

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
100 RIBAUT ROAD

POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228

TELEPHONE: (843) 255-2000

FAX: (843) 255-9401

www.bcgov.net

D. PAUL SOMMERVILLE
CHAIRMAN

GERALD W. STEWART
VICE CHAIRMAN

COUNCIL MEMBERS

CYNTHIA M. BENSCHE
RICK CAPORALE
GERALD DAWSON
BRIAN E. FLEWELLING
STEVEN G. FOBES
ALICE G. HOWARD
WILLIAM L. MCBRIDE
STEWART H. RODMAN
ROBERTS "TABOR" VAUX

GARY T. KUBIC
COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
DEPUTY COUNTY ADMINISTRATOR
SPECIAL COUNSEL

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA
EXECUTIVE COMMITTEE

Monday, June 13, 2016

4:00 p.m.

Executive Conference Room, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Committee Members:

Jerry Stewart, Chairman
Gerald Dawson
Brian Flewelling
William McBride
Stu Rodman

1. CALL TO ORDER – 4:00 P.M.
2. CONSIDERATION OF CONTRACT AWARDS
 - A. Medical Services (EMS) Billing Services ([backup](#))
 - B. Vehicles Purchase for Detention Center ([backup](#))
3. DISCUSSION / NEW EMPLOYEE HANDBOOK PROPOSAL ([backup](#))
4. AN ORDINANCE TO AMEND SECTION 66-81, *ET SEQ.* OF THE BEAUFORT COUNTY CODE OF ORDINANCES SO AS TO RENAME THE TAX EQUALIZATION BOARD AND PROVIDE AMENDMENTS TO BOARD MEMBERSHIP ([backup](#))
5. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
 - A. Planning Commission
6. ADJOURNMENT

2016 Strategic Plan Committee Assignments
Capital Project Sales Tax
Long-Term County Offices Plan / Strategy





COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT
106 Industrial Village Road, Bldg 3 Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

TO: Jerry Stewart, Chairman, Executive Committee, Beaufort County

FROM: Dave Thomas, CPPO, Purchasing Director *DT*

SUBJ: **RFP # 030316, Beaufort County Emergency Medical Services (EMS) Billing Services Contract Award Recommendation**

DATE: June 13, 2016

BACKGROUND: The Purchasing Department received RFP responses from qualified firms to provide billing services for Beaufort County on March 3, 2016. In accordance with the Beaufort County Purchasing Code an evaluation committee was formed and consisted of Chanel Lewis, Controller, Finance; Donna Ownby, EMS Director; Howell Youmans, Deputy EMS Director; and Marci Taylor, EMS Administrative Assistant. Beaufort County received nine responses to the RFP. The evaluation committee reviewed and evaluated all RFPs and decided to interview the top three firms. After the interviews, the committee completed the final rank order and requested a "Best and Final Offer" from EMS Management and Consultants and completed their final ranking. EMS Management and Consultants was unanimously selected and ranked the number one (1) firm. The final ranking is as follows:

VENDOR NAME AND FINAL RANKING:

- | | |
|--|------------------------|
| 1. EMS Management and Consultants, Winston Salem, NC | 6. LBS, Lexington, SC |
| 2. Digitech, BriarCliff Manor, NY | 7. LLB, Wautoma, WI |
| 3. AMB, Paducah, KY | 8. PST, Alpharetta, GA |
| 4. Interdix, Augusta, GA | 9. OMC, Pittsburgh, PA |
| 5. CAB, Florence, SC | |

AT **FUNDING:** Payment to the contractor is a negotiated percentage based on the collected fees from the individuals owing money to the County for services provided by EMS. The new commission rate is **6.25 %**, for a total estimated annual commission fee of \$190,000 for fiscal year 2017. This is based on the estimated commission paid for fiscal year 2017.

PRIOR YEAR COST (estimated): Commission of 7%, \$197,034 for fiscal year 2016.

CONTRACT TERM: The initial contract term is for one year beginning July 1, 2016, and ending June 30, 2017, and may be renewed for an additional four one-year contract periods, which is subject to mutual agreement by both parties until June 30, 2021.

FOR ACTION: Executive Committee meeting occurring June 13, 2016.

RECOMMENDATION: The Purchasing Department recommends that the Executive Committee approves and recommends to County Council the contract award to the aforementioned vendor in the estimated annual contract amount of \$190,000.

cc: Gary Kubic, County Administrator *GKubic*
Josh Gruber, Deputy County Administrator/Special Council *JG*
Alicia Holland, Assistant County Administrator, Finance *AH*
Phil Foot, Assistant County Administrator, Public Safety *PF*
Donna Ownby, Emergency Medical Services Director *DO*

Att: Final Ranking Summary

RFP030316 Billing Services for EMS			
FINAL SCORING SHEET 05062016			
Column1	Column2	Column6	Column62
<u>Name of Company</u>			
<u>Evaluators</u>	<u>AMB</u>	<u>Digitech</u>	<u>EMS</u>
Lewis	76	88	93
Ownby	75	80	93
Youmans	90	87	92
Taylor	73	78	95
TOTALS:	314	333	373
1. EMS	373		
2. Digitech	333		
3. AMB	314		



COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT

106 Industrial Village Road, Bldg 2, Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

TO: Councilman Jerry Stewart, Chairman, Executive Committee

FROM: Dave Thomas, CPPO, Purchasing Director *DT*

SUBJ: Request to Purchase Three Vehicles from State Contract for Beaufort County's Detention Center

DATE: June 13, 2016

BACKGROUND: The Purchasing Department received a request from the Detention Center Director to purchase (1) Ford Police Interceptor SUV (Configuration 1), (1) Ford Police Interceptor SUV (Configuration 2), and (1) ½ Ton Flex Fuel Cargo Van from Vic Bailey Ford, a State Contract vendor. The new equipment is a replacement for 2003 Ford Crown Vic, 2006 Ford 12 Pass Club Wagon, and 2002 1-Ton Dodge Van assigned to the Detention Center. The first vehicle is a 2003 with 86,827 miles; the current repair costs to date are \$8,124.38 with an estimated future repair cost of \$1,407.52. The next vehicle is a 2006 Ford 12 Pass Club Wagon with 170,906 miles; the current repair costs to date for this vehicle is more than \$13,631.05 with an estimated future repair cost at over \$6,815.53. The third vehicle is a 2002 Dodge Van 2500 with 122,658 miles; with a future repair cost of \$5,286.00. The cost of all three vehicles is included in the current budget for the Detention Center. The department utilizes these vehicles to transport employees, detainees, and supplies. The old vehicles will be sold on GovDeals.

VENDOR INFORMATION:

Vic Bailey Ford, Spartanburg, SC

COST

Ford Police Interceptor SUV: \$28,355.00
Ford Police Interceptor SUV: \$27,563.00
½ Ton Flex Fuel Cargo Van: \$23,392.00
Total: \$79,310.00*

*Prices include all applicable taxes, delivery and upgrades listed in the attachments.

JA **FUNDING:** Account # 10001250-54000, Fiscal Year 2016, Detention Center, Vehicle Purchases

FOR ACTION: Executive Committee meeting on June 13, 2016

RECOMMENDATION: The Purchasing Department recommends that the Executive Committee approve the contract award of \$79,310.00 to purchase (2) Ford SUV's and (1) Ford 1/2 Ton Cargo Van from the aforementioned vendor in support of the Detention Center's operations.

Attachment: State Contract Pricing Information, First Vehicle Maintenance Records

cc: Gary Kubic, County Administrator *GKubic*
Joshua Gruber, Deputy County Administrator/Special Counsel *JK*
Alicia Holland, Assistant County Administrator, Finance *AH*
Phil Foot, Assistant County Administrator, Public Safety
Col. Quandara Grant, Director Detention Center

VIC BAILEY FORD

David Vetter 864.585.3600 or 800.922.1365

2016 FORD POLICE INTERCEPTOR SUV ALL WHEEL DRIVE**Truck, 4x2 Utility (SUV), Intermediate Size, 4 Door, All Wheel Drive, Pursuit Package, Flex-Fuel**
Contract #: 4400011999**Standard Equipment Included:**

3.7L V-6 Engine	Power Steering
Automatic Transmission	Power Brakes
A/C	Power Windows and Door Locks
AM/ FM Radio	Cloth Front Bucket Seats w/ Cloth Rear Bench Seat
Remote Keyless Entry	Carpeted Floor Covering
Cruise Control	Driver's Side Spotlight

CONFIGURATION #1**SC STATE CONTRACT PRICE:**

Rearview Camera - Camera in Center Stack
Pre-Wiring for Grille Lamp, Siren and Speaker - 60A
Reverse Sensing System - 76R
Front Headlamp / Police Interceptor Housing Only - 86P
SYNC Basic - Hands Free Voice Activated Communication System - 53M
Mirrors - Heated Sideview - 549
18" Aluminum Wheels - 64E
Badge Delete (Removes Police Interceptor Badging) -16D
Dome Lamp Red/White in Cargo Area - 17T
Delete Spotlight
Sales Tax

\$26,843.00
Standard
\$53.00
\$282.00
\$129.00
\$304.00
\$63.00
\$488.00
No Charge
\$53.00
-\$160.00 (Deduct)
\$300.00

TOTAL SC STATE CONTRACT PRICE:**\$28,355.00****Available Exterior Colors: Oxford White****CONFIGURATION #2****SC STATE CONTRACT PRICE:**

Rearview Camera - Camera in Center Stack
Pre-Wiring for Grille Lamp, Siren and Speaker - 60A
Reverse Sensing System - 76R
Front Headlamp / Police Interceptor Housing Only - 86P
Mirrors - Heated Sideview - 549
Badge Delete (Removes Police Interceptor Badging) -16D
Dome Lamp Red/White in Cargo Area - 17T
Delete Spotlight
Sales Tax

\$26,843.00
Standard
\$53.00
\$282.00
\$129.00
\$63.00
No Charge
\$53.00
-\$160.00 (Deduct)
\$300.00

TOTAL SC STATE CONTRACT PRICE:**\$27,563.00****Available Exterior Colors: Oxford White****Van-5: Van, Cargo, 1/2 Ton, Flex Fuel****Contract #: 4400009481****Standard Equipment Included:**

3.7L V-6 Engine	Power Steering
Automatic Transmission	Power Brakes
A/C	Cruise Control
AM/ FM Radio	60/40 Hinged Side Cargo Doors
130" Wheel Base	Heavy Duty Vinyl Floor
Hinged Rear Cargo Doors	

SC STATE CONTRACT PRICE:	\$20,178.00
Dual Heavy Duty Batteries	\$294.00
Adrian Full Width Partition - Protective Grill - Low Roof Models Only	\$795.00
In Stock Adjustment	\$1,525.00
Delivery	\$300.00
Sales Tax	\$300.00
TOTAL SC STATE CONTRACT PRICE:	\$23,392.00
Available Exterior Colors: Oxford White	

First Vehicle Services

First Vehicle Services
Beaufort County Division
P.O. Box 6016
Beaufort, SC 29902-6016

To: Mrs. Grant

Department: Detention Center

Subject: Evaluation of Equipment #22739

**Subject equipment was evaluated on Date: 6/3/16
Maintenance cost history is attached.**

It is our opinion at First Vehicle Services that if the cost of repair exceeds one third of the assets value consideration for removal and or replacement should be taken. Yearly cost evaluation will accompany any evaluation requiring consideration.

Kelly Blue book value of this unit is \$1,071.00

Total repair cost to date for the unit is \$8,124.38

Estimate future and present repair cost are \$1,407.52

(This cost does not include major component failures such as engine, transmission and drive train.)

This unit exceeds APWA guidelines for replacement, based on age (13 years), present condition and mileage (86,827).

Brian Freeman, Region Maintenance Manager

Quality Assurance- FVS/Beaufort Co.

First Vehicle Services

First Vehicle Services
Beaufort County Division
P.O. Box 6016
Beaufort, SC 29902-6016

To: Mrs. Grant

Department: Detention Center

Subject: Evaluation of Equipment #22895

Subject equipment was evaluated on Date: 6/3/16
Maintenance cost history is attached.

It is our opinion at First Vehicle Services that if the cost of repair exceeds one third of the assets value consideration for removal and or replacement should be taken. Yearly cost evaluation will accompany any evaluation requiring consideration.

Kelly Blue book value of this unit is \$1,971.00

Total repair cost to date for the unit is \$13,631.05

Estimate future and present repair cost are \$6,815.53

(This cost does not include major component failures such as engine, transmission and drive train.)

This unit exceeds APWA guidelines for replacement, based on age (10 years), present condition and mileage (170,906).

Brian Freeman, Region Maintenance Manager

Quality Assurance- FVS/Beaufort Co.

DEPARTMENT	Bumper Number	Chassis ID	Miles Driven	Description	Labor Cost	Parts Cost	Outside Service Cost	Total Cost	Estimated Cost Per Mile	Estimated Cost Per Year	Kelly Blue Book Trade	Kelly Blue Book Sale
10001250-D	22895	HB40662	170,906	22895 2006 FORD 12 PASS CLUB WAGON	\$7,864.68	\$5,701.37	\$ 65.00	\$13,631.05	\$ 0.08	\$1,363.11	\$1,971.00	\$3,213.00
10001250-D	22739	X186115	86,827	22739 2003 FORDX C/V	\$4,049.89	\$3,659.54	\$ 414.95	\$ 8,124.38	\$ 0.09	\$ 281.50	\$1,071.00	\$1,868.00

First Vehicle Services

First Vehicle Services
Beaufort County Division
P.O. Box 6016
Beaufort, SC 29902-6016

To: Lewis Grayson

Department: Detention Center

Subject: Evaluation of Equipment #21053

Subject equipment was evaluated on Date: March 4, 2015

Inspection Sheet is attached.

It is our opinion at First Vehicle Services that if the cost of repair exceeds one third of the assets value consideration for removal and or replacement should be taken. Yearly cost evaluation will accompany any evaluation requiring consideration.

Estimate future and present repair cost are \$5286.00

This unit exceeds APWA guidelines for replacement, based on present mileage 122658, age (9 years) and possible future repairs.

FVS recommends replacement of this unit.



Curtis McDaniel, General Manager

Quality Assurance- FVS/Beaufort Co.

FirstGroup vehicle Equipment inspection Report

Dept.# Asset # 21053 Make - Dodge Model - 2500

Type of Eq - Dodge Van Miles - 122658 Year - 2002

Component	Remarks or Condition	Est. Cost Of Repair
Engine	Low compression - rough idle and hard starting.	\$3,100.00
Transmission	Slow to shift when cold.	\$1,100.00
3rd member	Excessive play in ring and pinion gears.	\$850.00
Suspension/Steering	Shocks need replacing	\$225.00
Brakes	OK	\$0.00
Body	Minor dents and dings in paint and body. Headliner needs replacing.	\$11.00
Electrical And Hydraulics	No problems noted at this time.	\$0.00
Total		\$5,286.00

Inspected By: Danny Williams

☒ Recommended for replacement

yes

XXXXXXX

NO

Date: 3-4-2015

Signed: 

ALL EMPLOYEES OF BEAUFORT COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY OR NO REASON. NOTHING IN ANY OF BEAUFORT COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM AN EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH, CREATE A CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING, 2) THE DOCUMENT IS LABELED "CONTRACT", 3) THE DOCUMENT STATES THE TERMS OF EMPLOYMENT, AND 4) THE DOCUMENT IS SIGNED BY THE COUNTY ADMINISTRATOR.

I acknowledge receipt of this handbook and UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT. I further understand that this Employee Handbook supersedes and replaces all earlier handbooks, policies, and practices which are contrary to this document.

Employee Signature

Employee Name (Printed)

Date

TABLE OF CONTENTS

Disclaimer	1
Table of Contents	2
Section 1.0 – Introduction	6
1.1 Equal Employment Opportunity	6
1.2 Employment-At-Will	6
1.3 Anti-Harassment Policy	6
1.4 Sexual Harassment Policy	7
1.5 Harassment Complaint Procedure	7
1.6 Corrective Action	8
Section 2.0 – General Overview & Employment Information	9
2.1 Personnel Administration	9
2.1.1 Personnel Records	9
2.1.2 Payroll Information	9
2.1.3 Contents of Personnel File	9
2.1.4 Employee Information	10
2.1.5 Employee Review of Personnel Files	10
2.1.6 Management Review of Personnel Files	11
2.2 General Overview	11
2.2.1 Employee Categories & Classifications	11
2.2.2 Time Recordkeeping	12
2.2.3 Pay Period Defined	13
2.2.4 Service Credit	13
2.2.5 Probationary Period	13
2.2.6 Employment of Relatives	13
2.2.7 Fraternalization	14
2.2.8 Employee Transfers	14
2.2.9 Promotions	15
2.2.10 Separation of Employment	15
2.2.11 Workforce Reductions	15
2.2.12 Outside Employment	15
2.2.13 Employee Discipline	16
2.2.14 Types of Disciplinary Action	16
2.2.15 Examples of Conduct Warranting Disciplinary Action	17
2.2.16 Grievance Process	19

Section 3.0 – Employee Expectations and Responsibilities.....	23
3.1 Work Schedules.....	23
3.2 Working Hours.....	23
3.3 Code of Conduct.....	24
3.4 Appearance, Dress Code, and Cleanliness.....	25
3.5 Transportation & Travel.....	26
3.5.1 Motor Vehicle & Equipment Operation.....	26
3.5.2 County Vehicle Usage Policy.....	27
3.5.3 Business Travel Outside the County.....	28
3.6 Expense Policy.....	28
3.7 County Credit Cards.....	28
3.8 Drug Free Workplace.....	29
3.9 Safety.....	29
3.9.1 Safety Equipment.....	29
3.9.2 Safety Rules.....	30
3.9.3 Reporting Injuries & Accidents.....	31
3.10 Other Employee Responsibility Topics.....	31
3.10.1 Medication.....	31
3.10.2 Tobacco Use Policy.....	31
3.10.3 Workplace Privacy (Computer Use & Email Retention).....	32
3.11 Equipment & Facilities.....	33
3.11.1 Parking.....	33
3.11.2 Telephone Use.....	34
3.11.3 County Tools.....	34
3.11.4 Waste Prevention.....	35
3.12 Solicitation & Gambling.....	35
3.13 Security.....	35
3.14 Social Media.....	35

Section 4.0 – Compensation & Benefits	36
4.1 Compensation	36
4.1.1 Compensation Plan	36
4.1.2 Holidays & Holiday Pay	37
4.1.3 Payment of Wages	38
4.1.4 Overtime	39
4.1.5 Payroll Errors	39
4.1.6 Garnishment of Employee Wages	39
4.1.7 Payment at Time of Separation	40
4.1.8 Payment of Accumulated PLT at Separation	40
4.2 Leave	
4.2.1 Personal Leave Time	40
4.2.2 Maximum Accrual Balances	42
4.2.3 Disability Leave	42
4.2.4 Funeral / Bereavement Leave	42
4.2.5 Scheduling Leave	42
4.2.6 Salary Continuation Account	43
4.2.7 Routine Appointments	43
4.2.8 Jury Duty	43
4.2.9 Official Court Attendance	44
4.2.10 Private Litigation	44
4.2.11 Voting	44
4.2.12 Military Leave	44
4.2.13 Administrative Leave	45
4.2.14 Family Medical Leave (FMLA)	45
4.2.15 Physical Disability & Personal Leave	49
4.2.16 Workers Compensation	50
4.2.17 Educational Leave	50
4.2.18 Employee Emergency Leave Transfer Bank (EELTB)	51
4.3 Insurance	
4.3.1 Medical Insurance	51
4.3.2 Continuation of Group Health Insurance (COBRA)	52
4.3.3 Long-Term Disability Insurance	52
4.4 County Emergency Disaster Policy, Pay, & Procedures	53

Section 5.0 – Appendix.....	53
A.1 County Travel / Expense Policy.....	53
A.2 Drug Free Workplace Policy.....	58
A.3 Computer Acceptable Use Policy.....	66
A.4 Email Retention Policy.....	73
A.5 Family Medical Leave Act.....	77
A.6 Worker’s Compensation Policy.....	80
A.7 Employee Emergency Leave Transfer Bank Policy (EELTB)...	85
A.8 Consolidated Omnibus Budget Reconciliation Act (COBRA)...	88
A.9 County Emergency Disaster Policy.....	91

SECTION 1.0 - INTRODUCTION

The employees, their welfare and concerns are important to the success of Beaufort County. The County encourages a working environment based upon mutual trust and confidence which should provide opportunities for individual effort and reward. Every employee is considered a member of our team.

Our success as a County is built upon recognition of the skills and efforts made by each employee and our policy is to work with all members of this team in a professional manner and treat each team member with dignity and respect.

Management, as part of this team, continuously works together with all employees for the benefit of our citizens.

This Personnel Handbook is a *guide* to our County practices. It is not a contract for employment, either expressed or implied, nor does it guarantee any terms or conditions of employment. Neither the County's written policies and procedures nor its unwritten practices constitute a contract. Beaufort County is an "At-Will" employer and the County and employees have the right to terminate employment at any time, with or without notice and with or without cause.

The County strives to maintain a pleasant working environment in order to provide employees with the opportunity to excel in their work.

Beaufort County expects employees to abide by the policies set forth in this Personnel Handbook and expects employees to devote their best efforts for the citizens of the County.

1.1 - Equal Employment Opportunity Policy

The County subscribes to the principles of equal opportunity employment and recruits, interviews, hires, classifies, trains, promotes, demotes, disciplines, transfers, terminates, and sets rates of pay or other compensation without regard to race, religion, color, national origin, disability, genetic information, gender, age, sexual orientation, or gender identification.

Any violations of the County's "Equal Employment Opportunity Policy" by an employee must be reported immediately to Employee Services.

1.2 - Employment-At-Will

Employees may leave employment at any time with or without a reason.

Likewise, the County reserves the right to terminate any employee at any time.

1.3 - Anti-Harassment Policy

Various laws and regulations generally prohibit employment decisions from being made on the basis of race, color, gender, religion, national origin, age, disability or similar distinctions. In addition, the County endeavors to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, gossip, threats, bullying, and harassment, whether

relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The County does not tolerate harassment of any kind, and strictly forbids retaliation against anyone who has reported harassment in good faith.

1.4 - Sexual Harassment

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors and other physical, verbal or visual conduct based on sex constitute sexual harassment when:

1. Submission to the conduct is an explicit or implicit term or condition of employment; or
2. Submission to or rejection of the conduct is used as the basis for an employment decision; or
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may also include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, "put-downs" or condescending or derisive comments or terms based on gender, as well as physical conduct, such as patting, pinching or brushing against another person. This policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Any conduct that would be considered harassment if it was unwelcome will be considered a violation of this policy if a complaint is made. However, not all conduct which is prohibited by this policy constitutes violation of the law.

1.5 - Complaint Procedure and Investigation

If you feel that this policy has been violated by anyone with whom you come in contact on the job, regardless of whether it is a fellow worker, a supervisor, or a member of the general public, you should report the incident(s). The proper procedure is as follows:

1. Report the incident(s) to your supervisor or to a higher level member in your "chain of command." Complaints against the Administrator should be made to the Chairman of County Council.
2. Report the incident(s) to the Employee Services Director.

Supervisors and managers who receive complaints of or become aware of harassment have a duty to notify and coordinate with the Employee Services Director immediately.

Every harassment allegation is investigated. Investigatory procedures may vary from case to case, depending upon the circumstances. The investigation is conducted as confidentially and quietly as possible consistent with the effective handling of the complaint and the goals of this policy. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused, the complainant, or merely a potential witness. Persons who are interviewed are not to discuss the matter with co-workers, friends, or management. This does not, however, limit an employee's right to complain to civil rights agencies.

In appropriate situations employees may be asked to submit to a polygraph (lie detector) examination.

1.6 - Corrective Action

If management concludes that a complaint of harassment has merit, appropriate action is taken. Employees may be disciplined. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

IMPORTANT: In order to avoid misunderstandings, complaints made to members of management or to the Employee Services Director involve the completion of a written complaint report, either by you or by the person to whom the complaint is made, which summarizes the allegations and lists any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure.

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. The US Supreme Court has said that as a general rule you may not sue the County for a violation of your rights unless you first give notice and the opportunity to end the harassment. The reporting procedures which we have adopted are intended to establish a clear record of what has been reported.

SECTION 2 - GENERAL EMPLOYMENT INFORMATION AND OVERVIEW

2.1 - Personnel Administration

The County has established the Employee Services Director as a point-of-contact, who is responsible for personnel administration. Questions regarding your employment and this Personnel Handbook should be addressed to the Director of Employee Services. The Director can be reached at 843-255-2990.

2.1.1- Employee Services Personnel Records

The County maintains a personnel file on each employee. An employee's personnel record begins with the completed employment application form and resume. From time to time, information may be added to this personnel record. **Personnel records are the property of Beaufort County.**

2.1.2 - Payroll Information

Immediately upon accepting employment, a new employee must complete various personnel paperwork. The completed forms, the employment application form, and information regarding starting pay, starting date and other pay or benefit information must be forwarded immediately to the Employee Services Director.

2.1.3 - Contents of Personnel Files

Employee personnel records may include the following (but may be filed separately):

- a. Original employment application and resume.
- b. I-9 Form (filed separately).
- c. Performance appraisal reports.
- d. Disciplinary actions.
- e. Special commendations.
- f. Educational achievement and certifications.
- g. Status changes affecting employee's work and salary history.
- h. Benefit information.
- i. Other relevant documents as determined by management.

2.1.4 - Employee Information

Employees are expected to keep the County informed about any major change, which may affect their employment status. Important changes to report include but are not limited to:

- a. Name
- b. Home address
- c. Primary telephone number
- d. Marital status
- e. Number of dependents
- f. Any important health information which could create a safety concern
- g. Emergency telephone numbers and whom to notify in case of emergency
- h. Change of beneficiary
- i. Authorized payroll deductions
- j. Additional education and special training course certifications
- k. Change in status or loss of any licenses or certifications required for the employee's position

2.1.5 - Employee's Request for Review of Personnel Records

The following provisions apply with respect to an employee's request to review his/her personnel record:

- a. The employee has the responsibility to schedule a review of his/her file with Employee Services. If the review is scheduled during the employee's work hours, the time away must be coordinated with his/her supervisor.

- b. A member of the Employee Services Department must be present while the employee reviews his/her personnel file.
- c. The employee may take notes or request copies of certain documents, but may not remove, deface or otherwise make notations on the documents in his/her personnel file. An employee may add comments to his file if he disagrees with the contents of any document. **Employee files are the property of Beaufort County.**

2.1.6 - Management Review of Personnel Files

All information in employee personnel files is considered confidential. This information is available to the Employee Services Department, senior management personnel, supervisors or managers who are responsible for the employee, and the employee.

The supervisor of the department to which an employee may be transferred or promoted (or hired if previously employed) is also permitted to review the employee's file by coordinating with the Employee Services Director.

2.2 – General Overview

2.2.1.a - Employee Categories

County pay policies apply to all County employees and employees of elected or appointed officials. Employees are divided into the following categories for the purpose of compensation and benefits. Only full-time employees are eligible for benefits.

Full-Time: Employees hired to work 30 hours or more per week are considered full-time employees for compensation and benefit purposes.

Variable Hour: Part-Time employees who average 30 hours or more per week in a one-year look back period are eligible for health insurance benefits only.

Part-Time: Employees whose average work schedule is less than 30 hours per week are part-time employees and are not eligible for benefits.

Temporary: Employees hired as temporary replacement for full-time or part-time employees, or for short periods of employment such as summer months, peak periods, and vacations are considered temporary employees. Temporary employees generally are not eligible for benefits. However, if a temporary

employee fills a benefits-eligible position, he may be eligible for some benefits (when employment is expected to last 6 months or longer and is approved by the County Administrator).

2.2.1.b - Employee Classifications

Non-Exempt: Most County employees are considered non-exempt employees and are paid overtime per Department of Labor regulations for any physically worked hours over 40 in a work week (Law enforcement personnel are paid overtime after 171 hours in a four week work period. Fire suppression employees are paid overtime after 212 hours in a four week work period). Paid leave and holiday hours are not included in hours worked for overtime calculation purposes. Non-exempt employees are prohibited from working from home or “off the clock”.

Exempt: Employees who meet certain criteria as defined by the Department of Labor may be classified as exempt. These employees receive a biweekly salary that is commensurate with their duties and are not eligible for overtime or compensatory time. Exempt employees are expected to work core business hours and any additional time before and after core hours as needed. Exempt employees must use paid leave for time off during core hours. In certain circumstances, a non-standard work schedule (outside of core hours) may be in the best interest of the department and the County. This or any other deviation from this policy must be forwarded to Employee Services for review and written approval from the County Administrator or designee.

2.2.2 - Time Records

The County is required to keep an accurate record of hours worked by non-exempt employees. Both non-exempt and exempt employees are required to clock in when they report to work and clock out when they leave. Non-exempt employees should clock in and out for lunch as well. Employees are expected to work their scheduled shift. In departments that use the rounding method of timekeeping, non-exempt employees may clock in no earlier than seven (7) minutes before their starting time and clock out no later than seven (7) minutes after their scheduled shift ending time unless approved by their supervisor in advance.

Non-exempt employees are required to record all hours worked. Employees must have worked all hours recorded. If any employee is told not to record all hours worked, that employee should immediately report to Employee Services.

2.2.3 - Pay Periods

Employees are paid on a bi-weekly basis. The standard workweek begins Saturday at midnight and ends Friday at midnight. Workweeks may vary slightly in certain departments. Employees will be notified by their supervisor if their workweek is not standard.

2.2.4 - Service Credit

County service credit is earned from the employee's first day through his last day of employment (any extended leave such as FMLA or Administrative Leave may cause an adjustment to service credit for time missed). If an employee leaves County employment for any reason and is later re-employed, prior service credit is not retained unless the employee meets both of the following conditions: (a) prior service was at least 5 consecutive years **and** (b) the employee returns to County employment within 1 year of prior separation. (see Transfer of Employees on page 13 for special service credit rules that apply to employee transfers).

2.2.5 - Probationary Period

During the first one hundred and eighty (180) days of employment, the County and the new employee are given an opportunity to evaluate whether the employment relationship should continue. However, the probationary period is not a guarantee of employment for six (6) months. During this period, employees will not have access to PLD (paid leave) hours and will not have grievance rights.

2.2.6 - Employment of Relatives

Persons who are related by birth or become related by marriage will not be employed or continued to be employed if one directly or indirectly supervises another, interacts with another in the handling of money or compensation, works in a department where adequate separation is not possible, or in any other situation that administration deems inappropriate.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees must give up his/her position. If employees cannot

choose which one of them it will be, management will make the decision based on such factors as business need, performance, longevity, etc.

Unrelated employees, such as domestic partners, cohabitants or significant others, will be treated as being family for the purposes of this nepotism policy.

Conflicts of interests, situations which in the County's sole discretion create the appearance of a conflict of interest, and situations not specifically noted in the policy will be handled by the County in its sole discretion.

2.2.7 - Fraternization

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

An employee who is involved in a personal relationship with another employee may not supervise directly or indirectly or work for the employee with whom he or she is involved.

Beaufort County reserves the right to take prompt action if an actual, perceived, or potential conflict of interest arises concerning individuals who engage in any relationship with another employee that may affect terms of employment or create a distraction or disruption of business.

2.2.8 - Transfer of Employees

Transfer of employees by the County from one department to another, or one location to another, may be made at any time at the County's discretion to support the operational needs of the County.

Employees may request transfer by applying for other advertised positions within the County. **An employee who transfers within his/her first two years of County employment will be treated as a new hire and will not maintain their prior service credit.** Transfers after two years will be considered a continuation of employment. Employees are encouraged to discuss their desire to transfer with their current supervisor; however, this is not a requirement. Transferring employees must provide a **30 day notice** to their current supervisor unless the current supervisor agrees to a lesser timeframe. Transfers must be approved by the County Administrator or designee.

2.2.9 - Promotions

Promotions within the County are generally based on such factors as quality of work, prior job performance, experience, educational background, attendance, safety record, and the ability to work well with others. While most vacant positions are advertised, the County may give first consideration for position vacancies to current employees. However, nothing in County policy restricts the County's right to review external candidates prior to making a decision.

2.2.10 - Separation of Employment

Employees may be separated from employment at any time, with or without notice, by retirement, voluntary resignation, lack of work, or termination.

Upon separation, all County property in the employee's possession must be returned to the County and any monies due the County paid upon separation from employment and before the final paycheck is released. Any amounts owed the County and the cost of any property issued by the County and not returned may be deducted from the final paycheck as an advance of wages.

2.2.11 - Workforce Reductions

In the event that a reduction in the County's workforce becomes necessary, the number of employees over and above those needed to perform the available work will be laid off. In determining those employees to be retained, consideration may be given to the quality of each employee's past performance, the need for the position held by the employee, employee qualifications for other County positions, and the length of service of each employee. The County will attempt to give notice of layoff.

2.2.12 - Outside Employment

If an employee desires to engage in employment in addition to his/her employment with the County, he must first obtain written authorization via an "Outside Employment Request Form" from his department head and the Employee Services Director. Authorization must be renewed annually.

If, in the County's sole opinion, an employee's outside employment conflicts with or gives the appearance of a conflict of interest or is deemed incompatible with his County employment, he may be asked to choose between the two jobs.

Employees may not engage in secondary employment or any personal business activity while on County work time or in County workplaces. Employees may not use County materials or facilities for private purposes.

2.2.13 - Employee Discipline

Instances arise when an employee must be counseled, reprimanded, suspended or discharged. When the discipline involves suspension or termination, the supervisor must receive approval from the Employee Services Director and the County Administrator or designee prior to informing the employee of the decision. For all written reprimands, the supervisor must turn in an "Employee Counseling Form" to the Employee Services Department, in which he/she outlines the circumstances involved and the action being taken. The supervisor must review the report (with the exception of oral warnings) with the employee for his/her signature with the understanding that the signature only acknowledges that the employee has seen the report or the action taken. The employee's signature does not mean that the employee necessarily agrees with the report and does not prevent the employee from appealing the action. Employees will be given a copy of the signed report. The employee may submit a rebuttal at any time.

THE EMPLOYEE MUST SIGN THE REPORT AT THE TIME IT IS PRESENTED. FAILURE TO DO SO WILL RESULT IN IMMEDIATE SUSPENSION WITHOUT PAY. IF THE EMPLOYEE FAILS TO SIGN THE REPORT BY 5:00 PM AT THE END OF HIS/HER FULL SCHEDULED WORK DAY, THE EMPLOYEE WILL BE DEEMED TO HAVE RESIGNED.

2.2.14 - Types of Disciplinary Action

Disciplinary Action which may be taken includes but is not limited to:

- a. Oral counseling
- b. Written reprimand
- c. Suspension without pay
- d. Reduction in leave balances

- e. Probation
- f. Demotion / Reduction in Pay
- g. Dismissal

2.2.15 - Examples of Conduct Warranting Disciplinary Action

It is not possible to list all acts and omissions, which may result in disciplinary action. The disciplinary action which is administered for any particular act or acts of misconduct rests in the sole discretion of the Administrator. The following list is merely a GUIDELINE of some of the more obvious types of misconduct, which may result in disciplinary action. **THE DISCIPLINARY ACTION THAT IS ADMINISTERED FOR ANY PARTICULAR ACT OR ACTS OF MISCONDUCT RESTS IN THE SOLE DISCRETION OF THE COUNTY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS. EACH ACT OF MISCONDUCT IS CONSIDERED A SEPARATE OFFENSE.**

- a. Conviction of, or plea of guilty or no contest to a violation of the law, which may affect County's reputation or which could create concern on the part of fellow employees or the citizens.
- b. Failure to report an arrest to Employee Services/County Administration.
- c. Loss of certification or license that is a requirement for the position.
- d. Incompetence.
- e. Unauthorized or excessive absence, tardiness.
- f. Insubordination, including disrespect for authority, or other conduct which tends to undermine authority.
- g. Failure or refusal to carry out lawful instructions; failure to follow chain-of-command (except in instances of wrongdoing by a supervisor).
- h. Unauthorized possession or removal, misappropriation, destruction, theft or conversion of County property or the property of others (includes information and electronic files and data).

- i. Violation of safety rules, neglect, or engaging in unsafe practices.
- j. Interference with the work of others.
- k. Threatening, coercing, harassing, bullying, or intimidating fellow employees, including “joking” threats.
- l. Physical aggression while on duty or on County premises.
- m. Inappropriate or offensive language.
- n. Unauthorized possession of a weapon in County facilities.
- o. Unprofessional behavior when dealing with the public or coworkers.
- p. Dishonesty.
- q. Failure to report wrongdoing of a fellow county employee while on duty.
- r. Failure to provide information; misrepresentation, alteration, or falsification of information for County records.
- s. Failure to report personal injury or property damage.
- t. Negligence or carelessness.
- u. Introduction, possession or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is presumed to be “under the influence” if he has any detectable amount of any such substance in his/her system.
- v. Unsatisfactory performance.
- w. Violation of policies and procedures; violation of department work rules.
- x. Violation of state or federal laws or regulations.
- y. Any other reason, which, in the County’s sole discretion, warrants disciplinary action.

EMPLOYEES MAY BE DISCIPLINED OR DISCHARGED FOR ANY REASON WHICH, IN THE COUNTY’S SOLE DISCRETION WARRANTS DISCIPLINE OR DISCHARGE. THE COUNTY RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.

2.2.16 - Grievance Process

This procedure is adopted in accordance with the "County and Municipal Employees Grievance Procedure Act," Section 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

A grievance is defined as any complaint by an employee that he/she has been treated unlawfully or in violation of county policies with regard to any matter pertaining to his employment by the county. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion, and demotion. An employee's level of compensation or classification is not the proper subject for a grievance except as it applies to alleged inequities within the employee's department. If an employee believes that he has not received or been credited with or has otherwise lost wages or benefits to which he is entitled, he must present his grievance in accordance with this procedure or such wages or benefits may be forfeited. Written warnings are not grievable.

An employee who believes that he has a grievance must conform with the following procedure:

(Step 1) He must discuss the grievance with his immediate supervisor **within ten (10) calendar days** of the event giving rise to the grievance or his knowledge of such event. If his supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2.

(Step 2) The employee must follow the chain-of-command in his/her department, appealing to each successive level of supervision. All Step 1 and Step 2 appeals may be oral or written. At each level each supervisor has four (4) calendar days to render a decision. If no decision is made within this time, the grievance is considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it is considered denied and the employee may appeal to the next level of supervision.

(Step 3) If the Department Director denies the grievance, this decision is final as to any grievance brought by a probationary employee. For the purpose of grievance filing, a new employee is considered probationary until he has completed six (6) months of employment.

Non-probationary employees may appeal to the Employee Grievance Committee the denial of their grievances by the department heads by filing a written request

for appeal at the Employee Services Department. This must be done **within seven (7) calendar days** of the department head's denial of the grievance. The written request for appeal must include the following information:

- a. The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
- b. Statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.

Employee Services Department staff will assist in preparing the appeal, if requested.

The Employee Grievance Committee

The County Administrator appoints a committee composed of five (5) employees to serve for terms of three (3) years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third of the terms shall expire each year. The Administrator may appoint two (2) alternate members to serve in the event a member cannot attend or is disqualified from serving. A member continues to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any reason prior to the completion of a member's term shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the County Administrator. All members are selected on a broadly representative basis from among county employees. Members employed in the same department as the grieving employee and members having formed an opinion on the issues prior to the hearing, may not participate in that employee's hearing.

- a. The committee annually selects its own chairman from among its members. The chairman serves as the presiding officer at all hearings which he attends but may designate some other member to serve as presiding officer in his absence. The chairman has authority to schedule and to reschedule all hearings.
- b. A quorum consists of a minimum of four (4) committee members, and no hearings may be held without a quorum.
- c. The chairman of the grievance committee has ten (10) days from the date the grievance is received by the Employee Services Department to schedule the requested hearing, and to inform the employee requesting the

hearing, the affected department, as well as the Employee Services Department, of the date of the hearing.

- d. The presiding officer has control of the proceedings. He may take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. Parties abide by his decisions except when a committee member objects to a decision to accept or reject evidence, in which case the majority vote of the committee will govern.
- e. The committee has the authority to call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Administrator; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the services of a recording secretary at its discretion. The committee has no authority to subpoena witnesses, documents or other evidence, nor shall any county employee be compelled to attend any hearing. All proceedings are recorded. Witnesses, other than the grieving employee and the department representative, are sequestered when not testifying. All witnesses testify under oath.

Hearings

All hearings are held in executive session unless the grieving employee requests, at least twenty-four (24) hours prior to the hearing, that it be held in open session. The official recording of all hearings shall be subject to the control and disposition of the County Administrator.

- a. Neither the grieving employee nor the department may be assisted by advisers or by attorneys during the hearing itself. However, the committee may have an attorney available to it at any and all times it considers necessary and the Employee Services Department may provide assistance in reading written materials to the committee at the request of a grieving employee.
- b. In disciplinary actions by department directors and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions which are the basis for the disciplinary action. This notice may be amended at any time twenty-four hours or more before the commencement of the hearing. The department must demonstrate that the disciplinary action is for the good of the County. The department makes the first presentation. The committee

may base its findings and recommendations on any additional or different grounds developed from the employee's presentation.

- c. In non-disciplinary grievances, the employee must establish that a right existed and that it was denied him unlawfully, or in violation of a county policy. The employee makes the first presentation.
- d. In all grievances, the grieving employee and the department are each limited to one hour of initial presentation. The party required to make the first presentation is entitled to a ten minute rebuttal of the other party's presentation. The chairman appoints himself or another member of the committee as timekeeper.
- e. In all grievances, presentations may be orally, in writing, or both; and may be supported by affidavits or unsworn signed statements from witnesses, by records, other documentary evidence, photographs, and other physical evidence. Presentations shall be made by the grieving employee (with reading assistance from a member of the Employee Services Department, if the employee desires), and by a directorial employee of the affected department. Parties may request that the committee call witnesses and a list of potential witnesses should be submitted to the committee five (5) days prior to the hearing. However, neither party may call witnesses or question the other party, or question any witness called by the committee.

Findings and Recommendations

- a. Except as provided in 2.6.2(b) below, the committee, within twenty (20) days after hearing an appeal, make its findings and recommendations and reports such findings and recommendations to the County Administrator. If the County Administrator approves the recommendation of the committee, this shall be his decision and copies of the decision are transmitted to the employee and to the department director involved. If the Administrator rejects the recommendation of the committee, the County Administrator makes his own decision without further hearing, and that decision is final. Copies of the decision are transmitted to the employee, the department director involved, the grievance committee and the Employee Services Department.
- b. In grievances involving either the failure to promote or transfer, or the discipline or discharge, of personnel employed in or seeking assignment to a department under the direction of an Elected Official or an official appointed by an authority outside county government, the committee,

within twenty (20) days after hearing an appeal, make its findings and recommendation and reports such findings and recommendation to such official. If the official approves, he shall endorse the recommendation of the committee, and a copy of the decision is transmitted by the official to the employee. If, however, the official rejects the recommendation of the committee, the official makes his own decision without further hearing, and that decision shall be final. A copy of the decision is transmitted to the employee, the grievance committee and the Employee Services Department.

Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the county or an Elected or Appointed Official to terminate any employee when the county or respective Elected or Appointed Official considers such action to be necessary for the good of the county.

SECTION 3: EMPLOYEE EXPECTATIONS AND RESPONSIBILITIES

3.1 - Work Schedules

Each employee is expected to complete a normal workday, workweek, and any additional hours that may be assigned to meet department needs.

3.2 - Working Hours

The County's regular work week begins on Saturday and ends on Friday. Regular working hours are as follows:

- a. Administration: 8:00 a.m. to 5:00 p.m., Monday through Friday.
- b. EMS: rotating 24 hour shift schedule (24 on/ 48 off)
- c. Detention Center, Sheriff & Communications: 8 & 12 hour shift schedule.

***Schedules may change and other departmental schedules may be permitted if beneficial to the County and approved in writing by the County Administrator or designee.**

Management will inform employees of scheduled break and lunch periods. Normally lunch or meal periods are scheduled for one (1) hour between the fourth (4) and the sixth (6) hour of each workday. A fifteen (15) minute break or rest period may be scheduled for the first half of the workday and the second half of the workday. Employees may not combine meal and break periods or use meal/break periods to leave early. While lunch and break periods will be provided whenever possible, situations such as high work volume and staffing shortages, etc., may make it occasionally necessary to eliminate some break periods. Lunch periods may be shortened, or eliminated if deemed necessary by the department.

Employees are expected back at their workstations ready to start work at the end of each scheduled break and lunch break period.

An hourly (non-exempt) employee may not work beyond his/her scheduled hours without prior approval from his/her supervisor.

3.3 - Code of Conduct

Public trust is essential for any successful governmental entity. To that end, employees of Beaufort County are expected to conduct themselves (both on and off the job) in a way that is respectful to citizens, coworkers, and all others associated with the County. Employees should demonstrate good judgment, discretion, and high ethical standards in everything they do that pertains to County business and/or could affect the County's reputation.

Employees should remember at all times that they are employed to serve the public, and should at all times do so with a high level of professionalism and respect.

Employees should also remember that public funds are being used, and should conduct business effectively and efficiently and protect the resources of the County. They should perform their job to the best of their ability and work all time for which they are paid.

Employees should avoid any activity which could be considered or perceived to be a conflict of interest. This includes any action which is contrary to the best interest of the County whether for personal gain or benefit of other unintended parties. **Particular care must be given in dealing with any one or business with which the County transacts or may be considering transacting with.** Employees should never use County property or position for personal gain.

Employees should always contact Employee Services or the Staff Attorney for clarification if there is any uncertainty regarding a matter.

Employees are prohibited from removing information (written and electronic) from County premises regarding County business, disseminating confidential information, and idle gossip regarding County business or fellow employees.

Employees are required to report knowledge of any illegal activity, policy violation, or wrongdoing by fellow employees, vendors, or others regarding conduct that affects county assets, safety of others, or reputation.

3.4 - Employee Appearance and Dress Code

As representatives of Beaufort County, employees are expected to maintain a professional appearance while at work. County provided identification badges must be worn at all times on an approved lanyard around the neck or clipped to the lapel area so that it is readily visible.

Some departments provide uniforms for employees. These employees should follow certain guidelines to maintain a neat and professional appearance. Uniform trousers and shorts should be worn at the waistline with a belt. Shirt tails should be tucked in. Hats, if provided, should be worn with the bill over the eyes (pointing forward).

Other Examples of Acceptable Office Attire:

Suits, dress pants, khaki's, Dockers, collared, button-up dress shirts, polo shirts, and sweaters. Shirts must be tucked in and trousers/pants must be worn at the waistline with a belt. Dresses and skirts (business-appropriate length), dress pants, blouses, sweaters, and business-appropriate footwear.

Management attire should include dress shirts, ties, jackets and/or suits for certain meetings and public functions.

Televised meetings warrant special attention to attire. Employees participating in televised meetings should ensure that they project a professional image as a county representative.

Examples of Unacceptable Office Attire:

T-shirts, shorts (except outdoor uniforms), capris, athletic wear, denim, tennis shoes; tank, tube, or halter tops; sheer (see-thru) material that exposes underclothing, spaghetti straps, exposed underwear, beachwear, garments that expose midriffs or backs, hats, headbands, or headscarves, kerchiefs (except medical/religious exceptions); casual sandals, and footwear referred to as flip flops. Clothing should not be frayed, faded, or torn, and should not display offensive or inappropriate language or pictures.

Other Appearance Topics:

Employees must cover tattoos and leave any facial, mouth, or excessive ear piercings unadorned while at work.

Hair should be neatly trimmed and professional in appearance. Facial hair should be neatly trimmed and not excessively long. Safety or occupational requirements may prohibit facial hair in certain positions.

Management makes the final determination on appropriateness of attire and appearance. Employees may be asked to go home and change if deemed inappropriate for the workplace. Time spent away to change is unpaid time.

Clean Work Place

A clean work environment everywhere in the County is essential for smooth and productive operations. Employees are expected to keep their work stations neat and orderly. The work area should be kept professional in appearance; personal or non-business materials should be kept to a minimum and not offensive or controversial to anyone with access to the area.

3.5 - Transportation and Travel**3.5.1 - Motor Vehicle and Workplace Equipment Operation**

Employees authorized to drive a County vehicle must obey all traffic laws and are completely responsible for fines resulting from traffic violations. Only County employees are authorized to ride in or operate a County vehicle and only to

conduct County business (some exceptions apply with written approval from the County Administrator). Please see the County Vehicle Usage Policy below. Employees whose job requires that they possess a driver's license must immediately report all traffic violations (on or off the job) and/or suspensions to their supervisors.

3.5.2 - Vehicle Usage Policy

The County maintains a fleet of vehicles necessary to conduct County business. With few exceptions, vehicles are assigned to specific departments for use by employees of these departments to conduct county business. Vehicles are not assigned to individuals, and individuals are not permitted to keep personal items in County vehicles beyond the work day. Upon exiting the vehicle, the employee is responsible for ensuring that the interior of the vehicle is clean and orderly; with all trash and personal belongings removed. The vehicle should be locked and keys should be submitted to the department designee after use. Department Directors are responsible for ensuring the cleanliness of vehicle exteriors, as well as ensuring that safety and maintenance protocols are followed. All County vehicles will be parked at an assigned County facility at the end of each business day. Vehicles must be parked at the facility most centrally located to its normal business use. Arrangements contrary to this policy and/or for the benefit of any employee are prohibited.

County vehicles are to be used exclusively for County business. Employees are not permitted to use these vehicles for personal business, nor are they permitted to combine County business and personal business while in a County vehicle unless doing so is in the best interest of the County (this would most often apply to those who routinely spend the majority of their day in the field – it is often more efficient to take lunch at a location near the worksite than to travel back for a personal vehicle). Vehicle usage will be audited to ensure adherence to these policies.

Employees who use their personal vehicle to conduct County business will be reimbursed for mileage provided they submit required documentation, including a signed confirmation form from their department director that no department vehicle was available. Department Directors are responsible for ensuring that compensable mileage is managed and travel is conducted as efficiently as possible. Reimbursable mileage should be submitted with proper documentation within 30 days (as opposed to submitting multiple small claims frequently).

Employees are not reimbursed for travel from home to their worksite, regardless of whether or not it is their normal reporting site, and regardless of whether it is during business hours or for emergencies after business hours*. Likewise, mileage from work to home is not reimbursable. Travel from one worksite to another is reimbursable with proper documentation as listed above.

(*While mileage is not reimbursable from home to work or work to home for after-hour emergencies, employees are compensated for after-hours emergencies from the time they leave home until the time they arrive back at home after the emergency, provided they travel directly from work to home).

3.5.3 - Business Travel Outside the County

Administration recognizes that employees who travel outside of the County to represent the County's business interests must forego their living accommodations and may forfeit personal time. Accordingly, the County will make efforts to provide comfortable and secure accommodations for lodging, meals and travel for employees.

However, these items are not intended to be perquisites, and the County reserves the right to deny reimbursement of expenses that are considered lavish or extravagant. Expenses are to be within established County guidelines, and will be reimbursed with proper documentation. Employees are expected to spend the County's money as carefully and judiciously as they would their own.

3.6 – Travel Expense Policies

Clear, honest, well-documented and organized expense reports are of vital importance to the County. Due to this importance, every employee should be familiar with all aspects of the current expense policies. See the full County Travel Expense Policy in **Appendix (A.1)**. All questions regarding this policy should be directed to the Finance Department.

3.7 - County Credit Cards

Employees authorized to use a County credit card are responsible for protecting the use of the credit card and for submitting all credit card charge tickets to the proper department for validation before payment of the credit card invoice. Credit cards are to be used exclusively for business purchases.

3.8 - Drug-Free Workplace

Beaufort County has instituted a Drug-Free Workplace Policy and complies with the Drug-Free Workplace Act of 1988. Employees are required to comply with the policy, and notify the County of any conviction for a drug-related offense within 3 days of the conviction.

The policy also prohibits being in possession or under the influence of any illegal drug or unauthorized controlled substance while working and/or on county premises or in county vehicles.

The County reserves the right to test employees it reasonably suspects to be in violation of this policy.

Alcohol presents a similar problem and is subject to the same prohibitions and testing as listed above. An employee is deemed to be “under the influence” if any detectable amount of alcohol is in his/her system.

For a list of reasons deemed appropriate to initiate reasonable suspicion testing and for a complete copy of the Beaufort County Drug and Alcohol policy, refer to **Appendix (A.2)**.

3.9 - Safety

The most effective and important part of safety is the employee himself. It is the responsibility of each employee to abide by the safety rules. These rules are made for your protection. Employees are expected to report any personal injury immediately, however minor. Report all dangerous conditions and practices to your supervisor and / or the Risk Management Department.

3.9.1 - Safety Equipment

The County provides certain employees with safety equipment. This safety equipment (e.g. safety glasses) must be worn on the job. This equipment will be signed for by the employee and replaced at their expense if lost or stolen. The County will bear the cost of replacing equipment if the equipment is shown to be defective or no longer effective due to normal wear and tear.

3.9.2 - Safety Rules

Besides the following listed safety rules, each employee should make himself familiar with the work place and check for any additional special safety rules in the designated work area.

- a. First aid supply kits are provided in the work area. It is the responsibility of the supervisors to see that the kits remain well stocked.
- b. Know where the fire extinguishers are located and how to use them.
- c. All defective materials or tools must be brought to the attention of the supervisor and not remain on the job.
- d. The County, if necessary, provides safety glasses. They should be used at all times while working.
- e. The County provides hearing protection for jobs that require such devices and should be used at all times for these jobs.
- f. Wear clothes suited for the job. Do not wear open-toed shoes.
- g. Practice good housekeeping. Keep work area clean and free from stumbling hazards, grease, etc.
- h. Learn to lift the correct way. Bend knees. Keep back erect. Get help for heavy loads.
- i. No scuffling or horseplay on the job.
- j. Do not run within the work area.
- k. Employees must be sure that their actions do not endanger other employees, or damage County or personal property.
- l. Keep guards and protective devices in place at all times.
- m. Use tools only for their intended purposes. Do not use broken or dull tools. Report broken tools to management.
- n. Do not attempt to operate special machinery or equipment without permission and training.
- p. Do not repair or adjust machinery while it is in operation and never oil moving parts except on equipment fitted with safeguards for this purpose.
- q. Employees are expected to control hazardous wastes and know how to handle exposure to hazardous wastes, including blood-borne pathogens.

If any employee suspects that the wastes they may encounter as an employee are hazardous he/she should inform management immediately.

3.9.3 - Reporting Injuries and Accidents

Employees must advise management of all accidents, injuries or illnesses that occur while at work. All accidents, injuries or illnesses that occur while at work must be reported **immediately**, no matter how slight they may appear.

The County provides the proper forms for reporting job related accidents, injuries and illnesses.

In the event of a vehicular accident involving a County owned vehicle, or while on County business, employees should report all information immediately to management. In no instance should responsibility for an accident be expressed to anyone until the proper person in the County has been notified and permission has been obtained to make statements. Refer to the Driver's Policy in the located in the glove box of all County vehicles for more detailed information.

All employees involved in an accident with a county vehicle will be required to submit to drug and alcohol screening.

3.10 - Other Topics Involving Employee Responsibilities

3.10.1 - Medication

Any employee taking medication that may impact his/her work or create a safety issue is required to report such use to their supervisors prior to their shift. Employees may be required to present a release form from the physician indicating that the individual is able to safely perform their daily work routine prior to working while on certain medications and in certain positions.

3.10.2 - Tobacco Use Policy

Tobacco use (including e-cigarettes) is prohibited in County facilities and in County vehicles.

3.10.3 - Workplace Privacy

The workplace is intended to be a place of work. An important part of work is communications and record keeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Each employee must understand that personal items and personal communications received or stored on County premises are **NOT** entitled to an expectation or guarantee of privacy.

Management reserves the right to search County property and documents in employee desks, lockers, county-owned vehicles, file cabinets, etc. Further, to help provide for the safety and security of County employees, guests, and property, the County may conduct video surveillance of County property.

Electronic media raises similar issues. The County provides electronic and telephonic communication devices and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the County. Similarly, electronic files created on a County computer or mobile device belong to the County. Employees should not use County computers and devices for personal business without the express written permission of the County. Unauthorized programs and files may not be used or installed on County computers without the written permission of the County. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the County. Employees may not destroy or delete files from County computers or mobile devices except pursuant to the County's record retention policy.

Employees of Beaufort County should have no expectation of privacy regarding any information or property used, accessed, sent or received, in both hard copy and electronic format, on any County equipment including telephones, cell phones, computer files, email, uploads and downloads from the internet, whether business related or personal.

The County reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by, passed through, or stored in the County's electronic system. The County also reserves the right to report the findings of such reviews to appropriate agencies.

The following uses are absolutely forbidden:

1. To access any material the County considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the County's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability or some similar distinction.
2. To conduct business for outside employment or a side-business.
3. To solicit others for non-work related reasons.

County employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices and cellular phones) on County property or at County work sites to engage in conduct that would be prohibited if using County equipment.

Important Notice: The County has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean that the County cannot do so. It is also possible to generate a report of every internet connection made by each user and of how much time was spent in each connection.

See the Computer Usage and Email Retention Policy in Appendix (A.3, A.4) for more information.

3.11 - Equipment and Facilities

All employees should be concerned with the care and safe use of County-owned equipment and facilities. Good housekeeping is everyone's job.

3.11.1 - Parking

An adequate parking area is provided for employees. The County assumes no responsibility for employee's vehicles or their contents while on County property. Parking personal vehicles in unauthorized areas without prior approval is prohibited and could result in disciplinary action.

3.11.2 - Telephone Use

County telephones are important to our everyday operation and are provided to facilitate official business. Employees should restrict their personal telephone calls to urgent matters only, keeping them brief and as quiet as possible. Employees should never engage in personal calls while with a customer or while a customer is waiting to be assisted.

The use of County phones for personal calls, faxes, or other electronic communication is discouraged. In the event that charges are incurred for the use of County resources, the employee must reimburse the County, and may be subject to disciplinary action.

Except in emergency situations, the use of personal cell phones to conduct personal business except while on a bona fide break or lunch is prohibited. Personal cell phone use should be conducted away from the work area and as discretely as possible if on County property.

3.11.3 - County Tools

The County furnishes all necessary tools and equipment to complete job assignments. Each employee is reminded that all items purchased by the County remain the property of the County and represent a valuable asset of the County. The costs of County issued tools and equipment is considered an advance of wages which may be deducted from the employee's paycheck if lost, stolen or damaged while under the employee's control.

It is the responsibility of the employee to whom tools and equipment are assigned to maintain and safeguard these assets as if they were their personal property. It is the policy of this County to hold the individual financially responsible for tools and equipment lost, stolen, or damaged through negligence.

A periodic inventory of tools and equipment may be made. When leaving a work area it is recommended that all tools that cannot be secured in locked storage be removed from the work area.

3.11.4 – Waste Prevention

Waste of energy and materials is costly to the County and ultimately results in losses, which must be paid for by other cost reduction actions. Please conserve energy at every opportunity by keeping thermostats in moderate ranges. Drive within speed limits. Turn lights and other electrical equipment off when not in use.

3.12 - Solicitations/Gambling

Solicitation, gambling (including athletic pools) distributions, are prohibited on County property and work-sites. Soliciting for or engaging in gambling activities, athletic pools or any other illegal activities are specifically prohibited. Employees may not solicit friends and co-workers for personal activities, clubs, charities, and other social organizations during either the employees' work time or in work areas frequented by the public. Written approval from the County Administrator is required for any exception to this policy.

Additionally, County computer and communications resources may only be used for conducting County business. Games such as "fantasy football" or unauthorized "bulletin board" or "blogging" activity involving computer and communication resources are prohibited.

3.13 - Security

All doors, files, desks, gates and any other equipment with locks must be kept locked securely when not in direct use and at each day's end. Locks should be checked regularly. County vehicles should be kept locked at all times. Lost keys or equipment must be reported to the supervisor immediately. Any concerns about security should be directed to your Supervisor and / or the Risk Management Department.

3.14 - Social Media

The County recognizes the popularity of social media and understands that many County employees may participate in social media sites while on personal time and personal computer equipment. Employees are reminded to be cautious when posting to these sites. Postings should not infer, directly or indirectly, that statements made are being made on

behalf of the county. Postings should not create hostility or disruption in the workplace. Postings should not disclose information of a confidential nature or create privacy concerns. Employees should carefully consider the impact of their activities on social media prior to posting. Employees are prohibited from accessing or posting to social media sites while on County time or on County equipment unless approved in writing by the County Administrator. All postings accessible by the public on social media may be reviewed by Administration.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the content of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate County policies if done in person also violates County policy if done through social media or similar sites. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the County on those sites, must make it clear that they are expressing their own views and not those of the County.

SECTION 4: COMPENSATION AND BENEFITS

4.1 - Compensation

The term "eligible employee(s)" used in the following sections of this handbook refers to full time employee(s) unless specifically designated otherwise.

4.1.1 - Compensation Plan

The Compensation Plan is designed to be an equitable method to pay County employees. This plan establishes a basic salary structure, as approved by County Council. The salary ranges encompass minimum and maximum rates of pay for all positions included in the Classification Plan. However, assignment to a particular range does not guarantee that the employee will be paid within the range.

- a. Starting Rates for New Employees: In most cases, a new employee is paid the minimum rate of pay for the position. Exceptions may be granted upon

written justification from the department head, with approval of the County Administrator or designee. Such a request must be made in writing by the department head and forwarded for consideration to the Employee Services Director.

- b. Part-time Employment: Part-time positions are assigned to appropriate grades by the Employee Services Director. The same principles which apply to the Compensation Plan for full-time regular employees determine salary procedures for part-time employees.

4.1.2 - Holidays

The following days are observed as holidays for Beaufort County employees:

New Year's DayJanuary 1

Martin Luther King Jr. Day ...3rd Monday in January

Memorial DayLast Monday in May

Independence DayJuly 4

Labor Day1st Monday in September

Veterans Day.....November 11

Thanksgiving Days4th Thursday and Friday in November

Christmas EveDecember 24

Christmas Day.....December 25

1. In addition to the above, employees receive any other days off that are designated as holidays by the County Council.
2. For administrative employees, when a recognized holiday falls on a Saturday, the preceding Friday is observed as the holiday. When a recognized holiday falls on a Sunday, the succeeding Monday is observed as the holiday.

3. For employees who work non-standard or “shift” hours, the following governs: When an actual holiday falls on a Saturday or Sunday, the employees who work Saturday or Sunday receive holiday pay for the Saturday or Sunday and not for the Monday or Friday which are designated as holidays for standard-schedule county employees. Shift employees who do not work the actual holiday are not paid holiday pay.
4. Temporary employees are not eligible for holiday pay.

Holiday Pay

- a. Standard-schedule employees who are scheduled to work, but perform no work on a County recognized holiday, are paid a holiday allowance equal to their regular pay without overtime. Employees who are not scheduled to work on a holiday (due to being non-standard schedule employees or those in an inactive status (FMLA, etc.) will not receive holiday pay.
- b. Employees required to work on a holiday are paid as follows:

Regular employees receive holiday pay in the amount of one day’s pay and regular pay for hours actually worked. Shift or non-standard schedule employees including some law enforcement, EMS, firefighters, and part-time employees receive holiday pay and regular pay for hours worked on the actual holiday.

Under no circumstance does an employee receive holiday pay for both the county-recognized and the actual holiday.

4.1.3 – Payment of Wages

Employees are paid every two weeks on Friday, by direct deposit. Employees should examine their pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made.

The County deducts from employee’s gross pay, federal and state income taxes, social security taxes, elective health coverage, court-ordered withholdings, required retirement withholding, and other county-approved voluntary deductions, as well as deductions for loss or destruction of County property. The County does not make unauthorized deductions and will reimburse employees if such deductions are made inadvertently and reported to payroll.

Cash, debts owed the County, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, County identification badges and other items belonging to the County that are advanced or issued to an employee but not repaid or returned by him at the time of his termination/resignation are considered advances of wages, the value of which may be deducted from the employee's pay.

Questions regarding deductions should be directed to the Employee Services Director.

4.1.4 – Overtime

Non-exempt employees are expected to confine their work to the normal workday and workweek unless their supervisor authorizes overtime in advance. If determined necessary, in the case of an emergency, or when it is in the best interest of the County, employees may be required or authorized to work overtime. Overtime is based on hours *physically* worked over forty (40) within one workweek even though employees are paid biweekly.

Non-exempt employees, other than law enforcement and fire suppression, are paid one and one-half (1.5) times their regular rate of pay for hours physically worked in excess of forty (40) hours per week. Law enforcement officers on 12 hour shifts are paid overtime after 171 hours worked in 28 days. Fire suppression employees are paid overtime after 212 hours worked in 28 days. In lieu of overtime, the County may award compensatory time at a rate of time and one-half to employees who work in excess of the statutory maximum hours.

Exempt employees often work irregular hours and are generally expected to work core business hours, as well as hours prior to or after the normal workday as well as some weekends as necessary. Exempt employees' salaries are designed to acknowledge the likelihood of additional hours. Exempt employees are not eligible for overtime or compensatory time. Paid leave should be submitted for time not worked during the normal schedule.

4.1.5 - Payroll Errors

If an employee believes there is an error in pay, he/she should notify the Employee Services Director within fifteen (15) days of receiving the paycheck. The County will attempt to adjust the error immediately or no later than the employee's next pay period.

4.1.6 - Garnishment of Employee Wages

Deductions may be made from wages when ordered by a court or when otherwise permitted or required by law.

4.1.7 - Pay at Time of Separation

Any outstanding debt owed the County and the value of any property (e.g. credit cards, uniforms, tools, etc.) is deducted from the final check as an advance of wages. After a full accounting of the employee's and the County's accounts (as determined by the County) is completed, a final paycheck is issued to the employee, normally on the next regular pay date.

Upon resignation or termination, the employee is encouraged to consult the Employee Services Department to address any questions regarding post-employment benefits and paperwork. Any employee terminating their employment is expected to return any County property in his/her possession.

4.1.8 - Payment of Accumulated Personal Leave Time (PLT) At Separation

An employee's last day worked (except in cases of unpaid leave such as FMLA) is his/her last day of employment. Accrued PLT time will be paid out with the departing employee's final pay.

Employees will not be paid for any unused accrued Disability Leave hours, Salary Continuation Account hours, or Bereavement Leave hours upon separation from county employment.

4.2 – Leave**4.2.1-Personal Leave Time (PLT)**

The PLT account is established for regular full-time employees. Personal Leave Time is accrued by eligible employees receiving pay from Beaufort County for any of the following: 1) days worked, 2) days taken as PLT, 3) days taken for jury duty, or 4) any other approved time off with pay.

Full time employees accrue PLT provided they are "in pay status" at least fifty percent of the pay period.

Accrual rates for regular employees are as follows:

<u>Service</u>	<u>Hours/Pay Period</u>	<u>Hours/Yr.</u>	<u>Days/Yr</u>
0 - 6 months*	0.00	0.00	6
6 mos. - 1 yr.	3.693	48	6
1 yr. - 5 yrs.	4.616	120	15
5 yrs. - 10 yrs.	6.154	160	20
10 yrs and over	7.692	200	25

(*PLT is credited in the pay period immediately following the 6 month anniversary date).

Accrual rates for full time EMS and Hilton Head Airport employees working 24 hours shifts:

<u>Service</u>	<u>Hours/Pay Period</u>	<u>Hours/Yr.</u>	<u>Days/Yr</u>
0 - 6 months*	0.00	0.00	3 Shifts
6 mos. - 1 yr .	5.5390	72.00	3 Shifts
1 yr. - 5 yrs .	6.4615	168.00	7 Shifts
5 yrs.- 10 yrs.	8.3077	216.00	9 Shifts
10 yrs and over	10.1540	264.00	11 Shifts

(*PLT is credited in the pay period immediately following the 6 month anniversary date.)

4.2.2 - Maximum Accrual Balance

A maximum of two hundred and eighty hours may be accumulated in the PLT account. All PLT hours in excess of two hundred and eighty hours, up to a maximum of three hundred and sixty hours, will automatically be transferred to the Disability Leave (DL) account (described below).

4.2.3 -Disability Leave (DL)

The DL account is established for employees to use in the case of a debilitating injury or physical/mental illness. Regular employees may not use this account until accrued hours in the PLT account have been used down to eighty hours. A maximum of three hundred and sixty hours may be retained in the DL account. The employee must present a doctor's certificate verifying the disability or illness in order to use this account.

When an employee has consecutive days off due to a debilitating injury or illness which has been certified by a doctor, and his time off extends past the allowable limits of withdrawal for PLT, the County reserves the right to request a second opinion from a doctor.

4.2.4 -Funeral/Bereavement Leave

Full-time employees are paid for up to 24 hours per calendar year to be absent from work due to the death of a member of their immediate family. The immediate family for the purpose of this leave is defined as: parent, spouse, child, sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandchild, and grandparents. These hours do not have to be taken consecutively. This leave will not be cumulative from one year to the next year.

4.2.5 - Scheduling Leave (Mandatory)

- a. Employees must submit a request to their immediate supervisor for the use of PLT at least forty-eight hours in advance (except for illness or emergency). Leave will be granted whenever possible and practical, but may be denied in cases of business need or excessive requests during a certain time period, etc.

- b. All full-time county employees with more than one year of service are required to take at least five days/forty hours of their accrued PLT each year. Department directors and/or supervisors are responsible for monitoring this process to ensure that every employee has used this opportunity to take a vacation each year.
- d. Employees may be required to submit a doctor's statement for missed days due to illness or injury at any time County Administration believes a statement is necessary.
- e. In case of absences due to accidents, sudden illness or emergencies, employees must notify their supervisor or department directors within thirty minutes after the regular time for reporting to work.

4.2.6 - Salary Continuation Account (SCA)

The SCA was established effective January 6, 1990 for all eligible employees with accrued sick leave. On this date, eligible employees had all their accrued sick leave, up to a maximum of seven hundred and twenty hours, transferred to their SCA. This account can be used in the case of a debilitating injury or physical/mental illness; however, all hours accrued in the DL account must be exhausted prior to using any SCA hours. These hours are not paid out upon separation from employment.

4.2.7 - Medical, Dental and Other Routine Appointments

Routine medical, dental and optical appointments should be scheduled outside working hours. When this is not practical, occasional absences for such reasons should be requested in advance, and if approved, are to be charged to leave time.

4.2.8 - Jury Duty

A regular employee may receive leave with pay for up to ten (10) calendar days per calendar year when the employee is subpoenaed to serve on jury duty and the hours of jury duty conflict with the hours of his county work. If the jury duty extends beyond the ten working days, the employee may use personal leave, if available. If not available, then the employee will be placed on leave of absence without pay.

A copy of the subpoena must be submitted to the department director and forwarded to the Employee Services Department within five working days prior to actual day of duty. When an employee is excused from service on a jury

during working hours, he shall report for duty at his regular place of work if within reasonable commuting distance, or he shall be charged PLT for time excused. If an employee is excused from jury because of illness, PLT, DL or SCA time shall be charged in accordance with policy. Employees are entitled to all fees received as a juror.

4.2.9 - Official Court Attendance

Employees are paid by the County if subpoenaed or ordered to attend court or administrative hearings to testify in some official capacity on behalf of Beaufort County, the state or the federal government

4.2.10 - Private Litigation

Employees required to attend court for personal and/or private litigation purposes must use PLT if available, or leave without pay otherwise.

4.2.11 - Voting

Beaufort County employees may be granted one hour administrative leave with pay, preferably between the hours of 8:00 a.m. and 9:00 a.m., or 4:00 p.m. and 5:00 p.m., for the purpose of voting in any general, primary, county or city election. However, scheduling the administrative leave to vote is at the discretion of the Department Director.

4.2.12 - Military Leave

- a. All regular employees who are members of the South Carolina National Guard or any reserve unit of the United States Armed Forces are entitled to military leave for training or deployment in accordance with state and federal law.
- b. Employees are eligible for up to 15 days (shifts) of military pay for training per year (October – September). For emergency deployments such as those required per operation “Enduring Freedom”, an additional 30 days (shifts) will be paid.
- c. An employee going on military leave should present a copy of his/her orders to his Department Director within three (3) days of receiving them. The orders must accompany the application for leave to the Employee

Services Department for documentation purposes. For extended leave, employees must contact Employee Services prior to deployment for important benefit information.

4.2.13 - Administrative Leave

The County Administrator may instruct county departments to close due to hazardous weather or other natural disasters or emergencies.

4.2.14 – Family and Medical Leave Act (FMLA)

FMLA applies only to employees who have been employed 12 months or longer and who have worked 1250 hours or more in the preceding 12 months, both prior to commencement of leave.

General: Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on FMLA leave status without application.

Reason for Leave of Absence

1. Medical and Family Leave – An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job; if the employee's spouse, child, or parent has a serious health condition and the employee must be absent from work in order to care for that relative; or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.
2. Military Caregiver Leave – An eligible employee whose spouse, parent, child, or next-of-kin is a covered service member or covered veteran of the Armed Forces of the United States may be entitled to a leave of absence to care for the service member or veteran if he is, or was, injured while on covered active duty, including if he aggravates an existing injury.

3. Qualifying Military Exigency Leave - An eligible employee whose spouse, parent, or child is a member of the regular Armed Forces of the United States and is on active duty or called to active duty on a foreign deployment, or who is a member of the National Guard or Reserves and is on or called to qualifying active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (i.e., notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Parental care (regular or routine parental care by the employee does not count); and (9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

Proof of need for leave of absence may be required regardless of the type of leave taken.

Length of Leave

1. Medical and Family Leave – An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for his own serious health condition, that of a parent, spouse or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.
2. Military Caregiver Leave. Leave to care for an injured service member or covered veteran may be taken for up to 26 work weeks in a single 12 month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.
3. Qualifying Military Exigency Leave. Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited 7 days from the date of notice, and leave taken to be with the service member during periods of

rest and recuperation are limited to 5 days per period of rest and recuperation. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active duty service.

Coordination of Leave and Paid Time Off

An employee who must be absent for an FMLA-qualifying reason will be paid for time lost from work from accrued paid time off balances, if any. Leave taken under this policy counts towards the employee's 12 weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid.

Effect of Leave on Accrual of Fringe Benefits

1. Health benefit plan- Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages.
2. Accrual of paid leave- Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

Employee Responsibility

Employees who request leave under this policy must give 30 days advance notice or such lesser amount of notice as is possible in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence. Employees may not engage in side employment or work for another employer without the express written permission of County Administrator.

Termination of Leave of Absence

A leave of absence under this policy will end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

Reinstatement

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for duty and must give reasonable notice of intent to return to work.

Extension of Leave Without Benefits

An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, in the discretion of the County Administrator, upon written application, be granted up to an additional 12 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of his health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his extended leave, he may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on extended leave of absence status until he is returned to active duty status or his extended leave of absence expires, whichever occurs sooner.

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the County Administrator.

Separation of Employment

An employee's employment may terminate if he does not return to full active employment status at the conclusion of his leave of absence or extended leave of absence. This does not affect the employee's ability to reapply for a position at a later time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.

Special Situations

1 .Spouses - When both a husband and a wife are employed, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12 month period, or 26 weeks in a single 12 month period to care for an injured service member or covered veteran.

2. Key Employees (salaried employee in highest paid 10% of all employees). Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

Notice of Rights

Federal law requires that we provide you with the notice of your rights that appears in **Appendix A.5**

4.2.15 - Physical Disability and Personal Leave

(Applies to employees whose reasons for leave are **not covered** by the Family and Medical Leave Act.).

An employee who has completed his/her initial probation (and any extension thereof) is eligible to apply for a leave of absence for up to three months when unable to work because of sickness, pregnancy or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leave is granted only at the discretion of the County Administrator upon recommendation by the employee's department head and Employee Services Director.

Employees are requested to apply for leave of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

Physical disability leaves begin on the first day of absence. Employees not covered by FMLA will be responsible for the full cost of their insurance benefits.

After the employee has exhausted his paid leave time and/or disability leave, as a general rule an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. Certain exceptions may be established by law. Employees approved for this leave are responsible for payment of the full cost of any benefits and do not generally have job protection except where required by law.

Employees on leave of absence may not engage in other employment.

Employees desiring to return to work from an unpaid leave of absence should notify the Employee Services Director in writing at least ten (10) days prior to their desired date of

return. If the County finds that the employee is fit to resume his duties, the employee may be placed in his former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be placed in any job in which there is a vacancy which is to be filled and for which he is qualified. If no such vacancy exists at the time the employee desires to return to work, or by the end of the 3 month leave of absence, employment is subject to termination. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.

4.2.16-Workers' Compensation

Employees must report all work related accidents and injuries immediately to his/her supervisor. Beaufort County provides Workers' Compensation Insurance to provide medical benefits and/or compensation (indemnity) benefits for a covered worker who sustains a disabling injury by accident arising out of and in the course of employment. See **Appendix (A.6)** for the complete Beaufort County Workers Compensation Policy.

4.2.17 - Educational Leave

All regular employees are encouraged to take advantage of educational and vocational courses which will help improve their current positions and better prepare them for promotion to related and higher level positions in county service. County Administrator approval is required prior to unpaid educational leave and may be granted when it is in the best interest of the County and when it will not cause undue disruption or hardship in the department.

Employees may also be granted leave with pay to attend seminars, briefing sessions, or other functions of a similar nature that are intended to improve or upgrade the individual's skills or professional ability.

An employee who receives prior approval and completes an approved course during off-duty hours may be reimbursed 100% of course costs provided:

1. Approval is received from the Department Director and the County Administrator / Deputy Administrator, as appropriate, prior to the commencement of the course.
2. The course is job-related or related to a position within the County to which the employee can be promoted.

3. The course is successfully completed with a minimum grade of "C" at the undergraduate level and "B" at the graduate level.
4. The department has budgeted for and received approval for funding of the educational courses.
5. The approved course is not being paid for or reimbursed by federal, state, or other organizations or agencies.
6. The offer is made available to all similarly situated employees within the department.

The county reserves the right to require an employee to reimburse, as an advance of wages, payment for a course if the employee voluntarily leaves county employment within one year to pursue a job in an occupation related to the course.

4.2.18 - Employee Emergency Leave Transfer Bank (EELTB)

Full-time county employees who have experienced a personal or immediate family medical or other hardship emergency situation may share in the employee leave bank if the employee meets eligibility requirements. The emergency must necessitate the employee's absence for a prolonged period of time and be anticipated to result in a substantial loss of income due to the unavailability of adequate paid leave time. See **Appendix (A.7)** for a complete copy of the EELTB policy.

4.3 - Insurance

The County may provide a variety of employee benefits and insurance to full time employees. The following list is just a brief summary of the possible benefits available. Employees should contact the Employee Services Department with any questions or to discuss specific aspects of these benefits.

4.3.1 - Hospitalization and Medical Insurance

The County maintains a group hospitalization and medical insurance program. Full-time employees become eligible for coverage under these programs on the first day of the subsequent month after date of hire, provided all proper applications are made.

The County and the employee share the cost of the premium for the coverage of the employee and eligible dependents. The employee's share of the cost of this insurance is deducted from the employee's pay and paid along with the County's contribution to the insurance company.

4.3.2 - Continuation of Group Health Insurance (COBRA)

Employees terminated or otherwise losing coverage may be permitted to continue their group health insurance coverage in accordance with federal law.

Employees terminated must notify the COBRA Administrator in writing of their intent to continue coverage within sixty (60) days and must pay the premiums according to the premium schedules. Failure to notify management in writing, or pay premiums, is considered notice of cancellation of this option.

A dependent no longer eligible for coverage under the employee's group insurance plan due to employee's death, a divorce or legal separation, or a child ceasing to be a dependent, may continue group health insurance under COBRA in accordance with federal law.

Dependents must notify management in writing within sixty (60) days of their intent to continue coverage. Failure to notify management in writing, or pay premiums, is considered notice of cancellation of this option.

See Appendix (A.8) for a COBRA fact sheet.

4.3.3 - Long Term Disability Insurance

Full time employees are automatically enrolled in the long-term disability program and become eligible for disability benefits after one hundred and eighty (180) calendar days of continuous sickness or accident disability according to the provisions of the plan.

4.4 - County Emergency Disaster Policy and Procedures

The Emergency Disaster Policy is provided as guidance to members of the Emergency Operations Team as well as other employees who may be affected by area emergencies or disasters including floods, hurricanes, epidemics, riots, or other public calamity. The policy defines threat levels, pay policies for EOT members, etc., as well as guidelines for various readiness levels. **Please see Appendix (A.9) for the complete Emergency Disaster Policy.**

County Council reserves the right to change any and all policies, benefits, procedures, and other information in this handbook at any time.

APPENDIX

A.1 - Beaufort County Travel Policy and Procedures

General Policy

Employees of the county shall be reimbursed for travel and expenses incurred in the course of their employment only when such travel has been authorized by the County Administrator, Deputy Administrator, CFO, or Division Head, as appropriate. Travel taken without prior approval may not be eligible for reimbursement.

A Travel Request must be completed, approved and submitted to the Finance Department with all necessary documentation attached. A Travel Request is required for a day trip if a registration fee is required. All overnight stays require Travel Requests.

All Travel Requests must be followed up with a Travel Reconciliation after travel is completed.

Travel Request must include organization number (department) to be charged. XXXXXXXX-51320.

Indicate method of travel (personal vehicle, car pool, county vehicle, etc...). If a county vehicle is available and provided, an employee may not be reimbursed for use of a personal vehicle.

Travel arrangements may be paid for with a County p-card only after travel has been approved. Use of personal credit cards is prohibited if employee has been issued a p-card. P-cards should not be used for food purchases while traveling. If hotel charges are deemed not related to County business (i.e., movies, room service, internet access, or alcohol purchases) then the cardholder will be responsible for reimbursing the County.

Travel Request Forms

Approved Travel Requests must be received in the Finance Department Friday, no later than 5:00 pm, to be included in the following weeks check run. Travel checks are cut once per week as part of the accounts payable run. Plan ahead to avoid late payment of registration, hotel, etc... Call Finance if you have any concerns about the date your check will be cut.

Registration

Please spell out the entire name of the organization to be paid. (Example, SCSCJA- South Carolina Summary Court Judges Association). Always attach conference schedule/itinerary, and any other backup information pertaining to the requested travel. Please provide mailing address and indicate if registration fee is to be mailed or hand delivered by employee. If registration has been paid using p-card, it is imperative that this is noted on the Travel Request so that a check is not sent.

Lodging

Lodging expenses will be prepaid in full by County check to the applicable hotel/motel listed on the Travel Request. A correct address and confirmation

number are required. If a p-card is used for lodging, report the amount charged on the Travel Request form and indicate that the p-card was used so that a County check will not be sent. A copy of the hotel receipt will be required as a part of the reconciliation process. It will also be needed for the p-card monthly report.

When a double or higher occupancy rate is charged, only the covered traveler's lodging costs will be reimbursed.

Per Diem

For overnight trips, per diem will be paid in advance and will not require receipts for Travel Reconciliation purposes. Per Diem is calculated based on the location of the travel. See gsa.gov which lists per diem rates by destination, as well as the Meals and Incidental Expenses (M&IE) breakdown per meal. The County pays per diem rates less the incidental amount. For example, Columbia would be \$46 (\$51-\$5). Per Diem is also based on the agenda. Meals included in the registration or provided by the hotel will be deducted. Include estimated time of departure and return on your Travel Request form. Employees are entitled to reimbursement for breakfast expense if they depart prior to 6:30 a.m. and for dinner expense if they return home later than 7:30 p.m. This entitlement is based on the premise that early departure and late return times as provided above are out of necessity and not at the discretion or convenience of the employee. You are required to show your computation for per diem requested on or attached to the Travel Request. For example:

Monday 9/1: leaving at 10 a.m., lunch, dinner = \$38

Tuesday 9/2: breakfast, dinner (lunch provided) = \$34

Wed 9/3: returning by 6 p.m., breakfast, lunch = \$20

Total Per Diem = \$92

For day trips, reimbursement for out of pocket meal expenses will be reimbursed upon submission of a properly completed Travel Reconciliation. If a Travel Request is not required (no registration fee or overnight stay), then meal reimbursements will be made after receipt of a completed Request for Payment, itemized receipts, and details of the reason for the meal (who, what, when, why, where). Reimbursement for meals will be made for the actual

amounts expended, up to the maximum per diem allowance for such a meal, i.e., if lunch in Columbia costs \$10.79, the employee will be reimbursed \$10.79. However, if lunch in Columbia costs \$18.92, the employee will only be reimbursed \$12.00, which is the current maximum lunch per diem allowance for Columbia. No per diem will be advanced for any day trips. Meals consumed on travel within Beaufort County will not be reimbursed.

Please specify where the per diem is to be sent: mailed, inter-office, hold for pick-up, etc...

If per diem is issued to one employee who can no longer attend training, please return the check to Finance. Do not allow the employee to cash the check and give money to another employee taking their place. The check will be reissued in the employee's name that will be attending. If the check has already been cashed, please forward to Finance a check payable to the Treasurer for the per diem amount paid immediately.

Public Transportation

The County shall pay round-trip coach fare for employees attending county-related functions. In the event that coach fare is not available on any reasonable travel schedule, the county shall pay full fare. Upon approval of Travel Request, public transportation must be purchased with a p-card if the employee has been issued one. Public transportation purchased with personal funds may be reimbursed upon presentation of appropriate documentation of purchase. For example, a printed receipt showing the charge made to a personal credit card. Airfare prices must be checked on travel sites, such as Expedia or Travelocity in order to find the best rate. Keep in mind, personal airline points have no bearing over the flight chosen. If a higher priced airline is chosen for the purpose of personal points, the employee must provide a print-out of airline prices from Expedia or Travelocity on the day their purchase was made. Reimbursement will be based on the best price available at that time.

If taxi expenses are incurred, the county shall reimburse employee for actual cost of trips from airports to hotel/motel and return, as well as hotel/motel to place of function (if not the same) and return. Reimbursement will be made upon completion of a Travel Reconciliation with receipts attached. Employee may use p-card for taxi fares if employee has been issued one.

Personal Mileage

County employees shall be reimbursed for mileage at the rate set by the Federal Government upon Beaufort County Council approval. Under no circumstances will mileage be prepaid for any travel. A county vehicle should be used if possible. If a county vehicle is available and not used, personal mileage will be reimbursed at half the normal rate.

Car pool when possible. For example, if five employees are traveling to the same location for the same purpose and length of time, employees should car pool. Each employee should not be requesting mileage reimbursement. Only the owner of the vehicle being used shall be reimbursed mileage.

Do not use the county gas card or your p-card to fuel your personal vehicle.

No employee shall be reimbursed for travel between his normal work site and his home.

Miscellaneous

Use this area for additional fees, such as memberships, parking, estimated taxi costs. Internet connection for business use is reimbursable. Internet for personal use is not.

Travel Reconciliations

All Travel Requests must be followed up with a Travel Reconciliation which must be presented to the Finance Department within five working days after return. Indicate your TR (travel request) number on your Travel Reconciliation. To be reimbursed for travel expenses, the traveler must submit all required receipts and documentation. If additional expenses were incurred during travel that were not included on the original Travel Request, those expenses must be approved for reimbursement by the appropriate County Administrator, Deputy Administrator, CFO, or Division Head. When completing Travel Reconciliation form, indicate dates in which travel occurred. Record registration fees under miscellaneous expenses. If payment was made with county p-card, please note on Travel Reconciliation.

Mileage Reimbursement

Mileage reimbursement is subject to Finance Department verification. MapQuest inquiries may be used for verification purposes. Any additional mileage should be noted or explained. Mileage occurring for daily travel to and from various county duties must be reported separately from mileage pertaining to a Travel Request.

Lost Receipts

In cases where receipts cannot be obtained or have been lost, a Missing Receipt Statement may be attached to the Travel Reconciliation form with the reason given. In the absence of a satisfactory explanation, the amount involved may not be allowed.

A.2 - Drug-Free Workplace

EMPLOYEE SUBSTANCE ABUSE AND TESTING POLICY

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the County to comply with the state and federal Drug Free Workplace Acts, to comply with applicable federal regulations, to establish and maintain alcohol and drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and the use of controlled substances on or off the job. For these reasons, the County adopts the following policy:

A.2.1. GENERAL RULE

All employees of the County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.). Further, this prohibition applies to the misuse, abuse or any unlawful use or possession of otherwise legal drugs. This prohibition applies to use at any time, both on

the job and off the job. County employees are permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

All employees of the County are prohibited from using or possessing alcoholic beverages on County premises or time. (The term “County premises or time” includes: County vehicles and private vehicles on County premises; parking lots and recreation areas; and any circumstances in which an employee is representing the County, such as attending off-premises business meetings or conferences. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) The County Administrator may approve moderate alcohol use at designated social or business functions.

All employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. (**An employee is considered to be “under the influence of alcohol” if he has any detectable amount of alcohol in his system.**) An employee taking prescribed medication which might affect his ability to perform his job is required to advise his supervisor. The County will determine whether the employee may continue to work. Employees may be required to submit to a drug screen.

These prohibitions also apply to leased employees and contractors employed by the County or working on County property.

A.2.2. APPLICANTS FOR EMPLOYMENT

Applicants tentatively selected for employment must undergo a pre-employment drug test. The County does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant’s expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)

A.2.3. CURRENT EMPLOYEES

A. All County employees are subject to drug testing by urinalysis where “particularized suspicion” of drug use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:

- a. Information that an employee has used drugs or substances in violation of this policy is provided by a reliable informant;
- b. An accident occurs. “Accident” is defined as:
 - (1) an accident involving a fatality;
 - (2) an accident causing personal injury; or
 - (3) an accident involving property damage.

NOTE: DOT regulated employees (CDL Drivers) are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.

- c. An employee exhibits any of the following:
 - (1) extreme mood swings;
 - (2) slurred speech;
 - (3) unusual clumsiness;
 - (4) staggering;
 - (5) dilation of pupils;
 - (6) sleeping on the job or lethargy;
 - (7) excessive unexplained sweating;
 - (8) other aberrational behavior;
 - (9) an employee has been arrested for or convicted of a violation of drug laws; or
 - (10) an employee has tested positive for drugs or otherwise violated this policy within the past five years.

- B. All County employees are subject to alcohol testing where “particularized suspicion” of alcohol use in violation of this policy exists.

1. Particularized suspicion is deemed to exist when:
 - a. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
 - b. an accident occurs. "Accident" is defined in the same manner as it is in section (III) A of this policy.
 - c. an employee exhibits behavior consistent with alcohol use such as but not limited to:
 - (1) erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - (2) the apparent odor of an alcoholic beverage on an employee's breath;
 - (3) other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - d. an employee has admitted violating the County's alcohol policy;
 - e. an employee is arrested for or convicted of an alcohol related offense;
 - f. an employee has tested positive for alcohol in violation of this policy, or otherwise violated this policy, within the past five years.
- C. Particularized suspicion testing is conducted upon the approval of the County Administrator or his designee.
- D. All sworn law enforcement officers, fire suppression personnel, employees who are required by their jobs to possess a Commercial Driver's License or employees whose jobs the County regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. A list of safety sensitive positions is available in Employee Services. Random selection testing is unannounced.

- E. Employees may be tested for the use of controlled substances as part of any “fitness for duty” physical examination mandated by federal/state law or by the County, or as otherwise allowed by law.
- F. Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including discharge. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of urine, saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate urine, saliva or breath specimen, or failure to sign a required certification form.

A.2.4. TESTING PROCEDURE

A. Drug testing:

1. Drug testing will be by urinalysis.
2. The collection of urine samples is performed under reasonable and sanitary conditions.
3. Urine is normally collected under conditions of semi-privacy – that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule. In addition, direct observation will be used in DOT-mandated testing for DOT-regulated employees when allowed or required by DOT regulations.
4. Urine samples are sealed, labeled, and documented in accordance with the procedure of the drug testing collector or laboratory. Tests performed pursuant to DOT regulations will follow the procedures required by those regulations. Labeling, storage, and transportation of samples are performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
5. Specimens are checked for at least the following six drugs:
 - a. marijuana

- b. cocaine
- c. opiates
- d. amphetamines
- e. phencyclidine
- f. barbiturates

NOTE: Tests performed pursuant to DOT regulations check for only those substances mandated by the DOT regulations.

- 6. Applicants and employees are provided an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
- 7. Samples which initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method. If the confirmatory test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment-related purposes.
- 8. The County's Medical Review Officer normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the County.
- 9. A positive-dilute result is treated as positive. A negative-dilute result will result in a retest. Absent satisfactory explanation, a second negative-dilute result may result in the test being considered adulterated. Dilute test results in DOT-mandated tests will be handled according to DOT regulations.

B. Alcohol Testing:

- 1. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed

questionable by the County, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test. The County uses only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for DOT-mandated alcohol testing. The County reserves the right to utilize blood testing for non-DOT alcohol tests.

2. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
3. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)
4. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.

A.2.5. NOTICE TO EMPLOYEES

The County attempts to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees to abide by the policy as a condition of employment.

A.2.6 NOTICE TO EMPLOYER, STATE AND FEDERAL GRANTOR/ CONTRACTING AGENCIES, AND LAW ENFORCEMENT AUTHORITIES

- A. As a condition of employment, employees agree to notify the County within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The County will notify all state and federal grantors/contracting agencies of such employee convictions within ten days as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.
- B. The County will notify law enforcement authorities whenever illegal drugs are found in the workplace.

A.2.7. CONSEQUENCES OF VIOLATING THIS POLICY

- A. Employees who violate this policy are subject to immediate termination of employment.
- B. Except for sworn law enforcement officers, in lieu of terminating an employee, the County may in its sole discretion condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of an alcohol or drug counseling / rehabilitation program.
- C. If the County, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to the following:
 - 1. Referral of the employee for alcohol or drug abuse counseling;
 - 2. Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;
 - 3. Requiring the employee to authorize any rehabilitation facility to report periodically to the County during the course of treatment/counseling;
 - 4. Placing the employee on probation for at least six months following the employee's return to duty; and
 - 5. Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.
- D. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to immediate termination.
- E. An employee whose return to duty test sample does not indicate that the employee has discontinued illegal use of drugs or indicates that the employee is in violation of this policy is subject to immediate termination.

A.2.8. COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS

- A. Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, in the County's sole discretion may be upon the first violation be subject to Part A.2.7 (B) - (E) of this policy in lieu of termination.
- B. An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the County, is subject to immediate termination if he again either admits to, or is otherwise found to be in violation of this policy.

A.2.9. CONFIDENTIALITY

Any alcohol or drug test results or information supplied by employees and applicants as part of the County's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

**A.3 – Beaufort County Computer and Information Systems
Acceptable Use Policy****Overview**

Beaufort County's intention for publishing an Acceptable Use Policy is not to impose restrictions that are contrary to Beaufort County's established culture of openness, trust and integrity. Beaufort County is committed to protecting Beaufort County's employees, partners and the county from illegal or damaging actions by individuals, either knowingly or unknowingly.

Network related systems, including but not limited to computer equipment, printers, software, operating systems, storage media, email, wireless/mobile devices, PDA's, and phone systems, are the property of Beaufort County. These systems are to be used for business purposes in serving the interests of the county, and of our clients and citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every Beaufort County employee and affiliate who deals with information and/or information systems.

Purpose

The purpose of this policy is to outline the acceptable use of computer equipment and networked systems at Beaufort County. These rules are in place to protect the employee and Beaufort County. Inappropriate use exposes Beaufort County to risks including virus attacks, compromise of network systems and services, and legal issues.

Scope

This policy applies to employees, contractors, consultants, temporaries, and other workers at Beaufort County, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by Beaufort County.

Policy**General Use & Ownership**

1. Users should have no expectation of privacy in electronic communications, use of County property, or Internet access. Beaufort County reserves the rights to review, audit, or monitor any County information system.
2. Email is an extension and property of Beaufort County Government.
3. Beaufort County reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security & Proprietary Information

1. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. Passwords should be changed every 90 days.
2. All PCs, laptops and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 60 minutes or less, and by logging-off the workstation when the computer will be unattended.

3. Because information contained on portable computers is especially vulnerable, special care should be exercised.
4. Postings by employees from a Beaufort County email address to newsgroups, blogs, or other online communities are prohibited unless approved by County Administration. All devices used by the employee that are connected to the Beaufort County network, whether owned by the employee or Beaufort County, shall be continually executing approved virus-scanning software with a current virus database, unless overridden by departmental or group policy and approved by County Administration.
5. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.
6. IT reserves the right to filter internet access to ensure a safe working environment and enforce policies.

Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities.

Under no circumstances is an employee of Beaufort County authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing Beaufort County-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System & Network Activities

Examples of inappropriate uses include, but are not limited to:

1. The installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Beaufort County.
2. Installation of ANY software not authorized by the IT Director. This includes but is not limited to: Screensavers, games, file sharing programs (Kazaa, Grokster, Limewire), additional browsers, etc.

3. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Beaufort County or the end user does not have an active license.
4. Accessing pornographic material for other than law enforcement purposes.
5. Introduction of malicious programs into the network. (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.)
6. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
7. Using a Beaufort County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
8. Slander, libel, deliberate misinformation.
9. Gaming: betting, gambling, wagering.
10. Revealing unauthorized or confidential information.
11. Use of County technology resources for personal gain, or to support or advocate for non-County related business or political purposes. This includes the use of printing resources for non-County related purposes (i.e.-flyers, promo letters, party notices, bulletins).
12. Create, distribute, upload or download any disruptive, abusive, harassing, threatening, or offensive messages, including offensive comments or graphics about sex, race, gender, color, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin.
13. Intercept network traffic for any purpose unless engaged in authorized network administrative duties.
14. Install or use of encryption software on any Beaufort County computers without first obtaining written permission from your Department Director and Technology

Services. Users may not use encryption keys or encryption passwords that are unknown to their Department Director.

15. Engage in online fundraising (unless approved by County Administrator; e.g., United Way).
16. Engage in mass-mailing or send County-wide messages without Deputy/County Administrator approval.
17. Load personal Internet Service Provider accounts (i.e. AOL, CompuServe, etc.) on County owned equipment.

Limited Personal Use

Authorized Users of the County may use the Internet and e-mail for limited personal use. This is defined as any personally initiated online activity (including e-mail and Internet usage) that is conducted for purposes not related to County operations. **This is a privilege**, not a right, and may be limited or removed at any time by management. Beaufort County does not accept liability for any loss or damage suffered by an employee as a result of that employee using the County Internet connection for personal use. Occasional, limited, appropriate personal use of the computer system is permitted when the use does not:

1. Interfere with the User's work performance (It shall be infrequent and brief).
2. Interfere with the normal operation of your department or work unit.
3. Interfere with any other User's work performance or have a negative impact on overall employee productivity.
4. Have undue impact on the operation of the computer system.
5. Cause any additional expense or load to the County or department.
6. Compromise your department or the County in any way.
7. Violate any other provision of these procedures, any other policy guideline, any law/regulation, i.e., HIPAA, or standard of Beaufort County.

In limiting personal use, the County expects employees to exercise the same good judgment that they would use in all work situations. For example, you are expected to

know that taking five minutes to call your spouse during a coffee break is acceptable, while taking three hours to go shopping at the mall during the workday is not. Making decisions about your use of network resources is no different.

Email & Communication Activities

The Beaufort County email system exists to serve County operations. As such, it should be used in a professional and businesslike manner. Use common sense in selecting any “Stationary” or style sheets for your email. Signatures on email should be limited to the following:

- Name
- Department
- Phone number
- County or Departmental Logo and web URL if desired
- Confidentiality or Privacy notice if required

In particular, there should be no “smiles”, personal graphics, or personal quotations appended to email.

The following activities on the email system are prohibited:

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone or paging, whether through language, content, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "joke email", "Ponzi" or other "pyramid" schemes of any type.

6. Promoting non-county events, fund raisers or personal business.
7. Any email containing disruptive, abusive, harassing, threatening, or offensive language, including offensive comments or graphics about sex, race, gender, color, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin.

Please reference the Beaufort County Email Retention Policy for additional considerations in archiving and compliance for email retention periods pursuant to FOIA and County policies.

Network Monitoring

All computer applications, programs, data and work-related information created or stored by County employees on County information systems and resources are the property of Beaufort County. Beaufort County employees shall have no expectation of privacy in anything they store, send or receive on the County's computer systems. Beaufort County may monitor messages or data without prior notice. Beaufort County is not obligated to monitor e-mail messages. The County reserves the right to access and monitor e-mail use and any other computer related transmissions, as well as stored information, created or received by County Users with County technology systems and resources under the following circumstances:

1. Performance monitoring or problem solving purposes
2. Necessary in the course of an investigation for possible violation of County policies
3. There is reasonable suspicion that a User has committed, or is committing a crime against the County or for which the County could be liable
4. Random or automated monitoring to ensure that content is in compliance with the business's established policies
5. Request for monitoring is made by appropriate authority
6. Required to do so by law

The reservation of this right is to ensure that public resources are not being wasted and to ensure the County's information systems are operating as efficiently as possible in order to protect the public's interests. This includes blocking access to certain Web sites for which access is deemed to be in conflict with County policy.

Telephone Policy

Beaufort County telephones are important in our everyday operation and are provided to facilitate official business. Employees should restrict their personal telephone calls to emergency matters only. The use of Beaufort County telephones for personal calls, faxes, or other electronic communication is discouraged. In the event that charges are incurred for the use of County resources, then the employee must reimburse the County. A monthly billing is comprised of details per phone number with a department summary. The detail section contains cost information by telephone number. A detailed report of employee calls can be made available per request of supervisor.

Cell Phone Policy

The purpose of this policy is to provide uniform guidelines for the purchase, use, and payment of cellular phones. Individual departments, with the approval of the appropriate Department Director, may issue cell phones to staff members if it is deemed necessary to support Beaufort County Council business. All cell phones are to be used specifically or primarily for business purposes and should be purchased and owned by Beaufort County Council. In the event of a disaster or emergency affecting Beaufort County, a special group of cell phones will be distributed to support mission critical areas. The use of cell phones while driving county vehicles is prohibited.

Enforcement

Any employee found in violation of this Acceptable Use Policy may be subject to disciplinary action, up to and including termination of employment.

A.4 – Email Retention Policy

Purpose

The Email Retention Policy is intended to help employees determine what information sent or received by email should be retained and for how long.

The information covered in these guidelines includes, but is not limited to, information that is either stored or shared via electronic mail or instant messaging technologies.

All employees should familiarize themselves with the email retention topic areas that follow this introduction.

Questions about the proper classification of a specific piece of information should be addressed to your manager. Questions about these guidelines should be addressed to the IT department.

Scope

This email retention policy is secondary to State and Federal policy on Freedom of Information and County Procedures for Record Keeping. All BEAUFORT COUNTY email information is categorized into two main classifications with retention guidelines:

- Public Records (5 years)
- Ephemeral Correspondence (Retain until read, destroy)

All state and local government records, regardless of their format, must be kept for as long as needed for legal, fiscal, administrative, and historical reference needs. As with paper records, the retention value of electronic records depends upon their content, not their format. The legal retention and disposition of all state and local government records, including those in electronic formats, is managed through the establishment of record retention schedules prepared and approved in accordance with the South Carolina Public Records Act (Code of Laws of South Carolina, 1976, Section 30-1-10 through 30-1-140, as amended).

Most retention schedules vary between 3 or 5 years depending on classification. In order to simplify the archiving of email categorized as a public record, a default retention period of 5 years will be used.

Policy

One official copy of all email used in or relating to the transaction of government business is a public record and, just like all public records, must be retained and disposed of in accordance with properly approved record retention schedules.

While Beaufort County IT will provide applicable technology to facilitate the identification, categorization, and archival retention of electronic documents, it is still the end users responsibility to categorize these documents properly.

Public Records Correspondence

BEAUFORT COUNTY Public Records Correspondence is all information encompassed but not limited to the South Carolina Public Records Act disseminated in the course of official county business. To ensure Public Records Correspondence is retained, **you should “CC” relevant email to archive@bcgov.net.** This will automatically classify the email as a public record with a 5 year retention period.

Although identification of email records relating to the activities of public organizations will always be subjective, certain categories of records will typically be important to identify and manage.

These include:

- Policies and directives
- Work schedules and assignments
- Drafts of documents circulated for approval or comment
- Any document that initiates, authorizes, or completes a business transaction.
- Final reports or recommendations
- Correspondence, memos, or messages about agency or local government business.

Ephemeral Correspondence

BEAUFORT COUNTY Ephemeral Correspondence is by far the largest category and includes:

- Incoming list serve messages
- Personal emails unrelated to county business
- Spam or unsolicited advertisements or sales promotions
- Non-policy announcements
- Telephone messages
- Published reference materials
- Invitations and responses to meetings, etc.
- Thank you emails

- Replies to routine questions, “we’re open 8 – 5”, “our address is...”, “the deadline is...”
- Scheduling meetings
- Out of Office auto-replies
- Attachments to email that are identical to records that are stored and managed outside the email system pursuant to approved record retentions schedules

These will be retained for no more than 90 days and may be deleted from your email at any time.

Instant Messenger Correspondence

BEAUFORT COUNTY Instant Messenger General Correspondence may be saved with logging function of Instant Messenger, or copied into a file and saved. Instant Messenger conversations that are deemed a public record should be copied to an email and sent to archive@bcgov.net.

Recovering Deleted Email Via Backup Media

BEAUFORT COUNTY maintains backup records from the email server. These records will only cover the prior 30 days; however, all email is retained on a separate archive for a minimum of 90 days.

REFERENCES

- [General Records Retention Schedules for SC Counties](#)
- [SC Public Records and Freedom of Information Act](#)
- [SC Department of Archives Email Management Guidelines](#)

A.5 – FAMILY MEDICAL LEAVE ACT

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status, or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of

FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not

possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

****See page 44 of this handbook for County-specific requirements for FMLA**

A.6 - WORKER'S COMPENSATION POLICY

A. General Policy

Title 42, of the South Carolina Code of Laws contains the South Carolina Workers' Compensation Act. The Rules and Regulations of the South Carolina Workers' Compensation Commission provide the basic legal foundation for administration of the Act. Beaufort County maintains Workers' Compensation Insurance to provide medical benefits and/or compensation (indemnity) benefits for employees who sustain an injury or death by accident, occupational disease or ionizing radiation, arising out of and in the course of his or her employment subject to, and in accordance with, the terms and provisions of the South Carolina Workers' Compensation Act. As it relates to the payment of medical and compensation under the South Carolina Workers' Compensation Act, the following provides a summary of benefits that may be available; however, the payment of Workers' Compensation benefits shall be in accordance with, and subject to, Title 42 of the South Carolina Code of Laws (1976, as amended).

B. Medical Treatment and Compensation

Workers' Compensation Insurance provides medical and compensation benefits. However, in accordance with the South Carolina Code of Laws 42-15-60 and 42-15-80, failure to use the services of Beaufort County's appointed physicians, or changing physicians without prior approval of the South Carolina State Workers' Compensation Commission, may result in denial of payment for such unauthorized medical expenses.

1. **Medical Treatment:** An employee who sustains an injury by accident arising out of and in the course of his employment is entitled to all necessary medical, surgical, and hospital attention, as well as original artificial members and medical supplies. Medical treatment will continue until the authorized treating physician determines that the employee has obtained Maximum Medical Improvement (MMI) and such further treatment as may tend to lessen disability in the judgment of the Workers' Compensation Commission.
2. **Compensation:** An employee who sustains an injury by accident arising out of and in the course of employment, which causes him/her to be absent from work for seven consecutive calendar days or less, is not entitled to temporary disability

compensation. **Temporary disability compensation will begin on the eighth day of disability; however, if the disability lasts longer than fourteen calendar days, the employee will also be compensated for the first seven days.** Temporary disability compensation will be terminated, suspended or reduced in accordance with the terms and provisions of the South Carolina Workers' Compensation Act. The injured employee is entitled to compensation at the rate of **sixty-six and two-thirds percent (66-2/3%)** of his/her average weekly wage subject to the statutory maximum compensation rate. Permanent disability compensation may also be payable for certain injuries in accordance with the South Carolina Workers' Compensation Act.

For days not worked, when the employee is entitled to temporary disability compensation, Personal Leave (PLD), Disability Leave (DL) or Salary Continuation Account (SCA) may be used until the earned leave time is exhausted. The employee's timekeeper and the Workers' Compensation administrator should coordinate leave-time reporting. Those hours will be reinstated at sixty-six and two-thirds percent (66-2/3%), or less in the event that the employee qualifies for the maximum compensation rate for Workers' Compensation, if the insurance carrier reimburses the County.

Also, employees receiving temporary disability compensation under the South Carolina Workers' Compensation Act may elect to voluntarily utilize accrued Personal Leave (PLD), Disability Leave or Salary Continuation Accounts (SCA) in conjunction with receiving temporary disability compensation under the South Carolina Workers' Compensation Act, not to exceed normal bi-weekly paychecks. During this time employees will not accrue PLD. Nor will employees receive reimbursement for leave time taken except which is applicable within the law. In addition, required deductions and any voluntary deductions will be deducted from the paycheck. Required deductions consist of: Federal, State, Social Security (FICA), Medicare, and court-ordered child support payments.

In addition, the employee is entitled to mileage reimbursement if the mileage to and from the facility exceeds ten (10) miles round trip.

- a. **Health Benefits Payments:** While receiving Worker's Compensation payments, **the employee is responsible for health insurance benefits premiums, out of pocket.**
- b. **Light-Duty Work:** An employee on Workers' Compensation must accept reasonable light-duty work when it is offered to him/her, provided employee is able to do the work offered. If the employee does not accept such work, all compensation payments may be denied for the hours he/she

refuses to do the light work. If the light work is at a lower wage, the employee is entitled to compensation at the rate of sixty-six and two-thirds percent (66-2/3%) of the difference between the employee's pre-injury average weekly wage and the post injury weekly wage subject to the statutory maximum compensation rate.

C. Procedure to Follow When an Injury Occurs

When an employee receives an injury arising out of and in the course of employment, the employee should immediately inform his/her immediate Supervisor and the Supervisor must contact Beaufort County's Safety Coordinator. Failure to give prompt notice of the injury by accident within the statutorily prescribed period can result in denial of claims for Workers' Compensation benefits and can also cause a penalty to the County and/or its Workers' Compensation Administrator and carrier.

The employee will be given a copy of the **Workers' Compensation Authorization Form** and sent to the County's appointed physician(s). The physician's office should be notified that the injured employee is on the way.

Exceptions: In an emergency situation, when employee is out of the area, or when the appointed physicians are not available, the employee may **use the nearest physician or the emergency room at a hospital. Beaufort County's Safety Coordinator is to be notified when this occurs.** In the Beaufort area, when an employee is seen in the emergency room or by another physician, the employee is to be referred to the Beaufort County Workers' Compensation authorized physician for follow-up treatment.

In non-emergency situations, a physician other than the appointed physician(s) may see employees with approval from the designated Workers' Compensation physician(s) and the County's Workers' Compensation Administrator and carrier.

1. Upon notification of the alleged injury, the Department Director or Supervisor completes both sides of an **Incident Report** so that the Department Director or Supervisor, along with Beaufort County's Safety Coordinator, can investigate immediately. Afterwards, a **First Report of Injury or Illness (12A)** must be completed and sent to the Employee Services Department for submission to the Workers' Compensation Insurance Carrier.

Injuries need to be reported immediately. Failure to report an injury may result in a delay in processing benefits and possible denial of a claim by the

Workers' Compensation Commission. The County's Workers' Compensation insurance carrier must receive this report from Employee Services within ten days after the accident or the Workers' Compensation Commission may fine the County. The insurance carrier must receive the First Report of Injury, if there is lost time, prior to any bills being paid.

If the employee is incapacitated and absent from work, the employee should submit a written statement from the County's appointed physician, as soon as possible. This statement should give the name of the employee being treated, the diagnosis, expected length of disability and expected date the employee can return to his normal work or return to light work. **Without this written notification from the physician, the employee may not be considered absent due to a Workers' Compensation injury and all medical bills may be submitted to the employee for payment.** Without this written notification, the Workers' Compensation insurance carrier may not pay the employee temporary disability compensation for lost time due to the injury or reimburse the County for compensation paid the employee during his/her absence.

2. If there is lost time and the employee has submitted the physician's written notification, the Department Director will, upon the return of the employee to normal work or light work, submit to the Employee Services Department a **Supplemental Report of Lost Time** showing date of return.

The authorized, treating physician may assign an impairment rating for an injury by accident arising out of and in the course of employment. After the authorized physician assigns an impairment rating, the employee will be invited to participate in an informal conference before the Workers' Compensation Commission to consider settlement of the employee's entitlement to further compensation. At this time the employee is encouraged to express his/her opinion about his/her condition and the impairment rating given by the physician. Following payment of further compensation awarded at an informal conference, the employee will have one year to file a claim for additional benefits based on a change of condition in accordance with §42-17-90 of the South Carolina Code (1976, as amended).

When mileage to and from the medical facility exceeds ten (10) miles round trip, the employee is entitled to mileage reimbursement at a rate set by the Workers' Compensation Commission and should submit to the Employee Services Department a completed **Mileage Reimbursement Form**.

3. **In case of death**, the Department Director will notify Beaufort County's Safety Coordinator and the Employee Services Office immediately and submit the **First Report of Injury** as soon as possible. Funeral expenses, not to exceed two thousand five hundred dollars (\$2,500.00), and death compensation benefits will be paid to the deceased employee's dependents or other beneficiaries as determined at a hearing before the Worker's Compensation Commission.
4. **Compensation for Seven Days or Less of Lost Time**: When an employee is incapacitated and absent from work by written notification of the County's appointed physician, for seven consecutive days or less, the employee will be charged Personal Leave for days not worked. If the employee has no accrued leave days, he/she will not receive pay for the first seven days of lost time.
5. The Department must submit an **Employer's Supplemental Report of Lost Time** as soon as possible to the Employee Services Department showing the date of return and days away from work.
6. Beaufort County employees' **health insurance cannot be used to pay a Workers' Compensation medical claim**, unless this claim was refused by Worker's Compensation, and this refusal must be supported with written documentation.

D. Third-Party Claims

If the employee files a claim or lawsuit against a third-party, in connection with an injury by accident arising out of and in the course of employment for which Workers' Compensation benefits are claimed or paid, the employee or his/her attorney should complete **Form SF 110** and return it to the Employee Services Department for submission to our insurance carrier and make all notice filings with the County's Workers' Compensation carrier and the Workers' Compensation Commission as required by the South Carolina Workers' Compensation Act.

1. The employee or his/her attorney can negotiate and settle his claim with the third party and not involve Beaufort County or the Workers' Compensation Insurance carrier.

- a. In this case, neither the County nor the Workers' Compensation carrier will pay any compensation or medical benefits under the Workers' Compensation Act.
2. The employee can accept Workers' Compensation benefits and reserve the right to pursue action against the third party. The County and its Workers' Compensation carrier will maintain a lien equal to the amount of the Workers' Compensation benefits paid in connection with the injury by accident less its share of attorney fees and costs subject to the terms and provisions of §42-1-560 of the South Carolina Code (1976, as amended). No settlement of the third-party claim should be made without notice to, and the consent of, Beaufort County's Workers' Compensation carrier.
3. The employee can accept the Workers' Compensation benefits and assign his/her rights towards any action against the third party to the Workers' Compensation carrier who would be responsible for action against the third party to recover the losses that have occurred, in accordance with §42-1-560 of the South Carolina Code (1976, as amended). The employee should notify the Employee Services Department of his/her attorney's name and address, if he/she is filing a third-party claim.

A.7 - Employee Emergency Leave Transfer Bank (EELTB)

Purpose: Provide for a program that allows county employees to donate a specified number of accrued leave time hours to an emergency leave bank. Full-time county employees who have experienced a personal or immediate family medical or other hardship emergency situation may share in this bank. The emergency must necessitate the employee's absence for a **prolonged period** of time and be anticipated to result in a **substantial loss of income** due to the unavailability of any paid leave time.

Creation of Leave Bank: The transfer of leave to the bank by the employee occurs on an annual basis. Beaufort County employees may donate from their accrued personal

leave time account. The annual minimum for transfer of donated leave time is eight (8) hours. This donation of time is strictly voluntary.

Definitions:***Leave Donor***

A Beaufort County employee who has voluntarily, in writing authorized a transfer of eight (8) or more of personal leave time to the EELTB.

Leave Recipient

A full-time Beaufort County employee who has experienced a personal or immediate family medical or hardship emergency situation and has been approved to receive additional paid leave time from the emergency leave transfer bank.

Personal Emergency

An emergency situation that requires an employee's absence from duty for a **prolonged** period of time and that is anticipated to result in a **substantial** loss of personal income due to the unavailability of any form of paid leave.

A catastrophic and debilitating personal or immediate family medical situation, severely complicated disability, severe accident case or an illness of a terminal nature - any of which requires a sustained recuperative medical period.

Planned surgeries, elective surgeries or normal pregnancies, etc. do not constitute a personal emergency.

Immediate Family Member

A spouse or minor child for whom employee has the legal custody and care.

Employee Eligibility for EELTB:

- a. Must be a regular, full-time employee of Beaufort County with twelve (12) continuous months of service and have a minimum of **40** hours PLT on December 31 of each year, and donate a minimum of eight (8) hours or more of personal leave time during the annually designated donation period for the following calendar year.
- b. County employees eligible for other paid benefits during their extended absence from work are ineligible to receive donated leave time from the EELTB unless they sign a waiver attesting to the fact that they will not file for other benefits while receiving EELTB benefits. Examples of other paid benefits may include, but are not limited to paid leave, Workers'

Compensation, short and long-term disability, and disability retirement benefits.

- c. Employees actively receiving leave donations from the EELTB may have their eligibility requirements waived until such time as they have been returned to full-time employment with Beaufort County. Once the employee has accrued sufficient leave time equal to the hours necessary for continued plan eligibility, then the employee's leave may be drafted and he/she will have satisfied the conditions for the current eligibility year.
- d. Unused portions of donated leave time to an EELTB recipient cannot be used to satisfy annual eligibility requirements.
- e. All paid personal leave, disability leave, and/or compensatory time must be utilized before an eligible employee may receive leave from the transfer bank.
- f. The maximum annual amount of transferred leave time an employee may withdraw from the EELTB is a total of **240** hours.
- g. Leave time received from the transfer bank is granted in increments of two (2) weeks at a time and the employee should provide a physician's statement before leave bank time is authorized. The County limits the total hours received by an employee for the duration of employment to **480** hours. Any unused donation not utilized by an employee is credited back to the EELTB.
- h. Donated leave time, duly authorized to be transferred to the EELTB, is not restored or returned to the donor.
- i. When the county employs family members, they may not simultaneously benefit from leave bank time for the same emergency or hardship.
- j. An employee receiving donated leave time from the EELTB does not accrue leave.
- k. All requests for receiving emergency leave time must be first approved by the EELTB Committee then receive final approval from the County Administrator.

The EELTB Committee will consist of five (5) members serving for a period of five (5) months. Each month a different member of the committee will

serve as Chairman. The committee members will be assigned from an alphabetical list of departments (maintained by the Employee Services Coordinator and begin with the letter “A”). The department will select (in any manner they choose) the department representative to serve on this committee. The committee will only meet in the first week of the first month of any rotation unless a request for leave is made. This request should be in writing to the Director of Employee Services for referral to the committee.

The County Administrator or his designee(s) constitutes the final authority over all matters pertaining to Beaufort County’s EELTB.

1. An employee receiving benefits in accordance with this policy does not acquire any rights -including job restoration- greater than those to which he/she is entitled under the Family and Medical Leave Act or any County policy.

Documentation:

The following forms can be obtained from Employee Services and completed documents must be submitted Employee Services to be considered for EELTB hours:

- a. EELTB Donation Request Form
- b. EELTB Physician’s Statement (to be completed by attending physician)
- c. “Other Benefits” waiver if applicable

Incomplete paperwork will not be considered.

If hours are exhausted in the Leave Bank, no further requests will be considered until the bank is replenished during the annual donation period (or special donation period if approved by County Administration).

A.8 - Consolidated Omnibus Budget Reconciliation Act (COBRA)

Throughout a career, workers will face multiple life events, job changes or even job losses. A law enacted in 1986 helps workers and their families keep their group health coverage during times of voluntary or involuntary job loss, reduction in the hours worked, transition between jobs and in certain other cases. The law — the Consolidated Omnibus Budget Reconciliation Act (COBRA) — gives workers who lose their health

benefits the right to choose to continue group health benefits provided by the plan under certain circumstances.

COBRA generally requires that group health plans sponsored by employers with 20 or more employees in the prior year offer employees and their families the opportunity for a temporary extension of health coverage (called continuation coverage) in certain instances where coverage under the plan would otherwise end.

The law generally covers group health plans maintained by employers with 20 or more employees in the prior year. It applies to plans in the private sector and those sponsored by state and local governments. Provisions of COBRA covering state and local government plans are administered by the Department of Health and Human Services.

Several events that can cause workers and their family members to lose group health coverage may result in the right to COBRA coverage. These include:

- voluntary or involuntary termination of the covered employee's employment for reasons other than "gross misconduct";
- reduced hours of work for the covered employee;
- covered employee becoming entitled to Medicare;
- divorce or legal separation of a covered employee;
- death of a covered employee; or
- loss of status as a "dependent child" under plan rules.

Under COBRA, the employee or family member may qualify to keep their group health plan benefits for a set period of time, depending on the reason for losing the health coverage. The following represents some basic information on periods of continuation coverage:

Qualified Beneficiary	Qualifying Event	Period of Coverage
Employee	Termination	18 months *
Spouse	Reduced hours	
Dependent child		
Spouse	Employee entitled to Medicare	36 months
Dependent child	Divorce or legal separation	
	Death of covered employee	
Dependent child	Loss of dependent child status	36 months

**This 18-month period may be extended for all qualified beneficiaries if certain conditions are met in cases where a qualified beneficiary is determined to be disabled for purposes of COBRA.*

However, COBRA also provides that your continuation coverage may be cut short in certain cases.

Notification Requirements:

An initial notice must be furnished to covered employees and spouses, at the time coverage under the plan commences, informing them of their rights under COBRA and describing provisions of the law. COBRA information also is required to be contained in the plan's summary plan description (SPD). See fact sheet "Workers' Right to Health Plan Information (ERISA, Claims Procedures and SPD Regulation)"

When the plan administrator is notified that a qualifying event has happened, it must in turn notify each qualified beneficiary of the right to choose continuation coverage.

COBRA allows at least 60 days from the date the election notice is provided to inform the plan administrator that the qualified beneficiary wants to elect continuation coverage.

Under COBRA, the covered employee or a family member has the responsibility to inform the plan administrator of a divorce, legal separation, disability or a child losing dependent status under the plan.

Employers have a responsibility to notify the plan administrator of the employee's death, termination of employment or reduction in hours, or Medicare entitlement.

If covered individuals change their marital status, or their spouses have changed addresses, they should notify the plan administrator.

Premium Payments:

Qualified beneficiaries may be required to pay the entire premium for coverage up to 102% of the cost to the plan. Premiums may be higher for persons exercising the disability provisions of COBRA. Failure to make timely payments may result in loss of coverage.

Premiums may be increased by the plan; however, premiums generally must be set in advance of each 12-month premium cycle.

Individuals subject to COBRA coverage may be responsible for paying all costs related to deductibles, and may be subject to catastrophic and other benefit limits.

A.9 - County Emergency Disaster Policy and Procedures

This policy is to provide guidance to the employees of Beaufort County who serve as members of the Emergency Operations team (EOT) or are otherwise affected by emergency disasters. Beaufort County is mandated to provide services to the citizens of the county during emergencies and disaster situations in accordance with Section 25-1-420, South Carolina Code of Laws. Emergency, as defined by the Code, shall mean “actual or threatened enemy attack, sabotage, conflagration, flood, storm, epidemic, earthquake, riot, or other public calamity.”

Procedure

Responsibility

- The Chairman of Beaufort County Council may activate the Beaufort County Emergency Operations Plan as necessitated by an actual or imminent disaster or incident.
- During any major incident, the County Administrator may authorize the activation of the Increased Readiness Provisions of this policy.
- Under the direction of the County Administrator, the Director of Emergency Management is responsible for the administration of this policy and coordination of all procedures herein.

Emergency Operations Team (EOT)

The County Administrator shall approve the county personnel to be assigned to the Emergency Operations Team (EOT). No employee shall be eligible for the special pay provisions of this policy and procedure unless his/her department and position title is specifically listed on the approved EOT Roster.

- a. Furthermore, no employee shall be eligible for the special pay provisions of this policy unless his/her name, by approved position above, is specifically provided to the Director of Emergency Management by his/her Department Head immediately upon the declaration of OPGON III, as defined below.
- b. It is the responsibility of the Director of Emergency Management to make certain that above documents are current and accurate as appropriate to the situation.

Increased Readiness Plan

- a. During an emergency, the Increased Readiness Plan is implemented in the following stages:

OPGON V.....Hurricane Season
OPGON IV.....Notification
OPGON III.....Standby
OPGON II.....Full Alert
OPGON I.....Evacuation
REENTRY/RECOVERY

- b. **OPGON V - Hurricane Season:** Operational Condition V begins on June 1 and ends on November 30 of each year. These are the dates for the Atlantic hurricane season. At this condition, all agencies should review their hurricane plans and make any necessary improvements or corrections.
- c. **OPGON IV - Notification:** During this condition, county personnel assigned to the EOT will be notified of the possible “emergency” situation and will be kept informed of what actions may need to be taken. When an employee is notified of an emergency, he/she will be informed of the stage of alert. The responsibilities of each team member during an “emergency” will be predetermined and predefined by the EOT guidelines as provided by the Director of Emergency Management.
- d. **OPGON III - Standby:** During this condition, the employees will be notified by the Emergency Management Department / EOT of

the potential “emergency.” At this time, the employee is placed on “standby” status and will be expected to be ready to report to work in accordance with the following response time requirements:

1. If the employee lives within a thirty-mile radius of his/her assigned “emergency” duty station, he/she is required to remain at a response distance of not more than forty-five minute drive from his/her assigned duty station.
 2. If the employee lives within a radius of thirty-one to sixty miles of his/her assigned “emergency” duty station, he/she is required to remain at a response distance of not more than one hour and fifteen minute drive from his/her assigned duty station.
 3. If the employee lives outside a sixty mile radius of his/her assigned “emergency” duty station, he/she is required to remain at a response distance of not more than one and one-half hours from his/her assigned duty station.
- e. **OPCON II- Full-Alert:** During this condition, the employee is called to work and is ready to implement whatever procedure(s) necessary as required by the conditions. If the employee is performing regular County work when an “Emergency” occurs, he/she is required to immediately report to his/her assigned “Emergency” duty station.
- f. **OPCON I – Evacuation:** Once notified by the proper authority, agencies should begin evacuation of the general public in those zones specified in the evacuation order and should begin implementation of the procedures applicable to the condition. Emergency Operation team personnel must remain at their “Emergency” duty stations and are not allowed to evacuate. If it is determined that a hurricane of a Category 4 or 5 status will affect the County, then the Emergency Operations Team will be evacuated to predesignated inland facilities.
- g. **Re-Entry/Recovery:** Following a storm or disaster situation, the Emergency Operations Team will immediately return to their assigned duty station and begin recovery operations (as directed). Depending on the severity of the emergency, a “State of

Emergency” may be declared for our area and recovery operations may be initiated. Based on the damage to the County, recovery operations may take several weeks to several months. Once the “State of Emergency” has been lifted, County employees will be instructed to return to normal work hours with normal pay rates (even though the County may still be in some type of recovery effort).

Compensation

a. Emergency Operations Team (EOT)

OPCON	EXEMPT EMPLOYEES (Salaried)	NON-EXEMPT EMPLOYEES (Hourly)	DEFINITIONS
OPCON 3 (Standby)	\$2.00/Hr.	\$2.00/Hr.	Standby at home or other off-work location.
OPCON 3	Regular Rate of Pay After 40 Hours	1 ½ After 40 Hours	At Work
OPCON 2	Regular Rate of Pay After 40 Hours	1 ½ After 40 Hours	At Work
OPCON 1	1 ½ After 40 Hours	1 ½ Up to 40 Hours, Then 1 ¾ After 40 Hours	At Work
RECOVERY	1 ½ After 40 Hours	1 ½ Up to 40 Hours, Then 1 ¾ After 40 Hours	At Work
STATE OF EMERGENCY LIFTED	Normal Wages Apply	Normal Wages Apply	Once the “State of Emergency” has been lifted, employees would revert back to their normal rate of pay.

b. Other Provisions

1. The Emergency Operations Incident Team, as appointed by the County, may assume OPCON II – Full Alert status, before the condition is officially declared. In this case, the Emergency Operations Team will receive supplemental pay as outlined in the OPCON II – Full-Alert status of this paragraph. Emergency Operations Incident Team members are also members of the Emergency Operations Team. The Emergency Management

Department will officially log each OPCON status with dates, times, and signature of the County Administrator.

2. It is essential that EOT members keep a detailed log of their time and OPCON status for payroll purposes.
3. EOT personnel that are required to remain at their “Emergency” duty station will be allowed to sleep and/or rest when conditions allow at no loss of supplemental compensation outlined above.
4. The Controller is responsible for developing and maintaining a payroll system to properly administer the pay practices described above. No supplemental pay will be authorized for employees not listed on the EOP and/or Emergency Operations Incident Command Team Personnel Roster.
5. The County Administrator does not qualify for OPCON II or OPCON I pay outlined in this paragraph unless approved by the Beaufort County Council. Deputy Administrators and the Controller are eligible for supplemental pay as outlined in this policy and procedure, if appointed to the Emergency Operations Team and/or Emergency Operations Incident Command team under the conditions outlined above.

c. Relief from Duty

Employees appointed to the EOT are expected to report to duty when called. An employee may be excused from duty, for medical reasons only, by the appropriate reporting authority.

d. Return to Regular Duties

Once the emergency incident is declared resolved, employees who participated on the EOT shall be allowed a reasonable amount of time for rest and recuperation prior to returning to their regular assignments.

e. Debriefing

Every employee serving on the EOT during an “Emergency” shall schedule a debriefing and evaluation by a Certified Mental Health Team, as appointed by the County, no later than twenty-four hours after the “State of Emergency” is declared resolved and/or the time the employee is released by the Emergency Management Department. This debriefing is mandatory.

-END OF APPENDIX SECTION-

County Council reserves the right to change any and all policies, benefits, procedures, and other information in this handbook at any time.

-END OF PERSONNEL HANDBOOK-

ORDINANCE 2016 /

**AN ORDINANCE TO AMEND THE MEMBERSHIP AND COMPOSITION OF THE
BEAUFORT COUNTY TAX EQUALIZATION BOARD AND TO MODIFY THE NAME
OF THE TAX EQAULIZATION BOARD TO BE CONSISTENT WITH S.C. CODE
ANN. 12-43-2510, ET SEQ.**

WHEREAS, Act Number 1623 of 1972 of the South Carolina General Assembly created the Beaufort County Tax Equalization Board and authorized appointment to the Board by Beaufort County Council; and

WHEREAS, Beaufort County Council subsequently adopted a charter for the Tax Equalization Board that defined the membership of the Board and its powers and duties based upon the language contained within Act Number 1623; and

WHEREAS, Act 283 of 1975, The Home Rule Act, vested Beaufort County Council with the independent authority to control all acts and powers of local governmental authority that are not expressly prohibited by South Carolina law; and

WHEREAS, Beaufort County Council believes that it is in the best interests of its citizens to amend the membership, composition and name of the Beaufort County Tax Equalization Board.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL, that the Charter for the Beaufort County Tax Equalization Board is hereby amended and replaced with the following:

SECTION 1. Appointive powers of council.

Pursuant to section 4-9-170, Code of Laws of South Carolina, 1976, and section 3 of Act 283, (the Home Rule Act), the Beaufort County Council hereby assumes all appointive powers in regard to the Beaufort County ~~Tax Equalization Board~~ Board of Assessment Appeals.

Section 2. Composition; Terms; vacancies.

The Beaufort County Tax ~~Equalization Board~~ Board of Assessment Appeals shall be composed of ~~15~~ 7 members to be appointed by Beaufort County Council. ~~County Council shall appoint one member to the Board from within each of the 11 individual County Council districts as well as two at-large members who reside north of the Broad River and two at-large members who reside south of the Broad River. County council shall appoint members to the board, such that there is a balance as to the geographical residency of the members of the board and the professions of the members as they relate to the functions of the board. The terms shall be staggered so that the first eight members appointed to the board shall serve an initial term of four years. The next seven members appointed to the board shall serve an initial term of two years. After such initial appointments, all members appointed to the board shall serve a term of four years.~~ Members of the board shall be appointed and serve until their successors are appointed and qualified. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term.

Appeals and other hearings may be conducted by panels of five members chosen from among the ~~15~~ 7 members of the board. Three members of the panel shall constitute a quorum, unless the parties agree to a lesser number. When only three members of the panel are present to conduct a hearing, the decision of the panel must be unanimous.

Panels may be chosen by a method or methods determined by the board to maximize the efficiency and effectiveness of the board. The method of choosing hearing panels should enable timely consideration of appeals and other matters brought to the board, and should also involve considerations of members' availability and limiting overburdening individual members with hearings.

Beaufort County Council may amend this article as it deems necessary, to reduce the board to a lower complement of members. When so amended, unless otherwise specified, the council may reappoint seven members from among the existing 15 and establish their respective terms, or may abolish and reconstitute the board as it sees fit, seeking applicants for the remaining positions.

SECTION 3. Duties.

The Tax Board of Assessment Appeals ~~equalization board~~ shall meet whenever necessary to act on appeals from the assessments of the auditor or county assessor as may be provided by law. The board may change assessments of the auditor or county assessor for only the current year appealed from unless otherwise authorized by law and agreed to by the auditor or county assessor. Each change shall be certified by the board to the auditor or county assessor and shall be adopted by him/her for the purpose of taxation for the year appealed from. The Board of Assessment Appeals ~~tax equalization board~~ shall not make a final determination of any assessment until the auditor or county assessor has been given an opportunity to present his/her justification for the assessment.

SECTION 4. Officers.

The Board of Assessment Appeals ~~tax equalization board~~ shall meet and elect a chairperson, a vice-chairperson and secretary. Additionally, each hearing panel shall have a chairperson appointed by the chairperson of the Board of Assessment Appeals ~~tax equalization board~~ for purposes of ensuring the efficient conduct of each hearing.

SECTION 5. Minutes of meetings.

Minutes shall be taken of all meetings of the Board of Assessment Appeals. ~~tax equalization board~~ The minutes shall be a matter of public record. A copy of the minutes of the board duly certified by the secretary will be sent to the auditor and the county assessor. In lieu of a copy of certified minutes, an audio or video recording of the meeting may be substituted so long as a copy of the recording is made available to the auditor, tax collector, and the general public.

SECTION 6. Availability of auditor's and assessor's records; attendance of auditor or assessor at meetings.

The records of the auditor's office and the county assessor's office shall be available to the board and the board may request the presence of the auditor or county assessor at any of their meetings.

SECTION 7. Taxpayer's, property owner's right to appeal decisions.

The right is reserved to any property owner, taxpayer or his agent to appeal from the decision of the Beaufort County Board of Assessment Appeals ~~tax equalization board~~ to the South Carolina Administrative Law Court for such relief as may be available to him/her under the general law.

Adopted this _____ day of _____, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:
Second Reading:
Public Hearing:
Third and Final Reading: