

**BENTON COUNTY EMPLOYEE HANDBOOK**  
**Preface and Endorsements**

This employee handbook was developed by Benton County management, including the independent elected officials, agency directors, appointed administrators, and department heads. These parties recognize that elected officials and the various boards and agencies that make up County government retain exclusive authority over personnel matters in their respective offices or agencies. However, they also recognize the importance and value of following uniform employment policies throughout all County departments. Therefore, they have worked together to produce this set of mutually agreed upon policies and procedures.

Effective this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Board of Supervisors, Chair

\_\_\_\_\_  
Conference Board, Chair

\_\_\_\_\_  
Conservation Board, Chair

\_\_\_\_\_  
Public Health Board, Chair

\_\_\_\_\_  
Emergency Management Commission

\_\_\_\_\_  
Auditor

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Sheriff

\_\_\_\_\_  
Recorder

\_\_\_\_\_  
County Attorney

## **SECTION ONE: INTRODUCTION**

### **INTRODUCTION**

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The Board of Supervisors and other elected and management personnel of Benton County welcome you as you begin your employment with the County. Together we provide essential services to the citizens of the County. Each employee is expected to provide the most efficient and responsible service possible. The County depends upon your particular talents and ingenuity. Your efforts are supported by tax dollars and your conscientious performance can ensure the best possible results for each dollar spent.

This handbook was developed by Benton County management personnel, including elected officials and appointed administrators, to describe some of the County's policies relating to your employment with the County. Some of the policies and benefits described in this handbook, such as the group health insurance plan, are covered in greater detail in official policy documents. You should refer to those documents for more information. The policies described in this handbook are presented as a matter of information only. The statements contained in this handbook are subject to change and may be revised from time to time without prior notice by the County. Any suggestions you may have for changes in the policies explained in the handbook are welcome.

Departments vary in the services they provide for the public. Not all policies and regulations can be covered in this handbook. Your department head or supervisor will answer questions for you that are not answered in the handbook. This handbook provides guidelines to department heads and allows them discretionary power to efficiently perform the duties of their offices.

Elected officials are subject to the following provisions of this County Handbook: Sections 2.1, 2.2, 2.4, 2.7, 4.6, all of section 5, 6.8, 6.9 6.10, 6.12, 7.1 and 7.2.

All County employees are covered by these policies except:

1. elected officials, except as noted above;

2. department heads and employees specifically excluded by the appropriate governing body;
3. employees hired on a contractual basis;
4. employees covered by collective bargaining agreements. For employees whose employment is governed by a collective bargaining agreement, the specific provisions of the collective bargaining agreement shall take precedence over the provisions of the Employee Handbook. In any areas where the collective bargaining agreement does not conflict with this Employee Handbook, the provisions of the Employee Handbook shall apply.
5. members of boards and commissions;
6. personnel appointed to serve without compensation;
7. persons employed on an intermittent basis including but not limited to reserve deputies and rescue squad; and
8. persons covered by 28E Agreements, unless otherwise provided by the terms of the agreement.

#### **DISCLAIMER**

This handbook is provided for informational purposes only. The policies, procedures, benefits, and plans described in the handbook may be revised by the County at any time without prior notice. The County retains the exclusive right to change, add to, eliminate, or modify any of the policies in the handbook at any time at its discretion, with or without notice.

Any promises, representations, or actions by a County official or employee which are contrary to this handbook are not the official policy of the County, and are of no force or effect. This handbook supersedes and cancels the effect of any previous versions of a County employee handbook.

This employee handbook is not intended to create any contractual rights in favor of you or the County. This handbook is not to be construed as an employment contract, express or implied, or as a promise that you will be employed for any specified period of time. Employees may resign their employment at any time and for any reason, and the County reserves the same right to terminate any individual's employment at any time and for any reason. Nothing in this handbook changes the at-will nature of your employment with the County.

## SECTION TWO: EMPLOYMENT POLICIES

### EQUAL EMPLOYMENT OPPORTUNITY, HARASSMENT AND ADA COMPLIANCE

2.1

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#### **Equal Employment Opportunity**

Benton County is dedicated to equal employment and advancement opportunities. It is the County's policy to hire and promote qualified individuals on the basis of their qualifications, interest and aptitude, without unlawful regard to race, religion, color, sex, age, national origin, sexual orientation, gender identity, disability, or any other characteristic protected by local, state, or federal law. This policy applies to all terms, conditions, and privileges of employment, including but not limited to recruiting, hiring, training, transfers, promotions, benefits and separation from employment.

#### **Americans with Disabilities Act and the ADA Amendments (ADAAA)**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, prohibit discrimination against qualified individuals on the basis of disability. It is the policy of Benton County to comply with the Americans with Disabilities Act (ADA). Benton County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability. In compliance with the ADA, the County will consider reasonable accommodations that do not pose undue hardship to the County to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The County encourages applicants or employees to make suggestions regarding reasonable accommodations to their supervisors, department heads, or the County ADA Coordinator.

#### **Anti-Harassment Policy and Complaint Procedure**

The County prohibits harassment based on any of the following actual or perceived traits or characteristics, including but not limited to, age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

Harassment, retaliation, coercion, interference, or intimidation of any employee due to that employee's race, religion, color, sex, age, national origin, disability or any other characteristic protected by local, state, or federal law is strictly forbidden. The conduct in the workplace includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts or words; and written or printed materials that denigrate or show hostility to an individual or group made or posted in the workplace or in the course of employment for the County. Such conduct is a prohibited form of discrimination under state and federal employment laws and is also considered misconduct subject to disciplinary action.

## **Preventing Sexual Harassment in the Workplace**

**Purpose:** It is Benton County's policy that all employees are responsible for assuring that the workplace is free from sexual harassment. Because of the County's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct, which could be viewed as sexual harassment. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual acts or favors, or other physical and verbal conduct of a harassing nature by county supervisors, department heads, other supervisory personnel, co-workers, or others in the workplace.

1. Sexual harassment exists when:
  - a. A Department Head, or any person in a supervisory capacity makes submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention);
  - b. Submission to or rejection of such conduct is used by a Department Head or other supervisory personnel as a basis for employment decisions.
  
2. Sexual harassment may also exist when conduct by any county employee or by people who are not employees, unreasonably interferes with an employee's work performance or creates an intimidating work environment. Such conduct may take various forms, as for example:
  - a. Verbal – sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
  - b. Nonverbal – sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.
  - c. Physical – unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.
  
3. Sexual harassment of employees by non-employees in the workplace is not acceptable and should be reported to the Department Head. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color religion, creed, sex, gender identity, sexual orientation, national origin, age, disability, pregnancy, marital status, genetic information, status as a military veteran or any other characteristic protected by law and that has the a) purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

If you believe that you are being harassed or subjected to discrimination of you may file a complaint using the same procedures for sexual harassment allegations as described below.

### **Individuals and Conduct Covered**

This policy covers all full-time, part-time and seasonal employees, as well as non-employees, such as independent contractors, volunteers, vendors and interns.

**Procedures:**

1. Any employee who believes they have been the victim of conduct prohibited by this policy or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or the County Auditor, or the County Attorney, or any members of management.
  
2. The party receiving a complaint of harassment shall immediately notify the Board of Supervisors, unless the complaint is against a board member, who shall promptly name an investigator. In the event the complaint is against a Board of Supervisor member, the party receiving the complaint shall immediately notify the County Attorney, who shall promptly name an investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is possible. The ability to maintain confidentiality may depend on what component of the sexual harassment policy is involved at any one time. The complaining party and any witnesses will be notified in advance if it is anticipated that it may not or will not be possible to maintain confidentiality. As noted below, any retaliation against a complaining party or witnesses is strictly prohibited.
  
3. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or assisting in an investigation.
  
4. Any employee determined by impartial investigation to have harassed another employee will be subject to appropriate disciplinary procedures, up to and including termination.
  
5. The Department Head of an employee who has been harassed by a non-employee in the workplace will inform the non-employee of the County’s harassment policy; other action may be taken as appropriate.

**EMPLOYMENT VERIFICATION**

**2.2**

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To comply with the employment verification requirements of the United States Citizenship Immigration Services Agency (USCIS) of the United States Department of Homeland Security, the County requires all employees to present documented proof of identity and eligibility to work in the United States, which will include completion of Section 1 of the USCIS form I-9 and submission of proof of employment and identity.

**MEDICAL EXAMINATIONS**

**2.3**

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The County may require you to submit to a pre-employment, job-related medical examination (including a drug screen) by a physician designated by the County or by your own physician if approved by your department head. The medical examination will be conducted after you have been offered a position and before you start work if the medical examination is required of all entering employees in the classification.

You may also be required to submit to a job-related medical examination when necessary to determine if you are still able to perform the essential functions of your position, and to any fitness for duty examinations required by federal, state or local law or County policy.

All medical information collected by the County will be maintained in a confidential, locked file separate from other personnel files.

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## **EMPLOYMENT OF RELATIVES**

**2.4**

Relatives of current employees are eligible for employment with the County, subject to limitations of Iowa Code Chapter 71 and the terms of this policy. To avoid the appearance of favoritism and difficulties in administering discipline, the County will not hire, appoint, transfer, promote, or otherwise place an individual in a position that involves the supervision of, or by, a family member. For purposes of this policy, "family member" includes the individual's spouse, child, parent, brother, sister, grandchild, grandparent, uncle, aunt, nephew, niece, great grandchild, great grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and the following step relatives: mother, father, child, brother, sister, grandchild, grandparent, uncle, aunt, nephew, niece, great grandchild, great grandparent.

If a supervisory relationship between family members is created by a marriage, one of the two affected employees must transfer, if possible, or will terminate employment within 90 days. If the two employees cannot make the decision in a timely manner, length of service in the department will be the deciding factor and the least senior employees will be transferred if possible. Otherwise, the employment of the least senior employee will be terminated.

Newly elected officials and their relatives and qualified relatives shall be exempt from this policy only to the extent that neither the newly elected official nor said official's relatives and/or qualified relatives will be terminated or required to resign from employment. A qualified relative is defined as any person related by consanguinity (blood) or affinity (marriage) within the third degree.

Relatives who worked in the same department on or before the date this policy was adopted are exempt from the regulations set forth herein.

This policy applies to all categories of employment including regular, temporary, and part-time. Temporary election workers are exempt from the regulations set forth herein.

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## **PERSONNEL FILES AND REFERENCES**

**2.5**

The County maintains personnel files on each employee. These files may contain job-related information including performance appraisals, disciplinary records, and some beneficiary designations. Any information contained in the files will be released only if required by law, or if you make a written request for the County to release the information for reference purposes. The County will release any information relating to the results of federally required drug tests in accordance with the applicable law.

If you are interested in reviewing the contents of your file, you may do so at a time mutually agreed upon by you and your department head, except you will not have access to or be able to review letters of reference received or furnished by the County or any reference check performed by the County. A representative of the County may be present during your review. You may, at your own expense, request and receive copies of the contents of your personnel file, except as provided above. The County may charge a reasonable fee to copy the requested items, not to exceed \$5.00.

To assure that our records are current, you must notify your department head and the Auditor's Office whenever there are any changes in your home address, telephone number, marital status, emergency contact, beneficiary designations, and number of dependents. You must also inform your department head of a current emergency contact.

Benton County desires to provide helpful job-related information to prospective employers. Therefore, the Department Head may provide a job reference upon request. All requests for references should be referred to the Department Head of the department. The employee must provide a signed release. If a release is not provided, only the Department Head the Auditor's Office may provide the following information:

- The employee's name
- The employee's job title
- The employee's dates of employment
- The employee's wages

The Department Head should act reasonably in providing work-related information, and should only provide information to a person who has a legitimate interest in receiving the information, and only such information as is relevant to the inquiry being made

## **JOB POSTINGS/VETERAN'S PREFERENCE**

**2.6**

Whenever a non-deputy position becomes available, a notice of such opening will be posted on the Courthouse bulletin board for at least ten calendar days before the deadline for filling the position, and posted on the County website for a similar period, if available. The notice will be posted near meeting agenda notices and will contain the position title, a brief job description, and minimum hiring specifications. Exceptions to the posting requirement include deputies, private secretaries, or other positions in a confidential relation to the appointing officer.

A person who qualifies for coverage under the Iowa Veterans Preference statute, Iowa Code Chapter 35C, may be entitled to a preference in initial hiring or appointment and in employment, if other applicants have no greater qualifications than the person who qualifies for coverage under the Veterans Preference Statute. A person who believes that they may qualify for coverage is required to provide the County with appropriate proof of qualification under the Veterans Preference Statute, which will include an appropriately verified copy of the person's Form DD214, Report of Separation. Decisions on applicants' relative qualifications are at all times reserved to the person or entity who has final authority to make the hiring or appointment decision.



Application forms are available from the department advertising the position and shall be submitted to that department head. Applicants, including current employees, shall be considered on the basis of ability, performance, experience, training, aptitude, and other job-related qualifications. Military service may also be a factor in hiring decisions, as provided by Iowa's Veteran's Preference law.

## **MILEAGE AND EXPENSE REIMBURSEMENT**

**2.7**

Officials and employees shall be granted reasonable expenses while attending meetings pertaining to county government as follows:

1. Mileage: Benton County will compensate an employee at the rate set forth by the IRS on a per mile basis when the employee is required to provide his or her own transportation in order to perform their job function. Mileage will start at employee's residence, unless the employee is reporting from work first, then it would be place of employment to meeting and back to employment.
2. Lodging:
  - A.) Lodging outside of Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties: Reimbursement for all lodging expenses requires corresponding receipts.
  - B.) Lodging inside of Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties:

**[NOTE: This policy does not apply to coursework or trainings approved by a Department Head or Elected Official, and which meet State and/or Federal licensing requirements for any employee. Further, this policy does not apply to trials that take place in any county outside of Benton County pursuant to a court ordered change of venue. In these situations paragraph 2.A. of this policy apply.]**

Reimbursement for all lodging expenses requires corresponding receipts. The amount of reimbursement shall be limited to an amount equal to the amount paid for mileage for one roundtrip to the meeting destination. The lodging will only be reimbursable when the employee's attendance meets a business purpose on both days surrounding the overnight stay. Any portion of the lodging expenses exceeding the roundtrip rate shall be the responsibility of the employee. If there is not a business purpose for both days surrounding the overnight stay, then the entire amount of lodging for that night is the responsibility of the employee. Additional nights of lodging will be reimbursed in the same manner as set forth in this paragraph.

The following examples are for assistance in the administration of paragraph 2.B., above, and are for illustrative purposes only:

Example 1: Employee A attends meetings on Monday and Tuesday in Cedar Rapids (60 miles roundtrip). The meetings on both days qualify as a business purpose. The employee may stay overnight in Cedar Rapids on

Monday night, but will only be reimbursed in an amount equal to 60 miles (one roundtrip) x the current mileage rate.

Example 2: The same employee also stays Tuesday night (second night) in order to continue attending meetings/classes on Wednesday. The employee will be reimbursed for the second night stay at the same rate as the first night.

Example 3: The same employee stays Tuesday night (second night) in order to attend a social gathering and avoid driving home late. There are no meetings on Wednesday. The entire lodging expense for Tuesday night is the responsibility of the employee.

3. Meals & Incidentals:

Tips/Gratuities and alcoholic beverages will not be reimbursed by the County. No exceptions.

A.) Travel within the State of Iowa: Employees may be reimbursed on a per diem basis at the rate of \$30.00 per day for meals and incidentals when traveling within the State of Iowa, except when traveling to and in the following counties: Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan. No receipts are required when an employee is being reimbursed on the per diem basis.

B.) Travel to and in Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties: Employees shall be reimbursed a maximum of \$20.00 per day for meals and incidentals when traveling to and in Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk and Buchanan counties. Receipts for all meals and incidentals are required for reimbursement on a non-taxable basis. Reimbursement without corresponding receipts shall be subject to withholding tax according to IRS regulations.

**[NOTE: This policy does not apply to coursework or trainings approved by a Department Head or Elected Official, and which meet State and/or Federal licensing requirements for any employee. Further, this policy does not apply to trials that take place in any county outside of Benton County pursuant to a court ordered change of venue. In these situations paragraph 3.A. of this policy apply.]**

C.) Exception: Meals and incidentals are not eligible for reimbursement regardless of location when included in meeting registration fees. A copy of the meeting registration form or meeting agenda indicating if meals are included should be attached to claims for reimbursement whenever possible.

D.) Meals and incidental expense while traveling inside of Benton County are not eligible for reimbursement.

4. Travel outside of the State of Iowa: Employees traveling outside of the State of Iowa shall be reimbursed in the same manner as set forth in Paragraph 3,

Section A, above, unless otherwise approved by the Board of Supervisors in advance.

5. Parking Fees: Parking fees are allowable only when validation or free parking is not available. Receipts are required for reimbursement. Employees may claim reimbursement for their actual expense for metered parking and/or when a parking receipt is not provided, however the amount may be reported as taxable income on the employee's wages unless the expense is minimal and a reasonable explanation of the expense is provided and approved by the department head.
6. No compensation will be allowed for expenses of anyone other than the county employee.
7. Parking tickets or traffic violations are the responsibility of the employee and will not be reimbursed by the county, unless approved by the Board of Supervisors.
8. For alternative transportation, i.e. airline transportation, please see policy below.
9. Determination of need for rest. Benton County has determined that any travel outside of Linn, Johnson, Iowa, Poweshiek, Tama, Black Hawk, and Buchanan Counties is of sufficient distance and time that a period of rest is needed.

**Alternative Transportation:** When driving is not feasible or cost effective, payment for alternative transportation must be pre-approved by the Board of Supervisors.

1. Claims of transportation expense must show point of departure, intermediate, and final destinations. Claims for commercial carrier transportation reimbursement must be accompanied by receipts, and shall not exceed coach fare.
2. The cost of first class transportation will be considered standard only when coach fare is not available, and must be approved by the Board of Supervisors in advance.
3. Early ticket purchase of coach fare tickets will be allowed to take advantage of reduced costs. However, if an employee fails to cancel the ticket within the proper time if unable to attend conference, employee will be responsible for the cost of the prepaid ticket, unless justified emergency can be proven.

## **JOB PERFORMANCE EVALUATIONS**

**2.8**

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Each Department Head may conduct job performance evaluations of every employee under the supervision of the officer. These evaluations shall be conducted in writing, with a copy supplied to the employee, and a copy retained in the employee's file in the Department Head's Office. Employees who report directly to the Board of Supervisors shall have their employee evaluations filed in the Auditor's office.

## **TRANSFERS AND PROMOTIONS**

**2.9**

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The County believes that current employees should be given consideration for advancement and promotional opportunities if they possess the qualifications for the open position. Therefore, current employees will be considered for job openings within the employee's department or an opening/vacancy in another department. An employee transferring to another department will receive the benefits applicable to the department the employee is joining.

Employees without a break in service will keep their anniversary date, and will not lose accrued vacation and sick time. If the transferring employee has any accumulated compensatory time, it will be paid in a lump sum prior to the transfer to the new department.

## **SEPARATION FROM EMPLOYMENT**

**2.10**

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When the employee initiates separation from employment, the employee is required to file written notice with the department head and the county auditor at least two weeks prior to resignation or separation from county service. The requirement for two weeks' notice of resignation or separation from County employment may, in exceptional circumstances, be waived. A decision to waive the two week requirement will be made by the person with supervisory authority over the employee and any governing body with authority over employment matters for the employee.

Upon resignation or separation from county service with proper notice, an employee shall be paid on a pro-rated basis for all unused vacation and unused personal day(s) at the time of separation.

No vacation time shall be allowed to be taken during the last two weeks of employment unless approved by the Department Head.

An employee's annual allowance to take a day off with pay in observance of the employee's birthday shall be forfeited if not taken prior to the time of the resignation or separation.

Upon involuntary separation and/or separation without the required advance notice will result in forfeiture of any vacation pay, unused personal day, or sick leave conversion.

As you know, your employment may be terminated at any time by either the County or yourself. The employment relationship will be broken and terminated if you resign, retire, or are discharged.

## **INCLEMENT WEATHER AND WORKSITE CLOSING**

**2.11**

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Because the County serves the citizens of the County, the Courthouse will always remain open during regularly scheduled hours. In extreme circumstances, however, the Board of Supervisors or a designated committee may determine that it is necessary to close the courthouse or other County offices and facilities. If an employee's office is

closed by the County, regular full-time employees scheduled to work during that time will be compensated at their regular rate of pay to complete their normal work hours.

In case of severe weather conditions, such as a snowstorm, defined as blizzard conditions as determined by the National Weather Service, or tornado or flooding conditions, the following policy will be in effect:

1. If an employee is unable to get to work due to severe weather, the employee will be allowed to charge the absence to vacation or compensatory time provided the employee has the time accumulated. If no paid time is available, the employee may choose to take the time off without pay.
2. An employee may request to leave work early because of severe weather conditions. If the request is approved, the employee may use accumulated compensatory time or vacation. If no paid time is available, the employee may choose to take the time off without pay with department head approval.
3. Benefit accumulation and eligibility will not be affected if an employee chooses to take the time off without pay.
4. Employees in departments that serve the public during severe weather (including departments that provide snow removal and law enforcement services) are expected to report to work during severe weather conditions, unless notified otherwise by their department head.

## **WORKPLACE PRIVACY AND SEARCHES**

**2.12**

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The County attempts to maintain equipment and supplies which permit work to be accomplished in the most efficient and effective manner possible. While employees are encouraged to use these items, it is important to understand that they are County property and are to be used to conduct County business.

As part of your employment, a desk or work space may be made available to you. The desk and work space are County property. Because the desk and work space are County property, not your personal property, the desk and work space are subject to being inspected by the County at any time, with or without notice to you.

The County assumes no responsibility or liability for any items of personal property which are placed in the desk or work space which is assigned to you.

If the County conducts an examination or inspection under the terms of this policy, there will be at least two individuals present at the time of the examination or inspection.

Accessing files or materials from your desk/work space for the necessary, normal workflow does not constitute an examination or inspection of your desk/work space.

Benton County requires bills/claims to be paid off of Invoices to avoid duplication. Monthly statements are only accepted for Utility Bills and Phone Bills.

New Vendors or Payees will need to have a W9 on file with the Auditor's office. If you are unsure if the Vendor or Payee is new please contact the Auditor's office to verify.

Department heads or Elected Officials are responsible to get their bills turned into the Auditor's office on time. Finance/late charges will be the responsibility of the department head or elected official. Department Heads or Elected Officials are responsible for arranging the sales tax exempt status of Benton County.

Auditor's office will give Departments a Schedule of the Proposed Payable Deadline & Check Issued Dates for the Fiscal Year. Claims must be in the Auditor's office by 4:30 p.m. on the dates listed in the Schedule.

Claims need to be approved by Department Head or Elected Official unless otherwise designated by Department Head or Elected Official. Budget line items and Department Head or Elected Officials approval needs to be written on individual invoices. Auditor's office will audit budget line items listed on bills/claims to ensure budget line items are being used lawfully.

Mileage and Expense Reimbursement claims per handbook 2.7 shall be granted. Claims need to describe how many miles, where the employee drove to and for what purpose. Claims should also state where the drive started from whether it is from work or home. Employee and Department Head or Elected Official need to sign off on claim. Any receipts need to be attached with claim form. See Example 2.14 of Meal or Mileage Claim form.

Benton County, Iowa

MEAL OR MILEAGE CLAIM FORM

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

Claimant: John Doe or Jane Doe Address: 123 Main St

City/State: Vinton, IA 52349

All bills against the county must clearly show the date, nature, and purpose of each item.

Bills for mileage must show between what points mileage is claimed in each instance.

Charges per diem must show of what each day's service consisted, and time actually required.

FUND	DEPT	ACTIVITY	DOT	OBJECT	AMOUNT
0001	02	9010	000	413000	\$ 42.30
0002	49	8000	000	413000	\$
0001	14	9120	000	413000	

INVOICE DATE	AMOUNT
3/14/19	60 miles to Iowa City for training (explain what type of training) 34.80
date(s) of transaction	Drove from work to training
	Mea-see attached receiptl 7.50
	<b>Describe how many miles, where you drove to and for what purpose. Describe where you started your mileage from. Include receipts with claim if needed.</b>
	Do Not Add State Sales or Federal Excise Tax 42.30 -

TOTAL \$ 42.30

SUPERVISORS APPROVAL  
Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of Iowa, County of Benton, ss.  
I, the undersigned do solemnly swear the within amount is just, reasonable and correct, that the same has not been paid in whole or in part and the same is properly chargeable to and payable in Benton County, Iowa.

CLAIMANT: John Doe or Jane Doe BY: Supervisor/Dept Head

## SECTION THREE: HOURS OF WORK AND COMPENSATION

### DEFINITION OF EMPLOYEE STATUS

3.1

**Full-time:** A non-temporary employee scheduled to work 37 ½ or 40 hours per week dependent upon job classification.

**Part-time** A non-temporary employee scheduled to work less than 37 ½ or 40 hours per week dependent upon job classification or hired to work up to 40 hours per week on a seasonal basis.

**Temporary or seasonal:** A full or part-time employee hired to assist during worker shortages, or peak workloads. Temporary employees are not eligible for the benefits described in this handbook, unless otherwise indicated.

**Anniversary date:** The anniversary of the calendar date of an employee's last date of hire.

**Department Head:** A person with supervisory authority for a particular office, department or agency established by a county board or commission.

**Appointed Officials:** A person who has been appointed by an elected official(s) or a County created board or commission. The department head for appointed officials is the appointing official or board. References to the Board of Supervisors shall also be read to refer to the appointing elected official or other board where applicable. Appointed officials include but are not limited to the County Engineer, County Assessor, County Environmental Health and Land Use Director, Transportation Director, Social Services Director, Conservation Executive Director, and Courthouse Maintenance Director.

**Supervisory Personnel:** For employees that are designated as supervisory personnel within a department, the department head is the designating official or board.

The Board of Supervisors and/or appointing board may appoint a designee to administer or assist in the administration of this handbook or any portion thereof on their behalf.

**County:** References to County means Benton County or the Board of Supervisors or the appointing board or commission.

### EARNINGS AND HOURS OF WORK: GENERAL PROVISIONS

3.2

#### Work Schedules

Employees are expected to report to their work site during the working hours established by the department head. The department head shall determine work schedules, including meal periods and interruptible rest periods, for all employees in their departments. However, all office hours will coincide with the business hours of the County as established by the Board of Supervisors. Nothing in this or any other section



of this handbook shall be construed as a guarantee of the number of hours an employee will be scheduled to work. Daily and weekly work schedules may be changed at the discretion of each department head to meet varying conditions and workload.

### **Recording Work Hours**

All employees must accurately record their hours worked for each pay period on a form provided by their department head.

### **Payday and Salary Deductions**

Benton County employees are normally paid every two weeks on Thursday. All required deductions, including those for state and federal taxes and all authorized voluntary deductions, including health insurance contributions, will automatically be withheld from your paycheck. Direct deposit of your paycheck may be arranged with the Auditor's office. The Auditor's Office must be notified of automatic deposits and any changes no later than the Thursday prior to the next pay day. It is the employee's responsibility that the deposit account number on file with the Auditor's Office is accurate. Inaccurate account numbers may delay the deposit of funds. Employees are solely responsible for correcting any erroneous deposits made with depositories due to the failure of the employee to timely report changes or for providing inaccurate account information.

### **Pay Period**

The pay period is established by the auditor's office each January 1<sup>st</sup>, and is normally a two-week period beginning at 12:00 a.m. on a Saturday.

### **Work Period**

The work period for payroll purposes and for computing overtime for nonexempt employees begins at 12:00 a.m. Saturday and ends at midnight the following Friday.

### **Overtime Pay and Compensatory Time**

It is the intent of Benton County to comply with the Fair Labor Standards Act and any subsequent amendments. The following section does NOT apply to employees classified by FLSA as executive, administrative, or professional, except as set out in paragraphs 3 & 4 below. In accordance with the Fair Labor Standards Act, Compensatory time – overtime pay shall be allowed as follows:

1. An employee whose normal work week consists of 37½ hours, is allowed one hour compensatory time for each hour of actual work from 37½ to 40 hours in a work week. Compensatory time shall be allowed at the rate of 1½ hours off for each hour worked over 40 hours in a work week. Any hours worked over the normal work hours in a work week (37½ hours or 40 hours) shall be approved by the department head prior to working beyond the 37½/40 hours. Hours worked between 37 ½ and 40 hours is at the straight time rate of pay. *For the purpose of calculating compensatory time, an employee may only count actual hours worked; time taken off for holidays, sick leave, vacation or as compensatory time during a work week do not count as hours actually worked. **Compensatory time not reflected on the time sheet(s) filed with the Auditor's Office will not be recognized.***
2. Overtime pay may be allowed in lieu of compensatory time and shall be paid at any time in part or in full at the discretion of the department head. "Overtime

pay” is the amount which is 1.5 times the regular hourly rate for those employees paid on a per hour basis. Overtime pay will be granted only for hours worked in excess of 40 hours in a work week. Overtime pay shall be allowed only when it is specifically requested and approved by the department head where the employee works.

3. Compensatory time may be granted to department heads, bona-fide executives, administrators and professionals. The department head who grants compensatory time to an employee in any of these categories must do so in writing, and provide a copy to the Auditor’s Office.
4. An employee, except Conservation employees, may accrue no more than 60 hours of compensatory time over a period of 90 days. Conservation employees, due to the seasonal nature of their work may accrue no more than 480 hours during their peak season. An employee must use accrued compensatory time before using vacation time. An employee who has not used compensatory time accrued in a fiscal year shall be paid for all accrued compensatory time remaining at the end of that fiscal year on the first payroll of the succeeding fiscal year, except for Benton County Conservation employees, who will be paid for compensatory time not used by April 1<sup>st</sup> of each year.
5. The department head may tell an employee to leave the place of employment in order to prevent accrual of compensation time, or may require the employee to use accumulated compensation time.
6. Compensatory time may be taken at the request of the employee only as scheduled by the department head.
7. Each department is to see that an accurate record of compensatory time – overtime pay is kept. These records shall be maintained for a period of 3 years and shall be reasonably accessible to the employee.
8. In the event of employment separation, accumulated compensation time shall be paid as overtime pay. The rate used shall be the actual rate of salary upon separation from service or the average salary of the last three years of employment, whichever amount is greater.

## **EMPLOYEE WORK HOURS**

**3.3**

*(This section does not apply to elected officials or to FLSA “exempt” employees, except as noted.)*

A normal workday shall consist of 7-1/2 or 8 hours, excluding lunch hours, dependent upon job classification.

The provisions regarding work hours may be amended by a resolution adopted by the Board of Supervisors. Any such amendments will be incorporated into the Employee Handbook at the time of the next revision to the Employee Handbook.

Any employee absent due to reasons other than those allowed in the benefit package shall either receive no pay (see Unpaid Leave of Absence Section 4.9), or use vacation or compensatory time, as approved in advance by the department head.

75 hours or 80 hours (dependent upon normal work hours) of employment during a pay period is standard. Should a regular full-time employee work less than 75/80 hours in a pay period, the number of hours less than 75/80 shall be deducted from accumulated compensatory time. If the employee does not have any compensatory time accumulated the number of hours less than 75/80 shall be designated vacation, sick leave if applicable, or at no pay.

Employees must have prior written approval from the department head in order to take time off without pay.

All employees, except elected officials, are required to file a time sheet with their department head or designee, indicating the hours worked in a pay period. The time sheets will also indicate the hours of compensatory time and vacation time used and/or accrued during the pay period, if applicable.

The department head is responsible for filing their employee(s)'s time sheet(s) with the auditor's office no later than 10:30 a.m. on the Monday following the end of a pay period. When the Monday following the end of a payroll period falls on a holiday, timesheets must be filed with the auditor's office no later than 2:00 p.m. on the Friday ending the pay period. Time sheets not turned into the auditor's office by the time set out above may result in your paycheck being delayed until the payday for the following pay period.

**Breaks and Lunch Periods** Each employee shall receive an unpaid one hour lunch break, which shall be scheduled by the department head. Lunch breaks shall be staggered among the employees of each office.

A maximum of two paid breaks of up to fifteen minutes each may be allowed at the discretion of the department head.

**Employees should check with their department head to determine if additional departmental restrictions or guidelines apply to their work schedule.**

## SECTION FOUR: TIME OFF BENEFITS

### HOLIDAYS

4.1

Benton County recognizes certain days of importance as holidays and pays full-time employees for time off on these days in accordance with eligibility rules explained in this section. The County observes the following holidays:

New Year's Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	*1/2 day Christmas Eve
Labor Day	Christmas Day

\*If Christmas Eve falls on a Monday – Friday. Conservation employees do not receive an additional ½ day off.

Holidays falling on Saturday will be observed on Friday and holidays falling on Sunday will be observed on Monday. Other holidays may be allowed at the discretion of the board of supervisors.

**Conservation Employees** Due to the nature of their work, non-seasonal, full-time Benton County Conservation employees shall be granted Christmas Eve, the day following Christmas, and New Year's Eve as paid holidays instead of Memorial Day, Independence Day and Labor Day. Holidays falling on a Conservation employee's regularly scheduled day off will be substituted as soon as possible, as scheduled by the Director.

Temporary, seasonal or part time employees are not eligible for holiday pay, paid birthday or personal business day.

A new full-time employee will be eligible for paid holidays, birthday, and one personal day after 30 calendar days of continuous employment.

#### **Pay For Holidays Worked**

Depending on the services provided by your department or office, you may be required to work on a holiday. If an employee is required to work on a recognized holiday, he/she will be granted another day off to be scheduled with the approval of the department head. Employees are not compensated extra for working a holiday except as provided in Section 3.2.

#### **Holidays During Unpaid Leave**

Employees on an unpaid leave of absence at the time a holiday occurs will not be paid for the holiday.

**Personal Day** Full-time employees will be granted one personal day each anniversary year, to be scheduled with the department head's approval. The personal day will be

granted to an individual only after completion of 30 calendar days of employment. It must be used within the year in which it is earned and cannot be carried forward.

**Employee's Birthday** Full-time employees will be granted one day for his/her birthday per anniversary year, to be scheduled with the department head's approval. This day will be granted to an individual only after completion of 30 calendar days of employment. It must be used within the year in which it is earned and cannot be carried forward.

## **VACATION**

**4.2**

A regular full-time employee is eligible to receive vacation as follows:

- After six (6) months – 5 days
- After one (1) year – 10 days
- After eight (8) years – 15 days
- After seventeen (17) years – 20 days

New employees may be granted additional paid vacation days upon hiring, at the discretion of the department head and with the approval of the Board of Supervisors, in order to secure their employment.

All vacation is based on continuous employment.

The scheduling of vacation time must be approved in advance by the department head. Vacation time earned shall be based on the employee's anniversary date.

All vacations must be taken during the twelve month period following the anniversary date of qualifying employment unless approved in writing by the official in charge with a written copy to the Auditor's Office prior to the employee's anniversary date. Vacation time carried over must be taken within the time period specified by the department head. No more than ten days may be carried over in this fashion. An employee who has not used his or her vacation time and has not been granted an extension as set out above will lose that time.

Temporary, seasonal or part-time employees are not eligible for paid vacation leave.

Vacation time may only be "cashed in" upon separation from employment or upon written approval of the department head and the Board of Supervisors.

## **SICK LEAVE**

**4.3**

Regular full-time employees will accrue sick leave at the rate of 5.5 hours per 75/80-hour pay period. The maximum number of hours that an employee will be able to accrue is 750 hours for those employees whose normal workday is 7½ hours and 800 hours for those employees whose normal workday is 8 hours. Should an employee go below 750/800 hours, they will again accrue at the rate of 5.5 hours per pay period. If in any

pay period an employee used more than 37½ or 40 hours of sick leave depending on the employee's normal work week, no sick leave will be earned for that pay period.

Accumulated sick leave may be used for any of the following:

1. Serious or confining illness of the employee.
2. Medical or dental appointments of employee, or his/her spouse, parent or child which cannot be scheduled during non-working hours. In such cases, sick leave shall be charged in half-hour increments with a minimum of ½ hour. Absence of more than ½ hour shall be charged at the next highest half-hour.
3. A maximum of 3 days per year may be used for care of a sick parent, child, or spouse.

It is the intent of Benton County to comply with the Federal Family Medical Leave Act and its amendments. Employees should refer to Benton County's policy "Family Medical Leave".

The need for a doctor's certificate for absences of more than one day will be left to the discretion of the department head.

### **SICK LEAVE CONVERSION**

At the request of an employee who has reached the maximum accumulation of sick leave (100 days) at the beginning of a month and does not use any sick leave during that month, the hours of sick leave the employee would have accrued during that same month may be converted as follows:

- a. into vacation time at the rate of five sick hours to one vacation hour (5:1), OR
- b. to pay at the rate of five hours of sick leave to one hour of pay (5:1).

Employee requests for conversion must be filed with the Auditor's Office at a minimum of two times a year. Requests for conversion on hours earned prior to June 1<sup>st</sup> must be filed by June 1<sup>st</sup> of that year and requests for conversion on hours earned between June 1<sup>st</sup> and December 1<sup>st</sup> of each must be filed by December 1<sup>st</sup> of that year. Employees not requesting conversion in accordance with the stated dates will not be eligible to convert the sick leave hours earned in accordance with this section. This does not prohibit employees from requesting conversion on a more frequent basis.

Sick leave conversion to vacation time will be subject to all of the provisions of this handbook pertaining to vacation time.

### **DONATED LEAVE**

**4.4**

Benton County offers employees the ability to receive and donate accrued vacation leave and/or a personal day due to a personal or immediate family member's catastrophic illness or injury.

#### Definitions

"Employee" means a full-time or regular part-time employee as defined in the County Employee Handbook.

“Recipient” means an employee who is receiving donated leave,

“Donor” means an employee who is donating leave to a recipient.

“Immediate family member” means the employee’s child, parent, or spouse, as defined by the Family and Medical Leave Act section of the County Employee Handbook.

“Catastrophic illness” means a physical or mental illness or injury, as certified by a licensed physician, or an employee or an immediate family member that will result in the inability of the employee to report to work on their normal schedule for more than 30 work days due to the need to attend to themselves or the immediate family member on a consecutive or intermittent basis.

“Donated leave” means a donor’s personal day or vacation leave donated to a recipient.

### Program Eligibility

In order to receive donated leave, a recipient must:

1. Have a catastrophic illness or have an immediate family member with a catastrophic illness, and whom the employee is providing care, which may include transportation or other necessary services.
  2. Have exhausted, or will exhaust within 2 weeks, all paid leave for which they are eligible.
  3. Not be receiving Federal or State disability benefits.
  4. Be approved for and using or have exhausted Family and Medical Leave Act (FMLA) leave.
  5. Submit a completed Donated Leave Request form to their Department Head.
- All employees, exempt or non-exempt, are eligible to request donated leave.

### Program Requirements

- A. Vacation hours and personal day hours will be donated on an hour for hour basis.
- B. The county will pay the “county portion” of one additional month’s health insurance premium after FMLA and/or paid leave has been exhausted. The recipient may remain on the county health insurance policy until donated leave is exhausted, but is responsible for paying the full premium.
- C. Recipients will not be eligible to receive paid holidays, accrue vacation, accrue sick leave, or accrue longevity based on donated leave hours.
- D. A donor may donate a maximum of 40 hours of donated leave per recipient in each fiscal year.
- E. Interdepartmental donations will be funded by the Recipient’s department.

F. A recipient may receive up to 120 days calculated using the recipient's normal work day hours of donated leave. The recipient may work intermittently to extend their period of donated leave if approved by their department head

G. Donated leave shall not be returned to the donor once donated. All unused leave is forfeited.

#### Procedure

Donated Leave Request form can be obtained from the employee's department head or the Auditor's Office. Upon the submission of a completed Donated Leave Request, the Auditor's Office will distribute a notice to all departments indicating that an employee is eligible to receive donated leave. Donors may submit Donated Leave Contribution forms to their department head for a period of two weeks following the date the notice of a recipient's eligibility is posted.

When a recipient nears the end of their initial donated leave, the Auditor's Office shall send a notice to all departments to notify employees that the recipient is near the end of their donated leave. For a period of two weeks after this notice, donors may submit additional Donated Leave Contribution forms to the donor's department head. After this period, no additional donations will be allowed.

Confidentiality of donors and recipients will be maintained to the extent possible.

The recipient shall only use the donated leave for the specific leave requested on the Donated Leave Request form filed in the auditor's office.

Union employees may donate leave to non-union employees under the provisions of their negotiated contract. Non-union employees may donate leave under the provisions of this Employee Handbook.

## **FUNERAL/BEREAVEMENT LEAVE**

**4.5**

Regular-full time employees are eligible for up to five days of paid time off in the event of the death of the employee's spouse, parent, or child. Up to three days will be allowed for the death of the employee's grandparent, grandchild, sibling, or corresponding in-law or step relative.

Compensation for funeral absence will be at the employee's rate for hours not to exceed the employees normal work hours per day. Payment will be made only for those days which you would have worked. If a death in your family occurs, please notify your supervisor/department head as to the expected length of your absence. An employee must attend the funeral to be eligible for paid funeral leave.

Any employee may request to use vacation or earned compensatory time, or an unpaid leave to attend the funeral of a relative or friend, subject to the approval of the department head.



## **JURY AND WITNESS DUTY**

**4.6**

Any full-time or regular part-time employee required to report for jury duty shall receive a paid leave of absence for the time spent on duty subject to the requirements of this policy. All other employees shall receive an unpaid leave for jury duty.

While on paid jury leave, the County will continue your regular salary, but you must submit certification of the number of hours spent in such service and assign any compensation you receive in connection with the duty, less any reimbursement for travel or meal expenses, to the County. Employees on unpaid leave for jury duty will retain compensation received for jury service.

Any employee subpoenaed to appear as a witness in a civil or criminal proceeding may use earned vacation or accrued compensatory time (if applicable) with department head approval or may apply for an unpaid leave of absence under Section 4.9 of this handbook.

All employees summoned to jury duty or witness duty must submit a copy of the summons to their supervisor within two working days after receiving the summons. Employees on jury or witness duty are expected to promptly return to work when released from service, either permanently or temporarily.

Hours spent by any employee appearing as a witness in any job-related legal proceeding at the direction of the County shall be considered to be work time.

## **FAMILY AND MEDICAL LEAVE**

**4.7**

It is the policy of the County to provide unpaid family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) of 1993. Whether or not a particular situation is covered by FMLA depends on whether the law's requirements have been met, not on whether an employee actually requests FMLA leave. The County will designate leave as FMLA leave if the employee is eligible for FMLA leave and if the law's other requirements are satisfied, even if the employee has not requested FMLA leave.

### **Leaves Available**

An eligible employee will be granted up to twelve (12) work weeks of unpaid, job-protected leave each twelve-month period for any of the following qualifying reasons:

1. The birth of and/or need to care for your newborn child;
2. The placement of a child with you for adoption or foster care;
3. The need to care for your spouse, child, or parent with a serious health condition; or
4. A serious health condition that makes you unable to perform the functions of your job.
5. Because of any qualifying exigency (urgent need) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been

notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. Qualifying exigencies may include attending certain military events, arrangement for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post deployment reintegration briefings.

### **Service Member Leave**

An eligible employee who is the spouse, son, daughter, parent or next of kin (as defined by Iowa Code 29 CFR 825.122(e)) of a covered service member shall be entitled to a total of 26 workweeks of leave during a single 12 month period to care for the service member with a serious injury or illness. The 26 workweeks is a combined total with other reasons for FMLA leave. For example, if an employee had used 6 weeks of FMLA leave for his/her own serious health condition, 20 weeks would be available during that 12 month period for service member leave.

### **Eligibility Requirements**

To be eligible for family and medical leave, you must have worked for the County for at least twelve (12) months, and for at least 1,250 hours during the twelve (12) months immediately preceding the start of the leave.

### **General Provisions**

For purposes of this policy:

“**Child**” means son or daughter under 18 years of age, or a child 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual daily responsibility for care and includes a biological, adopted, foster or step-child.

“**Parent**” means the employee's biological parent, or an individual who stood in place of the parent of the employee. "Parent" does not include parents-in-law.

“**Serious health condition**” means an illness, injury, impairment, or physical or mental condition that involves

- inpatient care in a hospital, hospice, or residential medical care facility; or
- a period of incapacity that requires absence from work for more than three consecutive calendar days AND involves either two or more treatments by a health care provider, or at least one treatment by a health care provider plus a regimen of continuing treatment; or
- any period of incapacity due to pregnancy or for prenatal care;
- a chronic serious health condition;
- long-term conditions for which treatment may not be effective; or
- multiple treatments and recovery there from.

“**Spouse**” does not include an unmarried domestic partner.

The “**twelve month period**” during which the leave entitlement occurs is designated as the employee’s anniversary year.

**Married employees:** If you and your spouse are both employed by the County, and are both eligible for family and medical leave, you and your spouse will be limited to a

combined total of twelve (12) weeks of family and medical leave a year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement of a child with you for adoption or foster care, or to care for the child after placement; or to care for your parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of your spouse or child, or because of your own serious health condition.

### **How and When Leave May Be Taken**

Family and medical leave is taken either in consecutive workweeks; intermittently in separate blocks of time; or by reducing the number of days you work per week, or hours per day.

**Intermittent or reduced schedule** leave may be taken when medically necessary to care for your spouse, child, or parent with a serious health condition, or because of your own serious health condition. You must provide the County with medical certification of the need for intermittent or reduced schedule leave, and must attempt to schedule your intermittent or reduced schedule leave so as not to disrupt County operations. You may be transferred temporarily to an alternative position or schedule, with equivalent pay and benefits, which better accommodates the intermittent leave or reduced schedule. Leave for childbirth, adoption or foster care may be taken intermittently or on a reduced leave schedule only if the employee's department head agrees to the proposed intermittent or reduced leave schedule.

Leave for the birth of a child or placement of a child for adoption or foster care must be taken within twelve (12) months of the birth, adoption or placement.

### **Notice and Planning Requirements**

If you know in advance that you will be taking leave because of birth, adoption or placement of a foster child in your home, or because of planned medical treatment for you or a covered family member, you must notify your supervisor in writing using a "Request for Family/Medical Leave" form at least thirty (30) days in advance.

When the need for leave is foreseeable based on planned medical treatment for you or your covered family member, the County expects you to consult with your department head and to make a reasonable effort to schedule the treatment so as not to unduly disrupt County operations.

In the event the timing of the leave is not foreseeable, you are required to give notice of the need for leave as soon as practicable, generally within no more than one or two working days of learning of the need for leave.

### **Medical Certification**

The County reserves the right to require written medical certification from the appropriate health care provider when leave is requested to care for a child, spouse, or parent with a serious health condition, or because of your own serious health condition. Medical certification forms are available from your department head or the County Auditor's Office. Certification will include the date of onset, the probable duration, type of treatment, and other appropriate medical facts concerning the condition. If you are seeking leave for your own health condition, the certification must also state that you are unable to perform the functions of your position. For leave to care for a family member,

the certification must state that you are needed to care for the family member, and an estimate of the amount of time you will be needed. Other certification requirements apply in the case of intermittent or reduced schedule leave.

In lieu of medical certification, a notice from a health care provider or legal documentation shall be accepted for birth, or placement for adoption or foster care.

The County may require recertification and periodic reports from employees during leave.

### **Use of Paid Leave**

The County will require you to use paid leave as part of your family and medical leave as follows:

1. You must use any accrued vacation, and then applicable sick leave (see use of 3 days of sick leave for family illness covered in section 4.3) for any portion of the twelve (12) week leave for birth, adoption, foster placement, or to care for a child, spouse, or parent with a serious health condition. All accumulated sick leave can be used for the care of your child, spouse, or parent with a serious health condition after all accrued vacation has been used.
2. You must use any accrued sick and then accrued vacation leave for any portion of the twelve (12) week leave to care for your own serious health condition. Any situations in which you use paid sick leave because you are unable to work due to a condition that qualifies as a serious health condition under this policy will be counted against your twelve week FMLA entitlement.

When you have used all required paid leave for any portion of a FMLA leave, the balance of the leave will be without pay.

### **Rights and Benefits During Leave**

Seniority and vacation will accrue only during periods of paid leave. Sick leave will accrue in accordance with the County's policy on sick leave. Please see section 4.3.

Eligible employees will be paid for any holidays occurring during paid FMLA leave. Holiday pay will not be paid during any unpaid FMLA leave.

All benefits which you had accrued before taking leave will be retained after returning from an approved FMLA leave, if not depleted during the leave.

While you are on family or medical leave, paid or unpaid, the County will continue your group health insurance coverage at the same level and under the same conditions that coverage would have been provided had you continued working. The employee will be required to pay the same cost of coverage as if he or she were actively at work. Employee contributions to the premium will be required either through payroll deduction or by direct payment to the County Auditor's Office by the end of the month for the following month's coverage. The employee will be informed of the amount and method of payment at the beginning of the leave. Loss of insurance coverage may result if the premium amount is more than thirty days late. If the employee misses a premium payment and the County pays the employee's contribution, the employee will be required to reimburse the County for the delinquent payment upon return from leave.

Under certain circumstances that are addressed in the FMLA administrative guidelines, if you fail to return to work after an approved FMLA leave, the County may require you to reimburse it for the amount the County paid for your health insurance premium during the leave.

### **Returning to Work**

At the conclusion of your FMLA leave, you will be restored to your former position, if that position is vacant, or one with equivalent pay, benefits, and conditions of employment, provided you have complied with the requirements of this policy.

Upon returning to work from leave due to your own serious health condition, you may be required to provide certification from your health care provider that you are able to resume work and are fit for duty.

If you fail to return to work after your approved FMLA request has expired, and you have not contacted the County, the County shall regard this as your resignation.

## **MILITARY LEAVE**

**4.8**

### **Leaves Available**

The County will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first thirty calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the thirty calendar days without loss of pay. If the leave is for a period of less than 30 days, only those days the employee normally works will count toward the 30 days of leave. Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the County's policies on vacation, personal, compensatory time, or unpaid leave, and with applicable state and federal law.

Employees must submit their written military orders to their department head prior to the commencement of the military leave.

### **Reemployment Rights - Eligibility**

Your eligibility for reemployment with the County after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;

2. The cumulative length of the absence and all previous absences from your employment with the County for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service, you must report to work or submit a timely application for reemployment according to the following schedule:

For service of less than 30 days you must report to work by the beginning of your first regularly scheduled work day that would fall eight hours after you return home.

For service of 31 to 180 days you must apply for reemployment within 14 days after completing service.

For service of 181 days or more you must apply for reemployment no later than 90 days after completing service.

### **Continuation of Benefits During Military Service**

Employees on leave for military service and any of their dependents entitled to coverage under the County's health insurance plan are entitled to coverage as follows:

1. An employee that leaves employment for less than 31 days is entitled to continued health insurance coverage, and will not be required to pay more than what an active employee would pay for coverage.
2. An employee that leaves employment for more than 30 days is allowed to elect to receive continued coverage under the County's health insurance plan for up to 18 months following separation from employment or until the employee's reemployment rights expire, whichever event occurs first. The County may require the employee to pay up to 102% of the premium.

## **UNPAID LEAVE OF ABSENCE**

**4.9**

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An employee desiring to take an unpaid leave must submit a written request for a leave of absence to the department head stating the reason(s) for the request. The written request must include the date the employee intends to be absent and the date the employee intends to return to employment. The department head may request supporting documentation from the employee. If the department head grants the leave, s/he must notify the employee and the Auditor's Office in writing of the beginning and ending dates of the leave. Any extension of the leave must be mutually agreed upon between the department head and the employee, and must be in writing, with a copy to the Auditor's Office.

An unpaid leave of absence shall not be allowed for a period of less than one week at a time, and no employee shall be granted more than two leaves under this policy during their employment with the County.

An employee granted a leave of absence shall not be eligible for holiday pay, vacation, sick leave, personal holidays, or any other fringe benefits, except as otherwise provided

by law. An employee on leave shall not accrue retirement or seniority while on leave, and the employee's anniversary date shall be adjusted according to the length of the leave. Premiums for insurance normally paid by the employer will be paid by the employee for the duration of time the employee is on unpaid leave prior to the start of the approved unpaid leave of absence, if the employee elects to continue coverage.

If the employee does not return to work upon the expiration of the leave, the employee shall be deemed terminated. Upon return from the approved unpaid leave of absence, the employee will be returned to the employee's former job if still qualified, and if possible. Otherwise, an effort will be made to return the employee to a similar position based on the employee's seniority, qualifications, and ability as determined by the department head.

This policy does not apply to leaves allowed under FMLA or other federal and state laws, except as specified in those laws.

## **WORK-RELATED INJURIES**

**4.10**

### **Coverage**

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related injury or illness, you are covered by workers' compensation insurance. A determination as to whether a particular injury, illness or other occurrence will be accepted as being a work-related matter will be made by the County's workers' compensation insurance provider. The workers' compensation laws of the State of Iowa determine how employees receive medical care and how they are paid for lost work time as a result of a work-related injury or illness.

### **Employee's Reporting Requirement**

An employee must report a work-related injury or illness to his or her Department Head immediately following the injury, or as soon as the employee has knowledge of the injury or illness. Immediately after notifying your department head, you or your Department Head must call the Auditor's office to provide notification of the work-related injury or illness. The Auditor's office will notify the representative of Heartland Insurance Risk Pool. If medical attention or treatment is required, which in almost all instances will be the case, employees are required to initially use the County-designated medical clinic, except in the case of an emergency that would prevent use of the County-designated medical clinic. Failure to report a job-related injury or illness as outlined above may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize your right to benefits in connection with the injury or illness.

### **Workers' Compensation and FMLA**

A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with applicable Family and Medical Leave Act leaves in appropriate circumstances.

## **Return to Work**

Before returning to work, an employee who has been receiving workers' compensation benefits must submit evidence satisfactory to the County that the employee is safely able to return to work.

## **TEMPORARY LIGHT DUTY**

**4.11**

**Eligibility** Temporary light duty assignments may be made by the County for employees with work-related injuries or illnesses who are covered by workers' compensation or for qualified individuals with disabilities that prevent them from performing their normal job duties. In either case, eligibility for light duty is limited to employees for whom the assignment would be a progressive step in their return to work.

An employee with a job-related injury or illness who refuses a light duty assignment may lose workers' compensation payments and will be placed on an unpaid Family and Medical Leave Act (FMLA) leave if the employee's condition qualifies as a serious health condition and the employee is eligible for leave under that policy. At that point, the employer may require or the employee may elect to substitute accrued paid leave from the date the workers' compensation benefits cease.

### **Duration of Light Duty Assignments**

Assignment of light duty tasks within an employee's medical restrictions is intended to be for a temporary duration determined by the County. Light duty assignments will be documented with a list of the functions assigned and the duration of the assignment. Temporary light duty assignments are not intended to become regular assignments.

### **Medical Certification**

Before assigning temporary light duty, the County will require medical certification from the employee's physician or other health care provider that the employee is unable to perform his or her normal job duties within medical restrictions, and that the employee is able to perform the proposed light duty assignment within medical restrictions. At the conclusion of the light duty assignment, the County will require fitness-for-duty medical certification to determine whether the employee is able to return to his or her normal job duties.

### **Return to Work After Light Duty**

If, at the end of the temporary light duty assignment, the employee is able to perform his or her normal job duties without posing significant risk of harm to his or her health or the safety or health of others, the employee may return to his or her normal position. If, at the end of the temporary light duty assignment, the employee is not able to perform his or her normal job duties without posing significant risk of harm to his or her health or the health or safety of others, the County will review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restrictions can be reasonably accommodated to allow the employee to return to work.



## SECTION FIVE: INSURANCE BENEFITS

### GROUP HEALTH INSURANCE

5.1

Benton County provides a group health insurance program for regular full-time and part time employees who are eligible for coverage. Provisions of this policy that are not in conflict with bargaining contracts also apply to bargaining unit employees. The County reserves the right to select a carrier of its choice to provide the coverage or to modify the plan at any time.

#### SPECIFIC PROVISIONS

##### 1. Eligibility

a. Coverage Begin Date: An employee is eligible for coverage effective the 1st of the month following 30 days of employment (*i.e. an employee whose employment begins on 1/15, and after working 30 days, would be eligible for coverage on 3/1, etc.*). Enrollment papers must be filed with the auditor's office within 31 days of employment. Failure to file within 31 days may result in the employee being considered a late enrollee.

b. Coverage End Date: Employees who are separated from or leave employment on or before the 15<sup>th</sup> day of the month will have their insurance coverage terminated on the 15<sup>th</sup> day of the month of separation. The employee will not be entitled to any refunds of the monthly premium. Employees wishing to continue on the county's insurance through the last day of the month of separation may do so, but will be required to pay ½ of the county's share of the monthly premium. Payment must be received in the auditor's office prior to the 10<sup>th</sup> of the month of separation.

Employees who are separated from or leave county employment after the 15<sup>th</sup> of the month will have their insurance coverage terminated on the last day of the month of separation.

c. Coverage Continuation:

1. *COBRA Election*: Terminated employees and/or their dependents may be eligible for continuation of group coverage under Federal law. Standard continuation for employee separation is 18 months. However, see the policy below (5.2) and also Auditor's office for detailed information on eligibility rules.

2. *Retiree Election*: For health insurance only, retirees (*as defined in Section 509A.13 of the Code of Iowa*) may continue coverage until age 65, or 18 months following retirement, whichever is longer. The County's group plan is primary only until age 65, at age 65 Medicare must be primary.

##### 2. Coverage Description

a. See current benefits certificate/benefit plan booklet for plan details.

3. Cost of Insurance

a. Full-time Employees: The Employee's monthly premium contribution is an amount determined by the Board of Supervisors.

b. Part-time Employees: The Employee must pay 100% of the premium amount.

c. Premium Pre-tax: Health premiums may be handled on a pre-tax basis as part of the Flexible Benefits program, in accordance with Section 125 of the Internal Revenue Code.

d. COBRA participants: COBRA participants must pay 100% of the premiums, plus any applicable administrative fee.

e. Retiree participants: Retiree participants must pay 100% of the premiums, plus any applicable administrative fee.

f. Early Retirement Incentive: The Board may contribute towards a non-bargaining retiree's monthly premium cost. The Board reserves the right to offer, modify, or terminate the early retirement incentive at any time; however the incentive offered at the time to those employees who elected to participate will remain in effect.

4. Notification and Enrollment

a. Employees, Retirees, and COBRA participants must notify the auditor's office within 31 days of a family event to qualify to make coverage and plan type changes as a result of such event.

b. Participants must notify the auditor's office in writing ten days in advance to cancel coverage. No refund of premium shall be made to the employee; however, this does not prohibit Benton County from applying for a refund.

5. Failure of Employee to Follow Proper Procedure

Benton County shall not be liable for any costs arising from an employee's failure to follow proper procedure when requesting and/or terminating coverage.

**Please contact the auditor's office for information on insurance plans, coverage, waiting periods and premium amounts.**

**CONTINUATION OF MEDICAL COVERAGE**

**5.2**

**COBRA Continuation Rights and Obligations**

If you resign or your employment is otherwise terminated, or if your work hours are reduced, and consequently you or your dependents are no longer eligible to participate in the group health insurance plan offered by the County, you and your eligible dependents may have the right to continue to participate for up to 18 months at your (or your dependents') expense. The 18-month continuation coverage period provided in the event of your termination or reduction in working hours may be extended to 36 months for your spouse and dependent children, if, within that 18-month period, you die or

become divorced or legally separated, or if a child ceases to have dependent status. In addition, if you enroll for Medicare during the 18-month period, your spouse and dependent children may be entitled to extend their continuation period to 36 months, starting on the date that you become eligible for Medicare.

If you are determined to be disabled under the Social Security Act at the time of your termination or reduction in hours, you may be entitled to continuation coverage for up to 29 months.

Your eligible dependents may extend coverage, at their expense, for up to 36 months in our group health insurance plans in the event of your death, divorce, legal separation, or enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.

If you or your eligible dependents elect to continue in the group health insurance plan, you may be charged the applicable premium plus an additional two percent. Failure to make timely payments may result in termination of coverage.

**The Benefit Administrator is the County Auditor's Office.**

The Benefits Administrator will contact you concerning continuation options at the time termination occurs or your work hours are reduced. The Benefits Administrator will contact your qualified beneficiaries in the event of your death or enrollment for Medicare benefits. However, in the event that you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plan, you or your dependent is responsible for contacting the Benefits Administrator within 60 days to discuss continuation/conversion rights. You and your qualified beneficiaries are also responsible for notifying the County Auditor within 60 days of qualifying for social security disability benefits.

**Continuation Coverage under Iowa Code Chapter 509A**

Employees who retire from County employment before age 65 are eligible to continue enrollment for themselves and eligible family members in the County's group health insurance plan up to Medicare eligibility. Coverage must be continuous; that is, the employee must elect the same coverage at retirement, and the retired employee must pay the full cost of the premium. For purposes of this section, a retired employee is one who has applied for and is receiving an IPERS retirement allowance.

**FLEXIBLE SPENDING**

**5.3**

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Benton County currently offers pre-tax flexible spending. Employees should contact the Auditor's Office for information.

## **SECTION SIX: WORK REGULATIONS AND DISCIPLINE**

### **ATTENDANCE AND PUNCTUALITY**

**6.1**

Your position with the County exists because it is necessary to assure the smooth and efficient handling of daily County operations. The County expects all employees to assume responsibility for their attendance and promptness. You are expected to be at your work site/station on time each business day. In the event you are absent or late due to illness, accident, or other reason, inform your department head well in advance of your scheduled start time, so that your department can make other arrangements while you are absent. Absenteeism or tardiness that is unexcused or excessive in the judgment of the department head or supervising authority is grounds for disciplinary action, up to and including an unpaid suspension or termination. You are required to be present at the worksite

### **GENERAL EMPLOYEE OBLIGATIONS**

**6.2**

Employees are expected to maintain good work habits including regular attendance and punctuality, and to conduct their job duties in an ethical fashion. Employees must avoid any activity outside of their employment with the County that would adversely affect their performance on the job or involve a possible conflict of interest. Employees must maintain the confidentiality of any protected information revealed to them during the course of their employment with the County.

### **OUTSIDE EMPLOYMENT**

**6.3**

Employees shall not engage in any outside employment activity or enterprise that is inconsistent, incompatible with, or interferes with the employee's ability to effectively perform assigned duties for the County.

The County expects regular, full-time employees to consider County work their primary employment. Any other employment must be compatible, without conflict of interest, or schedule.

Employees may not engage in outside employment or self-employment activities, that prevents an employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is an expectation of the employee's job; activities that involve so much of the employee's time that it impairs the employee's attendance or efficiency in the performance of duties assigned by the County; or activities that may reasonably be perceived by members of the public to constitute a conflict of interest or otherwise discredit public service.

Employees who engage in any outside employment or self-employment must notify their department head in writing of such activities.

## **CONFLICTS OF INTEREST**

**6.4**

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It is the intent of Benton County that all county employees abide by Iowa Code Section 331.342 regarding conflicts of interest. Employees must avoid any activity outside of their employment with the county that would adversely affect their performance on the job or involve a potential or apparent conflict of interest. No county employee shall sit on a board, committee or commission if there is a legal conflict. Members of the Board of Supervisors are exempt by law from this prohibition. Any employee who may have such a conflict shall contact the County Attorney's Office for a legal determination of whether a conflict exists.

Employees in violation of this policy must remove themselves from the position causing the conflict of interest immediately. Failure to remove themselves from the position causing the conflict of interest shall result in disciplinary action.

## **DRESS AND GROOMING**

**6.5**

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Because you may be in daily contact with the public, the public will remember you as a representative of the County. Employees are required to dress appropriately considering the demands of their particular position.

## **EMPLOYEE LICENSES AND CERTIFICATIONS**

**6.6**

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It is the employee's responsibility to keep licenses and/or certifications current. All required licenses and certificates shall be brought to the appropriate department head to be copied for the employee's personnel file. Failure to keep required licenses and certifications current may result in disciplinary action, up to and including the termination of employment.

## **USE OF COUNTY PROPERTY**

**6.7**

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It shall be the policy of Benton County to prohibit employees from using or permitting the use of any property owned by Benton County for the personal convenience or advantage of the employee or any other person, except for that use which is generally available to the public.

For purposes of this policy property shall include but is not limited to the following:

1. Real Property
2. Personal Property
3. Equipment
4. Labor
5. Service Supplies – new, surplus, scrap, or obsolete.

Nothing in this policy shall be construed as prohibiting county employees from using county equipment outside of their normal place of employment or hours of employment provided said use is for county purposes.

Violation of this policy may result in disciplinary action, which can include, but is not limited to, reprimand, suspension, or dismissal from employment.

## **COUNTY OWNED VEHICLES**

**6.8**

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1. County owned vehicles shall be used for the purpose of conducting business for Benton County.
2. A Benton County employee shall observe all the laws of the State of Iowa pertaining to the operation of a motor vehicle while operating a county owned vehicle. This paragraph shall not be construed as to prohibit a county employee from performing his/her prescribed duties, which includes but is not limited to, snow removal and road maintenance, etc.
3. A Benton County employee shall not use a county owned vehicle for his/her own personal use.
4. A Benton County employee shall limit passengers in a county owned vehicle to other employees of Benton County, persons for the purpose of conducting county business, or as may be provided by the Code of Iowa, except in emergency situations.
5. The Benton County employee shall be responsible for checking the normal service items pertaining to the operation of the vehicle assigned.
6. The operation of a county owned vehicle at times other than Benton County's normal working hours shall be approved by the Head of the Department or the Benton County Board of Supervisors. These operations shall include but would not be limited to emergency maintenance operations, construction and other county functions.
7. The use of a county owned vehicle by an employee shall be for the convenience of Benton County and shall not be taxable to the employee.
8. Violation of this vehicle policy by any county employee shall result in discipline and/or discharge.
9. For the purposes of the Benton County Vehicle Policy only, those persons designated by the Benton County Sheriff, or his designee, as Rescue 6 personnel shall be allowed to operate the Rescue 6 vehicle. All aspects of said policy, which apply to employees of Benton County, shall apply to those persons designated as Rescue 6 personnel.
10. Smoking shall be prohibited in county-owned vehicles

For departments which have credit cards, each department head or elected official is responsible for credit cards issued to their department. The maximum credit limit is set at \$2,500.00. The Board of Supervisors may authorize a higher limit if it is deemed appropriate. Credit cards are to carry no annual fees. Credit card users and credit limit approvals are at the discretion of the Board of Supervisors.

*Policy Requirements*

1. The Department Head or elected officials are responsible for assuring that the cardholder receives and reads a copy of this credit card policy prior to issuance of a card.
2. The department head or elected official shall authorize all credit card usage within their department. Such includes the department head or elected official approval of expenditures made with a credit card. Any employee charging through the credit card system is responsible for arranging the sales tax exempt status of Benton County.
3. All credit card statements shall be immediately submitted for payment to avoid finance charges, **and in no event shall they be submitted later than 10 business days after the credit purchase.** All credit card bills shall be accompanied by a detailed itemized receipt for each charge. Charges not accompanied with a receipt will be the responsibility of the employee. Department Heads or elected officials are responsible for timely submission of credit card statements with original, detailed, and itemized receipts for each charge on the statement to the Auditor's office. Finance/late charges will be the responsibility of the department head or elected official. Confirmation statements, shipping receipts or similar reports may be used to document telephone orders, e-mail orders or fax orders. Charges not accompanied with a receipt will be the responsibility of the employee. Repeated occurrences of untimely submission of statements and receipts may result in suspension or cancellation of card privileges as deemed necessary by the Department Head, Elected Official or Board of Supervisors.
4. The monthly credit card statement is required to be submitted to the Auditor's office each month, regardless of whether any charges have been incurred or not.
5. No food or drink purchases are allowed on the credit card. Further, the County credit cards shall not be used for the employee's personal purchases or any family member's expenses. Even if the employee intends to reimburse the County later, it is still prohibited. Cash advances, tips/gratuities and purchases of alcoholic beverages on a county credit card are not allowed under any circumstances. Charging personal expenses on credit cards is a misuse of County funds and will result in disciplinary action.
6. The only eligible travel expenses that may be charged on the credit cards are those noted in the Benton County Mileage and Expense Reimbursement Policy 2.7. All per diem amounts and restrictions within that policy are still applicable. Any other use while traveling is prohibited.
7. All charges are subject to the maximums set forth in other county policies.
8. **Any misuse of a county credit card may result in disciplinary action, up to and including termination.**

9. Employees who have county credit cards in their possession shall be responsible for protecting the credit cards from unauthorized use. Lost or stolen credit cards shall be immediately reported to the department head or elected official so that the proper procedure is followed to cancel the card. Department Heads or Elected Officials shall notify the Auditor's office of lost or stolen cards immediately, and if the loss or theft of the card is discovered after normal business hours then this notification shall be made the very next business day.
10. For record keeping purposes, Department Heads or Elected Officials shall maintain/provide the Auditor's office with the number of cards issued to a department, a current list of employees issued credit cards, and all pertinent information for each card such as card number, expiration date, and authorized users.
11. Each cardholder and person authorized by the card holder to use the card must read and sign a "Benton County Credit Card Agreement" form (Attachment A) setting forth their obligations under this program and file the Credit Card Agreement form with the Auditor's office. The employee's signature will evidence that the employee has read this policy and agrees to comply with all of its provisions. This signed copy will be kept in the employee's personnel file maintained in the Auditor's Office
12. Any employee noting cardholder irregularities (i.e. overdue claims or non-business expense) will report the information to the County Auditor.
13. When terminating employment or changing departments, credit cards must be turned in to the department head, elected official or the Auditor's Office. Use of the credit card or its account number after it is turned in is prohibited.
14. When using the credit card for internet purchases, cardholders are advised to use best practices to insure they are purchasing from a secure website.

These are overall guidelines for the issuance and usage of Benton County credit cards. Department Heads or elected official may implement more restrictive policies and procedures, but may not adopt any that are less restrictive. If Department Heads or elected official implement a more restrictive policy, the Auditor's Office must retain a copy of policy and procedure.



Benton County  
CREDIT CARD AGREEMENT

Employee: \_\_\_\_\_ Department: \_\_\_\_\_

Approve by (Department Head/Elected Official/Board of Supervisors): \_\_\_\_\_

The employee listed above has been provided with a copy of the County’s credit card policy, and hereby agrees to comply with all terms and conditions set forth therein, including but not limited to:

- 1. County credit cards are for official County use only. I understand that any misuse of the County credit card may result in disciplinary action, including termination of employment.
- 2. Credit card payments must be processed on a timely basis. All charges need accompanying original, detailed, and itemized receipts. If appropriate receipts are not turned in and cannot be produced, I agree to reimburse the County for any undocumented charges or any charges that do not comply with county policies.
- 3. The credit card will be immediately surrendered upon retirement, termination or upon request of the Department Head, Elected Official or a representative of the Board of Supervisors. I understand that the use of the credit card for any purpose after its surrender is prohibited.

I have read Benton County’s Credit Card Policy and procedures and accept them.

**If permanently issuing card to individual:**

Cardholder Signature \_\_\_\_\_ Date Issued \_\_\_\_\_

**If checking out a credit card for temporary use:**

Cardholder Signature \_\_\_\_\_ Date Checked Out \_\_\_\_\_

Cardholder Signature \_\_\_\_\_ Date Checked In \_\_\_\_\_

## **TOBACCO USE**

**6.10**

Iowa law prohibits smoking in enclosed public buildings, vehicles, and on public grounds. Benton County prohibits smoking in all county buildings, all county-owned vehicles, and on county owned property with the following exceptions:

Persons may smoke at the following locations:

1. The parking lot located across the street east of the law enforcement center
2. The parking lot located across the street east of the courthouse
3. The parking lot located south of the secondary roads main facility in Vinton
4. Areas where the general public may park while conducting business with county offices

Benton County Conservation is responsible for enforcement of the smoking ban under their jurisdiction.

A no-smoking sticker shall be displayed on all county vehicles. Vehicles used for undercover criminal investigations are exempt from the sticker requirement but are subject to the no-smoking policy.

## **INVESTIGATIONS**

**6.11**

All employees are required to fully cooperate with any member of management who is conducting a work-related investigation. Employees will be disciplined for lying to any member of management, or providing information to any member of management which is dishonest, misleading, inaccurate, or incomplete.

Employees will also be disciplined for impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any member of management. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by management, and discouraging other individuals who may be contacted by management from responding to or cooperating with management. "Failing to cooperate" includes, but is not limited to, failing to provide information, documents, or materials requested by management, and providing information, documents, or materials to management which are dishonest, misleading, inaccurate, or incomplete.

## **GUIDELINES FOR EMPLOYEE CONDUCT AND DISCIPLINE**

**6.12**

In order to maintain safe, efficient and harmonious operations, and to continue to provide the highest standard of public service, the County has adopted the following rules outlining examples of unacceptable employee conduct. Each rule reflects a common understanding of what behavior is acceptable in the workplace.

These rules can be modified by the County as changing conditions warrant. The County may take whatever disciplinary action it deems appropriate in response to an offense, even if it is not included in the following list. You must understand that any offense, whether or not it is included in these work rules, may result in disciplinary action, up to and including immediate termination, without prior warning.

The County expects your complete cooperation in observing these rules which have been designed for our common protection and benefit.

### **Employee Conduct**

While it is not possible to list all the offenses for which you will be disciplined, the following are examples of inappropriate, unacceptable conduct:

1. Unsatisfactory work performance.
2. Falsifying employment or other job-related records.
3. Violating the County's policy against workplace harassment of any kind.
4. Establishing an unacceptable pattern of tardiness or absenteeism, or failing to report for work without notification to the County.
5. Unauthorized failure to return from a leave of absence.
6. Engaging in unnecessary, or unauthorized use of County property or supplies, particularly for personal use.
7. Reporting to work intoxicated or under the influence of non-prescribed drugs, alcohol, or other substances.
8. Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
9. Bringing or using alcoholic beverages or illegal drugs to or in County workplaces or using alcoholic beverages while engaged in County business off of County premises.
10. Fighting or using obscene, abusive, or threatening language, or any other behavior the County believes jeopardizes the safety of the public or other County employees.
11. Stealing property of coworkers, customers, clients, or the County.
12. Having unauthorized firearms or other weapons on County premises or while on County business
13. Disregarding smoking, safety or security regulations.
14. Engaging in insubordination or failing to cooperate with assigned employees, co-workers, supervisor, or managers.
15. Failing to follow County job instructions or to perform work requested by a supervisor or manager.
16. Violating a County safety rule or practice or creating or contributing to unsafe, unhealthy, or unsanitary conditions.
17. Failing to maintain confidentiality of County, client, patient, or customer information.
18. Failing to maintain necessary licenses and/or certifications.
19. Failing to maintain motor vehicle insurability.
20. Engaging in activity outside of employment with the County that would adversely affect your performance on the job or involve a possible conflict of interest.
21. Violating a provision of this Employee Handbook.

## **Discipline**

The County reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including immediate termination, without regard to the progressive discipline guidelines explained below.

The County may determine that an offense may be corrected using progressive discipline. Situations that the County believes will respond to corrective discipline may be handled as follows:

1. **Verbal Warning** The employee's supervisor may give the employee a verbal warning.
2. **Written warning:** If the unsatisfactory conduct continues, the employee's department head may issue a written warning.
3. **Suspension:** If sufficient improvement has not been made, or if the conduct continues, the employee may be suspended without pay.
4. **Termination:** If the conduct continues, the County may terminate the employment of the employee.

## **SECTION SEVEN: DRUGS AND ALCOHOL IN THE WORKPLACE**

### **DRUGS AND ALCOHOL IN THE WORKPLACE**

**7.1**

The County requires all employees to report to work on time and in the appropriate mental and physical condition for work. Employees using alcohol or drugs in the workplace or in the course of their employment are subject to discipline up to and including termination.

The County recognizes that drug and alcohol dependency and abuse pose major health, safety and security problems. Employees needing help with such problems are encouraged to use resources available through the Iowa Substance Abuse Information Center at 1-800-247-0614.

### **DRUG FREE WORKPLACE AND DRUG AND ALCOHOL TESTING POLICY**

**7.2**

Benton County has an interest in maintaining safe, healthful and efficient working conditions for its employees. Being under the influence of an illegal drug or of alcohol on the job may pose serious safety and health risks not only to the user, but also to the all of those who work with the user and to the general public as well. Benton County requires a drug-free workplace. For that purpose, the following conduct is prohibited:

- A. The use, sale, offering for sale, possession, distribution, or manufacture of illegal drugs, controlled substances, imitation controlled substances, or counterfeit controlled substances on the job, on employer premises, or in County vehicles;
- B. Any improper use of "legal" or health care provider-prescribed drugs on the job, on the County's premises, or in County vehicles;
- C. The use, sale, offering for sale, or possession of alcoholic liquor (beer, wine, or alcohol) on the job, on the County's premises, or in County vehicles; and
- D. Being under the influence of illegal drugs or controlled substances, alcoholic liquor (beer, wine, or alcohol) or improperly used prescription drugs on the job, on the County's premises, or in County vehicles.

#### **Application**

This policy applies while employees are on the job, on the County's premises, in County vehicles, and to off-site lunch periods or breaks when an employee is scheduled to return to work. Employees may be asked to submit to chemical testing for workplace illegal drug or alcohol use if reasonable suspicion exists that they are under the influence while at work. If the employee refuses to submit to testing to detect the presence of illegal drugs or alcohol in the employee's body, they shall be subject to disciplinary action.

### **Post Injury Testing**

Employees will be subject to testing if they have suffered a work-related injury for which a report could be required under Iowa Code Chapter 85. It is permissible for the employee to obtain necessary emergency medical care, but the employee will be subject to post-injury testing and must remain available for testing or the employee will be deemed to have refused to submit to testing.

Alcohol tests will be administered as soon as practicable but no later than 8 hours after the injury. Tests for controlled substances will be administered as soon as practicable but no later than 32 hours after the injury.

### **Drug testing of employees required to maintain a commercial driver's license**

Federal law requires drug testing of certain employees required to have a commercial driver's license (CDL). Employees covered by those federal regulations will receive a supplement to this substance abuse policy.

### **Employee Assistance Program (EAP)**

Employees may seek drug counseling, rehabilitation, or assistance through the Abbe Center for Community Health, the Area Substance Abuse Council and through many other institutions and individuals.

### **Drug and Alcohol Policy for Transportation-Adopted January 8, 2019**

\*\*Only applies to employees in the Transportation Department

\*\*See Addendum

# Benton County Transportation

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# Drug and Alcohol Policy

Effective as of 01/08/2019

Adopted by: Benton County Iowa Board of Supervisors

Date Adopted: 1/8/2019

Last Revised: 1/8/2019

## **BENTON COUNTY TRANSPORTATION FMCSA & FTA Drug and Alcohol Policy**

**BENTON COUNTY TRANSPORTATION** (hereinafter referred to as "**BENTON COUNTY TRANSPORTATION**") has a vital interest in the safety and wellbeing of our employees as well as the general public. It is well recognized that individuals who use illegal drugs or abuse alcohol are more likely to have workplace accidents, incur greater amounts of lost time, and perform their jobs in a substandard manner.

Therefore, it is **BENTON COUNTY TRANSPORTATION** intent to continue to promote a safe and secure work environment, free of illegal drug use and alcohol abuse. It is also our intent to comply with all U.S. Department of Transportation rules and regulations (49 CFR Part 40), the Drug Free Workplace Act of 1988, the Americans with Disabilities Act and the Family and Medical Leave Act.

All applicants will be notified of **BENTON COUNTY TRANSPORTATION** drug and alcohol testing policy at the time they apply for a position with **BENTON COUNTY TRANSPORTATION**. Anyone possessing a valid CDL will comply with the following rules and regulations. Any questions or concerns regarding **BENTON COUNTY TRANSPORTATION** Drug and Alcohol Policy shall be directed to the Designated Employee Representative (DER) **Benton County Transportation Director@ (319) 472-2413**

The goal of **BENTON COUNTY TRANSPORTATION** policy and the testing of employees are to ensure a drug and alcohol free work environment, to reduce and help eliminate drug and alcohol related accidents, injuries, fatalities and property damage.

The following conduct is prohibited:

- Employees are prohibited from using, being under the influence, or possessing illegal drugs or any look alike substances that may mimic the effects of other illicit substances. Substances such as these may not be regulated or scheduled by the FDA/DEA, but still pose safety or job performance issues within the workplace.
- Employees are prohibited from using or being under the influence of legal drugs that can adversely affect their ability to work safely.
- Employees are prohibited from buying, selling, soliciting to buy or sell, transport or possess illegal drugs while on or in **BENTON COUNTY TRANSPORTATION** time or property.
- Employees are prohibited from using alcohol within 4 hours of performing a safety sensitive function.
- Storing any prohibited substance in a locker, desk, vehicle or other repository on **BENTON COUNTY TRANSPORTATION** premises or refusing to submit to a search.
- Employees are prohibited from using or being under the influence of alcohol at any time while on duty, 8 hours post-accident, or until tested post-accident.



- Employees are prohibited from possessing ANY amount of alcohol (including medications or over-the-counter remedies containing alcohol) while on duty. This is a new DOT regulation.
- Testing positive for drugs and/or alcohol while on duty.
- Refusing to be tested for drugs and/or alcohol when circumstances warrant.
- Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled.
- Reporting for duty or remaining on duty to perform a safety-sensitive function with an alcohol concentration of 0.04 or greater.

NOTE: A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 may not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.

An employee who violates this policy shall be subject to disciplinary action by BENTON COUNTY TRANSPORTATION to include termination.

#### Prescription / Over-The-Counter Medications

Employees should use both prescription and over-the-counter medications in the prescribed manner and must be kept in the container in which they were received from the pharmacy or original packaging. Employees are encouraged to discuss their job functions / duties with their medical provider prior to the medical provider prescribing medications that may have potential adverse effects posing a safety risk to the employee or others. Employees using prescriptions that may cause side effects or who are under the influence of any prescribed medication may advise their manager of that fact before reporting to work. If a potential side effect could cause an unsafe condition in the workplace, BENTON COUNTY TRANSPORTATION may determine that the employee cannot work. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

#### Assistance to Employee in Overcoming Alcohol or Drug Abuse

Early recognition and treatment of alcohol or drug abuse is important for successful rehabilitation and for reduced personal, family and social disruption. BENTON COUNTY TRANSPORTATION encourages the earliest possible diagnosis and treatment for alcohol and drug abuse. The decision to seek diagnosis and accept treatment for alcohol or drug abuse is primarily the individual employees' responsibility.

BENTON COUNTY TRANSPORTATION will pay for pre-employment, post-accident, reasonable suspicion and random testing. Any counseling and testing will be at the terminated employee's expense.

Voluntary requests for assistance from the SAP will not prevent disciplinary action for violation of this alcohol and drug abuse policy. Employees who undergo voluntary counseling or treatment pursuant to a referral by BENTON COUNTY TRANSPORTATION and who continue to work, must meet all established standards of conduct and job performance.

### Confidentiality

Employee test results are confidential. Test results and other confidential information will only be released to the employer and the substance abuse professional. Any other release of this information is only with the employee's consent as mandated by the D.O.T. 49 CFR §40.321.

### Introduction

This handout provides a general overview of the Department of Transportation regulations on drug and alcohol use. A review of the effects of alcohol and certain drugs on the body is also included. Throughout this handout "substance abuse" will be used in place of the terms "alcohol abuse" or "drug abuse" in reference to both substances. Chemical dependency comprises all chemicals, whether they are controlled substances or alcohol.

### BENTON COUNTY TRANSPORTATION Time and Premises

Includes but is not limited to all property (real or personal), whether owned, leased or used by BENTON COUNTY TRANSPORTATION. This policy also includes any other locations, such as job-sites or mode of transportation to and from those locations/job-sites while in the course and scope of employment.

### Who is Covered by the Drug and Alcohol Regulations?

The Federal Motor Carrier Safety Administration, and The Federal Transit Administration are subject to the Department of Transportation Drug and Alcohol regulations which apply to every person who operates a commercial motor vehicle (CMV) in interstate or intrastate commerce in the United States, and is subject to the commercial driver's license (CDL) requirements of Part 383 and his/her employer. It also applies to drivers who operate CMVs in the United States and are subject to the Licencia Federal de Conductor (Mexico) or the CDL requirements of the Canadian National Safety Code.

### What is a Safety-Sensitive Function?

Safety-sensitive functions for operators of commercial motor vehicles (CMV) are listed under §382.107.

A safety-sensitive function means all time from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- ❖ All time at an employer terminal, facility, or on any public property or job-site, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- ❖ All time inspecting equipment as required by §392.7 and §392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;

- ❖ All time spent at the driving controls of a commercial motor vehicle in operation;
- ❖ All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of §393. subchapter);
- ❖ All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- ❖ All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

### EFFECTIVE 1/1/2018

The USDOT, FMCSA is expanding its drug testing panel to include four synthetic opioid drugs that of hydrocodone, hydromorphone, oxycodone and oxymorphone. This will be recognized as a five panel with expanded opioids. This also will remain as the "only" approved method for the DOT drug test panels.

The Department of Transportation (49 CFR Part 40) is harmonizing with HHS guidelines and will test for the following drugs: (5 panels with expanded opioids)

- 1) Marijuana metabolite
- 2) Cocaine
- 3) Phencyclidine-PCP
- 4) Amphetamines - (includes Methamphetamines, MDMA, MDA)
- 5) Opioids: Codeine/Morphine,6 -AM (Heroin) Hydrocodone/Hydromorphone, Oxycodone/Oxymorphone

### What Tests are Required and When Will I Be Tested?

There are five situations where testing is done to determine the presence of alcohol and/or drugs. The drug test will be

#### 1) Pre Employment - Post Offer Testing

When: A controlled substances test is required before a new hire or a person transferring into a driving position from elsewhere in the company can perform any safety-sensitive function. Education will be provided to all employees regarding the effects of drugs and alcohol, signs and symptoms of a drug or alcohol problem, information regarding assistance for abuse problems and testing requirements. §382.601.

#### 2) Post Accident *Alcohol* Testing when any of the following conditions are met:

- If there is a fatality.
- If the driver of a BENTON COUNTY TRANSPORTATION truck receives a citation under state or local law within 8 hours for a moving violation arising from the accident and if the accident involved:

- o Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident OR
  - o One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- At the discretion of BENTON COUNTY TRANSPORTATION management following an accident.

Alcohol testing MUST be done within 2 hours of the accident. If the test cannot be performed within 2 hours, the employer must prepare a record stating why the test wasn't given. If the test cannot be performed within 8 hours, the employer should not give the test and must prepare a record stating why the test could not be given within that time.

Post Accident *Drug* Testing when any of the following conditions are met:

- If there is a fatality.
- If the driver of a BENTON COUNTY TRANSPORTATION truck receives a citation under state or local law within 32 hours for a moving violation arising from the accident AND if the accident involved:
  - o Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, OR
  - o One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Post-accident drug testing must be performed within 32 hours. If the test cannot be performed within 32 hours, the employer should not give the test and must prepare a record stating why the test could not be given within that time.

Nothing in the regulations should delay medical attention for those who are injured. The employer must provide the necessary information and instructions to allow the driver to be tested or to get emergency medical care.

A driver subject to post-accident alcohol testing must remain available for testing. Not remaining available for testing is considered a refusal to test.

The employer must provide drivers with necessary post-accident information, procedures, and instructions BEFORE the driver operates a commercial motor vehicle.

A driver who refuses to submit to post accident drug testing will be terminated.

Immediately notify your company's DER.

### 3) Random Testing

When: Random testing for alcohol must be completed just before, during, or immediately after performing a safety-sensitive function. Random testing for drugs can be done anytime you are at work for your employer. Once you are notified that you have been selected for testing, you must proceed immediately to the test site.

Unannounced random testing is required for a certain percentage of drivers each year. The tests must be reasonably spaced throughout the year. The random selection process must ensure that each driver has an equal chance of being tested each time selections are made. One method is a computer-generated system using social security number, payroll identification number, or other identifying number. Once you are notified that your name is included in the random selection you must report to the collection site IMMEDIATELY.

A driver who refuses to submit or tests positive for drugs and/or alcohol will be terminated

#### **Random Testing - End of Shift**

Random testing may occur anytime an employee is on duty so long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or child care commitments will be random drug tested no later than three hours before the end of their shift and random alcohol tested no later than 30 minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or child care commitment, for the period immediately following an employee's shift, must be provided] before the end of the shift

#### **Testing rates for the FMCSA is as follows:**

10% of the average number of driver positions must be randomly tested for alcohol during the year.

25% of the average number of driver positions must be randomly tested for controlled substances during the year.

#### **Testing rates for the FTA is as follows:**

10% of the average number of driver positions must be randomly tested for alcohol during the year.

50% of the average number of driver positions must be randomly tested for controlled substances during the year.

NOTE: DOT establishes the random testing rate.

FMCSA was last updated 2016

FTA was last updated 2019

#### 4) Reasonable Suspicion

When: If the employer has reason to believe that your behavior or appearance may indicate alcohol or drug use. Observations for alcohol testing must be made just before, during or just after the performance of a safety-sensitive function. Observations for drug testing will be made at any time while you are at work for your employer.

Employees while on BENTON COUNTY TRANSPORTATION premises or job-site, are required to submit to searches of their persons, vehicles, lunch boxes, personal effects, desks or similar repositories, etc., when management has a reasonable suspicion that (1) the employee possesses a prohibited substance; or (2) the employee ingested a prohibited substance.

A driver will be required to submit to a drug and/or alcohol test when reasonable suspicion exists. §382.307 Reasonable suspicion exists when a driver's appearance, speech, or odors of breath and/or body, or physical symptoms indicate drug and/or alcohol use.

Observations must be personally observed and documented by at least one BENTON COUNTY TRANSPORTATION trained official. A "trained official" is one who has undergone at least 2 hours of education, which included behavioral, physical, speech, and performance indicators of possible drug and/or alcohol use.

### **Dilute Urine Specimen**

If there is a negative dilute test result, Benton County Transportation will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

### **What Happens if I Refuse to Be Tested?**

As part of the alcohol and drug regulations, you must submit to alcohol and drug testing. A refusal to test is treated the same as a positive test. If you refuse to be tested, you cannot continue to perform safety-sensitive functions and are subject to disciplinary action, up to and including termination.

"Refusal" occurs when:

- You fail to appear for any test within a reasonable time
- You fail to remain at the testing site until the testing process is complete
- You fail to provide:
  - A urine specimen for drug testing
  - A saliva or breath specimen for alcohol testing
- You fail to provide enough urine and there is no medical explanation for the failure
- In the case of a directly observed or monitored drug test collection, you fail to permit the observation or monitoring of your provision of the specimen;

- You fail or decline taking a second drug test when directed by an employer or collector.
- You fail to undergo a medical examination or evaluation as part of:
  - o The verification process for drug testing or as directed by the designated employer representative (DER);
  - o "shy bladder" procedures for drug testing
  - o insufficient breath procedures for alcohol testing.
- You fail to cooperate with any part of the testing process.

A verified adulterated or substituted drug test is also considered a refusal to test.

### **How is Alcohol Testing Done?**

All alcohol testing is conducted by a trained technician in a private setting using an evidential breath- testing device (EBT). In compliance with Title 49 Part 40 and part 382 of the regulations.

### **How is Drug Testing Done?**

All drug testing is done by analyzing a urine sample and is conducted by a trained collection site person in an appropriate, private setting. The urine sample will be collected at your place of employment or at a certified collection site. In either case, the collection must be in compliance with Part 40 Part 40 and part 382 of the regulations.

### **What are the Consequences of Violating the Alcohol or Drug Prohibitions?**

If you fail an alcohol test:

- You must be removed from all safety-sensitive functions.
- You will not return to a safety-sensitive function until an evaluation by a substance abuse professional (SAP) has been done, you have complied with prescribed treatment, and you pass a return-to-duty test. You are then subject to six follow-up tests in the first 12 months after your return to duty and will be subject to follow-up testing for up to five years.
- You will not return to safety-sensitive duties for at least 24 hours if alcohol concentration is determined to be 0.02 or greater but less than 0.04.
- If you fail an alcohol breath test you may be subject to disciplinary action, up to and including termination.

If you test positive for drug(s), or have a verified adulterated or substituted test result:

- If you fail a drug test you will be terminated from employment.

**NOTE: A confirmed positive test results will be mailed to the terminated employee by the employer, by certified mail, return receipt requested.**

The drug and alcohol regulations require that your employer advise you of the resources available for appropriate treatment for alcohol and drug use. However, the regulations do not require an employer to pay for rehabilitation or to hold a job open for your while you undergo treatment.

## **Self-admission of Alcohol and Drug Use**

The regulations include a provision that allow an employer to establish a program that lets a driver voluntarily admit to drug use or alcohol abuse without DOT consequences. Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the Benton County Transportation Director, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.



# SIGNS AND SYMPTOMS OF DRUG AND ALCOHOL USAGE

Drug Name	Substances Detected in Urine	What to Look For & Physical Symptoms	Dangers	Time Detectable in Urine
<b>Amphetamines</b> •Uppers •Speed •Meth •Dexies •Crank •black Beauties	Methamphetamine, Amphetamine	Tablets of varying colors, possible chain smoking, long periods without rest or sleep. Loss of appetite, irritability, rapid speech, tremors, mood elevations	Disorientation, severe depression, paranoia, possible hallucinations, increase in blood pressure, fatigue	1-2 Days
<b>Cocaine</b> •Coke •Crack •Flake •White Candy •Free Base •Toot •Blow	Benzoylcegonine	Glassine envelopes, razor, small spoons, odorless, bitter white crystalline powder, granular rocks, short-lived euphoria changing to depression, irritability, nervous, tightness of muscles	Shallow breathing, fever, anxiety, tremors, possible death from convulsions or respiratory arrest	1-3 Days
<b>Marijuana</b> •Dope •Pot •Reefer •Joint •Grass •Blow	11-Nor-delta9-tetrahydrocannabinol-9-carboxylic acid THC	Plastic baggies, rolling paper, 'roach' clips, odor of burnt rope. Altered perception, dilated pupils, lack of concentration and coordination, craving for sweets, increased appetite, laughter	Psychological dependence, increased heart rate, impaired short-term memory, anxiety, lung damage, possible psychosis with chronic use	Occasional use: 1-3 days Chronic use: Up to 30-60 days
<b>Opiates</b> • Heroin (smack, horse, junk) •Morphine ('M', Miss Emma) •Codeine (school boy)	Codeine, Morphine	Glassine Envelopes, needles and syringes, caps or spoons, tourniquets, needle marks on arms. Insensitivity to pain, euphoria, sedation, nausea, vomiting, itchiness, water eyes, running nose)	Lethargy, weight loss, hepatitis, slow and shallow breathing, possible death	1-3 Days
<b>Phencyclidine</b> •Angel Dust •Devil Stick •PCP •Dummy Dust	Phencyclidine	Liquid Capsules. White or brown powder can be put on paper stamps, sugar cubes, cigarettes or joints. May be injected. Increased pulse and heart rate, blood pressure and temperature. Mood and perception alteration possible, paranoia, panic, anxiety, nausea, tremors, suicidal urge	Unpredictable behavior, flashbacks, possible emotional instability and psychosis, hallucination	Occasional use: 1-3 days Chronic use: Up to 30 days
<b>Barbiturates</b> •Downers •Dolls •Reds •Tuinal •Rainbows •Yellows •Blues •Goof Balls	Secobarbital Phenobarbital Pentobarbital Butobarbital Amobarbital	Capsules of varying colors, longer periods of rest or sleep, dizziness, cold and clammy skin. Depression, decreased alertness and muscle control, intoxication and slurred speech, drowsiness	Rigidity and painful muscle contraction, emotional instability, possible overdoses and death, especially when mixed with alcohol	Pentobarbital and others: 1-3 Days Phenobarbital: 1-3 Weeks
<b>Benzodiazepines</b> Downers	Diazepam Chlordiazepoxide Oxazepam Nordiazepam Temazepam	Oral/Injection. Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, cold and clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	1-7 Days
<b>Methadone</b> • Done •Dolophine •Methadose	Methadone	Tablets. Liquid injection. Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow, shallow breathing, clammy skin, convulsions, coma, possible death	1-3 Days

<b>Methaqualone</b> •Ludes •Quaaludes	Methaqualone	Tablets. Slow heart rate and breathing, lowered blood pressure. Sleepiness, feeling of well being, loss of coordination, dizziness, impaired perception, confusion, later hangover		1-3 Days
<b>MDMA</b> •Ecstasy •Adam •XTC •MDA •MDE •X	Methylenedioxymethamphetamine	Tablets. Euphoria, confusion, anxiety, sleeplessness, drug craving and paranoia. Used at all night RAVE dance parties	Muscle tension, teeth clenching, nausea, tremors, rapid eye movement, chills, possible death	1-2 Days
<b>Propoxyphene</b>	Propoxyphene	Tablets, capsules. Dizziness, drowsiness, headache, euphoria, dysphoria	Skin rash & other allergic reactions occur occasionally and may be accompanied by drug fever and mucosal lesion, stupor or coma; convulsions, respiratory depression	1-3 Days
<b>Buprenorphine</b> •Buprenex •Temgesic	Buprenorphine	Pinpoint pupils, extreme drowsiness, dizziness, blurred vision, slowed breathing		1-6 Days
<b>Alcohol</b>	Ethanol	Dulled mental processes, Lack of coordination, Odor of alcohol on breath, Pupils will be constricted, Sleepy condition, Slowed reactions, Slurred speech, Anxiety or jumpiness, Shakiness or trembling, sweating, nausea and vomiting, insomnia, Irritability, headache	depression, anxiety, and suicide, Social problems, liver damage, Inflammation of the esophagus, Aggravation of peptic ulcers, Acute and chronic pancreatitis, Malabsorption of food nutrients that will lead to malnutrition, Heart attack, Hypertension, Stroke  Immune system depression, Brain damage (dementia, blackouts, seizures, hallucinations, peripheral neuropathy).	Varies - up to 8 hours

FOR MORE INFORMATION OR ASSISTANCE YOU CAN TRY SOME OF THE FOLLOWING SOURCES:

Cocaine Anonymous: (800) 347-8998

Center for Substance Abuse: (800) WORKPLACE

National Clearinghouse for Alcohol and Drug Abuse: (800) 729-6686

NIDA's treatment Hotline: (800) 662-HELP

Some helpful and interesting websites are:

[www.drughelp.org](http://www.drughelp.org)

[www.doj.gov](http://www.doj.gov)

[www.dea.gov](http://www.dea.gov)

[www.samsha.gov](http://www.samsha.gov)

[www.health.org](http://www.health.org)

EMPLOYEE ACKNOWLEDGEMENT FORM

The undersigned, Employee of BENTON COUNTY TRANSPORTATION does hereby acknowledge that, pursuant to United States Department of Transportation (DOT) Regulations, the undersigned will be subject to testing on a random basis for alcohol, illegal drugs or drugs taken for non-medical purposes. I hereby consent to participate in the drug and alcohol testing program.

The undersigned acknowledges receipt of BENTON COUNTY TRANSPORTATION drug and alcohol abuse policy and that it is my responsibility to read and understand the policy.

I understand that this policy is intended to supersede and replace all previous employee handbooks, manuals and policy statements, whether oral or written, issued by BENTON COUNTY TRANSPORTATION

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Employee SS#

## **SECTION EIGHT: COMPLAINT PROCEDURE**

### **COMPLAINT PROCEDURE**

**8.1**

Misunderstandings, conflicts, problems, or other questions about your job can arise in any workplace. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. If your concern relates to any type of workplace harassment, follow the procedure outlined in Section 2.1 contained in this handbook. Also, certain complaints may fall under resolution procedures established by state law or any applicable collective bargaining agreement. For other complaints, the County has adopted the following procedure to respond to your concerns.

First, see your immediate supervisor. He or she is in the best position to resolve your problems or concerns. If, however, you do not believe a discussion with your supervisor is appropriate, or if you are not satisfied with the answer given by your immediate supervisor, you should request a meeting with your department head within five days of the response given by your immediate supervisor. In an effort to resolve the problem, your department head will consider the facts and conduct an investigation, if necessary. You will normally receive a response regarding your problem within ten days of meeting with your department head. If your department head is an elected official, his/her decision shall be final.

If your department head is not an elected official, and you are not satisfied with that person's decision, you may prepare a written summary of your concerns and request that the matter be reviewed by the Benton County Board of Supervisors, or appropriate governing body in cases involving employees of the Conservation Board or Department of Public Health. After a full examination of the facts (which may include a review of the written summary of your statement, discussions with all individuals concerned, and a further investigation if necessary), the Board of Supervisors or appropriate governing body will normally advise you of its decision within 15 days. The decision of the Board of Supervisors or governing body shall be final.

# Appendix A: Employee Acknowledgments

## **EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK**

I have received my copy of the Benton County Employee Handbook. I understand that the handbook has been provided to me for information purposes only, and that the County has the right to change or withdraw any policies, procedures, or benefit programs at any time. I acknowledge that this handbook is not a contract of employment, express or implied, and that I am not guaranteed employment for any specific duration. Either the County or I may terminate my employment at any time with or without notice or cause.

## **ACKNOWLEDGMENT OF RECEIPT OF COUNTY'S WORKPLACE TECHNOLOGY POLICY**

I have received a written copy of the County's Workplace Technology policy. I fully understand the terms of this policy and agree to abide by them. I understand that the County's computer and electronic communications systems are to be used for business purposes only, with limited exceptions, and that all information stored in, transmitted, or received through the County's systems is the property of the County. I acknowledge that I have no expectation of privacy in connection with the use of this equipment. I acknowledge and consent to the County monitoring my use of this equipment at any time at its discretion. Such monitoring may include, but is not limited to, printing and reading E-mail entering, leaving, or stored in these systems; listening to my voice mail messages; and recording the Internet address of any site that I visit and recording any network activity in which I transmit or receive any kind of file. I acknowledge that any message I send or receive may be recorded and stored in an archive file for management use. I know that any violation of this policy could lead to discipline, up to and including termination.

## **ACKNOWLEDGEMENT OF RECEIPT OF DRUG FREE WORKPLACE POLICY**

I have received a copy of the County's policy regarding the maintenance of a drug-free workplace. I realize that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited on this employer's premises or while conducting the employer's business. A violation of this policy can subject me to discipline up to and including termination. I realize that as a condition of employment on such federal contract or grant, I must abide by the terms of this policy and will notify the employer of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction. I further realize that federal law mandates that the employer communicate this conviction to the federal agency, and I hereby waive any and all claims that may arise for conveying this information to the federal agency.

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Employee's signature

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Date