



Ritchie County Employees Policies & Procedures



Ritchie County Court House
115 E. Main Street
Harrisville, WV 26362
(304) 643-2164

Adopted June 9th, 2004
to be effective July 1, 2004

(revised 1/9/2008)

THE RITCHIE COUNTY EMPLOYEES POLICIES AND PROCEDURES
HANDBOOK WAS COMPLETED JUNE 9TH, 2004, WITH THE ASSISTANCE
OF THE FOLLOWING ELECTED OFFICIALS:

SAMUEL C. ROGERS	COUNTY COMMISSIONER
STEPHEN C. WORDEN	COUNTY COMMISSIONER
FLOYD M. HODGE, SR.	COUNTY COMMISSIONER
SUSAN J. SCOTT	COUNTY CLERK
ROSE ELLEN COX	CIRCUIT CLERK
RON BARNIAK	SHERIFF
DAVID G. HANLON	PROSECUTING ATTORNEY
GAYFORD M. HOOVER	ASSESSOR

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. AT-WILL EMPLOYMENT.....	4
2. SEXUAL HARASSMENT.....	4
3. EQUAL OPPORTUNITY.....	6
4. DEFINITIONS OF EMPLOYEE CATEGORIES.....	6
5. WORK SCHEDULE/RECORD KEEPING.....	7
COMPENSATORY LEAVE AGREEMENT FORM.....	9
6. HOLIDAYS.....	10
7. OVERTIME.....	11
8. SICK LEAVE.....	12
8a. TRANSFERRING SICK LEAVE.....	14
REQUEST FOR SICK TIME TRANSFER FORM.....	15
9. SICK LEAVE WHERE INJURY/ILLNESS IS COVERED BY WORKERS' COMPENSATION LAWS.....	16
10. VACATION/PERSONAL LEAVE SCHEDULE.....	16
11. FUNERAL LEAVE.....	18
12. PARENTAL LEAVE.....	18
13. MILITARY LEAVE.....	19
14. JURY DUTY.....	19
15. RETIREMENT PLAN.....	19
16. WORKERS' COMPENSATION.....	19
17. INSURANCE.....	20
18. END OF EMPLOYMENT.....	20
19. GRIEVANCE PROCEDURES.....	20
GRIEVANCE COMPLAINT FORM.....	22
20. SAFETY.....	23
21. COST CONSCIOUSNESS.....	23
22. TRAVEL EXPENSE.....	23
23. SUPPLIES AND EQUIPMENT.....	24
24. TELEPHONE USAGE.....	24
25. E-MAIL/INTERNET USAGE.....	25
26. PUBLIC RELATIONS.....	25
27. EMPLOYEE POLITICAL ACTIVITY.....	26
28. ETHICAL STANDARDS FOR COUNTY EMPLOYEES.....	26
29. CONFIDENTIAL INFORMATION.....	26
30. ALCOHOL AND DRUG ABUSE.....	26
31. DEFINITION OF TERMS.....	27
32. DISCIPLINARY ACTION & DISMISSAL.....	28
33. CIVIL SERVICE EMPLOYEES/SHERIFF'S DEPARTMENT POLICIES.....	30
RECEIPT OF HANDBOOK FORM.....	31

SECTION 1

AT-WILL EMPLOYMENT

Although the County Commission may not set mandatory personnel policies and procedures for employees other than those directly supervised by it, the following policies are suggested for all county employees as a guideline and not as a contract. These policies and procedures do not alter the **"at will"** nature of the employment, nor shall anything contained herein be construed to do so, which means that the employee may resign at any time and the employer may discharge an employee at any time with or without cause.

Each department official is responsible for advertising and interviewing prospective new employees. A background check may be performed on all prospective new employees. Each department official shall present their request to the Ritchie County Commission for approval to hire a new employee.

SECTION 2 SEXUAL HARASSMENT

1. Rationale:

The Equal Employment Opportunity Commission states in its Guidelines on Discrimination Because of Sex that sexual harassment is an unlawful employment practice. The purpose of this policy is to unequivocally set forth the County's position regarding sexual harassment and the procedures to be implemented in order to carry out this policy. The County considers the respectful treatment of all employees to include the absence of sexual harassment from the work place.

2. Definition:

Sexual harassment is defined as unwelcome sexual advances, requests -for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either
explicitly or implicitly a term or condition of an
individual's employment;

(b) Submission to or rejection of such conduct

by an individual is used as the basis for employment

decisions affecting such individual; or

(c) Such conduct has the purpose or effect of

unreasonably interfering with an individual's

work performance or creating an intimidating,

hostile or offensive work environment.

County employees are prohibited from engaging in any of the conduct described above.

3. Policy:

The County's continuing policy is to provide for employees a workplace free from any form of sexual harassment. Sexual harassment in any manner or form is expressly prohibited. All claims of sexual harassment will be promptly and thoroughly investigated and corrective action taken if warranted by the results of the investigation. Such action may include disciplinary measures up to and including immediate termination.

4. Procedures:

An employee who feels that he or she has been subjected to sexual-harassment by his/her supervisor, or by fellow employees, or clients and guests of the County, should report the incident in writing to his/her immediate supervisor.

Complaints will be promptly and thoroughly investigated. Investigations will be designed to protect the reasonable privacy interests of all parties concerned. Disciplinary and corrective actions will be taken dependent upon the circumstances and as appropriate.

If the complaint involves the supervisor, the incident should be reported directly to the County Commission, the State Ethics Commission, or the appropriate elected official.

SECTION 3 **EQUAL OPPORTUNITY**

The County is an Equal Opportunity Employer and will practice Equal Employment Opportunity in all aspects of its operation.

The County strives to administer all of its hiring and employment procedures without regard to race, religion, color, national origin, ancestry, sex, age, familial status or disability. This policy shall apply to all employment practices.

The County is committed to the goal of filling all staff openings with the best personnel available. All decisions regarding promotion, transfer and job retention shall be based upon an individual's qualifications, experience and ability to perform the duties and responsibilities of any given position, regardless of race, religion, color, national origin, ancestry, sex, age, disability, or familial status.

In the event that any provision in these personnel policies conflicts with any federal, state or local law regarding equal employment opportunity, such provision shall be amended to comply with the existing law.

The following nondiscrimination statement must be printed on all publications, including, but not limited to: pamphlets, leaflets, posters, meeting notices, registration materials and advertisements. In addition, the statement should be included in any material submitted to the newspaper:

"Programs, activities and services offered by the Ritchie County Commission are available to all persons without regard to race, color, sex, disability, religion, age, ancestry, familial status or national origin."

SECTION 4 **DEFINITIONS OF EMPLOYEE CATEGORIES**

Employees of Ritchie County shall be classified as follows:

EMPLOYEE: Those employed by constitutional officers, i.e., County Clerk, Circuit Clerk, Sheriff, Prosecuting Attorney, Assessor and those directly responsible to the County Commission.

FULL-TIME EMPLOYEE: A full-time employee is one who regularly works a minimum of 35 hours per week and a minimum of five (5) days per week, 52 weeks per year. A full-time employee is paid a semi-monthly salary that represents a minimum of 35 hours of work. Some employees who regularly work forty hours (40) a week are eligible for additional pay for hours worked over forty (40) a week.

FULL-TIME EMPLOYEE (DEPUTY SHERIFF-LAW ENFORCEMENT): A full-time Deputy Sheriff (Law Enforcement) is one who regularly works a minimum of 40 hours per week and a minimum of five (5) days per week, 52 weeks per year. A full-time Deputy Sheriff (Law Enforcement) is paid a semi-monthly salary that represents a minimum of 40 hours of work. Some employees who regularly work forty hours (40) a week are eligible for additional pay for hours worked over forty (40) a week.

PART-TIME EMPLOYEE: A part-time employee is paid an hourly rate for the number of hours worked each week on a semi-monthly basis and IS NOT eligible for holiday pay, vacation accrual or sick leave, or for any other county benefits, except Workers' Compensation and paid leave for a death in the family.

SECTION 5 **WORK SCHEDULE /RECORD KEEPING**

The Court House shall be open from 8:00 a.m. until 4:00 p.m., Monday through Friday (except holidays).

The normal work week for Deputy Sheriffs (Law Enforcement) shall be from 2:01 a.m. Sunday until 2:00 a.m. Sunday; and for all other county employees shall be from 12:01 a.m. Sunday until 12:00 p.m. (midnight) Saturday.

Deputy Sheriffs (Law Enforcement) work eight (8)- hour shifts, five days per week.

Other county employees work Monday through Friday for a seven (7) hour work day including one (1) hour, non-compensated, for lunch.

All Ritchie County employees will be paid semi-monthly, for a total of twenty-four (24) pay periods per calendar year.

Each employee shall be responsible for accurate record keeping regarding his/her hours worked, sick leave used, vacation and/or personal leave used, and compensatory time accumulated and used. This information shall be documented on forms prescribed for employee payroll records and submitted to your supervisor on or before the last day of each work period.

The supervisor shall review, note necessary corrections and approve all employee time sheets for his/her department. The supervisor will forward the original time sheet to the payroll department by 9:00 a.m. on the day as designated on the annual Holiday/Pay Schedule as approved by the County Commission each year.

If compensatory leave time is utilized in an office or department, a written agreement (see next page for sample) must be on file with the signature of the employee and supervisor. The elected official or department head should maintain the original and forward a copy to the County Clerk's office to be included in the employee's personnel file. Elected officials must be aware that the Code of West Virginia (21-5C) has placed certain parameters on these agreements.

Employees must promptly inform their supervisor if you will be absent, late, need to leave early, etc... Tardiness for personal, avoidable reasons will not be excused and may result in a deduction from your annual leave or pay. When overtime is scheduled in advance, failure to report on time is handled in the same manner as tardiness during regular work hours.

COMPENSATORY LEAVE AGREEMENT



I, _____, hereby elect to accept

COMPENSATORY LEAVE

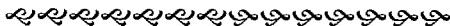
for overtime worked. This shall remain in effect indefinitely until such time as I may change said decision submitted in writing to my employing elected official (or department head) and to the County Clerk.

Date

Employee's signature

Date

Elected Official/Department Head's signature



I, _____, hereby elect to accept

PAYMENT

for overtime worked. This shall remain in effect indefinitely until such time as I may change said decision submitted in writing to my employing elected official (or department head) and to the County Clerk.

Date

Employee's signature

Date

Elected Official/Department Head's signature

SECTION 6 HOLIDAYS

The following days shall be regarded, treated and observed as legal holidays: the first day of January, commonly called "New Year's Day"; the third Monday in January, commonly called "Martin Luther King Day"; the third Monday of February, commonly called "President's Birthday"; the last Monday of May, commonly called "Memorial Day"; the twentieth day of June, commonly called "West Virginia Day"; the fourth day of July, commonly called "Independence Day"; the first Monday of September, commonly called "Labor Day"; the second Monday of October, commonly called "Columbus Day"; the eleventh day of November, hereinafter referred to as "Veterans Day"; the fourth Thursday of November, commonly called "Thanksgiving Day"; the day after Thanksgiving Day is "Lincoln's Day", the twenty-fifth day of December, commonly called "Christmas Day"; any national, state or other election day through out the district or municipality wherein held; and all days that may be appointed or recommended by the governor of this State, * as days of thanksgiving, or for the general cessation of business; and when any of said days or dates falls on Sunday, then it shall be lawful to observe the succeeding Monday as such holiday.

When a holiday falls on a Saturday, the previous Friday shall be observed.

In addition to the holidays stated above, the Commission may grant additional holidays as it deems appropriate.

Any full-time employee who works a holiday will receive additional pay (or compensatory time, if applicable) at their regular rate for all hours worked on that holiday. An employee will not be entitled to pay at the overtime rate until after forty (40) hours worked.

*deleted " , or the president of the United States," 2/14/2007

SECTION 7 OVERTIME

Whenever it is necessary, overtime compensation will be made for work hours in excess of the normal work week. If you are asked to work more than forty (40) hours a week, you will either be paid at a rate of one and a half (1-1/2) times your straight time rate for each hour worked beyond forty (40) hours in any week or receive compensatory time calculated at a rate of one and a half (1-1/2) times. If your overtime compensation takes the form of compensatory time, it shall be determined mutually by the department head and the employee. Precise documentation of any overtime must be recorded on your attendance sheet. All overtime/compensatory time must have prior approval of your department head. In order to be eligible for overtime payments, an employee must actually be on the job in excess of his/her normal work week. No employee will be compensated for work done at home unless you have prior approval from your department head. Work performed in excess of the normal work week, but less than 40 hours per week, will be compensated on an hour-for-hour basis.

The Fair Labor Standards Act (FLSA) exempts administrative, executive and professional employees from overtime compensation.

Those employees who are eligible to receive overtime may accrue compensatory time as follows: Pursuant to FLSA standards, a non-law enforcement employee may accrue up to 240 hours (not more than 160 hours of actual overtime hours worked) of compensatory time. A law enforcement employee may accrue up to 480 hours (not more than 320 hours of actual overtime hours worked) of compensatory time. With respect to the use of accrued compensatory time by the employee, the employee has the right to request the use of compensatory time at any time, provided the request is made in writing to the department head (3) days in advance of the anticipated use. The supervisor must allow for the use of the compensatory leave time within a reasonable period after the request is made unless the employee's absence from work would unduly disrupt the operations of

department. Furthermore, at the supervisor's discretion, an employee may be required to use his/her accumulated compensatory time periodically in order to reduce the employee's total accumulated compensatory time.

SECTION 8
SICK LEAVE

It is the stated policy of the Ritchie County Commission that sick leave is provided only for, and is intended to be used only for, short term absences from scheduled work due to personal illness or injury which is not a result of or related to work activities. Sick leave benefits are not to be used for purposes of engaging in various forms of leisure, social or personal time, nor is it to be used as a way to extend holidays, vacation periods, or weekends. The County's sick leave policy is established to help employees cope with the financial burden of lost work time incurred due to personal illness or injury. This policy should not be abused. Sick leave eligibility is granted each year to be used for bona fide personal illness or injury absences during that year for the employee, employee's spouse, children, parents, or parents of spouse.

A full time employee shall be entitled to sick leave when and if needed.

It is computed and such leave may accumulate as follows based on length of service:

Years of Service Retroactive to <u>01/01/1974</u>	Days Accumulated <u>Per Year</u>	Not To <u>Exceed</u>
0 to 10	15 (1-1/4 per month)	30
10 to 20	18 (1-1/2 per month)	36
20 or more	24 (2 per month)	48

Sick leave shall be granted to employees for the following reasons which are as follows:

- (a) Illness on the part of or injury to the employee, incapacitating him for duty, which is not incurred/suffered in the course of and resulting from employment covered by the Workers' Compensation laws.
- (b) Illness in the immediate family of such a critical nature as to require the presence of the employee. This provision shall not be construed to cover

absence for the purpose of nursing and caring for members of the family not declared by attending physician to be critically ill. The immediate family shall be understood to include only the father, mother, son, daughter, brother, sister, husband or wife, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, granddaughter, grandfather, grandson, stepmother, stepfather and stepchildren.

- (c) Exposure to a contagious disease and determination by his supervisor that the presence on duty of the employee may jeopardize the health of others.
- (d) Illness due to pregnancy may be charged to sick leave under the same conditions applying to any illness. A pregnant employee may continue to work until six weeks date of expected delivery if her doctor determines her physically able to work until this time. A doctor's statement shall be furnished showing expected date of delivery. After separation or termination for the above reason, only annual leave may be allowed.
- (e) When the employee undergoes medical, dental or optical examination or treatment which is not required due to illness or injury occurred/suffered in the course of and resulting from employment covered by the Workers' Compensation laws.

Injury or illness must be reported as early as possible on the first day of absence on sick leave to the Department Head.

For illness or injury absences in excess of three (3) working days or for lesser periods when determined necessary by a Department Head, a medical certificate stating that the employee was not able to work or other proof of illness or injury absence may be required. In the absence of such evidence, annual leave shall be charged for the entire period.

SECTION 8a
TRANSFERRING SICK LEAVE

This policy is intended to assist employees who have endured a catastrophic event to either themselves, or a member of their immediate family requiring an extended absence. When an employee has exhausted all paid time off (sick, vacation, compensatory, or personal) they may receive additional time from other employees. This is a voluntary act of the employee donating the time, and is permanent. The following procedure shall be followed to accomplish the transfer:

- 1) The employee donating their time will notify the Department Head.
- 2) An employee may donate up to 48 hours of sick time per month, provided the time is available.
- 3) The leave records of the employee donating the time will be adjusted accordingly. A signed statement must be completed by the employee donating their time, as well as their department head.
- 4) This is an employee specific policy from one employee to another, and subject to approval by the Department Head.

REQUEST FOR SICK TIME TRANSFER

Employee receiving sick time: _____

Employee donating sick time: _____

Total hours to be transferred: _____

It has been explained, and I understand that the hours indicated above will be deducted from the sick time available to me. I also understand this is done voluntarily on my part, and that a total of 48 hours may be donated monthly. I hereby authorize the payroll clerk to make this transfer on my behalf.

Signed: _____
(Employee)

Signed: _____
(Department Head)

Date: _____

SECTION 9

SICK LEAVE WHERE INJURY/ILLNESS IS COVERED BY WORKERS' COMPENSATION LAWS

If you sustain a work-related injury or illness, you are entitled to file a claim with the Workers' Compensation Division. The Workers Compensation Division provides partial replacement of lost wages and pays medical expenses related to occupational injury or disease. To qualify for compensation, the injury or illness must have occurred in the course of and as a result of employment. Your supervisor must be notified immediately if a work-related injury or illness is sustained.

To apply for benefits, you must complete Section I of the WC-1 Form. When you have completed this form, make a copy for your records, and make a copy to give to your employer. The initial medical provider is responsible for completing Section II of this form, and your employer is responsible for completing the WC-3, Employer's Report of Injury. Both the provider and employer will be required to send the signed completed forms to the Division. If you do not receive a decision on your claim within **14 days** after sending the form, contact Workers' Compensation Division. The responsibility of filing a claim rests with you. To be eligible for benefits, **your claim must be filed with the Division within six months** from and after the injury or death. If you have any questions, you may contact the division at 1-800-231-4850.

You cannot receive Workers' Compensation disability benefits and paid sick leave benefits at the same time. You must notify your supervisor or department head of your choice of either Workers' Compensation disability benefits or regular pay through sick leave benefits.

An employee on Workers' Compensation will not accrue annual or sick leave.

SECTION 10

VACATION/PERSONAL LEAVE SCHEDULE

Vacation and personal leave will be earned by all full-time salaried non-civil service

employees hired on or after July 1st, 1999, at the following rate:

Five (5) vacation days & two (2) personal days after one (1) year employment

Ten (10) vacation days & two (2) personal days after six (6) years employment

Twelve (12) vacation days & two (2) personal days after ten (10) years employment

Fifteen (15) vacation days & two (2) personal days after fifteen (15) years employment

Eighteen (18) vacation days & two (2) personal days after twenty (20) years employment

Vacation/personal leave period will be given in accordance with the calendar year (January thru December).

All full-time salaried non-civil service employees hired prior to July 1st, 1999 will be "grandfathered" in with calendar year 1999. Those with up to ten (10) years employment and thereafter will receive twelve (12) vacation days and two (2) personal days up to fifteen (15) years employment and thereafter will receive fifteen (15) vacation days and two (2) personal days, * and those with up to twenty (20) years employment, and thereafter, will receive eighteen (18) vacation days and two (2) personal days.

All vacation and/or personal leave must be approved by supervisor/elected official.

County employees may carry over a maximum of five (5) days vacation.

If a paid holiday occurs during an employee's vacation, the employee may extend that vacation by another day upon advance approval, or agree to take the day at another time mutually agreeable to the department supervisor and the employee. Illness during a vacation will not extend the scheduled period or convert the absence to sick leave, except as determined by the department head for good cause shown.

For purposes of vacation for time accrual, an employee will continue to earn vacation time while on sick leave.

Whenever practical, employees with greater length of full time employment should be given preference in arranging vacation schedules.

An employee may not voluntarily waive his/her vacation and receive pay in addition

to regular pay.

Vacations may be scheduled throughout the year, at the discretion of the department supervisor, who will consider adequate staffing levels at times of peak demand. Every effort will be made to accommodate the request of the employee. However, the operation of the work unit and efficient service to the public take precedence over vacation requests.

(* Revised 06/30//2004)

Vacation/Annual Leave for **CIVIL SERVICE EMPLOYEES** shall accrue as follows and be subject to carry-over according to law:

0 – 4 Years of Service	1-1/4 Days Per Month
5 – 9 Years of Service	1-1/2 Days Per Month
10 – 14 Years of Service	1-3/4 Days Per Month
15 + (Plus) Years of Service	2 Days Per Month

CIVIL SERVICE EMPLOYEES may carry-over a maximum of thirty (30) days.

SECTION 11 **FUNERAL LEAVE**

Full-time and part-time employees shall receive up to three (3) days of paid leave in the event of a death in the immediate family. Immediate family shall be defined as a spouse, parent, brother, sister, children/stepchildren, grandparent, mother-in-law, or father-in-law. One day of paid leave will be granted in the event of the death of an aunt or uncle.

If the distance an employee travels to attend a funeral or memorial service creates a hardship for the employee, the department head may approve a leave of longer than three (3) days when an immediate family member dies.

SECTION 12 **PARENTAL LEAVE**

Parental Leave shall be governed by Law.

SECTION 13
MILITARY LEAVE

Military Leave shall be governed by Law.

SECTION 14
JURY DUTY

County employees shall not be exempt from jury service solely based on their status as an employee of the County. While on jury duty, the employee shall receive his or her full compensation from the County without deducting accrued annual leave. However, compensation received for service on the jury from the court shall be reimbursed to the County sheriff by the employee.

SECTION 15
RETIREMENT PLAN

The County's Retirement Plan shall be governed by Law.

SECTION 16
WORKERS' COMPENSATION

All County employees are protected by Workers' Compensation in the event of accidents or death occurring in the course of employment. There is no cost to the employee for this coverage. An employee must notify his/her department head as soon as possible in the event of a work related accident. In no event should the employee delay notification longer than twenty-four (24) hours. Further detailed information regarding Workers' Compensation forms may be obtained from the County Clerk's office. All Workers' Compensation forms shall be co-signed by the Department Head and the President of the Ritchie County Commission and filed with the County Clerk and the Department Head for administrative purposes.

SECTION 17

INSURANCE

Eligible employees are provided with insurance as determined by the County Commission from time to time. Employees should contact the county's designated Insurance Coordinator(Bookkeeper-County Clerk's Office) if they have questions on insurance coverage and cost of employee benefits.

SECTION 18 END OF EMPLOYMENT

The Prosecuting Attorney shall be advised and included in the termination of an employee.

When your employment with Ritchie County ends for whatever reason, you will receive a final pay to be calculated on your accumulated due and owing work time together with any accumulated annual leave or compensatory time. You will not receive compensation for any accumulated sick leave nor will you receive any form of severance pay.

With regard to an employee's resignation from county employment:

The Ritchie County Commission does NOT wish to take the option of county employees using accumulated sick leave to pay for additional retirement.

The Ritchie County Commission does NOT wish to take the option of using accumulated sick leave for paying for additional insurance coverage after retirement.

For retirement purposes only, employees may use total accumulated sick leave towards years of service, at no cost to the employee or the county.

SECTION 19 GRIEVANCE PROCEDURES

If you have any problem concerning your working conditions or any aspect of

your employment, you should first discuss it with your supervisor. Every attempt should be made to resolve problems at the lowest administrative level possible. However, if you are faced with a situation that cannot be resolved through an informal complaint, you may initiate a formal grievance.

Any person wishing to file a complaint regarding working conditions or any aspect of your employment may do so within 180 days of the alleged incident or act of wrongdoing by completing a *Complaint Form* (see sample), and submitting same to the Ritchie County Commission. The *Complaint Form* must be used in order to expedite action and insure accurate record keeping.

The Ritchie County Commission will meet with the complainant within seven (7) working days of receipt of a completed *Complaint Form* to discuss the complaint and possible solutions.

A decision will be made in writing by the Ritchie County Commission within five (5) working days of the initial meeting, and a copy will be sent to the complainant.

If the complainant is not satisfied with the decision of the Ritchie County Commission, an appeal may be made before the Ritchie County Circuit Court. During the course of the appeal, complainant must state the alleged act of wrongdoing, the decision of the Ritchie County Commission, and the reason for appealing that decision, as well as any additional pertinent information.

All records pertaining to the filing of grievances, decisions rendered, evidence presented, etc., will be kept on file at the office of the Clerk of the County Commission, 115 E. Main Street, Room 201, Court House, Harrisville, WV, and made available upon reasonable written request during regular office hours of the Ritchie County Court House.

GRIEVANCE COMPLAINT FORM

Purpose This form is designated in accordance with the Ritchie County Commission's Grievance Procedure to reflect a complete record of any complaint regarding working conditions or against programs and/or activities of the Ritchie County Commission.

A. Complaint

Date: _____

Name of Complainant: _____

Address _____

Telephone No. _____

What agency/department/program/person is this complaint being filed against?

Date of Occurrence _____

Nature of Complaint _____

Remedy Sought _____

Signature of Complainant

B. Complainant's Response to Decision:

I **am** satisfied with the decision of the Ritchie County Commission.

Date

Signature of Complainant

I **am not** satisfied with the decision of the Ritchie County Commission and will appeal their decision to the appropriate authorities.

Comments and additional information _____

Date

Signature of Complainant

SECTION 20
SAFETY

You are required to exercise good judgment and caution in your work. Ritchie County expects all employees to be safety minded for themselves, their fellow workers, and the public. The existence of a safe place to work, and a work environment conducive to safe practices and policies is of major concern to Ritchie County. The county believes that performance geared to safety is always more efficient and that inherent in every operation, no matter how small, there must be a need and a desire to perform that work operation safely. The County realizes that avoidance of accidents and injuries is also of critical importance to the individual employee and his/her family. The objective of the County safety and health program is to avoid all injuries and illnesses.

The County firmly believes that all accidents can be prevented. No job is so important that time cannot be taken to perform it safely. Think about what you are doing. Be aware of hazards to yourself, co-workers, or the public and report them immediately to the Department Head's office. Be certain that you understand equipment before you use it. Observe safety rules, and use safety equipment where they exist. It is your responsibility to perform your job safely.

SECTION 21
COST CONSCIOUSNESS

As most employees know, the County operates on tax dollars. Using equipment improperly, ordering too many supplies, wasting supplies and even time, are all examples of inefficiency. Employees should be cost conscious to promote the more efficient operation of the County government.

SECTION 22
TRAVEL EXPENSE

Employees and authorized persons granted permission to travel on official

business at the County's expense must present itemized receipts to be reimbursed.

Overnight expenses for lodging must be substantiated by an itemized bill. A maximum limit of Fifty Dollars (\$50.00) applies to all meals within a twenty-four hour period. Any additional expense above the Fifty Dollars (\$50.00) must be paid by the employee. If any employee uses his/her vehicle, the employee will be reimbursed per mile at the rate set by the Ritchie County Commission. The current rate for county employees is forty-eight cents (\$.48)* per mile. Receipts must be attached to the travel expense form and must be approved by his/her Department Head or designee.

Any itemized receipts presented for reimbursement should cover ONLY the expense of the employee(s), and must not include the expense of the employee's family or unauthorized person(s).

(* changed from "forty-five cents \$.45" 1/9/2008)

SECTION 23 **SUPPLIES AND EQUIPMENT**

Items such as stationery, stamps, and other supplies purchased from public funds for county use may not be used for personal reasons. All county machines and equipment should be used properly and with good care, since they represent a substantial investment and are assigned to the employees trust in the course of their work.

SECTION 24 **TELEPHONE USAGE**

An employee may have many telephone contacts with other county departments and the public as a part of their job. Answer all calls as promptly as possible. Identify yourself and your department. Assist the caller courteously, and in every possible manner.

The county appreciates your cooperation in limiting your use of the county's telephone system for personal telephone calls. In addition, under no circumstances is the county telephone system to be used for any long distance toll charges incurred by an employee's personal use.

SECTION 25
E-MAIL/INTERNET USAGE

As an employee with Ritchie County, you may have access to an e-mail account, worldwide web and/or the Internet. These systems are paid for by Ritchie County and provided to employees so that they may be better able to perform necessary and expected services for the citizens of Ritchie County. Employees may not utilize these types of communication/information systems for harassing, discriminatory, fraudulent or other illegal purpose(s) or to obtain offensive material. This would include prohibitions against disseminating confidential information over the Internet or downloading copyrighted materials from the Internet.

In order to insure compliance with these requirements to avoid legal liabilities, Ritchie County officials/personnel reserve the right to routinely monitor, review, print and/or investigate employees' e-mail transmissions, receptions and/or Internet usage. Therefore, due to the fact that Ritchie County sponsors and incurs charges for these type of systems (e-mail, web and/or Internet), employees should be aware that there is no expectation of privacy when utilizing County sponsored e-mail, web and/or Internet access.

SECTION 26
PUBLIC RELATIONS

As an employee of the county, you represent county government to the public and share the responsibility for building good public relations for the county. By

performing efficiently and accurately in your daily work, you contribute to the county's success. By exercising courtesy and alertness in all direct dealings with the public, you influence the county's prestige and uphold its goal of service to the community.

SECTION 27
EMPLOYEE POLITICAL ACTIVITY

Employee Political Activity shall be governed by Law. It is the intention of this section that all federal and state statutes and court decisions regarding permissible employee political activity are conformed to within county government.

Federal funds cannot be used for partisan political purposes of any kind by a person or organization involved in the administration of federally assisted programs.

SECTION 28
ETHICAL STANDARDS FOR COUNTY EMPLOYEES

All elected officials and county employees are governed by the West Virginia Ethics Commission.

SECTION 29
CONFIDENTIAL INFORMATION

No present or former employee may knowingly and improperly disclose any confidential information acquired by him or her in the course of his or her official duties nor use such information to further his or her personal interests or the interests of another person.

SECTION 30
ALCOHOL AND DRUG ABUSE

The County absolutely prohibits the unlawful use, consumption, manufacture, distribution, dispensation, or possession of a controlled substance, or aiding or abetting in any such unlawful activity by any employee (1) during working hours, (2) while

representing the County, (3) while on County property, or (4) at host or affiliated agencies.

In addition, employees are strictly prohibited from being under the influence of alcohol or any controlled substance (1) during working hours, (2) while representing the County, (3) while on County premises, or (4) at host or affiliated agencies.

The employee shall notify his/her supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. The County will notify any granting agency(ies) within 10 days after receiving actual notice of such conviction.

Any employee responsible for driving county-owned vehicles who receive a DUI citation while on or off duty, will be dismissed.

SECTION 31 **DEFINITION OF TERMS**

“Drug-free workplace” means a site for the performance of work done in connection with a specific grant or contract described in section 5152 or 5153 (41 U.S.C. 701 or 702) or an entity at which employees of such entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of Drug Free Workplace Act of 1988, Pub. L. 100-690, Title V, S S 5151-5160.

“Employee” means an employee or a grantee or contractor directly engaged in the performance of work pursuant to the provisions of the grant or contract described in section 5152-5153.

“Conviction” means a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

“Criminal drug statute” means a local, state or federal criminal statute involving

manufacture, distribution dispensation, use or possession of any controlled substance.

“Under the influence of alcohol” means affected by an intoxicating liquor or substance containing alcohol.

SECTION 32 **DISCIPLINARY ACTIONS & DISMISSAL**

- This policy is necessary to assure a safe, efficient business operation; to assure compliance with state and federal laws; and to protect the well being and rights of all employees. The following list, which is not all-inclusive, outlines some of the acts and behaviors that are not acceptable during work time or on work premises. When circumstances warrant, Ritchie County officials reserve the right to impose more disciplinary measures than called for at the various levels.

Please note that this policy does not alter the “at will” nature of your employment with Ritchie County, which means that the employee may resign at any time and the employer may discharge an employee at any time with or without cause. Unacceptable behavior makes an employee subject to disciplinary action, up to and including termination of employment.

First level offenses will result in a discussion between the employee and supervisor. These discussions need to be documented by a memo, which becomes a part of the employee’s personnel record. Repetition of a first level offense will result in a warning notice from the supervisor to the employee and possible suspension without pay.

First Level Offenses (Not All-Inclusive):

- Unauthorized or excessive absence
- Unauthorized time away from work station or area
- Failure to meet quality standards set by supervisor
- Failure to meet assigned housekeeping responsibilities

- Obscene, abusive or disruptive language or behavior
- Lack of attention to assigned job responsibilities
- Failure to follow prescribed work procedures

Second level offenses include behavior that is of such a nature that a violation may result in both a warning notice and suspension without pay. Repetition of this type of action usually results in dismissal.

Second Level Offenses (Not All-Inclusive):

- Absences without approved leave
- Refusal to comply with legal instructions of a supervisor
- Deliberate or careless conduct endangering the safety of the employee, co-workers or the public
- Negligent handling of county property
- Reporting to work or working while intoxicated or when your ability is impaired by the use of alcohol or other drugs
- Unauthorized use of county materials or equipment

Third level offenses include behavior of such a serious nature that a first occurrence can be just cause for dismissal without prior notice or warning.

Third Level Offenses (Not All-Inclusive):

- Refusal to comply with the specific legal instructions of a supervisor in the context of an assigned job duty, otherwise known as insubordination
- Intentional falsification of personnel records, time records, or any other county documents or records
- Fighting during work time or on work premises
- Use of alcohol or illegal drugs during work time or on work premises or the possession of same on county property

- Any employee responsible for driving county-owned vehicles who receive a DUI citation while on or off duty, will be dismissed
- Theft, misappropriation, embezzlement, unauthorized possession or removal of county property or the property of co-workers.
- Violating any confidentially requirements
- Continued unsatisfactory job performance

Release or dismissal from employment occurs when Ritchie County ends your employment for reasons such as a reduction in the work force, the end of an assignment, reorganization, and termination for unsatisfactory job performance. If your employment is terminated, you will receive a final pay to be calculated on your accumulated due and owing work time together with any accumulated vacation leave (unless converted for insurance or retirement benefits) and compensatory leave time. An employee will not receive compensation for any accumulated sick leave time nor will an employee receive any form of severance pay. The elected official or department head is to inform the County Commission of any and all disciplinary actions.

SECTION 33 **CIVIL SERVICE EMPLOYEES/SHERIFF'S DEPARTMENT POLICIES**

Civil Service for Deputy Sheriffs shall be governed by law (WV Code Chapter 7, Article 14), and employees covered under this protection should realize that certain guidelines of this handbook would not apply to their position. Specific questions should be directed to your supervisor.

The Sheriff has adopted "*Standard Policy Rules of Conduct*" for the Sheriff's Department. These employees should contact the Sheriff to review these policies.

END

RECEIPT OF HANDBOOK

I hereby acknowledge receipt of the current revised copy, dated November 14th, 2007, of the "Ritchie County Employees Policies and Procedures" handbook. I understand that this handbook does not create any contractual rights in favor of any employee. Nor does this handbook alter the "at-will" nature of my employment relationship, which means an employee may resign at any time and an employer may discharge an employee at any time, with or without cause.

Employees governed by or covered by civil service provisions contained within the Code of West Virginia may be afforded additional rights and/or restrictions not contained within the "Ritchie County Employees Policies and Procedures" handbook.

Date: _____ Department: _____

Printed Name: _____

Signature: _____

Sign and return to County Clerk's Office – Payroll Clerk