

Seward County
Personnel Policies and Procedures Manual
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Seward County
Personnel Policies and Procedures

1. General Provisions

1.1 Statement of Intent

It is Seward County's intent to establish employment policies and procedures that will:

- A. Provide a uniform system of personnel administration throughout Seward County and assist supervisors in the development of sound management practices and procedures.

1.2 Scope

Except for wages, benefits and conditions of employment, these Personnel Policies and Procedures shall apply to all Seward County employees except elected officials and independent contractors. In the event of conflict between these rules and any personal services contract, Seward County resolution or state or federal law, the terms and conditions of that contract, rule or law shall prevail.

1.3 AMENDMENTS

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SEWARD COUNTY MAY REPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME, WITHOUT NOTICE.

1.4 REPRESENTATIONS

NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE NOR TO LIMIT THE POWER OF THE SEWARD COUNTY BOARD OF COMMISSIONERS TO REPEAL OR MODIFY THESE RULES. THESE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OF EMPLOYMENT OR OF SPECIFIC TREATMENT.

1.5 EMPLOYMENT AT WILL

ALL EMPLOYEES OF SEWARD COUNTY ARE CONSIDERED TO BE EMPLOYEES "AT WILL" UNLESS THEY HAVE A WRITTEN EMPLOYMENT CONTRACT TO THE CONTRARY SUBSCRIBED AND DATED BY THE EMPLOYEE AND THE SEWARD COUNTY BOARD OF COMMISSIONERS. "AT WILL" MEANS THAT EMPLOYEES ARE HIRED WITH THE UNDERSTANDING THAT THEIR EMPLOYMENT MAY BE TERMINATED ANY TIME AT THEIR WILL WITHOUT NOTICE OR AT THE WILL OF THEIR EMPLOYER WITHOUT NOTICE. THE EMPLOYEE MAY CHOOSE TO TERMINATE HIS/HER OWN EMPLOYMENT AT WILL WITHOUT REASON OR CAUSE. LIKEWISE, SEWARD COUNTY MAY CHOOSE TO TERMINATE THE EMPLOYEE'S EMPLOYMENT AT WILL WITHOUT REASON OR CAUSE.

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1.6 RESPONSIBILITY OF EMPLOYEES

IT IS THE RESPONSIBILITY OF SEWARD COUNTY EMPLOYEES TO READ AND BE FAMILIAR WITH THE CONTENTS OF THIS POLICY AND PROCEDURES MANUAL. THE INFORMATION CONTAINED HEREIN APPLIES TO ALL EMPLOYEES OF SEWARD COUNTY, EXCEPT ELECTED OFFICIALS. IT IS PRESENTED AS A MATTER OF INFORMATION ONLY AND ITS CONTENTS SHOULD NOT BE INTERPRETED AS A CONTRACT BETWEEN THE COUNTY AND ANY OF ITS EMPLOYEES. THIS MANUAL IS NOT INTENDED TO AND DOES NOT CONSTITUTE ANY SORT OF CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED.

1.7 TERMINATION

Of course, your employment is terminable at will by either you or Seward County at any time. We would appreciate two (2) weeks notice so we can find someone to replace you if you decide to terminate. At the time of termination, you should give written notice to the personnel officer to be sure that all termination procedures have been completed and arrangements have been made for you to receive your final paycheck. The Human Relations Coordinator shall provide notice of all terminations to the board of county commissioners.

**Seward County
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2.0 Equal Employment Opportunity

Seward County shall make all decisions regarding recruitment, hiring, promotions, and other terms and conditions of employment without discrimination on the grounds of race, color, creed, religion, gender, national

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origin, age, marital status, physical or mental disabilities or other factors which cannot lawfully be used as the basis for an employment decision.

2.1 Program Responsibility

The Human Relations Coordinator shall serve as the equal opportunity officer to carry out the Equal Employment Opportunity Policy and Program. The equal opportunity officer shall be the focal point for the county's equal opportunity efforts and shall:

- A. Advise and assist in all matters regarding implementation of and compliance with Equal Employment Opportunity Policy.
- B. Be responsible for the successful execution of the program, utilizing the assistance of appropriate State and community agencies.

The equal opportunity officer will have responsibility to examine existing internal policies or procedures which may serve as barriers to implementing the Equal Employment Opportunity Program.

2.2 Equal Employment Opportunity Practices

- A. Periodically review all position qualifications and job descriptions to determine whether requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
- B. Create a pool of qualified candidates to encourage diversity and ensure equal employment opportunity in hiring. The following practices for listing jobs will be followed under the equal employment opportunity officer's direction:

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- a. Regular full time jobs must be open for a minimum of ten work days and be posted on the courthouse bulletin boards.

2.3 Co-ordination with State and Federal Laws

Seward County recognizes its responsibilities to comply with and implement equal opportunity and non-discrimination policies of state or federal agencies with which it conducts business. Specifically, the county shall:

- A. Be responsible for reporting to the appropriate agencies any complaints received from any employee of, or an applicant for employment with any contractor or subcontractor, subject to state or federal law requiring affirmative action programs of certain government contractors and subcontractors.
- B. Cooperate in special compliance reviews or in investigations as requested.
- C. Carry out minority reporting functions of contractors or subcontractors as required by state or federal laws.
- D. Furnish information as required, maintaining an affirmative action file detailing its efforts, with dates, to meet its commitments under state or federal law.
- E. Seward County contracts will include a non-discrimination clause. The county's Equal Employment Opportunity Program shall be made available to any federal or state agency upon request.

2.5 EEO Grievance Procedures

A. Statement of Policy

Any employee may present a complaint or grievance concerning his or her job, working conditions, salary, relationship between employee and co-workers or supervisor, or the application of equal opportunity policies.

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B. Response to Grievance

The following steps may be taken in response to a grievance:

1. Employees should initially bring their grievance to the attention of their immediate supervisor or department head, who will investigate as necessary to determine the cause of the complaint and work with the employee to effect an equitable solution. The grievance should be submitted to the department head in writing. An answer to the grievance should be provided to the employee within a reasonable amount of time.
2. At the option of either party, the services of the equal opportunity officer may be requested. The equal opportunity officer may interview both parties, conduct additional investigation as necessary, and recommend appropriate corrective action and settlement conditions. The Officer may draw upon all resources at her/his disposal to arrive at recommended corrective and settlement conditions.
3. In the event mutual agreement cannot be achieved and resolution is required by the county, signed statements detailing the grievance and specific investigative action may be obtained by the equal opportunity officer from the employee and her/his supervisor.

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Seward County Personnel Policies and Procedures

3. Seward County Employment Status

3.1 Definition of Employment Status

- A. Full-time Employee. A full-time employee is one who has completed the introductory period and is scheduled to work at least 30 hours/week on a regular basis. All full-time employees will be eligible for all benefits and subject to all provisions as delineated in these policies unless otherwise agreed to in writing.

- B. Part-time Employee. A part-time employee is one who works at least 20 hours/week but not more than 30 hours/week. A part-time employee is subject to all provisions as delineated in these policies. Part-time employees will be eligible for fringe benefits only as delineated in these policies unless otherwise agreed to in writing.

- C. Fill-in Employee. A fill-in employee is one who is used on a temporary basis to supplement our work force or to fill a vacant position for a limited period of time. Fill-in employees are not eligible for any fringe benefits.

3.2 Citizenship Verification

All employees initially hired after November 6, 1986, for any position shall complete an employment eligibility verification statement in compliance with the Federal Immigration Reform and Control Act of 1986. Employees must also complete all Social Security W-4 forms prior to the end of their first 30 days of employment.

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3.3 Confidentiality

Confidentiality of business and personnel matters should not be compromised. Employees should not disclose confidential matters to family, friends or other persons.

3.4 Introductory Period

New employees will enter into an introductory period for the first 90 calendar days with Seward County. Upon completion of this period, employees will become eligible for certain fringe benefits as offered by Seward County.

3.5 Hours of Work/Illness and Tardiness Notification

- A. Hours of work. Regular work hours shall be from 9:00 a.m. to 5:00 p.m. Monday through Friday, subject to modification by department heads. Lunch hour is not considered an hour worked and may be taken at any time, subject to approval of the immediate supervisor. No specific time is allotted for other breaks.
- B. Notification. Employees are responsible for notifying Seward County in case of illness or if they will be delayed in reporting to work. Such notice shall be before 9:00 a.m.

3.6 Paid Time Off (PTO), Holidays, Overtime & Compensatory Time

A. Paid Time Off

Paid time off (PTO) has been provided to add flexibility to Seward County employees in taking time off away from their employment, but at the same time maintaining effective staffing at all levels of Seward County Government. The Seward County Board of Commissioners find that it is in the best interest of the Seward County employees to be responsible for determining how their time away from work will

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best suit their individual needs and preferences and that employees should be given flexibility in their paid time away from work.

This policy shall apply to all full-time employees.

Definitions

Absence - An absence shall be any time spent away from work on non-County business. An absence for an exempt employee shall be limited to time away from work greater than one day. An absence from work for any period less than one day shall not be considered an absence for exempt employees. An absence of any period from work shall be considered an absence for hourly employees.

Exempt employee - An employee whose job functions or duties are exempt from the overtime provisions of 29 CFR 207. An exempt employee shall earn a salary based on a monthly amount or an annual amount pro rata.

Full-time employee - An employee who has completed the 90-day, introductory period and is scheduled to work at least 35 hours per week per year or until the employee terminated employment, retires, or is deceased.

Hourly employee - An employee whose job functions or duties are not exempt from overtime provision.

Part-time employee - A part-time employee is an employee who works less than 35 hours per week on a regular basis. A part-time employee is not eligible for any fringe benefits. Hours worked is not the primary factor in status change.

Temporary employee - A temporary employee is an employee who is used on a temporary basis to supplement the work force or fill a vacant position for a limited period of time. Temporary employees are not eligible for any fringe benefits.

Eligibility for PTO

All full-time hourly and exempt employees will begin accruing PTO based on their employment status from:

Date of hire, or

Date of reclassification from temporary status or part-time status to full-time status.

Method of Accrual

PTO accrual will be based on the following chart. Employees shall accumulate based on a per pay period method. PTO accumulates while employees are utilizing leave.

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Exempt employees shall accumulate PTO based on their weekly employment status. No deductions shall be made for partial day absence.

Years of service shall be measured for all years of service as a full-time County employee, regardless of gaps in service or changes in position or function.¹

New employees shall accrue from the first day of service; however, new employees may not use PTO until they have been employed for 90 days.

Accrual Chart (per pay period)

Length of Service	Accrual
1 year or less ² (10days)	.31 days
2-5 years (days)	.88 days (23)
6-9 years (days)	1 days (26)
10-14 years (days)	1.27 days (33)
15 years and over	1.46 days (38 days)

Maximum Accumulation / Buy Back

The maximum accumulation of PTO by an employee shall be 512 hours or 64 days.

Employees who have accrued in excess of 512 hours or 64 days of PTO may exchange PTO in excess of 512 hours for wage based compensation at a rate of 2 hours of PTO for 1 hour of wage based compensation or may place hours in excess of 512 in extended sick leave up to 1,040 hours. Exempt employees may exchange PTO at a ratio of 2 weeks of PTO for 1 week of base compensation or place days in excess of 64 in extended sick leave.

Time placed in extended sick leave shall be lost upon termination or retirement.

Extended sick leave may only be used for events qualifying for Family and Medical leave and / or following a bone fide illness absence in excess of 3 consecutive days.

¹ From commencement of this change to December 31, 2004, exempt employees shall accrue PTO based on current years of service; however, exempt employees with 1 to 5 years services shall be credited with 5 days of PTO, employees with 6 to 10 years service shall be credited with 10 days PTO, and employees with over 10 years service shall be credited with 15 days PTO. A Department Head with the concurrence of the County Administrator shall have discretion in the application of these rules *granting up to 10 days of sick leave*. After December 31, 2004, all full day absences shall occur according the accrual chart.

² Employees starting 2 weeks after the adoption of these changes shall be subject to 1 year or less accrual rate. Employees hired within 1 year and before or within 2 weeks of the adoption of these changes shall be placed in the 2-5 year category.

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Use of PTO

Department heads / supervisors will have the authority to limit the use of PTO to insure adequate staffing.

PTO may be utilized by hourly employees in increments of ¼ of an hour or more at the Department Head's discretion. PTO may be utilized by exempt employees in whole day increments (exempt employees may not use partial day or hour increments).

PTO shall be used concurrently to an employee utilizing Leave of Absence status. (Refer to Family and Medical Leave Policy in this manual).

Termination of Employment Retirement

PTO Benefit Separation Policy

Definitions:

Accumulated PTO - an employee who works 35 hours or more per week.

Notice Of Separation - a written notice to the employee supervisor providing two weeks of notice until separation of employment and complete of those two weeks' notice at full-time status. Employee must complete the exit interview process.

Separation Types:

Voluntary Separation - a separation from the Seward County Employment initiated by the employee with written notice.

Layoff - A separation from Seward County employment initiated by Seward County for specific or non-specific reasons.

Seward County will allow an employee in Good Standing who voluntarily terminates his or her employment with Seward County with proper notice of separation; or who is separated from employment by a layoff; to:

1. Receive 10 days (80 hours) of accumulated PTO Leave at current rate of pay to be included on the employee's final paycheck. Employees who are terminated by Seward County or who separate without notice of separation and completion of that separation or who are not an Employee in good standing are not eligible for separation benefits. All other accumulated benefits will be forfeited at this point.

Employees who retire from Seward County under the plans offered by Seward County are eligible for a PTO buy out up to 512 hours. This benefit will be available to all full time employees who are eligible for KPERS or other applicable County sponsored

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retirement program and have at least 5 years of full-time service to the County.

PTO / Sick Leave Bank

The County shall establish a PTO bank for employees who suffer extended or unexpected major medical events.

Contributions - Any employee may contribute hours to the sick leave bank. A contributing employee shall contribute a particular number of PTO hours. The PTO hours shall be converted to dollars and placed in the bank. The County will attempt to permit the employee to donate the time in a way that will provide tax benefit to the employee, if possible.

Requesting Employees - An employee requesting hours from the PTO / Sick Bank shall be in all respects qualified for Family and Medical leave of absence.

The PTO Bank committee shall receive an application from the requesting employee. The committee shall be composed of the chair of the employee committee, the health plan administrator and a department head, chosen by the County Administrator.

The PTO Bank committee shall grant a request to use time from the PTO Bank based on the following factors: (1) prior usage of PTO; (2) whether PTO was sold back by the employee; (3) expected duration of illness; (4) supervisor's recommendation, and (5) information contained on the application for PTO bank hours, including review of medical information.

If an employee is denied any part or the employee's entire request for PTO bank hours, the employee may appeal the decision to the County Administrator. The County Administrator's decision on the matter is final.

B. Holidays. The official paid holidays for Seward County are as follows:

- a. New Year's Day
- b. Memorial Day
- c. Independence Day
- d. Labor Day
- e. Veterans Day

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- f. Thanksgiving Day
- g. The Friday following Thanksgiving Day
- h. Christmas Day
- i. Other holidays as designated by the board of county commissioners

Additionally, the office will close at noon on both Christmas Eve and New Year's eve unless these days fall on a weekend. If Christmas Day or New Year's Day falls on a Saturday, the office will be closed on the following Monday. Holidays are not considered to be leave time and shall not be treated or recorded as such.

Part-time employees, after one year of continuous employment, shall receive holiday pay based upon their normal hours worked per day for all holidays. In no event shall a part-time employee receive more than four straight time hourly pay for a holiday.

C. Overtime Employees may be required to work overtime hours during the course of employment.

- 1. Employees considered **non-exempt** from certain categories of the Fair Labor Standards Act (FLSA) shall receive overtime compensation or compensatory time and such other benefits under such terms and conditions as may be specified in the act. All hours worked over 40 in the work week shall have prior approval by the employee's department head or someone authorized by the department head to approve overtime hours.

D. COMPENSATORY TIME

- 1. The decision to allow compensatory time off rather than paid overtime, is at the discretion of the Department Head, provided the employee has been informed of the compensatory time off plans.

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2. Public safety, emergency response and seasonal workers may not accrue more than 480 hours of compensatory time (no more than 320 hours of actual overtime worked). All other types of employees may not accrue more than 240 hours of compensatory time (no more than 160 hours of actual overtime worked). An employee may transfer accrued compensatory time if transferred to a new position within the department.
3. Must allow an employee who has accrued compensatory time off to use that time within a reasonable period after the employee makes a request for its use, if the request is not unduly disruptive to the agency. A department determines what a reasonable time is by examining customary work practices within the agency (what is the normal schedule of work; anticipated peak workloads; emergency requirement for staff and services; and availability of qualified substitute staff). If the conditions under which an employee can take compensatory time off are contained in an agreement or understanding, the agreement or understanding will govern what is a "reasonable period" of time. Generally, compensatory time should be awarded by the end of the pay period following the pay period in which it was earned and must be taken within the same budget year in which it was earned.
4. Employees must be paid for all accrued compensatory time upon termination of employment, upon promotion to an exempt designated position, or if an employee transfers to another County department.
5. Employees considered **exempt** from the Fair Labor Standards Act (FLSA) will not be entitled to additional time off for occasional hours worked in excess of forty (40) hours per

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week. Compensatory time off may be granted, however, if an extraordinary number of additional hours are worked during any pay period. Such compensatory time off will not be considered personal leave time or holiday time.

- D. Longevity Pay. Once an employee has reached the top of the pay classification scale, full time employees are entitled to a paycheck bonus of \$5.00 a month, for a total of \$60.00 a year.

3.7 Leaves of Absence

- A. Sick Leave. Sick leave applies to employee sickness only and is not to be used for the illness of family members. Full-time employees accumulate paid sick leave at the rate of one day/month beginning with the date of employment. The maximum accumulation is 60 days.

Sick leave pay is in addition to any other compensation that may be due the employee. Employees will be eligible to receive sick leave pay only if absent from work because of illness or injury, including illness caused or contributed to by pregnancy. For verification of an absence, a doctor's signed statement may be required. It is each employee's responsibility to report sick leave claimed during the pay period for which sick leave is used. The report should be made to the designated person for recording purposes.

Sick leave may be used for post-partum recovery for the period of time the doctor deems it unsafe for the employee to return to work. A doctor's statement is required for an employee to collect sick pay for post-partum recovery. Sick leave may not be used for vacation, but may be used for doctor, dentist, optometrist visits or illness.

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- B. Family Sick Leave: Full time employees only are entitled to five paid days of family sick leave each year. Such leave cannot be accrued. Family sick leave is for immediate family, ie., grandparents, parents, children, and inlaws. One day of family sick leave = average number of hours worked each day.

- C. Grief Leave: Full time employees only are entitled to 5 paid days of grief leave in the event of a death in the immediate family, ie., grandparents, parents, children, inlaws. Grief leave can not be accrued.

- D. Jury Leave. Any employee subpoenaed to appear in court as a witness or selected for jury duty shall be granted unpaid leave from work for the purpose of testifying or for jury duty.

- E. Disability Leave. See [section of manual regarding American Disability Act]

- F. Military Leave.
 - a. Military Training. Any employee ordered to report for active duty as a member of a reserve component of the armed forces or national guard will be granted unpaid leave in accordance with K.S.A. 48-222.

 - b. Military Duty. Military duty consists of training and service performed by an inductee or enlistee in the armed forces of the United States, including time spent in reporting for an returning from such training in service. It also includes active duty training in the reserves of the armed forces of the United States or as a member of the National Guard.

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- G. Family and Medical Leave Act (FMLA). Seward County is an employer covered by FMLA. All eligible employees are entitled to the leave provisions provided under this act. Eligibility is extended to employers of 50 or more employees. Seward County is required to meet the posting and notice requirements of this act and every employee is provided with notice as required by law. [See section of manual regarding Family and Medical Leave Act.]

- H. Election Duty. Any employee may volunteer to assist the County Clerk of Seward County with the conduct of an election. Any employee volunteering as an election worker shall be granted paid leave from work for the purpose of assisting with the election or receiving training. Any employee volunteering in this manner shall receive permission from his or her department. Permission shall not be unreasonably denied.

3.8 Job Responsibility

Each employee of Seward county is assigned to work in a specific area of responsibility. The employee's immediate supervisor may assign additional tasks as required to fulfill the goals and objectives of Seward County.

3.9 Changes in Wages, Benefits and Policies

Seward County periodically reviews employee wages and the benefits, rules and policies set forth in this manual, and these may be changed by Seward County from time to time, without notice to employees.

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B. Compensation. Employees' salaries will be determined by the Department Head within the framework of the pay scales approved by the Seward County board of county commissioners. Paychecks are normally issued every two weeks. If a scheduled payday falls on a weekend or paid holiday, paychecks will be issued on the last scheduled work day prior to the scheduled holiday.

3.11 **Exit Interview**

Upon termination, some terminating employees may have an exit interview with the Human Resource Coordinator to explain rights under the fringe benefits program that may exist at the time of termination.

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4. Employee Rules and Discipline Policy

4.1 Purpose

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Seward County expects employees to meet the standards set for high-quality work performance and conduct. Corrective action, however, may be necessary from time to time for the purpose of maintaining the effective operation of Seward County.

4.2 Discipline and Corrective Action

Forms of corrective action may include oral counseling, written warnings and reprimands, probationary status, suspension from work and discharge.

4.3 Employee Rules and Discipline

Whenever people work together, some rules and guidelines for conduct are necessary. We have not attempted to list every Seward County rule or policy but instead have listed some basic rules. Seward County will discipline, up to and including discharge, for violations of Seward County rules or policies that occur while the employee is at work. Seward County rules, policies, or procedures include but are not limited to the following:

General Conduct

- A. Insubordination or failure to carry out Seward County instructions or rules or other policies of Seward County as set forth in this Policy Manual or otherwise made known to employees.
- B. Dishonesty, inefficiency, incompetency, or neglect of duties; carelessness which endangers the physical welfare of oneself or others and/or subjects Seward County property to damage or Seward County to costly litigation.
- C. Repeated tardiness or unexcused absences. Absent without being on leave; failure to notify in a timely manner and provide valid excuse to supervisory personnel of absence.

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- D. Falsifying information contained in employment applications, reports, written statements or time cards.
- E. Unauthorized possession, theft, damage, distribution, sale or removal of property, goods or services owned by Seward County or its employees.
- F. Rudeness or unprofessional conduct while on duty. Abusive or discourteous language, threats, fighting or injury to the person or property of Seward County, personnel or others doing business with or seeking to do business with Seward County.
- G. Actual physical violence toward another.
- H. Possession, transfer, use or sale of all forms of narcotics, depressants, stimulants, hallucinogens or other drugs at the workplace whose possession or use, transfer or sale is prohibited by law.
- I. Criminal acts or vandalism.
- J. Unauthorized use of Seward County's long distance telephone service for personal toll calls.
- K. Unauthorized disclosure of confidential business or personal information.
- L. Sexual harassment, including but not limited to unwelcome advances, verbal and physical conduct, where such harassment has the purpose or effect of unreasonably interfering with a staffer's work performance or creating an intimidating, hostile or offensive working environment.
- M. Discrimination with regard to race, color, sex, national origin, ancestry, age religion, creed,

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marital status, disability or status as a disabled veteran.

Safety

- A. Failure to report personal injury or property damage accidents to supervisory personnel.
- B. Failure to follow safe working practices.
- C. Contributing to unsafe, unsanitary or unhealthy conditions.
- D. Possession of firearms, explosives or concealed weapons in the Seward County's office building.

This list is intended to be representative of the types or activities which may result in disciplinary actions. **It is not intended to be comprehensive and does not alter the employment-at-will relationship between the employee and Seward County.**

Seward County Personnel Policies and Procedures

5. Americans with Disabilities Act (ADA)

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Title I of the ADA states that "no covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment."

Title II of the ADA states that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

5.1 Statement of Purpose

To provide a reasonable policy and procedure that will facilitate equal opportunities for disabled persons to participate in and benefit from services, programs, or activities sponsored by Seward County. Seward County, upon request, will provide reasonable accommodation in compliance with the Americans with Disabilities Act (ADA).

5.2 Statement of Policy

Seward County does not discriminate on the basis of race, color, national, origin, gender, religion, age marital status, or disability in employment or the provision of services.

5.3 Statement of ADA Practices

Seward County will provide auxiliary aids and services (interpreters, readers, assisted listening devices, text telephones, large print materials, audio tape, help in filling out forms, and other similar aids and services) if necessary and if such reasonable accommodation can be provided without undue hardship to Seward County.

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5.4 Employment Practices

Employment practices (e.g. hiring, training, testing, transfer, promotion, compensation, benefits termination, etc.) will be administered in such manner as to not promote discrimination of disabled employees.

5.5 Recruitment and Selection

Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of disability. Reasonable accommodation will be provided upon request during an application/interview process.

5.6 Boards and Commissions

Board and commission meetings will be held in accessible locations. Upon request, reasonable auxiliary aids will be provided.

5.7 Construction and Renovation

All future construction and renovation of Seward County-owned buildings and facilities will be carried on in accordance with the State of Kansas Barrier-Free Code regulations and ADA Accessibility Guidelines (ADAAG).

5.8 Education and Training

Seward County employees and supervisory staff should reasonably accomodate disabled persons to allow them to participate in and benefit from Seward County programs, services, and activities.

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5.11 Grievance Procedure

- A. A complaint may be filed either in writing or verbally. It shall consist of the name and address of the person filing it, or on whose behalf it is filed, and a brief description of the alleged violation of the ADA regulations.
- B. Complaints should be address to: Human Relations Coordinator, Seward County Courthouse, 415 N. Washington, Liberal, Kansas. The Human Relations Coordinator has been designated to coordinate ADA compliance efforts. She/he should maintain the files and records of Seward County relating to the complaints filed and ensuing investigations.
- C. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation should be commenced by the Human Relations Coordinator, or the designee of the Human Relations Coordinator, within a reasonable amount of time.

Seward County Personnel Policies and Procedures

6. Family and Medical Leave Policy

6.1 Notice

Notice of the County's adoption of this Resolution shall be posted in all departments and at the Commission Office.

6.2 Leave

Upon request, any employee will be granted up to 12 weeks of unpaid family and medical leave during any 12 month period. Such leave will be available as the result of the birth, adoption or placement of a child with employee

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for foster care, to care for a spouse, child or parent with a serious health condition or due to the disabling illness of the employee. Where possible, employees are required to provide at least 30 days notice before beginning to take leave.

6.3 Limitations and Conditions

It is the policy of Seward County to require an employee to use up paid leave before taking unpaid family and medical leave.

6.4 Serious Health Condition Defined

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition involving inpatient care or continuing treatment or supervision by a health care provider.

6.5 Eligibility

An employee must have worked for Seward County for at least 12 months and for a minimum of 1,250 hours during the previous year. Where a husband and wife work for Seward County, the **combined** total number of weeks leave to which both are entitled will be limited to 12 weeks during any 12 month period. Where leave is requested as a result of a serious health condition, the employee will provide Seward County a certification statement issued by a health care provider. Should there be a question of validity of the certification provided by the employee, Seward County may, at its own expense, require an opinion from a second health care provider. Where there is a conflict between the two opinions, Seward County may pay for the opinion of a third provider, The opinion of the third provider is binding on both the employee and employer.

6.6 Notification

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Employees are expected to provide at least thirty days notice of the need for leave for birth, adoption, or planned medical treatment. No notice is required for unforeseen events such as premature birth, or sudden changes in patient's condition that requires a change in scheduled medical treatment. Seward County also recognizes that parents who are waiting to adopt a child are often given short notice. Notice is waived for employees who face emergency medical conditions or unforeseen changes.

6.7 **Restoration**

An employee returning from family leave will be entitled to return to the same position or to a position with equivalent benefits, pay and other terms and conditions of employment.

6.8 **Key Employees**

Under certain conditions, employees who are designated as "key" may be denied job restoration rights. Key employees must be both salaried and among the highest paid ten percent of salaried and unsalaried employees employed by the county. Restoration for a key employee may be denied only if such a denial is necessary to prevent substantial and grievous economic injury to the operations of the employer. The employer must notify the employee of its intent to deny restoration once the employer determines a substantial and grievous injury would occur. If the key employee is already on leave when notice is given, the employee must be given an opportunity to return to work in a reasonable amount of time. If a person designated as a key employee still takes family leave, Seward County will pay the health care premiums, but no guarantees are made about returning them to the jobs they left. Seward County will not attempt to recover health care premiums from such employees who do not return to work.

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6.9 Vacation and Sick Leave

Employees on family leave will not accrue any seniority, vacation or sick leave benefits.

6.10 Health Insurance Coverage

Seward County will continue to provide health care coverage under the same provisions as prior to the leave. When an employee fails to return from leave, Seward County can recover the premium(s) that have been paid on behalf of the employee to maintain health care coverage. If failure to return to work is due to the continuation, recurrence, or onset of a serious health condition beyond the employee's control the employee will not be liable for health care premiums paid while on family leave. In such cases, a certification issued by a health care provider will be required.

6.11 Medical Certification Requirements

An employer may require a certificate from the health care provider to justify granting leave to an employee who requests leave to care for an ill family member or because of one's own serious health condition. The employee is required to provide such certification in a timely manner. If the employer has reason to doubt the validity of the certification, the employer may require a second opinion by a health care provider designated or approved by the employer and at the employer's expense. In the case of conflicting opinions, the employer may require a third and binding opinion from a health care provider jointly approved by the employer and employee, and at the expense of the employer. A list of health care providers approved by the county may be obtained from the Human Relations Coordinator at the Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901.

6.12 Content of Certification

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Employees must provide certification explaining their own serious health condition or that of a family member. It should detail the date on which the condition began; the probable duration of the condition; appropriate medical facts regarding the condition; a statement that the employee is needed to care for a spouse, parent or child for a specified amount of time; a statement that the employee's own health condition makes it impossible for him or her to work.

6.13 Certification for Return to Work

All employees returning from medical leave caused by their own illness will be required to obtain medical certification from a practicing physician that the employee is able to resume work.

6.14 Reporting Requirements

Employees on leave status will be required to report their status on a weekly basis. The employee's estimated date of return to work will be communicated to the Human Relations Coordinator or appropriate Department Head as far in advance as practical so that scheduling can be facilitated. The appropriate Department Head will communicate with employees during the leave to determine the employee's intention to return to work. The appropriate Department Head should be informed immediately if the medical condition changes or the employee states that he or she will not be returning to work.

6.15 Reduced or Intermittent Leave

The employee and Seward County may work out an agreement by which leave may be taken intermittently or on a reduced leave schedule. While this would not reduce the employee's twelve week entitlement for the full year period, it would enable him or her to spread the leave over a longer period of time.

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Employees who take intermittent leave may be transferred to another position that would better accommodate a part-time schedule. They would receive equivalent pay and benefits during the temporary transfer.

6.16 Reduction of Force

Employees who are on a family or medical leave during a layoff will be treated in exactly the same way as they would have been treated if they were on leave. They will not be given preferential treatment because of the leave, nor will it be held against them in the layoff selection. They will be recalled to work in the same order as they would have been under normal circumstances.

Passed by the Board of County Commissioners of Seward County this ____ day of _____, 19__.

Joe Sealey, Chairperson
Seward County Board of Commissioners

ATTEST:

Doris Malin, Seward County Clerk

Seward County Personnel Policies and Procedures

7. POSITIVE WORKING ENVIRONMENT POLICY

7.1 SCOPE, TITLE and DESIGNATION OF VIOLATION

This directive shall apply to all personnel. The title of this policy shall be the "Positive Working Environment Policy." Violations of this policy shall be reported in the employee's personnel record as

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violations of the Positive Working Environment Policy.

7.2 PURPOSE

To clearly prohibit harassment and inappropriate conduct based on age, race, religion, sex, national origin, disability, or any other protected classifications.

7.3 APPLICATION

This directive is for internal use only, and is not intended to enlarge the employees' civil or criminal liability in any way, and it shall not be construed as the creation of higher legal standard of safety or care with respect to third party claims or duties.

Noncompliance with this policy constitutes a violation of an employment duty. Noncompliance that is also a violation of the law may be prosecuted separately by any entity with appropriate jurisdiction. Violation of this policy shall form the basis of disciplinary action with this County. Adjudication or investigation of a claim by an appropriate entity that results in a finding of "reasonable cause" or culpability by an individual is a per se violation of this policy and an automatic breach of an employment duty.

7.4 POLICY

It is the policy of this County that as employees you have the right to expect a working environment free from verbal or physical conduct that is the source of reasonable offense regarding age, race, religion, sex, national origin, disability or any other protected classifications

7.5 WHAT IS HARASSMENT AND OTHER INAPPROPRIATE CONDUCT

This policy covers:

- a. Submission to such conduct or communication is made an express or implied condition of obtaining or retaining (or any other tangible employment factor) employment.

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- b. Such conduct or communication that has the purpose or effect of interfering with an employee's duty assignment or work performance or creating an intimidating, hostile, or offensive environment.
- c. Behavior that meets the above criteria and effects the employment environment of County vendors, citizens, or others; if the employee is readily identifiable as an employee of the County.

7.6 DEFINITIONS

This policy utilizes the following definitions:

- a. "Employee" includes all personnel, both sworn and civilian.
- b. "Harassment" includes any unwarranted or repeated verbal or physical advances, provocative or suggestive statements, innuendo, or comments, or conduct or physical contact made by another employee which are reasonably offensive or which reasonably causes the recipient discomfort or humiliation or which reasonably interferes with the recipient's work performance. **The conduct must serve no legitimate employment purpose.**
- c. "Inappropriate Conduct" includes any conduct, verbal or physical, which is of an ethnic, age, disability, racial or religious nature
- d. "Shall" is mandatory, not permissive.

7.7 NON-COMPLIANCE

Failure to comply with the provisions of this directive shall result in disciplinary action up to and including termination. Any employee who has an alleged misconduct complaint and violates Section 6 during or after the investigation may be subject to immediate discharge.

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A complainant who fails to report specific acts of misconduct shall not be subject to discipline. Use of this policy shall be considered an administrative procedure and should be exhausted prior to a complainant seeking outside remedies. A complaint that is not resolved to the satisfaction of either a complainant or an alleged harasser shall be subject to appeal to the Board of County Commissioner.

7.8 PROCEDURE

The following procedure shall be used unless expedience or statute requires a different process:

- a. An employee who believes he/she has been subjected to harassment or unwanted conduct shall report the incident within ten (10) days after the alleged occurrence, to either his/her immediate supervisor or to their department head. If the employee does not feel comfortable reporting the conduct to his/her supervisor, he/she may report the conduct to his or her department head, the County Administrator, the Human Resources Director, by confidential letter addressed to the Chairperson of the Commission, or the Commission Assistant.
- b. A complaint of harassment or inappropriate conduct shall be promptly investigated by the Office of the County Administrator or his/her designate, except in any case where the Administrator or a member of his/her office is implicated in the complaint. If the Administrator or anyone in his/her office is implicated in the complaint, the Chairperson of the County Commission shall administrate the investigation through outside legal counsel. Every effort will be made to handle all such complaints in fair,

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impartial, and speedy manner, with concern for the principles of due process and fairness. In order to protect both the person making the complaint and the person(s) against whom the complaint is made, every reasonable effort will be made to handle all complaints in a confidential and discreet manner.

- c. A meeting shall be held between the person making the complaint and the Administrator or his/her designate, as soon as possible, but not later than ten (10) days following the report of the alleged occurrence(s). Following the meeting, the employee(s) against whom the complaint has been made shall be given a full opportunity to respond to allegations. The investigation conducted shall also include interviews, where appropriate, with other witnesses to the alleged occurrence(s) of harassment or improper conduct. Following completion of the investigation, if it is determined that harassment or inappropriate conduct did, in fact, take place, immediate action, including discipline, if appropriate, will be taken to remedy the situation and prevent its recurrence.
- d. All command and supervisory personnel shall be expressly responsible for immediately reporting any occurrences they witness or become aware of in any area of the County. If, at all possible, immediate action shall be taken by command and supervisory personnel to limit and restrict, during the pendency of the complaint, any work assignments or contact between the employee making the complaint and the employee(s) against whom the complaint is made.
- e. Retaliatory actions or conduct of any kind taken by any member of the County against

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an employee as the result of that employee having sought redress under this policy and procedures is strictly prohibited and shall be regarded as a separate and distinct violation of the County policies and procedures.

7.9 EXAMPLES

The following is a non-exclusive list of violations or potential violations of this policy:

- a. Repeated promulgation of materials of a religious nature after a request to stop.
- b. Repeated sexual or racial comments
- c. Sexually oriented horseplay.
- d. Repeated requests for sexual favors
- e. Repeated requests for intimate contact
- f. Sending or intentionally receiving pornographic materials, use of company computers or other equipment to send or intentionally receive material of a reasonably offensive nature (e.g. racial slurs or jokes, hate group materials, anti-protected class jokes or materials).
- g. Display of items listed in f.

7.10 EMPLOYEES OBLIGATION

Employees are obligated to help Seward County maintain its positive environment. It is the employee's obligation to report violations of this policy or situations that are negatively affecting the employee's well being. Employees are obligated to assist and cooperate in the investigation of claims, provide honest testimony and work to remedy the working environment.

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7.11 **HOW TO AVOID VIOLATING THIS POLICY**

Avoid behavior that risks violation of this policy. If in doubt, don't do it. Listen to co-workers. If a co-worker, objects to your behavior discontinue the behavior.

8. Smoke Free Workplace Policy

The United States Surgeon General, in his 1986 report, concluded that involuntary smoking is a cause of disease including lung cancer in healthy non-smokers. The Environmental Protection Agency has declared secondhand smoking a potential human carcinogen that poses greater public health risks than those of virtually any pollutant regulated under federal laws;

The Environmental Protection Agency (EPA) has declared secondhand smoke a potential human carcinogen that poses greater public health risks than those of virtually any pollutant regulated under federal laws.

The EPA report concluded that environmental tobacco smoke (ETS) should be designated as a "Group A" carcinogen that poses greater public health risks than those of virtually any pollutant regulated under federal laws; and it has been well documented that tobacco smoke hurts everyone, smokers and non-smokers alike.

8.1 Statement of Intent

Seward County is dedicated to providing a healthy and smoke free work environment for our employees. Cigarette smoking in the presence on non-smokers no longer can be defended as an issue of free choice. Tobacco smoke hurts everyone, smokers and non-smokers alike. And the right of all our employees to breathe safely is more important than the right of some of them to smoke.

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8.2 Statement of Policy

Smoking shall be prohibited within the Seward County Courthouse with the exception of those areas deemed judicial in nature, i.e., the courtrooms and related areas, which shall be governed by the administrative judge as provided by law.

This smoking prohibition shall include, but not be limited, to offices, hallways, waiting rooms, restrooms and meeting rooms.

Smoking shall be prohibited in all Seward County owned vehicles.

Smoking shall be prohibited in all Seward County jails, detention facilities, and prisoner accommodations.

This policy shall apply to, but not be limited to, all elected officials, employees, visitors, prisoners, and others who shall be on or about the premises.

8.4

Disciplinary Action

Employees who violate this policy shall be subject to prosecution under the provisions of K.S.A. 21-4010 and amendments thereto. Any person found guilty of smoking in violation of this statute shall be punishable according to the penalties provided in K.S.A. 21-4012 and will be subject to the same disciplinary actions that accompany infractions of other Seward County rules including discharge.

Employees who violate this policy may be reported to their immediate supervisor or the appropriate compliance officer. Your compliance officer is the Seward County Human Relations Coordinator, Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901. All reports shall be kept in strict confidence.

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Seward County Personnel Policies and Procedures

9. Records Policy

9.1 Purpose

The purpose of this policy is to comply with the Kansas Open Records Act and to make records of Seward County accessible for inspection by the public.

9.2 Definitions

- A. "Official Custodian" means the officer responsible for the maintenance of the public records of Seward County.
- B. "Custodian" means any officer or employee of Seward County designated by the official custodian as an individual having actual possession of Seward County's public records and authority to carry out the duties of the official custodian with respect to the records in his/her possession.
- C. "Public Records" mean any information which is kept, made, maintained or in the possession of Seward County which is required to be made available to members of the public.

9.3 Access to Public Records

Upon request made to Seward County's custodian, any person may inspect Seward County records or make abstracts or obtain copies of such records.

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9.4 Designation of Custodian

The Seward County Clerk will be the official custodian of all official records of the board of county commissioners and records which are required by law to be maintained by Seward County and will serve as official custodian of all personnel files except for personnel records independently by Seward County.

9.5 Request for Access to Public Records

- A. Any person seeking access to public records of Seward County must make such request in writing to the official custodian. The request must contain the requestor's name, address, and information sufficient to identify the records sought.
- B. Each official custodian of public records shall designate such persons as necessary to carry out the duties of custodian and shall ensure that a custodian is available during regular business hours of the public agency to carry out such duties. K.S.A. 45-220(e).
- C. If the person to whom the request is directed is not the custodian of the public record requested, such person shall so notify the requester and shall furnish the name and location of the custodian of the public record, if known to or readily ascertainable by such person. K.S.A. 45-218(c).
- D. The official custodian will seek information concerning the reason the record is being requested and will maintain a record of all such requests including the date received and the date answered.
- E. Request for access may be made during Seward County's normal business hours of 9:00 a.m. to 12:00 a.m. and 1:00 p.m. to 5:00 p.m., Monday through Friday, unless otherwise designated by the official custodian.

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- F. Requests for access will be acted upon as soon as possible and no later than the close of the third business day following the date upon which such request is received. If a request is not acted upon immediately, the official custodian will give detailed explanation of the cause of delay and the time, date and place the record may be made available for inspection.

9.6 Request for Access, Denied

- A. The official custodian may deny access to public records for reasons as enumerated in this policy statement or as excepted by the Kansas Open Records Act As amended, pursuant to other laws, orders, or authoritative instruction.
- B. The official custodian may deny access to a public record, or to permit inspection, if, in the opinion of the custodian, the request places an unreasonable burden upon Seward County in producing such records or if the custodian believes that repeated requests are intended to disrupt other essential functions of Seward County. The custodian may also deny access if the records fall within one of the excepted categories enumerated in the Kansas Open Records Act under K.S.A. 45-221 as amended.
- C. If access to public records is denied, the official custodian will provide to the person requesting the records a written statement of the reason for the denial and shall cite the specific provision of law relied upon in making the denial.

9.7 Legislative Records of Board Members

- A. Personnel records which are made, maintained or kept by an individual member of the board of county

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commissioners, will not be considered public records.

- B. Public access will be denied to notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed; provided, however, if such records are publicly cited or identified in an open meeting or in an agenda of an open meeting, then the records may be accessible to the public for inspection.
- C. Public access shall be denied to records pertaining to proposed legislation or research prepared for one county commissioner; provided, however, such records may be accessible to the public for inspection if the records are cited or identified in an open meeting or in an agenda to an open meeting, or they are distributed to a majority of a quorum of the board of county commissioners with authority to take action or make recommendations to the board of county commissioners on the matters to which such records pertain.

9.8 Personnel Records

- A. The public will be denied access to all personnel records or records concerning application or review for employment; except that the public may have access to employees names, positions, salaries and length of employment or service.
- B. Any request for information concerning personnel data shall be referred to the official custodian. This, however, shall not preclude officials or employees from providing information concerning employment references.
- C. Employees shall have the right to review their own personnel records and nothing in these provisions

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shall abridge rights of employees concerning their own records as provided by law, government rules and regulations, or employment contracts.

9.9 Computer Records

- A. Software programs for electronic data processing and data bases may not be copied or accessed. Seward County shall maintain a register open to the public that describes the information which the agency maintains on computer facilities and that certain information may be made available using existing computer programs to generate records.
- B. Computer generated printouts may be copied by photocopying. If such data is not in printout form, a printout may be requested.
- C. When computer generated data is made available in printout form the person requesting the copies will make advance payment to Seward County for the cost to Seward County in generating the printout form.

9.10 Deletion of Information

In some instances information contained in a particular record may not be open or made accessible to the public; however, other information contained in the same record may be open and accessible to the public. In such instances, the confidential or otherwise protected information will be deleted before the record is made accessible to the public for inspection.

9.11 Records Not Open for Public Access or Inspection

Certain records maintained by Seward County may involve valid public purposes, but due to the nature of the records may not be made generally accessible for public inspection. Below is a list of records which may not be made generally accessible. This list, however, is meant

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as a partial guideline to commonly accessible documents Seward County encounters.

Records not generally accessible to the public under K.S.A. 45-221 and amendments thereto:

- A. Letters of reference or recommendation pertaining to the character or qualification of an employee.
- B. Information which would reveal the identity of an employee who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation.
- C. Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.
- D. Criminal investigation records.
- E. Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.
- F. the contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts.
- G. Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or

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determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

- H. Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319 and amendments thereto.
- I. Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.
- J. Specifications for competitive bidding, until the specifications are officially approved.
- K. Sealed bids and related documents, until a bid is accepted or all bids rejected.
- L. Public records containing information of a personal nature where public disclosure would constitute a clearly unwarranted invasion of personal privacy.
- M. The bidder's list of contractors who have requested a bid proposal for construction projects from any public agency, until a bid is accepted or all bids rejected.
- N. Financial information submitted by contractors in qualification statements to any public agency.

9.12 Copies of Public Records

- A. Copies of public records may be obtained upon request. The request for copies may be oral or written any may be made to the official custodian or person(s) designated by the custodian. Copies

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of the public records shall be made by the official custodian or person(s) designated by the custodian. In no instance will original public records be removed from the office or place where such records are kept or maintained except with written permission from the custodian.

- B. Computer generated material may be copied, pursuant to the provisions set forth in Article 9.9(A) hereinabove.
- C. Persons requesting copies of public records will make an advance payment of the fee indicated in article 13 below.

9.13 Fees for Copies of Public Records

- A. Photocopies of public records may be obtained at \$.50 per page for documents 8 1/2 x 11 inches or smaller. The rate for copies of other documents shall be designated by the official custodian upon request for such copy or the rate may be set in advance for routinely requested documents.
- B. A public agency shall not be required to provide copies of radio or recording tapes or discs, video tapes or films, pictures, slides, graphics, illustrations or similar audio or visual items or devices, unless such items or devices were shown or played to a public meeting of the governing body thereof, but the public agency shall not be required to provide such items or devices which are copyrighted by a person other than the public agency. K.S.A. 45-219.
- C. Fees may be assessed for the amount of time spent by an employee in recovering and compiling information, copying material, or in supervising the copying of material. Such fees will reflect the reasonable amount of time spent in complying with a request for copies.

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- D. Fees may be assessed for services and employee time when copies are not available through Seward County and must be obtained through other facilities. Fees collected shall be remitted to the state treasurer. K.S.A. 45-219.

Seward County Personnel Policies and Procedures

10. Employee Benefits

10.1 Health

Each full-time employee is eligible to receive health insurance benefits from Blue Cross Blue Shield after the employee has completed their ninety day introductory period. Benefits will start on the 1st day of the month following the ninety day introductory period.

An information pamphlet concerning your health insurance plan may be obtained from the Payroll Clerk at the Seward County Clerk's Office, 415 N. Washington, Liberal, Kansas 67901.

Further information concerning coverage may be obtained from:

*Telehelp 1-800-346-2227

*Blue Cross Blue Shield Representative,
Pat LeClerc at (316)276-3981.

The Seward County Group Insurance Number is 57524, and the Employee's Individual Insurance Number is their social security number.

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10.2 Retirement Benefits

Seward County participates in the Kansas Public Employees Retirement System (KPERs). All Seward County employees are eligible for the KPERs benefits to the extent KPERs rules and regulations permit. An employee must be employed for one year by Seward County before the employee becomes eligible for retirement benefits. The employer match may change annually after an evaluation and actuarial analysis the KPERs Board of Trustees.

An information pamphlet concerning your health insurance plan may be obtained from the Payroll Clerk at the Seward County Clerk's Office, 415 N. Washington, Liberal, Kansas 67901.

10.3 Life

In the event you die, regardless of the cause, the amount of the life insurance as shown in your Group Insurance Certificate will be paid to your beneficiary. You name your own beneficiary and may make a change at any time by making a written request to the company.

Information concerning the details of your life insurance may be obtained from the Payroll Clerk at the Seward County Clerk's Office, located at Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901.

Further information may be obtained from:

*Telehelp 1-800-346-2227

*Blue Cross Blue Shield Representative, Pat LeClerc (316)276-3981.

The Seward County Group Number is 57524, and the Employee's individual number is their social security number.

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10.4 Workers' Compensation

Seward County employees are covered by workers' compensation insurance in accordance with state law and regulation. An employee who has a job-related injury or illness should report it immediately to the Human Relations Coordinator, Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901 to receive proper coverage.

10.5 Dental

Seward County has a Dental Care Program which offers complete coverage for primary services, with additional coverage for more complex dental services. Not all services are covered and there is a dental waiting period for late enrollees.

Information concerning the details of your dental plan may be obtained from the Payroll Clerk at the Seward County Clerk's Office, located at Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901.

Further information may be obtained from:

*Telehelp 1-800-346-2227
*Blue Cross Blue Shield Representative, Pat LeClerc (316)276-3981.

The Seward County Group Number is 57524, and the Employee's individual number is their social security number.

10.6 Prescription Drug Card Program

This program is a managed care prescription drug plan which provides coverage for outpatient prescription drugs approved for general use in the United States by the Federal Food and Drug Administration and requiring a written prescription order from a doctor.

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The patient's doctor must give a report to Blue Cross and Blue Shield of Kansas as to the medical necessity of the drug, and the company must authorize coverage to the pharmacy before purchase. There is a deductible of \$5.00 or \$10.00 depending on the type of drug purchased.

Information concerning the details of your dental plan may be obtained from the Payroll Clerk at the Seward County Clerk's Office, located at Seward County Courthouse, 415 N. Washington, Liberal, Kansas 67901.

Further information may be obtained from:

*Telehelp 1-800-346-2227
*Blue Cross Blue Shield Representative, Pat
LeClerc (316)276-3981.

The Seward County Group Number is 57524,
and the Employee's individual number is their
social security number.

10.8 Deferred Compensation

A. Statement of Policy

Seward County provides a voluntary option to any regular employee to invest a portion of his/her present earnings in a deferred compensation plan with Aetna Life Insurance & Annuity Company (ALIAC). In this plan, an amount of money is designated by the employee to be withheld from his/her paycheck and invested for payment at a later date, usually at retirement, when most people are in a lower income bracket. Under this arrangement, neither the deferred amount nor earnings on the investments are subject to current federal income taxes until such time as the employee receives payment from the plan.

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Benefits received through this program are in addition to any social security benefits for which the participating employee would be eligible.

Seward County Personnel Policy and Procedures

11. Training and Licensing Policies

11.1 Purpose

To promote and facilitate training and career education which meets the needs of Seward County.

11.2 Definitions

As addressed by this policy, training is defined as any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by Seward County.

11.3 Statement of Policy

It is the policy of Seward County to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to Seward County will be more efficient and effective.

From time to time, employees may identify individual courses or seminars that would contribute to their job

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performance, the understanding of their position, or Seward County's operations. Employees are encouraged to summarize their thoughts on how the program would aid the employee in benefitting Seward County and submit a request for training to their department head. If approved, tuition and expenses will be funded in whole or in part by Seward County.

11.4 College Level Courses

Employees are encouraged to continue their formal education through participation in off-duty/non-working hours educational programs. Reimbursement for educational expenses incurred by such participation may be granted for job-related courses with prior approval of the employee's department head, provided funds have been budgeted for such reimbursement.

Any reimbursement shall only be after successful completion of the course or program. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of C (2.0 grade point) or better in the case of academically rated courses or a grade of B (3.0 grade point) for postgraduate courses, or attainment of pass in a pass/fail grading system. Courses or seminars attended through the Kansas Association of Counties (KAC) do not require a certificate of satisfactory completion or a grade, but do require full attendance. Tuition reimbursement is for the course only; no reimbursement will be allowed for books, lab fees, travel expenses or material costs. Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes.

Request for reimbursement must be made within 30 days following the completion of the course of study. Training reimbursement is generally available to only those employees who have successfully completed the employee's designated introductory period.

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Consideration of employee request for tuition reimbursement is dependent upon budgetary constraints and the recommendation of that employee's department head. **Time spent in attendance at these courses shall be considered the employee's personal time and is not counted as time worked.**

11.5 Training Programs And Professional Certification Programs

It is our policy to maximize comprehension, retention and transference of training provided by Seward County. Attendance at all training and professional certification programs will be pre-approved by the employee's department head.

Within five (5) days of return from a training program, employee(s), if requested to do so by their immediate supervisor, shall develop a lesson plan or outline to share the information with an appropriate audience. All training materials, outlines and manuals shall become the property of Seward County.

11.6 County Sponsored and Required Training Programs

Seward County sponsored and required training shall generally be arranged during regularly scheduled work hours. Such required training shall be recorded as time worked within the meaning of this policy.

Employees who acquire training on their own time and expense are encouraged to notify their department head or the human relations officer so the information can be noted in the employee's personnel file.

11.7 Special Licenses And Membership Fees

Seward County will pay the current annual dues or fees for each employee who is required by ordinance or state or federal law to be a member of a professional

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organization or who must maintain current a particular designation, certification or license as a condition of employment. Membership in other professional organizations that promote individual growth, competence and effectiveness are encouraged.

Seward County Personnel Policy and Procedures

12. Business Travel Policy

12.1 Purpose

To establish policy guidelines on reimbursement for expenses while on Seward County business.

12.2 Statement of Policy

It is the policy of Seward County to reimburse employees for reasonable and necessary expenditures made by employees while on official Seward County business.

Prior to approving and forwarding to the County Clerk any purchase order for reimbursement of expenses, the department head is encouraged to have authoirzed the travel to the meeting or function for which reimbursement is sought. To receive reimbursement, all expenses must be itemized. Claims for reimbursement of travel expenses, other than mileage, shall, whenever possible, be accompanied by cash or credit card receipts showing proof of payment of such claims, except the daily meal per diem as provided hereafter.

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12.3 **Overnight Trips**

- A. Lodging. Lodging shall be reimbursed for out of town travel at moderately priced, or best value hotels or motels, including accommodations at or near convention sites or other locations.

- B. Meals. Reimbursement for meals, including tips shall be limited to \$45.00 per day, or as authorized by special approval on a case by case basis by the Board of County Commissioners. For partial day reimbursement, the following amounts shall not be exceeded for meals:

Breakfast	\$7.00
Lunch	\$13.00
Dinner	\$25.00

In the event a meal or meals are included in a registration fee of an event being participated in by the person seeking reimbursement, the partial day reimbursement rate or rates shall apply.

- C. Transportation. The cost of actual travel by way of the most direct route by privately owned conveyance, or commercial means of transportation. Commercial means of transportation shall be approved in advance by the department head. If a two-for-one airline ticket is utilized for the benefit of a family member or friend, it must be the cheapest ticket available for that flight or the employee must pay the difference between the cheaper flight ticket and the two-for-one flight ticket.

Employees who utilize their personal vehicles on travel assignments will be allowed te IRS allowable rate per mile. Said rate shall be construed to cover all costs relating to the use of personal vehicles including but not limited to gas, oil,

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tires, repairs, insurance, license fee, and depreciation costs. Parking charges and/or turnpike tolls shall be allowed in addition to the mileage allowance. When travel is being conducted in County owned vehicles, reimbursement shall be limited to only those necessary and required out of pocket expenses for the operation of the County owned vehicles, including but not limited to gas, oil, tolls, parking, and storage fees.

Each employee who drives a private vehicle on Seward County business must have liability insurance on said vehicle.

- D. Car-pooling. When two or more employees are attending the same seminar, convention or meeting, car-pooling shall be practiced whenever possible.

- E. Travel for Employee Convenience. If an employee for his or her own convenience travel by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel be for only that part of the expense as would have been necessary in order to travel the most direct route.

- F. Telephone. Telephone reimbursement shall be limited to official County business only. Personal phone calls shall not be considered as a reimbursable expense.

- G. Other expenses. Any other expense, actual, necessary, and ordinary as an out of pocket expense in connection with the requirement of the function participated in by the person seeking reimbursement, shall be considered on a case by case basis.

- H. Accompaniment. When a county employee is accompanied in travel by family or friends, all additional expenses incurred as a result of the

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accompaniment of family and friends will be paid by the employee.

- I. Alcohol and Tobacco Products. All alcohol and tobacco products, including non-smoking tobacco products, are not reimbursable.

12.4 Local Travel and Expenses

- A. Local Mileage. No mileage will be paid for commuting from an employee's personal residence to the work place, unless approved by the county commissioners.

- B. Local Meals. Except for authorized entertainment purposes, reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of Seward County for a specific purpose, or where the employee's attendance will directly benefit Seward County. No reimbursement will be allowed for meetings which are of a purely social nature. The request for reimbursement of local meals should include the following information when possible:
 - (1) Date
 - (2) Place
 - (3) Meeting Attended
 - (4) Specific Reason for Attendance

12.7 Reimbursement

If an employee reimbursement is necessary, the reimbursement will be handled by the Seward County Clerk after the appropriate receipts and form is turned in and approved by the department head.

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Seward County Personnel Policy and Procedures

13. Requests for Legal Work

13.1 Statement of Intent

To establish uniform guidelines for requesting legal opinions, assistance, contracts, resolutions, ordinances, ect., from the Seward County Counselor.

13.2 Statement of Policy

It is the policy of Seward County that all request for legal assistance shall be processed through the Office of the County Administrator.

13.3 Exceptions

A. These policies and procedures shall not apply to requests made by motion of the Seward County commission.

13.4 Procedures for Written Requests

A. All requests shall be documented in writing on a standard three-part "message/reply" or other memo. B. All requests should include:

- a. Name of attorney to whom request is made, or "Seward County Counselor".
- b. Seward County employee requesting action.
- c. Subject of request.
- d. Response time or date needed.

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- e. Description of action requested.
 - f. Copies of any attachments, e.g., draft contract, resolution, ordinance.
- C. The Seward County Commissioners may reimburse a department head for legal costs incurred by the department, or may advise the department head to pay their own legal fees out of their own department budget. When possible, department heads should obtain prior approval from the Commissioners for legal costs.
 - D. The Seward County Counselor will return all written responses to the Seward County Commissioner's office. As soon as the response is noted, it will be disseminated to the staff person initiating the request.
 - E. The Seward County commissioners will review the status of pending items with the Seward County Counselor on a periodic basis as needed.
 - F. At the direction of the Board of County Commissioners, a copy of a legal opinion shall be maintained in this administrative Policy and Procedure Manual.
 - G. Claims for legal services which are rendered without the approvals required herein may be denied.

13.5 Procedures for Telephone Requests

The Seward County Counselor's office can be reached by calling Miller, Diepenbrock & Goertz at (316)626-8502. The address is 150 Plaza Drive, Liberal, Kansas 67901.

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Seward County Personnel Policy and Procedures

14. Minor Work Permits

14.1 Statement of Purpose

To establish procedure for employment of persons under the age of 18.

14.2 Statement of Policy

The Fair Labor Standards Act (FLSA) protects young workers from employment that might interfere with their education or be detrimental to their health or wellbeing. Youth aged 16 and 17 may work at any time for unlimited hours in all jobs **not** declared hazardous by the Secretary of Labor.

14.3 Hazardous Occupations Defined

Hazardous occupations include but are not limited to:

- A. working with explosives and radioactive material,
- B. operating certain power-driven hoisting apparatus such as non-automatic elevators, fork lifts and cranes;
- C. roofing, wrecking and demolition;
- D. operating motor vehicles or working as outside helpers on motor vehicles.

14.4 Exemptions

Some exemptions apply to apprentices and students in vocational educational programs.

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14.5 Hiring Procedure

Whenever a minor is employed, the department head is responsible to:

- A. Complete the parental authorization form and obtain necessary signatures (parent, guardian and school).
- B. Obtain and photocopy the minor's proof of age document.
- C. Forward items 1 and 2 to the Human Relations Coordinator and place copies in the employee's personnel file.

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