period when a strike is taking place may be granted only upon approval of the County Board.
12. All non-striking employees must be prepared to present medical certification of illness to be eligible for sick leave.
13. Any employee who may legally strike also has a right to continue working during a strike action. All employees not in the striking bargaining unit are required to be at work or on authorized leave.

**D. DAMAGE REIMBURSEMENT:** Non-striking employees of Hubbard County who might incur damage which is usually connected to strike activities shall be reimbursed by the County for such damages to the extent permitted by law, provided that said damage, at the time of the alleged incident, is not otherwise covered by insurance, and provided further that the damaged employee has taken reasonable precautions under the circumstances to prevent such

**SECTION 24**  
**COLLECTIVE BARGAINING PRINCIPLES**

damage.

**SECTION 24**  
**COLLECTIVE BARGAINING PRINCIPLES CONTINUED**

**E. SPOKES PERSON:** The Coordinator/Designee is authorized to speak publicly on behalf of the County in regard to such labor disputes and shall be the sole person authorized to speak publicly on behalf of the County during any period of strike action.

**SECTION 25**  
**SAFETY EYEGLASS POLICY**

**A. POLICY STATEMENT:** It is the policy of Hubbard County to ensure the safety of its employees by providing ANSI Z-87 and OSHA approved safety eyeglasses for those in positions where they are required. Hubbard County will pay up to \$50.00 every two years towards the purchase of ANSI Z-87 and OSHA approved prescription safety eyeglasses.

**B. ELIGIBILITY:** To be eligible, the employee must be in a regular position in a job class listed below and require prescription lenses. Temporary or on-call employees are not eligible.

**1. Eligible Job Classes:**

Maintenance Superintendent	NR Manager	Engineer
Building & Grounds Maintenance Mgr	LIST Deputy County Surveyor	Signman
NR Mgr/Pks Supervisor/Ag Inspector	Land Commissioner	Survey Tech I
Solid Waste Officer	Maintenance Technician	
Transfer Station Certified Attendant	Engineering Specialist	Custodian
Assistant Shop Foreman	Assistant Engineer	Shop Foreman
Engineer Aide I, II, & III	Maintenance II	

or other job class as required by OSHA

2. If an employee's safety eyeglasses are damaged or destroyed during work, the county will pay the cost of repair or to replace with a comparable package.

**C. PROCEDURE**

1. The eligible employee will make an appointment with either Bruhn Optical, Park Rapids or Park Rapids Eye Clinic and indicate participation in Hubbard Counties safety eyeglass program. The employee is responsible to pay for the cost of the eye exam.
2. The employee or clinic will present the claims for their safety glasses to their Department Manager. The Department Manager will process appropriate payment through the Auditor/Treasurer's office.
3. Department Managers will be responsible to maintain records of the safety eyeglass program utilization for employees in their department.
4. If the employee chooses to select a safety eyeglass package which costs more than the amount the county will cover, the employee is responsible to pay the difference.

## SECTION 26 FIREARMS POLICY

**A. POLICY STATEMENT:** It is the policy of Hubbard County that employees using county vehicles, shall not transport, carry or use firearms during normal work hours unless required to perform the employee's normal job functions.

1. No firearms shall be allowed within county owned structures.

**B. DISCIPLINARY PROCEDURES:** Any employee found not to be in compliance with this policy shall be subject to disciplinary action up to and including dismissal.

## SECTION 27

### ELECTRONIC MAIL & INTERNET ACCESS

#### ACCEPTABLE USE POLICY

#### **PURPOSE**

As computers used by employees are electronically connected, internal policies, standards and guidelines for use become essential. The purpose of this policy, in conjunction with the guidelines established by the MIS Committee is to provide clear guidelines to all County employees regarding the sending and receiving of electronic mail (e-mail), and the accessing and downloading of INTERNET files.

#### **SCOPE**

Hubbard County has now installed network technology and has developed an infrastructure which provides for County electronic data communications and access to network resources. As such, these tools are County owned and publicly funded. The computer systems and the software and information contained on, or conveyed through them, are the property of the County. Access, and use of these resources, shall be governed by this Acceptable Use Policy, as well as the Policies and Procedures established by the MIS Committee. The MIS Committee will have the responsibility to amend and update this policy.

#### **GENERAL**

For the purposes of this document interoffice e-mail (e-mail that takes place between Hubbard County Offices) shall be referred to as interoffice e-mail and the system that facilitates this operation shall be referred to as the Hubbard County Electronic Mail System.

Similarly, for the purposes of this document, e-mail that is performed via the INTERNET shall be referred to as INTERNET e-mail. Please be advised that although this policy does allow for limited personal use of the Hubbard County Electronic Mail System for personal messages between Hubbard County employees, the use of the INTERNET for any personal research, communications, or correspondence is not allowed.

#### **HUBBARD COUNTY ELECTRONIC MAIL SYSTEM**

The Hubbard County Electronic Mail System is designed to facilitate County business communication between County employees and other business partners for messages, memoranda, and the distribution of various electronic documentation. The e-mail system is County property and intended for County business. It is not to be used to support non-County business or for personal gain.

By using the County's computers, or networks, the employee is voluntarily consenting to being monitored. The County, through its individual department heads, managers, and supervisors, reserves the right to access inspect, review, and/or monitor contents of employee's e-mail communications, when necessary, to conduct County business. Although individual employee passwords are confidential, the County reserves the right to override passwords and codes at any time. If individual department heads, or their designee, request their employee's password(s), then the password(s) must be disclosed. If passwords are requested by individual department heads, the passwords will be kept in a secure place. If requested, passwords are updated, the department head will be responsible for setting up procedures for notification, revisions, and safeguarding.

The Department supervisor must first authorize any personal usage of the Hubbard County Electronic Mail system that may be allowed. In general, Hubbard County employees may use the Hubbard County Electronic Mail System for personal interoffice messaging to other Hubbard County employees. Employees will adhere to the following guidelines. Personal usage privilege will be limited such that it:

1. Is done on the employee's personal time;
2. Does not interfere with business usage;

**SECTION 27**  
**ELECTRONIC MAIL & INTERNET ACCESS**  
**ACCEPTABLE USE POLICY CONTINUED**

3. Does not interfere with the employee's job activities;
4. Is not for political, religious, personal financial profit, or other promotional activities, and does not result in the consumption of County resources;
5. Does not result in incremental expense for the County; and
6. Does not contain or imply threatening, obscene or abusive language.

Excessive personal usage will be determined by the employee's supervisor and may subject the employee to disciplinary actions. Under no circumstances shall Hubbard County Electronic Mail be used to offend or harass other employees or other parties, or be used to the detriment of the County's reputation.

Deletion of messages frees up storage space and will allow the network and personal computers to continue to run at optimum performance levels. Therefore, employees are to promptly delete all e-mail messages they send or receive that no longer require action or are not necessary to an ongoing project and should audit their stored e-mail messages regularly to identify messages that are no longer needed. Retention schedules, based on content of messages are the same regardless of the medium, paper, voice, or electronic.

In order to ensure that these policies are being complied with, the County may conduct periodic assessments of the Hubbard County Electronic Mail and INTERNET systems.

Employees should consider all e-mail as public information, which can be stored indefinitely anywhere in the file system, and could potentially be discoverable in litigation. E-mail messages should never be considered confidential and all messages have the potential to be viewed by anyone. Employees are advised that an electronic form of e-mail always exists and can be traced.

**INTERNET ACCESS, INTERNET E-MAIL AN OTHER NETWORK SYSTEMS**

The INTERNET is a collection of computers, computer networks, communication protocols, information systems, personal and organizational information retrieval systems connected together in a global community. As such, the INTERNET provides the County with significant access and distribution of information to individuals outside of Hubbard County.

Access and use of the INTERNET shall be for the sole purpose of conducting County related business. Use of the INTERNET by County employees on County equipment for any personal research, personal communication, personal correspondence or related personal usage not related to County business is prohibited. Access to computer systems and networks owned or operated by Hubbard County imposes certain responsibilities and obligations on County employees. The use of the INTERNET is a privilege, not a right, and inappropriate use will result in disciplinary action. The County Board and Department Managers will deem what is inappropriate use and their decision is final.

In general, acceptable use of INTERNET resources is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. County employees shall demonstrate respect for intellectual property, ownership of information, system security mechanisms, and their co-worker's right to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

Use of network services provided by Hubbard County may be subject to monitoring for security and/or network management reasons. Employees are therefore advised of this potential monitoring and agree to this practice.

Employees shall not:

1. Use the County network for illegal or unlawful, or immoral purposes or to support or assist such purposes. Examples of this would be the transmission of violent, threatening, fraudulent, obscene or otherwise illegal, unlawful or inappropriate materials.
2. Use INTERNET mail or other network messaging services to harass, intimidate or otherwise annoy any other person.
3. Use the INTERNET for private, recreational, non-public purposes including the conduct of personal commercial transactions.
4. Use the INTERNET networks for commercial or partisan political purposes.

**SECTION 27**  
**ELECTRONIC MAIL & INTERNET ACCESS**  
**ACCEPTABLE USE POLICY CONTINUED**

5. Use the County networks or other County equipment for personal gain such as performing work for profit with County resources in a manner not authorized by the County.
6. Use the County network to disrupt network users, services or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer "worms" and viruses.
7. Make or use illegal copies of copyrighted software or other mediums, store such copies on County systems, or transmit them over County networks.

**IMPORTANT NOTICE:**

To prevent the computer system from being exposed to viruses, employees are not permitted to download information from the INTERNET into the County computer system.

Ultimate responsibility for any directly or indirectly connected traffic that does or does not conform to this policy is with the individual employee who originates that traffic. The County accepts no responsibility for traffic, which an employee originates, that violates this Acceptable Use Policy. The County, and its individual department heads or supervisors, reserve the right to treat the misuse of these resources as employment offenses and to take appropriate disciplinary action in accordance with the County Personnel Policy Manual.

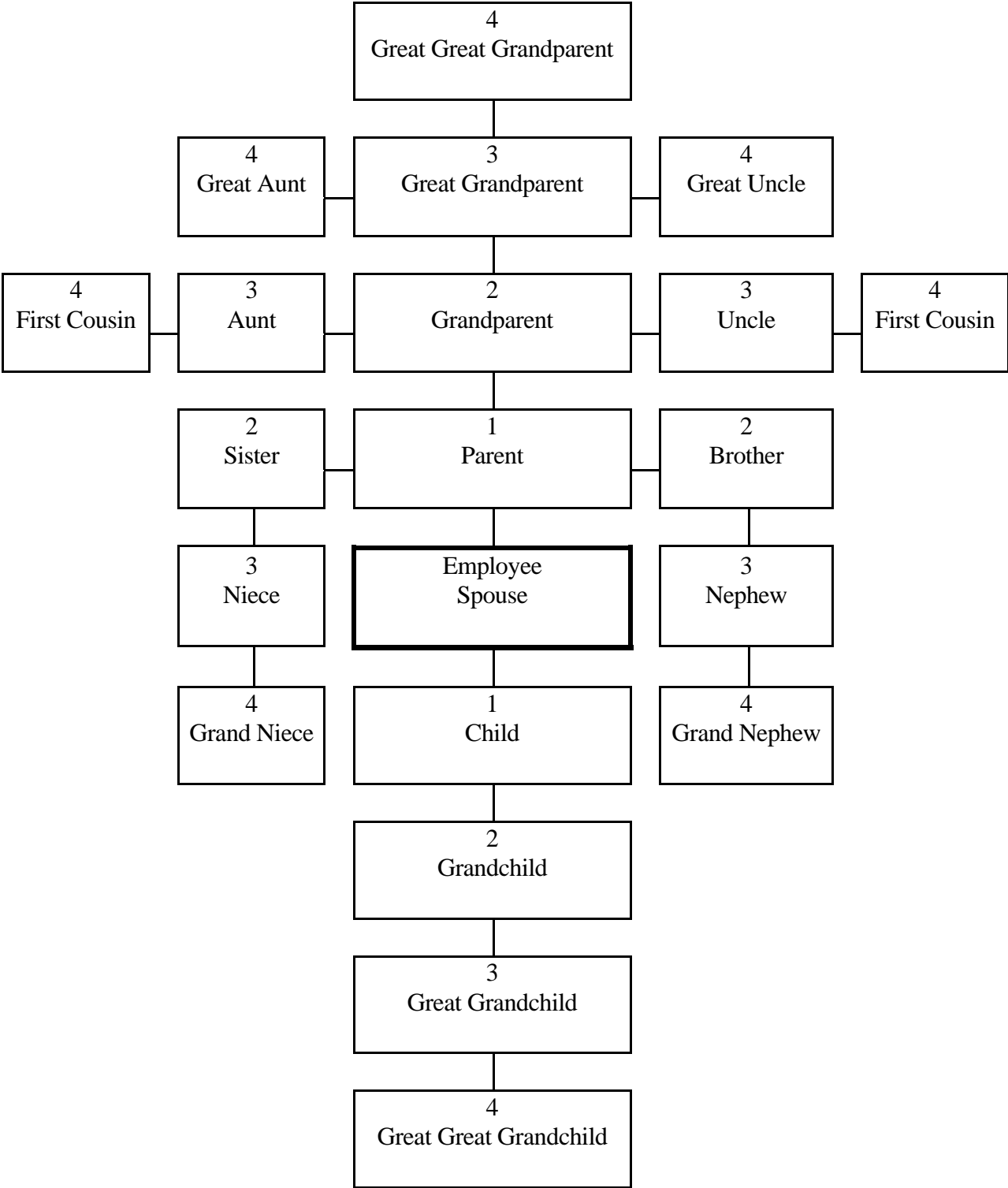
## SECTION 28

### LOBBYING & INTER GOVERNMENTAL RELATIONS POLICY

1. If you choose to lobby on a policy issue that would affect the operations of the county, you are expected to confine your efforts to the county's current legislative agenda.
2. Your participation should be immediately communicated to the county's legislative coordinator and the county administrator.
3. If the issue has not been addressed by the county's legislative agenda, a county board position should be sought prior to any lobbying effort on your part.
4. If you lobby in a professional capacity, either at the request of a legislator or a professional association, you must note in your testimony that you speak as a professional, not as a county representative. Then any testimony you give or any contacts that you make should be communicated to the legislative coordinator or county administrator.
5. The legislative coordinator, county administrator, or designated personnel will organize the county's efforts. Do not presume that you speak for the county board, unless you have perused their positions or have checked with them on specific issues.
6. When the county is paying the dues for membership in a professional association, employees shall not take a position with that professional association that is inconsistent with county board policy.
7. All employees and appointed representatives shall notify the county board of a pending appointment to an advisor board or task force initiated outside the scope of county board authority.

Your employment or appointment, by a public entity, has cast a responsibility upon you, you speak for the people, all the people.

**ADDENDUM I**  
**RELATIONSHIPS & DEGREES OF KINDRED**  
**ACCORDING TO THE CIVIL LAW**



## ADDENDUM II

### TENNESON WARNING FOR EMPLOYEES

In accordance with the Minnesota Government Data Practices Act, we are required to inform you of your rights as they pertain to the private information we collect from you. The information we collect from you is classified by law as either public (any one can see it), private (the public is not given access, but you are), or confidential (even you cannot see the information). As a public employee or an applicant for public employment, most of the data we maintain about you is public according to Minnesota Statutes, Section 13.43, Subdivisions 2 and 3.

The information we request from you may be used for one or more of the following purposes:

- ◆ To distinguish you from all other applicants or employees and identify you in our personnel files;
- ◆ To determine your eligibility for employment or promotion;
- ◆ To contact you or other significant persons in an emergency;
- ◆ To enroll you and your family members for health insurance;
- ◆ To enroll you for pension plans;
- ◆ To account for wages paid;
- ◆ To justify travel expense reimbursement;
- ◆ To account for other employer paid fringe benefits;
- ◆ To compile Equal Opportunity and Affirmative Action reports.

Information which you are asked to provide generally is not required by statute. However, it generally is to your benefit to provide it. Without the requested information, this agency may not be able to determine your eligibility for employment or promotion, compute your wages, or grant you other fringe benefits.

Federal law permits government agencies to require an individual to provide his/her social security number for the administration of any tax. Please be aware that when you are asked to give your social security number on Revenue forms, this collection is mandated by Section 1211 of the Tax Reform Act of 1976 and also Minnesota Statutes, Section 270.66. This information will be shared with the State Department of Revenue, the Internal Revenue Service, and the Federal Department of Health and Welfare for the purposes of administering the income tax and social security tax programs. In most other cases the disclosure of your social security number is voluntary. If it is required by law, we will inform you of the statute which requires collection.

If you are a minor, your parents or guardian will have access to the information in your personnel file unless you specifically request in writing that this information not be shown to your parents or guardian. You must explain why you wish this data withheld and what you expect the consequences of this activity will be. If the agency agrees that withholding the information from your parents or guardian is in your best interest, the information will not be shown to your parents or guardian.

The information you provide may be routinely shared with agency human resource office staff who require the information to do their jobs, agency accounting/payroll staff, insurance contractors, Minnesota Merit or Civil Service System, PERA or MSRS, IRS, and the State Departments of Revenue, Finance, Economic Security, Employee Relations, and Labor and Industry.

Information may also be shared with other agencies authorized by law to receive specific data relating to:

1. Absent/non-supporting parents;
2. Civil/human rights complaints;
3. Worker's Compensation;
4. Unemployment Compensation;
5. Labor contracts (to the extent specified in Minnesota Statutes, Chapter 179);
6. Employee assistance programs;
7. Child/vulnerable adult abuse.

If you have any questions about this notice, human resource office staff will explain it to you. The information on this form applies to your future contacts with this agency whether the contact is in person, by mail, or by phone.

**ADDENDUM III**  
**AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION**  
**CODE OF ETHICS & IMPLEMENTATION GUIDELINES**

◆ **Demonstrate the highest standards of personal integrity; truthfulness, honesty and fortitude in all our public activities in order to inspire public confidence and trust in public institutions.**

Perceptions of others are critical to the reputation of an individual or a public agency. Nothing is more important to public administrators than the public's opinion about their honesty, truthfulness, and personal integrity. It overshadows competence as the premier value sought by citizens in their public officials and employees. Any individual or collective compromise with respect to these character traits can damage the ability of an agency to perform its tasks or accomplish its mission. The reputation of the administrator may be tarnished. Effectiveness may be impaired. A career or careers may be destroyed. The best insurance against loss of public confidence is adherence to the highest standards of honesty, truthfulness and fortitude.

Public administrators are obliged to develop civic virtues because of the public responsibilities they have sought and obtained. Respect for the truth, for fairly dealing with others, for sensitivity to rights and responsibilities of citizens, and for the public good must be generated and carefully nurtured and matured.

If you are responsible for the performance of others, share with them the reasons for the importance of integrity. Hold them to high ethical standards and teach them the moral as well as the financial responsibility for public funds under their care.

If you are responsible only for your own performance, do not compromise your honesty and integrity for advancement, honors, or personal gain. Be discreet, respectful of proper authority and your appointed or elected superiors, sensitive to the expectations and the values of the public you serve. Practice the golden rule: doing to and for others what you would have done to and for you in similar circumstances. Be modest about your talents, letting your work speak for you. Be generous in your praise of the good work of your fellow workers. Guard the public purse as if it were your own.

Whether you are an official or an employee, by your own example give testimony to your regard for the rights of others. Acknowledge their legitimate responsibilities, and don't trespass upon them. Concede gracefully, quickly, and publicly when you have erred. Be fair and sensitive to those who have not fared well in their dealings with your agency and its applications of the law, regulations or administrative procedures.

◆ **Serve in such a way that we do not realize undue personal gain from the performance of our official duties.**

The only gains you should seek from public employment are salaries, fringe benefits, respect and recognition for your work. Your personal gains may also include the pleasure of doing a good job, helping the public and achieving your career goals. No elected or appointed public servant should borrow or accept gifts from staff of any corporation which buys services from or sells to, or is regulated by, his or her governmental agency. If your work brings you in frequent contact with contractors supplying the government, be sure you pay for your own expenses. Public property, funds and power should never be directed toward personal or political gain. Make it clear by your own actions that you will not tolerate any use of public funds to benefit yourself, your family or your friends.

◆ **Avoid any interest or activity which is in conflict with the conduct or our official duties.**

Public employees should not undertake any task which is in conflict or could be viewed as in conflict with job responsibilities.

This general statement addresses a fundamental principle that public employees are trustees for all the people. This means that the people have a right to expect public employees to act as surrogates for the entire people with fairness toward all the people and not a few or a limited group.

Actions or inactions which conflict with, injure or destroy this foundation of trust between the people and their surrogates must be avoided.

Ironically, experience indicates that conflict of interest and corruption often arise not from an external affront, but as a result of interaction between persons who know each other very well. To strengthen resistance to conflict of interest, public employees should avoid frequent social contact with persons who come under their regulation or persons who wish to sell products or services to their agency or institution.

Agencies with inspectional or investigative responsibilities have a special obligation to reduce vulnerability to conflict of interest. Periodic staff rotation may be helpful to these agencies.

Individuals holding a position recognized by law or regulation as an unclassified or political appointment (e.g. Cabinet level and Governor's appointment positions) have a special obligation to behave in ways which do not suggest that official acts are driven primarily or only by partisan political concerns.

**ADDENDUM III**  
**AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION**  
**CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED**

Public employees should remember that despite whatever preventive steps they might take, situations which hold the possibility for conflict of interest will always emerge. Consequently, the awareness of the potentiality of conflict of interest is important. Public employees, particularly professors in public administration, have a serious obligation to periodically stimulate discussion on conflicts of interest within organizations, schools and professional associations

◆ **Support, implement and promote merit employment and programs of affirmative action to assure equal employment opportunity by our recruitment, selection and advancement of qualified persons from all elements of society.**

Oppose any discrimination because of race, color, religion, sex, national origin, political affiliation, physical handicaps, age, or marital status, in all aspects of personnel policy. Likewise, a persons lifestyle should not be the occasion for discrimination if it bears no reasonable relation to his or her ability to perform required tasks.

Review employment and personnel operations and statistics to identify the impact of organizational practices on "protected groups." Performance standards should apply equally to all workers. In the event of cutbacks of staff, managers should employ fair criteria for selection of employees for separation and humane strategies for administering the program.

Any kind of sexual, racial or religious harassment should not be allowed. Appropriate channels should be provided for harassed persons to state their problems to objective officials. In the event of a proven offense, appropriate action should be taken.

◆ **Eliminate all forms of illegal discrimination, fraud and mismanagement of public funds, and support colleagues if they are in difficulty because of responsible efforts to correct such discrimination, fraud, mismanagement or abuse.**

If you are a supervisor, you should not only be alert that no illegal action issues from or is sponsored by your immediate office, you should inform your subordinates at regular intervals that you will tolerate no illegalities in their offices and discuss the reasons for the position with them. Public employees who have good reason to suspect illegal action in any public agency should seek assistance in how to channel information regarding the matter to appropriate authorities.

All public servants should support authorized investigative agencies, the General Accounting Office in the federal government, auditors in the state or large local governments, C.P.A. firms or federal or state auditors in many other cases. We should support the concept of independent auditors reporting to committees independent of management. Good fiscal and management controls and inspections are important protection for supervisors, staff and public interest.

In both government and business inadequate equipment, software, procedures, supervision and poor security controls made possible both intentional and unintentional misconduct. Managers have an ethical obligation to seek adequate equipment, software, procedures and controls to reduce the agency's vulnerability to misconduct. When an agency dispenses exemptions from regulations, or abatement of taxes or fees managers should assure periodic investigatory checks.

The "whistle blower" who appears to his/her immediate supervisors to be disloyal, may actually be loyal to the higher interests of the public. If so, the whistle blower deserves support. Local, state and federal governments should establish effective dissent channels to which whistle blowers may report their concerns without fear of identification.

Supervisors should inform their staff that constructive criticism may be brought to them without reprisal or may be carried to an ombudsman or other designated official. As a last resort, public employees have a right to make public their criticism but it is the personal and professional responsibility of the critic to advance only well founded criticism.

◆ **Serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is beyond service to oneself.**

Be sure your answers to questions on public policy are complete, understandable and true. Try to develop in your staff a goal of courteous conduct with citizens. Devise a simple system to ensure that your staff gives helpful and pleasant service to the public. Wherever possible, show citizens how to avoid mistakes in their relations with government.

Each citizen's question should be answered as thoughtfully and as fully as possible. If you or your staff do not know the answer to a question, an effort should be made to get an answer or to help the citizen make direct contact with the appropriate office.

**ADDENDUM III**  
**AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION**  
**CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED**

Part of servicing the public responsively is to encourage citizen cooperation and to involve civic groups. Administrators have an ethical responsibility to bring citizens into work with the government as far as practical, both to secure citizen support of government, and for the economics or increased effectiveness which will result. Respect the right of the public (through the media) to know what is going on in your agency even though you know queries may be raised for partisan or other non-public purposes.

◆ **Strive for personal professional excellence and encourage the professional development of our associates and those seeking to enter the field of public administration.**

Staff members throughout their careers, should be encouraged to participate in professional activities and associations such as ASPA. They should also be reminded of the importance of doing a good job and their responsibility to improve the public service.

Administrators should make time to meet with students periodically and to provide a bridge between classroom studies and the realities of public jobs. Administrators should also lend their support to well planned internship programs.

◆ **Approach our organization and operational duties with a positive attitude and constructively support open communication, creativity, dedication and compassion.**

Americans expect government to be compassionate, well organized and operating within the law. Public employees should understand the purpose of their agency and the role they play in achieving that purpose. Dedication and creativity of staff members will flow from a sense of purpose.

ASPA members should strive to create a work environment which supports positive and constructive attitudes among workers at all levels. This open environment should permit employees to comment on work activities without fear of reprisal. In addition, managers can strengthen this open environment by establishing procedures ensuring thoughtful and objective review of employee concerns.

◆ **Respect and protect the privileged information to which we have access in the course of official duties.**

Much information in public offices is privileged for reasons of national security, or because of laws or ordinances. If you talk with colleagues about privileged matters, be sure they need the information and you enjoin them to secrecy. If the work is important enough to be classified, learn and follow the rules set by the security agency. Special care must be taken to secure access to confidential information stored on computers. Sometimes information needs to be withheld from the individual citizen or general public to prevent disturbances of the peace. It should be withheld only if there is a possibility of dangerous or illegal or unprofessional consequences of releasing information.

Where other governmental agencies have a legitimate public service need for information possessed by an agency, do all you can to cooperate, within the limits of statute law, administrative regulations and promises made to those who furnish the information.

◆ **Exercise whatever discretionary authority we have under law to promote the public interest.**

If your work involves discretionary decisions you should first secure policy guidelines from your supervisor. You should then make sure that all staff who "Need to Know" are informed of these policies and have an opportunity to discuss the means of putting them into effect.

There are occasions when a law is unenforceable or has become obsolete; in such cases you should recommend to your superior or to the legislative body that the law be modernized. If an obsolete law remains in effect the manager or highest official should determine if the law is or is not to be enforced, after consultation with the agency's legal advisor.

There are occasions where a lower level employee must be given considerable discretion. Try to see that such employees are adequately trained for their difficult tasks.

Tell yourself and your staff quite frequently that every decision creates a precedent, so the first decisions on a point should be ethically sound; this is the best protection for staff as well as for the public.

◆ **Accept as a personal duty the responsibility to keep up to date on emerging issues and to administer the public's business with professional competence, fairness, impartiality, efficiency and effectiveness.**

Administrators should attend professional meetings, read books and periodicals related to their field, and talk with specialists. The goal is to keep informed about the present and future issues and problems in their professional field and organization in order to take advantage of opportunities and avoid problems.

**ADDENDUM III**  
**AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION**  
**CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED**

Serious mistakes in public administration have been made by people who did their jobs conscientiously but failed to look ahead for emerging problems and issues. A long list of washed out dams, fatal mine accidents, fires in poorly inspected buildings, inadequate computer systems or economic disasters are results of not looking ahead. ASPA members should be catalysts to stimulate discussion and reflection about improving efficiency and effectiveness of public services.

◆ **Respect, support, study and when necessary, work to improve Federal and State constitutions and other laws which define the relationships among public agencies, employees, clients and all citizens.**

Familiarize yourself with principles of American constitutional government. As a citizen work for legislation which is in the public interest.

Teach constitutional principles of equality and fairness.

Strive for clear division of functions between different levels of government, between different bureaus or departments and between government and its citizens. Cooperate as fully as possible with all agencies of government, especially those with overlapping responsibilities. Do not let parochial, agency or institutional loyalty drown out considerations of wider public policy.

## **ADDENDUM IV**

### **EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY**

Hubbard County is concerned with an employee's personal problems when they adversely affect job performance or reflect discredit on the organization. The Employee Assistance Program has been developed to provide assistance to employees with problems of a personal nature either on a voluntary basis or when referred by management.

The County of Hubbard recognizes that problems of a personal nature can have an adverse effect on an employee's job performance. It is also recognized that most personal problems can be dealt with successfully when identified early and referred to appropriate resources. The purpose of the Employee Assistance Program is to provide these services through special arrangements with an outside counseling resource. The program is designed to deal with a broad range of human problems such as alcohol and/or drug, emotional/behavioral, family and marital, financial, legal and other personal problems. The program provides problem assessment, short term counseling and referral. Costs for these services are covered by the Minnesota Counties Insurance Trust. If costs are incurred for other services that are not covered by MCIT, insurance or other benefits, that cost is the responsibility of the employee. The overall objective of the Employee Assistance Program is to maximize the employee's ability to function in personal matters and maximize job performance.

#### **UTILIZATION OF THE PROGRAM IS GOVERNED BY THE FOLLOWING**

- ◆ Hubbard County is concerned with an employee's personal problems when they adversely affect job performance or reflect discredit on the organization.
- ◆ The policy applies to all employees of the organization regardless of job title or responsibilities.
- ◆ The program is available to employees and their family on a self-referral basis since problems at home can affect the job. If employees or family members have personal problems that may benefit from assistance, they are encouraged to use this program.
- ◆ Participation in the program does not jeopardize an employee's job security, promotional opportunities or reputation, nor will it impair any rights of the employee or impede the organization in effecting disciplinary proceedings against any employee.
- ◆ All records and discussions will be treated as confidential information to the fullest extent allowed by the law. In cases referred by supervision or management, confidentiality requires that no information be revealed to supervisors or managers other than on a need to know basis for proper job functioning. All written records will be kept by the designated counseling resource and will not become a part of the employee's personnel file.
- ◆ When performance problems are not covered with normal supervisory attention, employees are encouraged to seek assistance to determine if personal problems are causing unsatisfactory performance. If performance problems persist, normal corrective procedures will be followed.
- ◆ Sick Leave and/or Family Medical Leave may be granted for treatment or rehabilitation on the basis as it is granted for other health problems pursuant to Hubbard County's leave policies. Consideration may also be given for the use of annual leave or leave without pay if requested.

#### **PROGRAM**

Through the Employee Assistance Program, Hubbard County employees and their immediate family members obtain free diagnostic screening, brief counseling and referral services.

#### **ACCESS TO THE PROGRAM**

If an employee determines that counseling is needed, the employee and/or family members should contact The Sand Creek Group, Ltd., 1-800-550 MCIT to access the program. In the event of a crisis, the individual can call the above number at any time.

#### **COST**

There is no cost to the employee for assessment and counseling sessions that the employee or family member may have with the Employee Assistance Program. Should the EAP participant require additional service beyond the EAP, the Employee Assistance Counselor will refer the participant to an appropriate resource in accordance with the employee's insurance benefits and ability to pay.

**ADDENDUM IV**  
**EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY - CONTINUED**

**CONFIDENTIALITY**

No information about an individual using this EAP will be shared with others without the written consent of the person except in circumstances where disclosure is required by law. Those who seek assistance need only to identify themselves as employees or as family members of a Hubbard County employee.

Before your initial appointment begins, you will be assured of the purpose and intended use of the information you provide; whether you may refuse to supply information or whether supplying it is legally required; any and all potential consequences arising from supplying or not supplying the information; and the identity of any persons or entities authorized by state or federal law to receive such information, if any.

**This policy is not intended to alter or replace existing administrative policy or contractual agreements, but serves to assist in their utilization.**

**ADDENDUM V  
HUBBARD COUNTY EXEMPT POSITIONS  
&  
FAIR LABOR STANDARDS ACT OVERTIME EXEMPTION CHARTS**

**A. Exempt Positions:**

<b>Department</b>	<b>Position Title</b>
Assessor	Assessor
County Attorney	Assistant County Attorney
Auditor/Treasurer	Auditor/Treasurer
Highway	Maintenance Superintendent Assistant County Highway Engineer County Highway Engineer
Coordinator	Coordinator
Recorder	Recorder
Land & Timber	Commissioner
Maintenance	Building & Grounds Maintenance Manager
Environmental Services	Environmental Services Officer
Sheriff	Chief Deputy Sheriff
Social Service Center	Financial Assistance Supervisor I Social Service Supervisor I Director
Solid Waste	Solid Waste Officer
Veteran Service/Emergency Management	Veterans Service Officer/Emergency Management Director

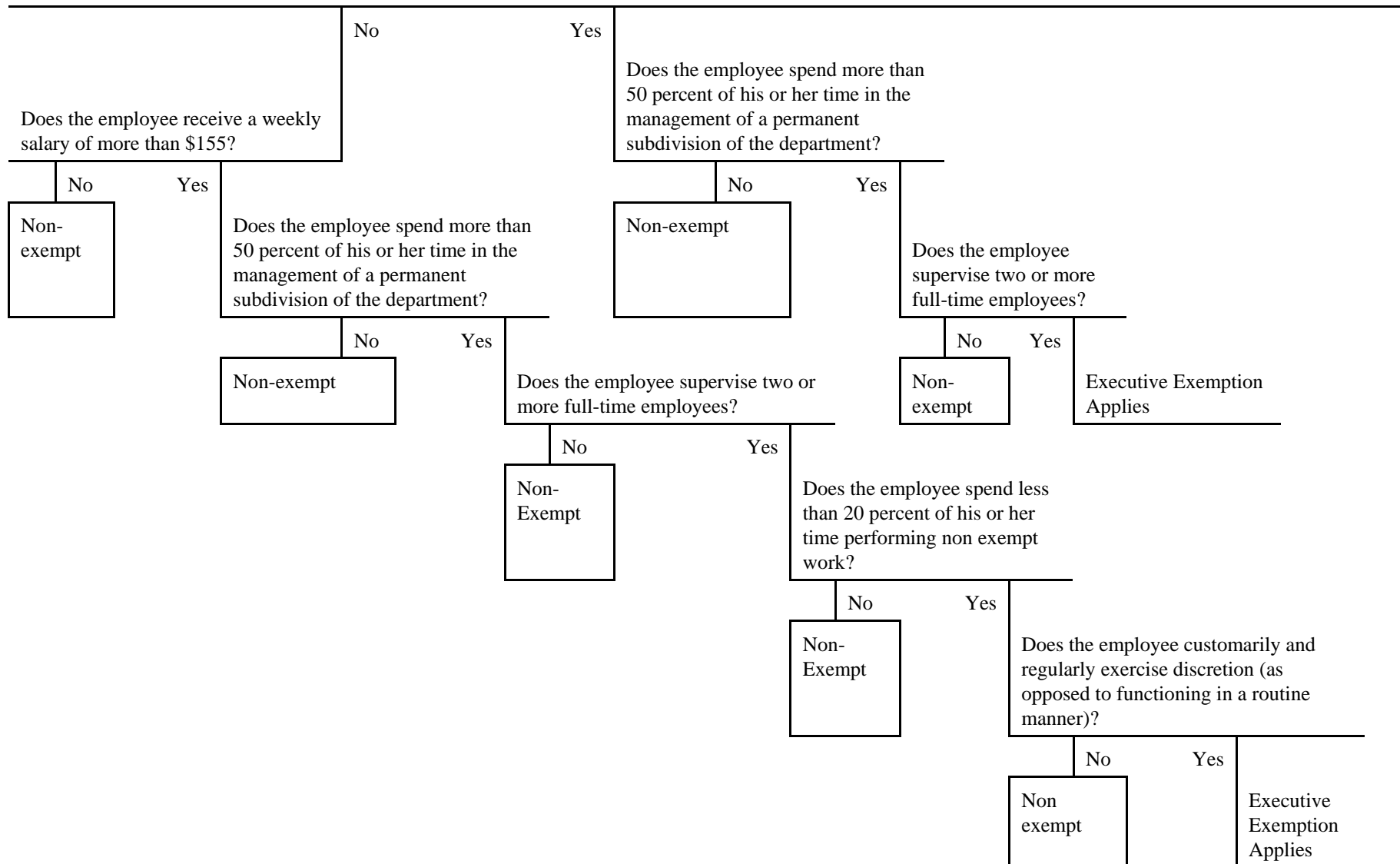
Exempt Status is determined from and based on the following three Exemption Decision Charts:

**ADDENDUM V  
HUBBARD COUNTY EXEMPT POSITIONS  
&**

**FAIR LABOR STANDARDS ACT OVERTIME EXEMPTION CHARTS - CONTINUED**

**B. Executive Exemption Decision Chart:**

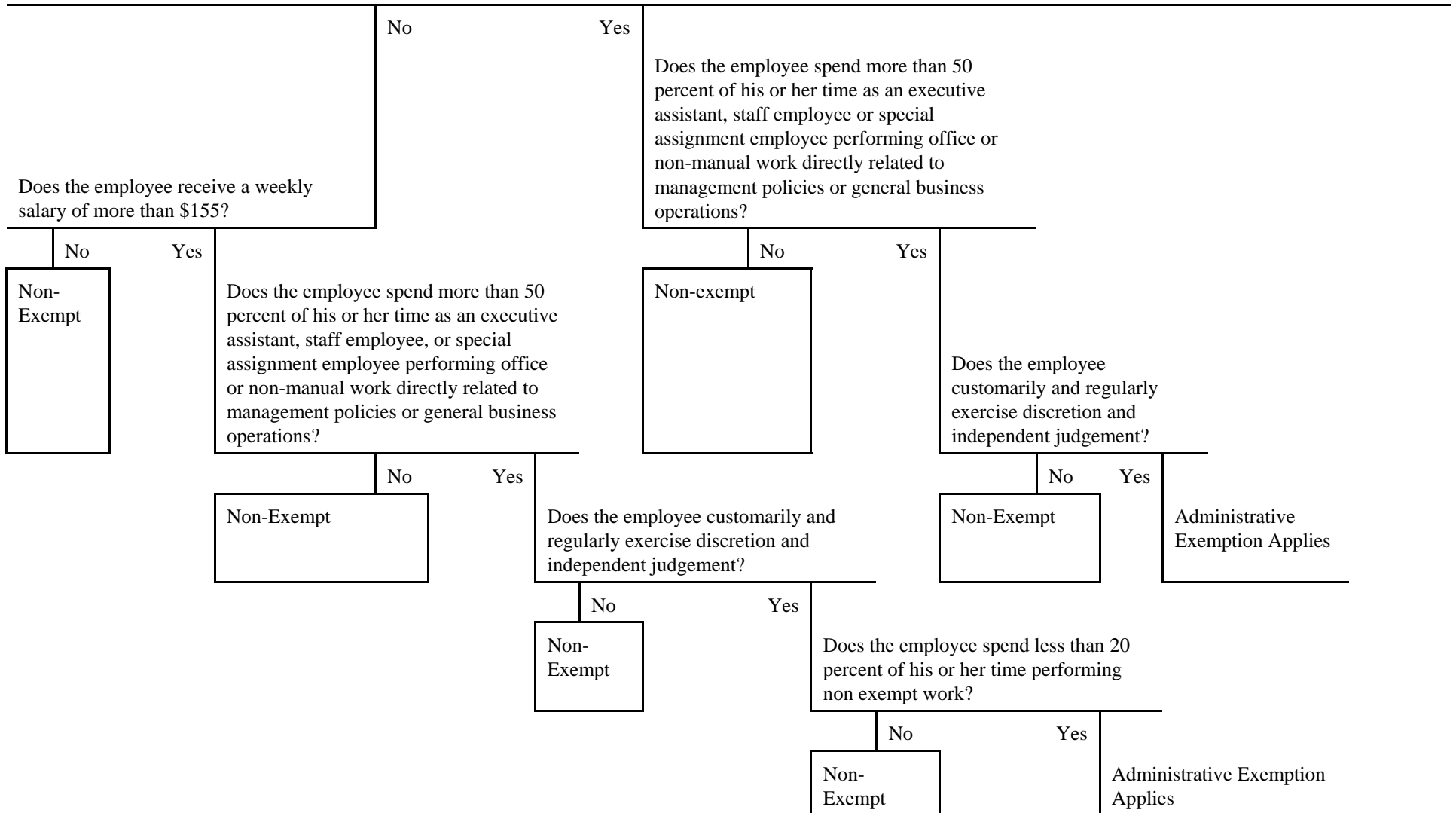
Does the employee receive a weekly salary of more than \$250?



**ADDENDUM V**  
**HUBBARD COUNTY EXEMPT POSITIONS**  
**&**  
**FAIR LABOR STANDARDS ACT OVERTIME EXEMPTION CHARTS - CONTINUED**

**C. Administrative Exemption Decision Chart**

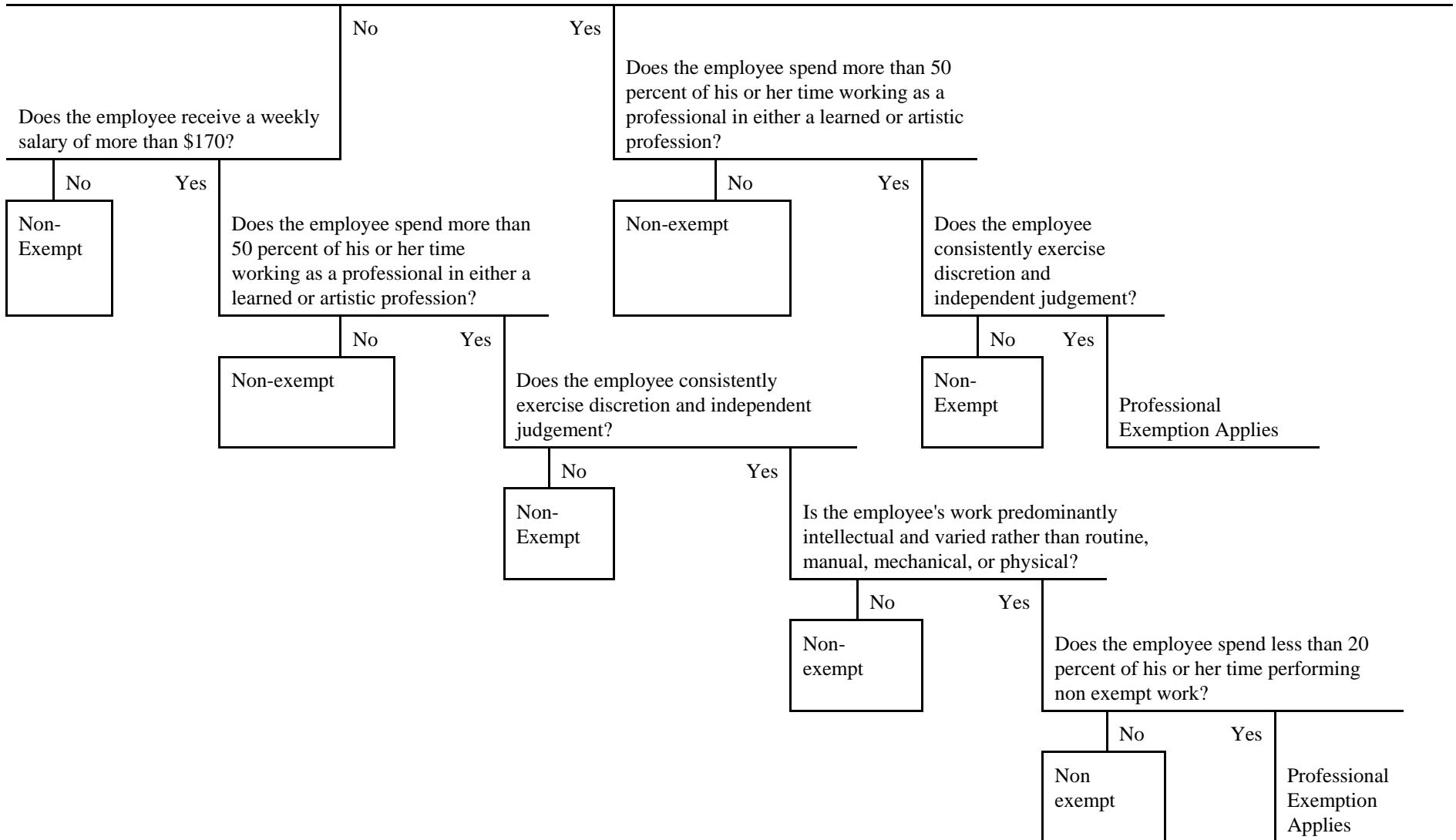
Does the employee receive a weekly salary of more than \$250?



**ADDENDUM V**  
**HUBBARD COUNTY EXEMPT POSITIONS**  
**&**  
**FAIR LABOR STANDARDS ACT OVERTIME EXEMPTION CHARTS - CONTINUED**

**D. Professional Exemption Decision Chart**

Does the employee receive a weekly salary of more than \$250?



**ADDENDUM VI**  
**HUBBARD COUNTY REIMBURSEMENT SCHEDULE**

The following reimbursement rates shall be established by the County Board in January of each year. See Section 17 for more information.

A. **Mileage Reimbursement:** The mileage reimbursement rate shall be the same as the Internal Revenue Service rate throughout the year.

B. **Meal Reimbursement:**

<b>Meal</b>	<b>Amount</b>	<b>Time Requirement</b>
Breakfast	Up to \$7.00	If an employee's direct attendance of the meeting/training requires them to leave their place of work prior to 6:00 a.m.
Lunch	Up to \$10.00	Normal lunch period between 11:00 a.m. – 2:00 p.m.
Dinner	Up to \$15.00	If an employee's direct return to their place of work results in arrival after 6:00 p.m.

**ADDENDUM VII**  
**HUBBARD COUNTY CAFETERIA CONTRIBUTION**

The following cafeteria contributions have been established by the County Board, will be provided to employees effective 01/01/12 and are subject to change: single, single + children; and family.

Employees hired after 01/01/12 will receive a single contribution to the cafeteria plan offered by the county as part of its benefit plan.

The county contributions toward the cafeteria plan effective 01/01/12 are as follows:

Single Contribution - \$801 per month.

Single plus children Contribution - \$1070 per month

Family Contribution - \$1508 per month.

These amounts do not include \$2.00 per month life insurance contribution.

## Wellness Pilot Program

### Personnel Policy for Wellness Programs & Incentives

The County of Hubbard ("Employer") desires to offer incentives to employees who voluntarily choose to participate in wellness programs ("Wellness Programs") pursuant to a pilot program ("the Pilot Program") that is made available through the Northwest Service Cooperative Wellness Institute ("Wellness Institute"). The Pilot Program is intended to be temporary and will sunset on the date set forth below.

**Section 1. Pilot Program.** During the term of the Pilot Program, employees will be provided financial incentives to participate in and complete Wellness Programs made available through the Wellness Institute. Participation in the Pilot Program by employees is completely voluntary.

**Section 2. Eligibility.** Eligibility for the Wellness Programs and incentives under the Pilot Program is limited to employees who are enrolled in the Employer-sponsored group health plans made available through the Northwest Service Cooperative. The Pilot Program shall terminate with respect to any class of employees that ceases to participate in group health plan coverage made available through Northwest Service Cooperative.

**Section 3. Incentive.** The Employer will pay incentives in the amount of \$200 in 2012 for each employee who completes a health risk assessment (during the two week eligibility period) November, 2011. The employer will pay \$240 in 2013 for each employee who completes a health risk assessment and participate in biometric screening in 2012. No amount of incentives shall be payable as taxable cash compensation.

**Section 4. Application of Incentives.** Incentives earned by employees shall be applied first, to reduce the employees' share of health insurance premium under the coverage option selected by the employee. The reduction of the employees' share of health insurance premiums shall be applied in the manner determined by Employer or as otherwise agreed upon. If and to the extent any portion of the incentive remains unallocated after reduction of the employees; share of health insurance premiums, the balance shall be contributed to (1) the H.S.A.s of the employees who have established H.S.A.s through a custodian selected by Employer or (2) the FSA's of employees who have established FSA's through a custodian selected by the Employer.

**Section 5. Wellness Programs.** During the first year of the Pilot Program, employees will be eligible for an incentive if they complete an online health risk assessment and review the results. Employees who do not have reasonable access to the internet through work or home will be provided online access through the Employer's worksite. During the second year of the Pilot Program, employees will be eligible for an incentive if they complete an online health risk assessment and review the results, and participate in biometric screening. In subsequent years Employer will work with the Wellness Institute to make additional Wellness Programs available and Employer may modify the incentive structure as it deems appropriate. In no event will an alternative standard related to a

health factor, unless a reasonable alternative standard is made available to achieve the reward for persons who could not otherwise obtain the reward because of a health condition or for whom it would be medically inadvisable to attempt to satisfy the applicable standard.

**Section 6. Confidential Information.** Individual information that employees provide on the health risk assessment or learn through biometric screening will not be shared with the Employer or the Wellness Institute. The Employer will receive information on who completes the health risk assessment and participation in biometric screening solely for the purpose of determining who is entitled to an incentive.

**Section 7. Temporary Program; Sunset Provisions.** The Pilot Program may be terminated at the discretion of Employer at any time, but incentives earned before the Pilot Program is terminated will be payable as described herein. The Pilot Program will automatically terminate on June 30, 2014, unless renewed by the Employer. Employer is not required to bargain for renewal or extension of the Pilot Program.

**Section 8. No Precedent.** This agreement does not set any precedent for any future issue, nor does it authorize opening any collective bargaining agreement between the Parties for negotiation.