



COLE COUNTY, MISSOURI EMPLOYEE HANDBOOK

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I. PREFACE

Under the Missouri Constitution, County business is managed by the County Commission. The “County” is common shorthand for Cole County and throughout this handbook, you will see references to “Cole County” as the employer. In this context, it means the three Cole County Commissioners (and ten additional Cole County Elected Officials, when appropriate). Please see the list of the Elected Official positions in the **Index** (located at the back of the handbook).

This Employee Handbook is intended to be the County-wide handbook and these policies will govern unless Elected Officials develop their own internal, department-specific policies.

NOTE: Policies on various issues such as exempt or non-exempt status, benefits eligibility, vacation, sick or holiday pay, compensation outside of the approved County budget, overtime calculations under the Fair Labor Standards Act, retirement eligibility, the Family Medical Leave Act and USERRA (Military Leave) cannot be changed by individual Elected Officials or Department Heads.

EMPLOYMENT ACKNOWLEDGEMENT FORM

The information contained in the following four paragraphs is representative of the Cole County Employee Handbook Acknowledgement Form found on the Cole County website. As a condition of employment, all employees of Cole County are required to carefully read the entire Employee Handbook, abide by the policies contained therein, and sign the form acknowledging receipt of the handbook, a sample of which can be found at the back of this handbook

The employee handbook describes important information about Cole County employment, and I understand that I should consult my Elected Official, Department Head or the HR Manager regarding any questions not answered in the handbook.

I have entered my employment relationship with Cole County voluntarily and I acknowledge that there is no specified length of employment. Accordingly, either Cole County or I can terminate the employment relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies and benefits described in this handbook are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Cole County’s policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Cole County Commission or appropriate Elected Officials with the approval of the Cole County Commission can adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

II. INTRODUCTION

101 Welcome Cole County Employee!

This handbook is designed to acquaint you with Cole County Government and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment.

You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Cole County to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. These policies and this handbook are not intended to create any contractual relationship between any employee and Cole County. As Cole County continues to grow, the need may arise and Cole County reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or Cole County to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur.

III. EMPLOYMENT

201 Recruitment

Notice of most open employment opportunities in Cole County service will be published by posting announcements on the Cole County website, official bulletin boards or in such other places as County deems advisable including, as appropriate, a newspaper in general circulation in the area or region. When a position vacancy is not filled from within the department, notice of opportunities for promotion, such as EMS and Sheriff's Office positions, will be published by posting or other acceptable methods. The announcements shall specify the title and nature of the work to be performed; the minimum qualifications required for the performance of the work; the time, place, and manner of making application; the closing date for receiving applications; and other pertinent information.

202 Appointments & Authority

Appointments to fill vacancies shall be made from a pool of qualified applicants. Vacancies in positions, which require the successful completion of examination(s), if any, are filled from a pool of qualified applicants.

Cole County shall be the appointing authority in all departments, unless provided otherwise by Missouri law. For example, Elected Officials are the appointing authority for their respective offices.

No duly-appointed employee may be placed on the payroll or made active until all appointment forms have been properly signed by the County designee and all pre-employment forms have been completed and signed by the employee.

203 Employee Transfer/Promotion/Demotion

Employee transfers, promotions and/or demotions may be considered but only after careful review by the County and/or appropriate Elected Officials.

204 Nature of Employment

Employment with Cole County is voluntary, and the employee is free to resign at will, at any time, with or without cause. Similarly, Cole County may terminate the employment relationship at will, at any time, with or without notice or cause, so long as there is no violation of applicable federal or state laws.

Policies set forth in this handbook are not intended to create an employment contract of any kind between Cole County and any of its employees. The provisions of this handbook have been developed through the joint efforts of the County Commissioners, Elected Officials, Department Heads and the Cole County Legal Counsel and except for its policy of employment-at-will, may be amended or cancelled at any time, at the Cole County Commission's discretion.

Individual departments or elected offices (such as the Health Department, EMS and the Sheriff's Office) may have specific internal policies intended solely for their staff, and the appropriate Elected Official or department director would be responsible for updating those departmental policies.

This handbook revision will replace all prior versions of the Cole County Employee Handbook and this revision may not be amended or added to without the express written approval of the Cole County Commission, as is appropriate.

205 Equal Employment Opportunity

It is the intent of Cole County that all personnel activities be conducted in a manner that will assure equal employment opportunity for all persons, without regard to political affiliation, race, color, religion, national origin, sex, sexual orientation, gender, gender identity, age, disability, veteran status or genetic information. This policy shall include all personnel practices related to the employment process, promotions, demotion, transfer, layoff, termination, compensation, benefits, training, and general treatment of employees.

206 Disability Accommodation

Assistance shall be made available to applicants with disabilities who may require personal assistance to participate in the selection process. Such assistance shall include but not be limited to providing readers for the vision-impaired and written materials for the hearing-impaired.

In determining whether an applicant or employee with a disability shall be accommodated, the following shall apply:

1. The applicant or employee must make a documented, written request for reasonable accommodation.
2. The department head and supervisor, if applicable, shall consult with the disabled individual regarding an appropriate accommodation.
3. If the accommodation does not impose an undue hardship for the County, the accommodation shall be implemented.
4. Assessing the reasonableness of the possible accommodations shall include the following factors:
 - (a) How well does the accommodation meet the needs of the individual with a disability;
 - (b) How reliable is the accommodation;
 - (c) Whether the accommodation can be made available in a timely manner;
 - (d) And whether the accommodation imposes an undue hardship defined as an action requiring significant difficulty or expense.
5. The County Commission and Elected Officials shall make the final decision as to whether the accommodation is reasonable and does not present an undue hardship.

Employees and applicants with disabilities shall be afforded a procedure that provides for prompt and equitable solutions to complaints. Employees shall utilize the procedure described in this manual. Applicants shall use the procedure found under the special policy of the County relating to disabilities and accessibility of services.

207 Immigration Law Compliance

Cole County is committed to employing only those persons who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 by the first day of employment and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Cole County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the HR Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

208 Non-Disclosure

The protection of confidential information is vital to the interests and the success of Cole County. Confidential information is not to be released except when subject to the Sunshine Law or by court order.

Cole County itself does not require employees to sign a non-disclosure agreement as a condition of employment, however some departments do. Employees who improperly use, destroy or disclose confidential client, patient or business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

209 Nepotism

An Elected Official may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion or advancement in or to any position of the County service over which the Elected Official exercises jurisdiction or control, any person who is a relative within the fourth degree of the Elected Official. The County will comply with Article VII, Section 6 of the Missouri Constitution.

210 Outside Employment

Outside employment is prohibited if such employment would have an adverse effect on the employee's performance of official duties with the County or be prejudicial to the reputation of the County or Elected Officials. Employees shall inform the County, Elected Officials or Department Heads of the acceptance of any outside employment.

Any employees found guilty of any violation of this section shall be subject to any disciplinary action up to and including termination of employment as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the laws of the County and the State of Missouri.

211 Conflicts of Interest

No employee in the County service shall hold a financial interest in a firm, institution, corporation, or other establishment supplying goods or services to the County. No employee shall be employed in any capacity with a firm, institution, corporation, or other establishment supplying goods or services to the County when that capacity means the possession, direct or indirect, of the powers to direct or cause the direction of the management and policies of that organization. No employee shall receive any payment, gifts, favors, or other consideration valued at \$25.00 or more from any person, firm, institution, corporation, vendor or other establishment supplying goods or services to the County.

Any employees found guilty of any violation of this section shall be subject to disciplinary action up to and including termination of employment as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the laws of the County and the State of Missouri.

212 Residence Requirements

- (a) Applicants who are residents of Cole County will be given the highest priority in filling vacancies within the departments of the Cole County government.
- (b) When feasible, applicants appointed as Department Heads should be residents of the County. However, waiver of this requirement is at the discretion of the Cole County Commission and/or appropriate Elected Official.

213 Applicant Examination Administration and Rating

Examinations shall relate to those matters which fairly test the aptitude, capability, and fitness of the persons examined to perform the duties of the specific positions they seek. Examinations may include written or oral exams, physical or performance tests, or any combination of these. They may take into consideration such factors as education, experience, aptitude, knowledge, physical fitness, or any other qualifications or attributes which enter into the determination of the relative fitness of applicants. (Examples of tests that could be conducted include physical capacity tests, vision and hearing tests, psychological testing, polygraph or CVSA, etc.)

Examinations shall be announced and held at such times and places that best meet the needs of the County and/or relevant Elected Officials.

- (a) Sound measurement techniques and procedures shall be used in rating the results of examinations and determining the relative standings of the competitors.
- (b) When a rating of training and experience form a part of the examination, the County Commission or relevant Elected Officials shall develop such procedures for the evaluation of these factors as will serve to assist in the selection of the best qualified candidates. These procedures shall take into consideration the quality, timing, and amount of experience, and the pertinence, quality, and amount of education.

214 Training

All training required of an employee for enhancement or performance of job duties shall be paid for by the County. Time spent in attending required training, obtaining the instruction, and performing the requirements of the course shall be considered hours worked for purposes of calculating overtime. All training shall be approved in advance by the appropriate Elected Official or department head and appropriated within the appropriate County department budget.

215 Management Rights

The County shall retain the sole right and authority to operate and direct the affairs of the County in all its various aspects. Among these rights are the County Commission and Elected Official's right to determine its mission and set standards for service offered to the public; to direct the working forces; to plan, direct, control, and determine the operations or services to be conducted in and by the employee of the County; to assign and transfer employees; to hire, promote and demote employees; to suspend, discipline, or discharge employees; to relieve employees due to lack of work or for other reasons, such layoffs being normally accomplished through attrition; to make and enforce rules and regulations; and to change methods, equipment, or facilities.

216 Savings Clause

Invalidation of any part, rule, or section of these personnel rules and regulations shall not affect the validity of the other rules and sections.

Amendments of these rules and regulations shall be approved by a majority vote of the County Commission. Copies of such amendments shall be distributed to all Department Heads and such other officials, as the County deems appropriate.

IV. EMPLOYMENT STATUS AND RECORDS

301 Employment Application Form

All employment applications shall be made on forms approved by the County Commission or Elected Official and shall be filed on or prior to the closing date specified in the announcement. Applications may require information concerning personal characteristics, education, experience, references, and other pertinent information. All applications shall be hand signed in ink, and the truth of the statements contained therein certified by such signature. The County Commission and Elected Officials shall require such proof of education, experience, and other claims as may be appropriate.

302 Disqualification by Reason of Police Record

Employees and applicants may have their applications rejected or be subject to termination (if already employed) if a background check reveals conviction of a felony or misdemeanor that has a bearing on the work to be performed for the County or if they pose a risk of harm or loss to the public.

303 Disqualification

The County, Elected Officials or Department Heads may refuse to examine an applicant, or, after interviews or even further consideration, may disqualify such applicant, remove a name from an eligible list, or refuse to interview an applicant, or may take steps to remove such person already appointed if the applicant or employee:

- (a) Does not meet the preliminary requirements established for the pertinent class;
- (b) Has a physical or mental disability such that the person is unable to perform the essential functions of the job;
- (c) Tests “positive” to drug tests, is a current user of illegal drugs or the use of prescription drugs in a manner not consistent with standard therapeutic amounts, or the habitual use of intoxicating liquors to excess;
- (d) Has made a false statement in an application;
- (e) Has used or attempted to use political pressure or bribery to secure an advantage in the selection process;
- (f) Has directly, or indirectly, obtained information regarding the selection process to which, as an applicant, the applicant was not entitled;
- (g) Has failed to submit the application correctly or within the prescribed time limits;
- (h) Has taken part in the compilation, administration, or correction of the selection process for which the application was made;
- (i) Has previously been terminated from a position in the County service or has resigned while charges for termination were pending;
- (j) Has otherwise willfully violated the provisions of these rules;
- (k) Has established an unsatisfactory employment or personnel record as evidenced by a reference check of such a nature as to demonstrate unsuitability for employment with the County;
- (l) Has taken for another or allowed another to take all or part of the examination, or has been found cheating in any other way on an examination, if any; or

- (m) Has a criminal history that may expose the public to a risk of harm or loss.

Applications, whether accepted or rejected, shall not be returned, and shall remain on file for one (1) year if not hired and three (3) years after termination, if hired.

304 Employment Categories

It is the intent of Cole County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specific period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Cole County.

Each employee is designated as either NONEXEMPT or EXEMPT from the federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay or compensatory time under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Cole County management.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work Cole County's full-time schedule. Generally, they are eligible for Cole County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of Cole County's other benefit programs.

CASUAL, SEASONAL OR ELECTION WORKER employees are those who have established an employment relationship with Cole County, but who are assigned to work on an intermittent and/or unpredictable basis for less than six months of the calendar year. While they receive all legally mandated benefits (such as Social Security and workers' compensation insurance) they are also ineligible for all of Cole County's other benefit programs.

305 Performance Appraisal

Performance appraisals may be done at the discretion of the County Commission, Elected Officials or Department Heads on a case-by-case basis. If performance appraisals are to be done, the following guidelines should be followed as consistently as possible:

The person evaluating the employee should be a supervisor or manager who has frequent contact and meaningful interactions with the employee being evaluated and the review should address performance positives and negatives over the entire review period, not just the most recent weeks leading up to the review.

306 Personnel Records and Reports

For audit purposes, all employee tax forms, employment eligibility forms, benefit enrollment or change forms, confidential medical or legal documents, Family Medical Leave documents, etc. shall be maintained in the master personnel file in the Human Resources office. Elected Officials or Department Heads may also maintain a separate employee file, which contains training records, disciplinary actions, department-specific licensing or credentialing documents, etc. Upon termination of employment, each employees' files shall be merged (except when prohibited by law) and archived appropriately.

The County Commission shall cause to be maintained a service register of all employees in the County service identifying to each the position title, departmental assignment, salary rate, dates of employment, employment history, and such other data as appropriate.

Every appointment, transfer, promotion, demotion, termination of employment, sick leave, vacation leave and other temporary or permanent changes in the status of employees in the County service shall be reported in writing. The County Commission shall prescribe the time, manner, form, and method of making any written report as may be stipulated in any of these rules.

307 Employment Reference Checks

As a general rule, the County does not provide former employees with employment reference letters for work performed for the County without a written request from the employee. Former and current employees who seek verification of their employment with the County shall submit an appropriate consent form (or signed written request) before any information will be released to prospective employers or lending institutions who seek information about an employee. Release of information is, however, mandated by state law for certain employment transactions. In such cases, the County will comply with state law and forward the required information to the requesting agency.

V. EMPLOYEE BENEFIT PROGRAM

401 Vacation Leave

Each full-time employee shall accrue vacation leave credit up to the following annual rates:

- During 0-2 years of service ----- 96 hours
- During 2-10 years of service ----- 120 hours
- During 10-15 years of service ----- 144 hours
- During 15+ years of service ----- 168 hours

Actual accrual of vacation leave shall be computed on a bi-weekly period basis according to the employee's years of service. Vacations shall be scheduled by each department head so as to minimize overtime costs and departmental disruptions while allowing as much flexibility to the employees as possible.

Any official holiday as set forth in these rules which may occur during an employee's scheduled vacation period shall not be counted as a day of vacation.

Accrual

Employees may accrue vacation leave up to a maximum of 240 hours on the end date of the last pay period of the year.

Vacation leave shall not accrue under the following circumstances:

- (a) while the employee is absent from work without pay because all leave balances have been exhausted;
- (b) when one is on a leave of absence that does not qualify for FMLA protections; or
- (c) when one is receiving benefits from a retirement system or Workers' Compensation claim.

If an employee leaves County service and is re-employed any time after a period of thirty (30) days, vacation is considered as for any new employee. Otherwise, the rehired employee may accrue vacation commensurate with total years of service.

Use of Vacation Leave

Vacation leave may be used for the purpose of sick leave if an employee has exhausted all sick leave accrual and use is approved by the employee's supervising department head/elected official.

Elected Officials or Department Heads shall schedule vacation leave for employees as far in advance as possible. Such leave schedule shall take into consideration employee desires. Vacation shall, under normal circumstances, be taken in continuous increments of at least 1 hour.

Payment upon Separation

Any employee with benefits leaving the County service due to resignation, death or termination shall be compensated for unused vacation accruals up to the date of termination, not to exceed 240 hours. To be eligible for such compensation, employees resigning from the County service must

comply with the provisions of this section of these rules governing resignations. In the event of separation due to death of the employee, compensation shall be made payable to the estate of the employee. No accrual shall occur after date of termination.

402 Holidays (Revised 1/1/2023)

Most full-time employees shall receive compensation for the holidays established by a Court Order of the County Commission. Part-time and seasonal employees are not eligible for holiday pay.

In order to be paid for the Commission approved holidays, employees must work the scheduled shift immediately preceding the holiday as well as the scheduled shift immediately following the holiday, unless the employee is off work for a pre-approved absence such as vacation.

By Court Order of the County Commission, EMS employees will have a list of holidays that is slightly different than the paid holidays for non-EMS employees. Further, EMS employees will not be paid for any holiday unless they actually work an entire scheduled shift on the designated holiday. EMS employees who do work a full scheduled shift on an approved holiday will be paid double time for the entire shift.

Non-EMS employees who are required to work on a holiday shall be given either compensatory time off or compensated in money for actual hours worked on the holiday, in addition to eight hours (8) holiday pay. However, only hours actually worked on the holiday will be included in computing overtime compensation.

(a) All County employees except EMS who are assigned to work in twenty-four (24) hour service divisions (such as Sheriff and Prenger Family Center) and any personnel assigned to a service division which is regularly scheduled by the department head to work on all authorized holidays, shall receive holiday pay for authorized holidays and shall work on holidays as scheduled unless other available leave time has been authorized in advance. Holiday pay shall consist of pay for a maximum of eight (8) hours. This includes employees that voluntarily work an authorized holiday.

(b) The County Commission shall be the only entity authorized to declare special holidays or days off as an unusual need or circumstance may occur.

Any department who is allowed to bank holiday time may accrue holiday time to a maximum of 96 (ninety-six) hours on the end date of the last pay period of the year. Holiday leave shall not accrue while the employee is absent from work without pay because all accrued balances have been exhausted, is on a leave of absence that does not qualify for FMLA protections or is receiving benefits from a retirement system or Workers' Compensation claim.

403 Sick Leave

Full-time employees in the county service shall earn up to 120 hours of sick leave annually, with credit accruing on a bi-weekly pay period basis.

Sick leave with pay will be granted for absence from duty because of actual personal illness, non-compensable bodily injury or disease, exposure to a contagious disease, or to keep a doctor or dentist appointment. Employees may use up to forty-eight (48) hours of leave each year for illness in the employee's immediate family * provided no one else is available to care for the individual involved. Sick leave shall not be granted in cases where regular retirement or disability retirement has been approved.

When an employee finds it necessary to be absent for any of the reasons specified herein, the employee shall report this fact to their immediate supervisor. Departments may require specific time frames for notice for work-related purposes. Sick leave may not be granted unless reported to the appropriate supervisor during the specified time frame. If this is a qualifying sick leave event the employee shall also be placed on Family Medical Leave. (*If the employee has a qualifying Family Medical Leave event that requires care of a parent, spouse or child, and FMLA is approved, the forty-eight (48) hour restriction on use of sick leave will be waived.)

An employee must keep the department head informed of the condition for the absence. The department head may require the employee to submit for any absence the treating physician's written notice of medical reason for the absence from work. Failure to comply with the provisions of this section shall result in denial of sick leave. Abuse of sick leave shall be cause for termination of employment.

No refund of vacation time shall be allowed for illness unexpectedly occurring while on vacation leave.

Any authorized absence due to injury or illness covered by Workers' Compensation insurance shall not be charged against an employee's accrued sick leave.

Accrual

Full-time employees with benefits may accumulate sick leave with pay.

Sick leave shall not accrue under the following circumstances:

- (a) while the employee is absent from work without pay because all leave balances have been exhausted;
- (b) when one is on a leave of absence that does not qualify for FMLA protections; or
- (c) when one is receiving benefits from a retirement system or Workers' Compensation claim.

If an employee leaves County service and is re-employed any time after a period of thirty (30) days, sick leave is considered as for any new employee.

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Separation Incentive Program

Employees who voluntarily separate from County employment after a minimum of ten (10) years of continuous service shall be eligible for a payment upon separation of a percentage of the total unused sick leave hours accrued as of the date of separation, which shall be paid at the employee's final rate of pay. The rate of payment of such unused sick leave shall be as follows:

- More than 10 years of service, but less than 11 years ----- 10%
- More than 11 years of service, but less than 12 years ----- 11%
- More than 12 years of service, but less than 13 years ----- 12%
- More than 13 years of service, but less than 14 years ----- 13%
- More than 14 years of service, but less than 15 years ----- 14%
- More than 15 years of service, but less than 16 years ----- 15%
- More than 16 years of service, but less than 17 years ----- 16%
- More than 17 years of service, but less than 18 years ----- 17%
- More than 18 years of service, but less than 19 years ----- 18%
- More than 19 years of service, but less than 20 years ----- 19%
- More than 20 years of service -----20%

Employees who are involuntarily separated from service shall not be eligible for this incentive. Employees who suffer a work-related injury, which prevents their return to work, shall be treated as though they had voluntarily separated from the County.

404 Jury Duty/Court Leave

All employees are encouraged to do their civic duty when summoned for jury duty.

Full-time employees with benefits who are subpoenaed as a witness in a civil or criminal case or selected to serve on a jury shall be granted paid leave during their absence, provided, however, that all payments paid by a court for jury service shall be turned over to the employee's department head and transmitted to the County Treasurer for deposit as miscellaneous revenue.

405 Health and Life Insurance (Revised 1/1/2023)

Full-time employees with benefits will be enrolled, without cost, in the basic group life, health and dental insurance coverage programs. Health insurance coverage for dependents of full-time employees is optional. Cole County currently covers a portion of the cost for dependent coverage. The decision to continue the additional contribution will be reviewed on an annual basis and may be discontinued by the County Commission effective January 1st of the next plan year.

When both spouses of a married couple are employed by the County in positions with benefits, both spouses are covered. However, if an employee wishes to cover their spouse on the County health plan, the employee will be required to sign an attestation confirming that the spouse has no other opportunities for health coverage available to them.

Full-time employees who retire may make arrangements to continue their coverage under the County's health insurance program by selecting the retiree health coverage, at their own expense,

and by providing thirty (30) days' notice to the HR Manager. Refer to the COBRA coverage section of this handbook for additional information on continuing coverage.

Cafeteria Plan

Employees who are enrolled in the health insurance plan may take advantage of reducing their taxable income through utilization of the cafeteria plan. Additional insurance, such as elective supplemental policies, may be available. Premium amounts for certain coverage, under IRS guidelines, may be deducted from gross income prior to income tax deductions. Employees may also reduce taxable income by setting aside pre-designated amounts into the plan for dependent care and medical expenses not covered by insurance. Enrollment is restricted to within thirty (30) days of employment for new employees and during an annual enrollment for current employees.

406 Retirement Plan

All full-time employees* are eligible for retirement benefits at the age and length of service requirements as specified by the retirement plan in which they are enrolled. Notice of retirement shall be no more than 90 days but at least 30 days before retirement date.

(Plan documents for LAGERS or CERF can be obtained from the appropriate plan's website or through the Finance office.)

LAGERS:

After six (6) months of full-time employment, employees who work 1500 hours or more per year will be enrolled as participating members of LAGERS, the local government retirement plan. Contribution levels are based on a percentage of the employee's salary.

County Employees Retirement Fund (CERF):

CERF retirements are available to county employees who work 1,000 hours a year except as stated in CERF guidelines. Contribution levels are set by CERF guidelines.

*It should be noted that the Elected Sheriff, the Elected Prosecuting Attorney, as well as employees of the Prenger Family Center and Juvenile Court are not eligible for CERF retirement.

407 Deferred Compensation

Full-time employees may elect to participate in a deferred compensation program offered by the County. The County does not contribute monetarily to this program.

408 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Cole County's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Cole County's then current group rates plus an administration fee, as allowed under federal law. Cole County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Cole County's health insurance plan. The notice contains important information about the employee's right and obligations.

409 Maternity Leave

Maternity shall be treated as any other non-duty temporary disability covered under the rules pertaining to sick leave and Family and Medical Leave. If at any time during pregnancy an employee is aware that she and/or her unborn child's health is endangered by her job, she shall immediately make this fact known in writing to her department head. At such times as deemed necessary by the department head, pregnant employees or those returning from maternity leave after childbirth shall submit to their department head a doctor's statement indicating the employee's physical ability to perform her job. Maternity leave shall qualify the employee to be placed on Family and Medical Leave (if eligible). The duration of maternity leave shall be determined by reference to the Family and Medical Leave or the Unprotected Personal or Medical Leave provisions of this handbook, whichever is applicable.

410 Careleave Program

Full-time employees who have exhausted all of their accrued leave time (sick leave, vacation leave, compensatory leave, etc.) and have experienced a personal illness or injury which is life threatening, catastrophic or resulting in a potentially permanent disability may qualify for the careleave program. The ability to draw time from the careleave pool will be monitored by a careleave committee under the direction of the County Commission. The careleave committee administers the program with established policies and procedures.

411 Family and Medical Leave

Per the Federal Department of Labor guidelines, employees who have worked at least 1,250 hours in the rolling twelve (12) months immediately prior to a family or medical leave request shall be granted up to twelve (12) weeks of unpaid leave during any rolling twelve-month period for a child's birth, adoption or foster care arrival. Leaves may also be taken to care for a spouse, parent, or child with a serious health condition or for an employee's own serious health condition which prevents the employee from performing the functions of his or her position, or up to twenty-six (26) weeks to care for a qualifying family member who is a covered veteran with a serious injury or illness (called military caregiver leave).

A serious health condition is any illness, injury, impairment or physical or mental condition that involves overnight inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health-care provider. Under the Military Caregiver Leave provision, a serious injury or illness means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty. (Contact the HR Manager for questions about Family Medical Leave or Military Caregiver Leave that are not answered in this section.)

Employees on approved Family or Medical leave are allowed: 1) to continue group health during the leave on the same conditions as would have been provided if the employee had been continuously employed and actively working; and to return to the prior job or an equivalent one in terms of salary, accrued benefits and other job conditions.

Employees who are off work under approved Family or Medical leave are not allowed to hold concurrent employment outside of their County position. Doing so would be a violation of policy and may be grounds for disciplinary action up to and including termination of the Cole County position.

Employees must attempt to schedule Family and Medical leave so as not to disrupt County operations. If leave is for the birth or placement of a child or for planned medical treatment the employee must give notice at least thirty (30) days in advance, or as soon as practical.

If leave is requested for a serious health condition, the employee must provide a certification from their treating health-care provider stating the medical facts regarding the condition, including the date of onset, the probable duration of the condition and any work restrictions that are put in place because of the condition.

If leave is requested to care for family members (parent, spouse or child), a medical certification may be required stating that the employee is needed to provide care or assistance for the family member and that the timing of the care may prevent the employee from being able to perform the functions of their job, that the leave will assist in a family member's recovery, or that there is medical need for a reduced schedule.

Employees shall be required to substitute accrued sick leave, compensatory time, holiday pay, vacation leave, etc. (in that order) for any part of the twelve (12) week period to which they are entitled under the Family and Medical leave provisions.

Employees returning from medical leave for their own health condition, except childbirth, shall be required to provide a certification from their certifying health-care provider stating that they are able to safely resume work. An employee's failure to provide the required work release or fitness-for-duty certification will result in a delay for return to work.

Any employee who fails to return from Family or Medical leave will be required to repay the cost of the premiums, which the County paid in their behalf to keep group insurance in effect during the leave.

In cases where an employee is not eligible for Family and Medical Leave protections, the Department Head or Elected Official may recommend an unprotected 30-day Personal Leave or Medical Leave, if approved by the County Commission. See Section 415 for more information.

412 Occupational Injury Leave/Workers' Compensation

Any employee who sustains an on-the-job injury shall immediately report such injury, regardless of severity, to their immediate supervisor. The employee and the immediate supervisor shall prepare required reports of such injuries and submit same to the Department Head and HR Manager

within twenty-four (24) hours of the accident or before the end of the next business day after notification by the injured employee.

Employees injured on the job are covered by the Missouri State Workers' Compensation Act. NOTE: Employees of the Prenger Family Center and the Juvenile Court receive workers' compensation benefits through the State of Missouri instead of Cole County. All other county employees are protected under the Cole County Workers' Compensation coverage plan.

The Missouri Workers' Compensation Act provides specific benefits including payment of approved medical expenses and partial payment for loss of wages if an authorized medical provider indicates that it is necessary for the injured employee to refrain from working. Payment for lost time from the workers' compensation carrier commences after three regularly scheduled full days off from work under doctor's orders. The first three (3) full workdays' wages will be paid by the County at the employee's full wage. After the initial three-day period, the workers' compensation coverage will provide indemnity payments to the employee for their lost wages as required by state statute. No adjustment to any leave balances or recoupment of any workers' compensation payments to the employee will be undertaken by the County.

Supervisors shall be responsible for the investigation of accidents or injuries involving employees assigned to their work units. Every effort shall be made to determine the causes of accidents or injuries and preventive measures taken as appropriate.

Medical certificates and proof of occupational injury shall be required by the County in addition to anything required by the Workers' Compensation coverage provider.

The County is committed to the well-being and safety of our employees. We have implemented a Transitional Duty/Return-to-Work Policy to return all employees to work after a work-related injury, as quickly and as safely as medically possible.

When possible, the County will provide transitional Return-to-Work duties and assignments to our injured employees. Transitional Duty is defined as modified duties within the employee's physical abilities, knowledge, and skills. Transitional duty work assignments will be developed based on the employee's known physical condition as defined by the authorized treating physician. Transitional duty assignments will be developed based on the employee's physical restrictions, operational needs, and availability of transitional duty but because of budgetary concerns, transitional or light duty will not cross over departmental lines. Transitional duty is a temporary remedy, and the length of time allowed will be decided on a case-by-case basis.

If you are off work more than one week due to a work-related injury or illness, you must contact the HR Manager at least once per week, no later than 4:00 pm on Friday, to provide updates on your medical status and probable return-to-work date.

413 Bereavement Leave (Revised 1/1/2023)

Full-time employees are eligible to use bereavement leave in the event of a death in the immediate family, up to 24 hours in a 7-day period per funeral. Immediate family shall be defined as husband,

wife, domestic partner, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparents, great-grandparents, grandchildren and grandparents-in-law. In extenuating circumstances and on a case-by-case basis, the County Commission may approve such leave for other relatives not included herein. If necessary, and at the discretion of the County Commission, accrued vacation leave may be used as bereavement leave.

414 Education Leave

Full-time employees may be granted absence from duty on an unpaid status for education instruction when recommended by a department head and approved by the County Commission, if the successful completion of such instruction will contribute to the County service.

415 Unprotected Personal or Medical Leave

In cases where an employee in good standing is not eligible for Family and Medical Leave protections, the Department Head or Elected Official may recommend an unprotected 30-day Personal Leave or Medical Leave of absence, which must be approved by the County Commission.

Unprotected Personal or Medical Leave is a form of compassionate accommodation and does not obligate Cole County to approve future unprotected leave requests. Unprotected Personal or Medical Leave shall be limited to one (1) per rolling twelve-month period, for no more than 30 days at a time, and with no more than one 30-day extension.

Unprotected Personal or Medical Leave shall be unpaid time off unless the employee has accrued vacation, sick, or compensatory time available for use. If the employee does not have an adequate amount of accrued vacation, sick or compensatory time to cover their current benefit deductions, the affected employee shall be obligated to pay the premiums (in full) to continue their elected coverages currently in place. If the employee is unable to pay the benefit premiums during their unprotected Personal or Medical Leave of absence, the County may agree to continue coverage in arrears until such time as the employee returns to work. If the employee fails to return to work after an unprotected Personal or Medical leave of absence, all benefit premium amounts become immediately due and payable to the County.

Contact the HR Manager for additional information about unprotected Personal or Medical leave.

416 Military Leave

USERRA protects the job rights of individual who voluntarily or involuntarily leave employment positions to undertake military service or certain types of services in the National Disaster Medical System. USERRA prohibits employers from discriminating against past and present members of the uniformed services and applicants to the uniformed services.

Eligibility

Cole County is committed to protecting the job rights of employees absent on military leave. In accordance with USERRA, federal law and state law, it is the County's policy that no employee

or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States (Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, Public Health Service commissioned corps, National Oceanic and Atmospheric Administration commissioned officer corps, and as otherwise provided by 38 USC §4303(16)). Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy. If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact the HR Manager.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to a combined, but not necessarily continuous, total of five years of leave of absence.

Employees requesting leave for military duty should contact the HR Manager to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility and employee rights while on leave, contact the HR Manager.

Missouri military leave of absence

Pursuant to §105.270, RSMo, all employees who are or may become active members of the National Guard, the Officers' Reserve Corps, or the Enlisted Reserve Corps of the United States Government shall be entitled to a leave of absence with pay* from their respective duties on all days during which they are employed with or without pay under the orders or authorization of competent authority on active training duty, duty with troops, field exercises, or instruction for a period of up to fifteen (15) calendar days (but not to exceed a maximum total of one hundred twenty (120) hours in any one (1) federal fiscal year [Oct. 1-Sept. 30]). Employees requesting this leave of absence, with or without pay, shall provide documentation of the orders or authorization of competent authority for the time period for which military leave will be taken, in advance of leave if possible.

All employees who are or may become active members of the National Guard, the Officers' Reserve Corp, or the Enlisted Reserve Corps of the United States Government who are required to attend monthly training sessions which conflict with their normal work schedules shall give advance notification to their supervisors in accordance with departmental rules and regulations.

Restoration

An employee returning from military leave shall be entitled to restoration to the former position held prior to the leave provided that:

- (1) The employee makes application within the time frame defined as being timely (per USERRA) after release from duty; and

- (2) The employee has not been separated from service with a disqualifying discharge or under other than honorable conditions.

If the position vacated no longer exists at the time the employee qualifies for return to work, they shall be entitled to be re-employed in another existing comparable position of the same class.

Salary and Benefits

An employee returning from military leave shall be re-employed at the same salary range and benefits they had attained prior to military leave as well as any wage increases or additional benefits that would have been granted had they remained in continuous employment with the County.

Disposition of accrued or accumulated leave

An employee who leaves the County service directly for such military leave may elect to be paid for any accrued but unused vacation or compensatory time as the employee may be entitled to just as if they were actually separating from the County service. The decision shall be noted on the personnel action form affecting the leave. If the employee elects not to be paid for vacation leave, accrued vacation credits shall be reinstated upon return of the employee. Accrued sick leave shall be reinstated upon return of the employee in either case.

VI. TIMEKEEPING/PAYROLL

501 Overtime and Compensatory Time (Revised 1/1/2023)

Supervisors shall develop methods and procedures to maximize productivity and reduce or avoid the need for overtime. It is the responsibility of each employee to work as efficiently as possible to accomplish job tasks during regularly scheduled work hours. All overtime or arrangements for overtime work shall be approved by the appropriate Elected Official or department head in advance. A determining factor in the approval of overtime is whether the work could be accomplished through rescheduling of employee work hours and allowance of time off in the same work period. These factors reduce the burden of overtime on employees and avoid accrual of compensatory time and excessive overtime payments for the County. Compensatory time balances must be paid out, in full, at the time of termination. However, Department Heads or Elected Officials may request that compensatory time balances be paid out prior to termination, at the then current rate of pay, but the payout shall be for the entire balance of accumulated and available compensatory time (not just a portion of the balance).

Overtime is calculated by counting actual hours worked in excess of forty (40) hours during seven (7) consecutive 24-hour periods beginning on Sunday and running through Saturday, (except for Public Works employees and Sheriff's Office employees). Public Works overtime and compensatory hours are based on actual hours worked in excess of eight (8) hours per day during non-summer months and ten (10) hours per day during summer months. Sheriff's Office overtime applies to actual hours worked in excess of eighty (80) hours in fourteen (14) consecutive twenty-four (24) hour periods running Sunday through Saturday. Non-exempt Sheriff's Office employees' working hours funded by a grant or a special contract providing for overtime pay may also be

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eligible for overtime pay for pre-approved hours. Hours worked in excess of a standard period week or duty tour by employees covered by the provisions of the Fair Labor Standards Act (FLSA) shall be compensated either by payment at one and one-half (1½) times the straight hourly equivalent rate for the classification or by the award of compensatory time off equal to one and one-half (1½) times the overtime hours worked, at the discretion of the County Commission, Elected Official or Department Head.

- (a) Exempt employees shall not accrue compensatory time nor be paid for any overtime hours worked (except for those who have approved compensatory hours recorded prior to adoption of this handbook, and they shall be allowed to take compensatory time off in one (1) hour increments only). Exempt employees who leave County employment shall be paid for their compensatory time balance the same as covered employees. Health department exempt employees will receive compensatory time for actual hours worked in excess of 45 hours in a given single work week, but only during a County Commission declared emergency.
- (b) Department Heads and Elected Officials shall maintain records in a form and manner approved by the County Commission on compensatory time earned by employees under their jurisdiction. No employee shall be permitted to accumulate and retain more than 240 hours of compensatory time.
 1. Upon termination of employment, any employee who has accumulated compensatory time off shall be paid out for unused time at the final regular rate of pay received by such employee.
 2. Any overtime work which will result in an employee covered under the provision of the FLSA accumulating compensatory time above the limits set out above, shall be compensated by payment at one and one half (1½) times the straight hourly equivalent rate for the employee's classification.
 - 3.. To the extent possible, Department Head and Elected Officials shall make every effort to avoid overtime or compensatory time by the proper scheduling of the employees.
 4. The period of work which will be used for ascertaining whether or not time worked is overtime will be determined by reference to the FLSA.
- (c) Department Heads or Elected Officials may require, out of necessity for the expeditious conduct of public business or for the protection of the public health, safety, or welfare, that an employee work overtime. Failure to comply with such directives shall constitute a violation of these rules and regulations and provide grounds for disciplinary action as herein provided.

Blended Overtime Rate

Employees who work two different jobs at two different rates of pay in a single pay period will be paid overtime based on the then current weighted average of both rates, per the regulations set forth in 29 C.F.R. 778.115. The Blended Overtime Rate does not apply to any unworked hours such as vacation pay, sick pay, bereavement pay, holiday pay, banked compensatory time, etc. Instead, all unworked hours will be paid at the regular calculated annual pay rate increment. See

the HR Manager for more information pertaining to the FLSA Overtime Pay Requirements (Fact Sheet #23).

Call-back Time

Call-back time is subject to approval by the County Commission, prior to implementation. Employees who have left their normal workplace and who are called back to work shall be credited for actual time worked regardless of the number of individual calls or a minimum of two (2) hours, whichever is greater, except the minimum guarantee shall not apply to calls which occur within two (2) hours of a scheduled reporting time. All call-back time shall count as hours worked, including minimum guarantee time. Employees shall accumulate time from the time they begin to perform services for the County until they complete the services or are relieved from duty.

On-Call

The Sheriff's Office, the Prenger Family Center and the Health Department utilize on-call time. Please see those specific department policies for more detailed information.

502 Rest Breaks and Meal Periods

Whenever possible, full-time employees are provided with one meal period of at least 20 minutes in length each workday. Supervisors will schedule and coordinate meal periods to accommodate operating requirements. When an unpaid meal period is taken, employees will be relieved of all active responsibilities and restrictions. Because Sheriff's Office and EMS employees are required to take calls at all times during their duty shift, they are not scheduled for an unpaid meal break. Rest breaks of less than twenty minutes will be compensated time.

503 Pay Periods and Pay Days

Pay periods begin on Sunday and end on Saturday each week. Payroll shall be processed in a timely manner on a bi-weekly basis and will be paid every other Thursday.

504 Separation and Disciplinary Action

Unless a specific employment contract exists to the contrary, all employment with the County is on an at-will basis. Employees may legally resign at will, with or without advance notice.

Resignation

So that a suitable replacement can be hired and appropriately trained by the incumbent who is resigning from their position, it is requested (but not required) that all employees provide advance written notice of their intent to resign their position with the County.

As a professional courtesy, non-exempt employees holding positions which are covered by the Fair Labor Standards Act are asked to provide written notice two (2) weeks prior to the effective date of their resignation and employees holding positions which are exempt under the Fair Labor Standards Act are asked to provide written notice four (4) weeks prior to the effective date of their resignation.

Termination

An employee may be terminated by the County with or without cause and with or without advance notice, so long as no federal or state laws are violated.

Reduction in force and/or layoffs

An Elected Official or Department Head may separate any employee without prejudice because of lack of funds or curtailment of work, after giving proper notice. However, no regular full-time employee shall be separated from any department while there are qualifying, part-time, or temporary employees serving in the same department. An appointing authority may, with the approval of the County Commission, appoint an employee who is to be laid off to any existing vacancy in a lower class for which the employee is qualified. All other factors being equal, employees shall be laid off in reverse order of their total service to the County.

Accrued benefits at time of termination

Employees who have any remaining accrued but unused vacation, holiday or compensatory time hours at the time of their termination will be paid out, at their then current pay rate, for those accrued but unused hours.

For those employees in good standing, who voluntarily separate from County employment after a minimum of ten (10) years of continuous service, shall be eligible for a payment upon separation of a percentage of the total unused sick leave hours accrued as of the date of separation. The rate of payment for unused sick leave is defined in Section 403 of this handbook.

505 Business Travel Expenses (Revised 1/1/2023)

Department Heads, Elected Officials, and other authorized employees shall be reimbursed for official travel and related expenses while carrying out official duties or attending professional conferences and training courses which will benefit both the employee and the County.

Reimbursement rates and rules

All persons authorized to travel on the County's behalf, and if using their personal or a leased vehicle for travel, shall be required to provide proof of in-force personal auto liability insurance in sufficient coverage amounts necessary to protect the County against financial liability in the case of an at-fault accident.

All persons authorized to travel on the County's behalf shall be reimbursed for necessary expenses, but every effort shall be made to keep travel costs and related expenses to a minimum in every situation. After travel has been completed reimbursement will be made upon timely and proper presentation of itemized receipts, a County travel expense voucher and, where appropriate, accompanied by a certified affidavit.

Within ten (10) days of returning from authorized travel a completed travel expense voucher, a certified affidavit and supporting itemized receipts must be submitted to the County Commission, Elected Official, or Department Head for approval. Once supervisor approval is obtained, the

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required documentation should be submitted to the Finance Department within 90 days after returning from the trip, even if there is no amount due the Department Head, Elected Official or employee.

When travelling on approved County business, if an employee leaves the County before 7:00 am, the employee will be entitled to a breakfast allowance. If an employee returns to the County later than 6:00 pm, the employee will also be entitled to the dinner allowance. However, if a meal is included in the registration cost of the conference, the reimbursement for that meal will be excluded from that day's total allowance.

Reimbursable Expenses

The following expenses for approved travel shall be reimbursed according to the lesser of established allowances or actual cost when accompanied by itemized receipts or other documentation as required:

- (a) Direct travel including common carrier air fare, bus, taxi, and train fares;
- (b) Although all departments are encouraged to promote the use of County vehicles whenever possible in lieu of use of personal vehicles for County travel purposes, direct travel by personal vehicle shall be reimbursed if the required proof of in-force insurance has been provided to the Finance Department prior to the date of travel. Authorized travel for the use of personal vehicles will be reimbursed at the rate of 55 cents (\$0.55) per mile, OR at an amount equal to common carrier fare, whichever is less, and only if approved by the Department Head.
- (c) If an employee travels directly to a conference or assigned training location from home or is assigned to work at an alternate location for a day, and the travel occurs outside of normally scheduled work hours, mileage will be paid from the employee's home OR from the regularly assigned work location, whichever is shorter.
- (d) Overnight lodging when required. If available, special discounts, training rates or conference rates must be utilized. If special discounts or conference rates are available but not selected, reimbursement will not exceed the special rates.
- (e) Meals and tips. (Reimbursement for authorized meals and tips combined shall be no more than \$40.00 per day for in-state travel or \$46.00 per day for out-of-state travel.)
- (f) Other reasonable, necessary, and related expenses.

Non-reimbursable Expenses

The following travel expenses shall not be reimbursable:

- (a) Costs incurred by a spouse, family member or other companion accompanying a Department Head, County Elected Official or employee.
- (b) Personal expenditures such as valet service, laundry and cleaning, alcoholic beverages, entertainment, or side trips.

Vacation combined with official travel

An employee wishing to combine a vacation or private business with a business or convention trip must have the Elected Official's or Department Head's approval, or where appropriate, the County

Commission's approval. The employee will be reimbursed for travel to the destination based upon the common carrier fare or the established rate per mile for personal vehicles, whichever is less.

In Case of an accident

Employees shall report to the Jefferson City Police or the Missouri State Highway Patrol any accidents involving a County vehicle and the property or vehicle of another party. In the event that an accident occurs while travelling outside of Jefferson City, employees must report the accident to the local law enforcement agency or the Missouri State Highway Patrol, whichever is appropriate in the situation. Employees shall also report any accident involving damage to a County vehicle to their supervisors, Department Heads, Elected Officials and Finance Officer on a form prescribed for this purpose. Failure to report damage of any kind to County vehicles as prescribed may result in disciplinary action.

Post-Accident testing shall be required for employees on County business in a County vehicle or personal vehicle, in the following situations:

- (1) after a vehicular accident has occurred (regardless of fault or severity of damages),
- (2) when a traffic citation is issued to a County employee after an accident,
- (3) when an injury to a person requires transport to a medical treatment facility, or;
- (4) when disabling damage to one or more vehicles requires towing from the accident site.

Post-Accident testing shall include both breath alcohol and urine drug testing and should be completed within two (2) hours of the accident if possible, but in no case later than eight (8) hours after the incident for breath alcohol testing and no more than twenty-four (24) hours after the incident for controlled substance testing. An employee involved in an accident shall refrain from alcohol consumption until post-accident testing has been completed or for twenty-four (24) hours following the accident, whichever comes first.

VII. WORK CONDITIONS AND HOURS

601 Work Schedules

Regular working hours; exceptions

Regular working hours for all full-time employees shall be forty (40) hours in any five (5) consecutive eight (8) hour days, except as noted below, provided approved prior to implementation by the County Commission.

(a) Department Heads and Elected Officials shall arrange work schedules to meet the needs of the County service and may allow variable or flexible work schedules. However once schedules are established, Department Heads shall provide, at a minimum, a 14-day notice before implementing changes in those work schedules.

(b) The Sheriff's Office may establish work schedules that take full advantage of the FLSA hours requirements.

602 Health and Safety (Revised 1/1/2023)

Prime consideration shall be given to safety in all work situations and all employees shall be responsible for performing their work assignments in a safe manner at all times.

All employees shall:

- (1) Be thoroughly familiar with safety requirements and practices applicable to their respective work assignments;
- (2) Actively observe safety practices, and report unsafe or potentially dangerous conditions as well as accidents or injuries to their supervisor immediately;
- (3) Refrain from engaging in horseplay, wrestling, hazing of co-workers, and any other unsafe practice under penalty of disciplinary action up to and including termination of employment;
- (4) Wear protective equipment, use protective devices, and wear safety seat belts in all County vehicles when so equipped;
- (5) Within 24 hours of occurrence, report to supervisors any suspension, revocation, or other loss (or potential loss) of the right to legally drive a motor vehicle if driving a County vehicle is a responsibility or privilege of the job;
- (6) Be properly licensed at the time of employment or if not yet licensed, be appropriately licensed prior to assignment to operate a County-owned vehicle.

The County may pay for immunizations when approved by the County Commission. (Contact the HR Manager for more information.)

The County may retain physicians to perform services for the County. These services may include post-offer employment physicals, examinations and/or treatment of work-related injuries, and verification of illness and/or injury, among other services. An employee may be directed by his or her supervisor to see the retained physician(s) at the expense of the County, and it will be the responsibility of the employee to make any scheduled appointment with the retained physician(s). For charges not covered by Workers' Compensation, the County will pay for the cost of the examination only and only if authorized in advance by the applicable Department Head or Elected Official. Any referral or additional charge outside of the examination can be submitted to the County's health insurance plan, with the employee then being responsible for any portion that is not covered or paid by the health plan.

Protective eye wear, safety boots/shoes, and other safety equipment shall be provided for all employees whose jobs warrant such protection and as designated necessary by their Department Head. The County will provide a limited number of styles meeting safety standards from which employees may select.

Safety shoes or boots, safety glasses, and other safety equipment will be repaired or replaced by the County, as necessary. Replacements and repairs may be made without cost to the employee if the shoes, boots, or safety glasses are damaged during the employee's regular job performance or when an eyeglass prescription changes. Employees must present their damaged shoes, boots, and eyeglasses to the supervisor to obtain permission before obtaining replacements. (Eyeglasses that are damaged or broken at work are replaceable at County expense only if the break happens as a result of assigned work duties.)

603 Smoking

The County Commission enacted a no-smoking ordinance on 2-28-2011. As a result of that ordinance, employees are not allowed to smoke within ten (10) feet of any outer wall of a County owned or occupied building, in public buildings and in vehicles except in designated “smoking permitted” locations. The smoking ban shall include cigarettes, pipes, electronic smoking devices (such as e-cigs), vaporizing devices, and all forms of smokeless tobacco.

604 Cell Phone Usage (Revised 1/1/2023)

As of July 1, 2011, the County Commission adopted a policy to provide those departments whose employees need a cell phone for County purpose, and who use their own personal cell phone for County work purposes, with a cell phone allowance. The cell phone allowance will be treated as taxable wages. Eligibility to receive the cell phone allowance is determined by job title.

Employees receiving the cell phone allowance will not be required to account for the personal vs. county use of a cell phone but will be required to supply the Department Head with a valid, current cell phone number at all times. Failure to do so will eliminate eligibility for the cell phone allowance payment in the future.

Employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using hand-held cell phones to conduct any business while driving and should safely pull off the road and come to a complete stop before dialing, talking on the phone or texting. Driving while talking on a cell phone is strictly prohibited and the offending employee will be subject to disciplinary action up to and including termination should this policy be violated. Exceptions to this policy may be made for emergency situations, as determined by the County Commission.

As a representative of Cole County, cell phone users are reminded that the regular business etiquette that is required when speaking from office phones or in meetings also applies to conversations conducted over a cell phone.

Any employee who possesses (or is required to possess) a commercial driver's license for their position with the County must adhere to all Federal Motor Carrier Safety regulations, especially as it pertains to the use of hand-held cell phones or electronic devices. If a CDL driver for the County receives a citation or ticket for use of a hand-held device while driving a commercial vehicle, the employee will be solely responsible for payment of the resulting fines or fees and may be subject to disciplinary action, up to and including termination of employment.

605 PC's, Internet, and E-mail Acceptable Use

Access is provided by Cole County as a research and communication tool for conducting official County business.

These services are to be considered a County resource and should be treated as such. Employees are expected to exercise good judgment in the use of these services.

- (a) The primary mission of these services is to provide collaborative networked information services to its users in support of education, research, public services and government;
- (b) All PC's, Internet and E-mail users shall be for, or in support of, local government research, education, local, state, or national government affairs, economic development, or public service.
- (c) It is not acceptable to use these services for purpose which violate any federal or state law
- (d) It is not acceptable to use these services in a manner that is harmful or harassing to others
- (e) It is not acceptable to use these services in a manner that disrupts normal use and services
- (f) It is not acceptable to use these services for commercial activities, including but not limited to, commercial solicitation of business.
- (g) Ultimate responsibility for proper use and misuse of the network lies with each individual user of the PC's, Internet, and Email. Reported and perceived violation of the Acceptable Use Policy may be reviewed by the County Commission or Department Head. Violations that are not promptly remedied may result in disciplinary action including the termination of the service.

606 Commercial Drivers' License (Revised 1/1/2023)

Missouri law requires the County to make certain that all drivers of County vehicles have the appropriate class of driver's license for the size and type of vehicle they will be required to drive in their role with the County. Depending on particular job requirements, some County employees may be required to possess and maintain, at their own expense, a valid commercial drivers' license throughout the term of their employment. However, if necessary, Cole County will assist employees with accessing the training needed to obtain a CDL. The costs of the training can be initially paid for by the County but the employee will be required to sign an agreement for the reimbursement of those required training costs, either monetarily or by working a specific period of service to the County. (See agreement for additional information)

To obtain a commercial drivers' license after 2/7/2022, the Federal Motor Carrier Safety Administration and the State of Missouri require commercial vehicle drivers to pass both a written and skills tests covering the class of vehicle they will be operating as well as the applicable special endorsements and restrictions (such as hazardous materials, passengers, tank vehicles, double or triple trailers, and/or air brakes). It should be noted that the actual driving skills test must be taken in a vehicle falling within the class of license being applied for.

For positions that require a commercial driver's license, new employees will be required to take and pass the written test within three months of hire so that they are permitted to enroll in the Federal Motor Carrier Safety Administration's Training Provider Registry and the theory training program. Once enrolled, employees will be required to pass the theory training within 30 days. The theory training consists of 48 theory courses and the County agrees to provide the necessary

computer equipment and a private room in which the employee (student) can take the courses. It should be noted that the employee must score a minimum of 80% accuracy for each of the 48 theory courses and if they fail, will be required to retake the test until the minimum score is obtained.

After an employee has completed the theory training, their progress and test scores will be logged into the Training Provider Registry and they can then begin actual “behind the wheel” skills training. Behind the wheel training will consist of up to eighty (80) paid working hours, with training and progress being appropriately documented in the Training Provider Registry portal.

After the required theory and behind the wheel training has been completed, the employee will be allowed to take the CDL drivers examination tests. If the employee fails to pass the drivers examination test three (3) times, they will be required, under Federal Motor Carrier Safety Administration rules, to retake both the theory and behind the wheel skills training courses again before being allowed to retake the exam.

NOTE: All employees who are required to drive for the County (regardless of the class of driver’s license held) shall report any suspension, revocation, or other loss (or potential loss) of the right to legally drive a motor vehicle. Reporting shall be done within two business days of the suspension, revocation or other loss and must be made to the employee’s direct supervisor. Failure to abide by reporting requirements will result in disciplinary action up to and including termination of employment.

607 Return of County Property

All employees separating from County service for any reason shall, immediately upon request and prior to final exit from the premises, return all County-owned property (such as uniforms, keys, key fob or key card, identification badge, tools, supplies, electronic devices, computer equipment, credit or fuel cards, etc.) that has previously been issued to the employee. Failure to return all company-owned property immediately upon request will cause a delay in the issuance of any final pay due the employee, access to benefits continuation, etc. as allowed by law.

608 Emergency Closing of County Services & Buildings

The Cole County Commission makes the decision to close County offices and departments for any reason or circumstance deemed appropriate or necessary. All employees who are scheduled to work during the emergency closing time frame will receive one (1) hour of additional sick leave for each hour normal County operations are suspended up to a maximum of eight (8) hours per day. Employees shall record the hours or days missed as sick time usage. Employees in Offices and Departments that are required to stay open will receive the same amount of sick leave hours added to their balances. This policy does not apply when the offices and departments are closed for official paid holidays.

609 Inclement Weather Closings Policy

The County Commission, Elected Officials or authorized Department Heads shall be the only persons authorized to release non-essential employees earlier than the normal closing of business or to delay the normal time to report for work because of inclement weather.

When an employee is delayed or prevented from reporting to work due to inclement weather, the employee should contact the work site as outlined by department policy. In the event the employee needs to leave work early, the individual will need to discuss this with the immediate supervisor. Work time missed due to inclement weather may, with the immediate supervisor or Department Head's approval, be made up in the following order:

1. Made up by adjusting the work schedule for the work week. (NOTE: Due to the nature of the position's duties and responsibilities, this approach may not be a viable alternative in all situations.)
2. Charged to the employee's accumulated compensatory time, vacation, holiday or sick leave time, in that specific order.
3. Charged to leave without pay if the work schedule cannot be adjusted and the employee has insufficient accumulated compensatory time, vacation, holiday or sick time.

610 Workplace Violence Prevention

Cole County is committed to preventing workplace violence and strives to maintain a safe work environment. Cole County has adopted the following guidelines to deal with intimidation, harassment, threats of violence, or actual violence that may occur during business hours or on its' premises.

All employees, including Department Heads, Elected Officials, supervisors, and temporary employees, should always be treated with courtesy and respect. Employees are expected to refrain from fighting, participating in "horseplay," or engaging in any other conduct that may be dangerous to others. All unauthorized firearms, weapons, and other dangerous or hazardous devices or substances are forbidden on or in any property or buildings owned, occupied or controlled by Cole County.

Conduct by an employee that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any other characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other members of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible to a supervisor or law enforcement. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede.

Cole County, Elected Officials or Department Heads will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Cole County, Elected Officials or Department Heads may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Cole County encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the HR Manager before the situation escalates into potential violence. Cole County is eager to assist in the resolution of employee disputes and will not discipline employees for raising bona fide concerns.

611 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at Cole County, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter Cole County buildings at the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on Cole County's premises, employees should immediately notify their supervisor or if necessary, direct the individual to the main entrance.

VIII. EMPLOYEE CONDUCT & DISCIPLINARY ACTION

701 Employee Conduct and Work Rules

Participation in Political Activities

Employees are prohibited from bringing their political affiliations to bear on their official duties. Specifically, the following political activities of employees are prohibited:

- (a) Campaign fund raising, or other partisan political activities on all County premises, while in the performance of duties and responsibilities as an employee of the County.
- (b) Abuse of official political position.
- (c) Use of official working time or unauthorized use of County resources for political activity.
- (d) Promising any employment, position, work, compensation, or other benefits as consideration, favor, or reward for political activity.

- (e) Performing political activities at the direction of a supervisor, Department Head, or other County official.

702 Attendance, Punctuality and Absences

Regular and punctual attendance at work shall be required of all employees. Employees who fail to observe attendance requirements and procedures for recording and accurate reporting of attendance shall be subject to disciplinary action.

Absence without leave

Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be grounds for disciplinary action by the Department Head or Elected Official. In the absence of such disciplinary action, any employee who is absent for three (3) or more scheduled workdays without authorized leave shall be deemed to have resigned their position. Such absence may be covered, however, by the Department Head or Elected Official subsequently granting leave with or without pay where extenuating circumstances are found to have existed.

703 Alcohol & Controlled Substance Use, Abuse, and Testing (Revised 1/1/2023)

Policy Objectives

It is the policy of the County to provide safe, dependable, and economical services to its citizens and to provide safe, healthy, and satisfying working conditions and environments for its employees; to comply with the requirements of federal law, Missouri state law and regulations related to the Drug Free Work Place Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991.

To meet these goals, it is the policy of the County to ensure that its employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; to create a workplace environment free from the adverse effects of alcohol, marijuana abuse or misuse, or controlled substance abuse or misuse; to prohibit the unlawful manufacture, distribution, dispensing, possession or use of alcohol, marijuana or controlled substances in the workplace; and to encourage employees to seek professional assistance when personal problems, including alcohol addiction, marijuana or other controlled substance dependency, adversely affect their ability to perform assigned work duties, especially in safety sensitive positions.

The purpose of this policy is to assure worker fitness for duty and to protect employees and the public from the risks posed by using, abusing or being under the influence of alcohol, marijuana and other controlled substances at work. It is also the purpose of this policy to comply with all applicable federal and state regulations governing workplace alcohol, marijuana and controlled substance abuse programs mandated under the above-noted acts. These acts mandate urine drug testing and breathalyzer alcohol tests for safety-sensitive positions and prevent performance of safety-sensitive functions when there is a positive test result. The federal law has also established standards for the collection and testing of urine and breath specimens, for the reporting of certain drug-related offenses, for protective measures for certain employees tested, for the preservation of confidentiality, and for certain reporting.

Applicability

This policy applies to all employees who perform safety-sensitive functions including employees of the Sheriff's Office, EMS, Prenger Family Center, Juvenile Court, Building Maintenance, Marshal, Public Works and the Health Department. Safety-sensitive positions also include those employees and activities which are defined in the Omnibus Transportation Employee Testing Act and its implementing regulations, including but not limited to persons who are required to possess a CDL license for the operation of a commercial vehicle, such as employees at Cole County Public Works. All contractors of the County shall be required to state in writing that they comply with the provisions of the Act and its implementing regulations while engaged in services for the County or in activity while on County property as a condition of the award of any such contracts for services or work and the continuation of same.

Definitions

1. Administrator – designated by the County Commission to be contracted each year.
2. Commercial vehicle – as defined in the Missouri statutes requiring commercial drivers' licenses.
3. Delay – any failures to immediately report to the test site to participate in the required testing under this policy.

Policy Administrator

Unless otherwise designated by the County Commission, the policy administrator shall be designated as the controlled substance, marijuana and alcohol policy administrator. Any inquiries concerning the policy, its application, its administration, or its interpretation shall be first made to the policy administrator.

The policy administrator shall develop and maintain a current list of the positions that are governed by this policy. The list shall be available for inspection in the office of each affected Department in the County. Individuals who are applying for safety-sensitive positions with the County and affected employees shall be notified of the positions that are covered by this policy.

The policy administrator shall develop all forms necessary to carry out the provisions of this policy unless the forms are provided under the federal regulations. The forms shall be provided to appropriate persons who are responsible for the implementation and management of this policy.

Alcohol, Marijuana & Controlled Substances Prohibitions

An employee is prohibited from the operation of a commercial motor vehicle and/or from engaging in any work-related functions for safety-sensitive positions: (1) while consuming or being under the influence of alcohol while on duty; (2) while consuming, using or being under the influence of marijuana while on duty; (3) while having a blood alcohol concentration of 0.02 or greater; (4) within four (4) hours of consuming alcohol (5) after refusing to submit to an alcohol test; and (6) from consuming alcohol or using marijuana within eight (8) hours after an accident as specified in this policy.

An employee is prohibited from the unauthorized use of a controlled substance at any time, whether on or off duty.

An employee is prohibited from being in possession of alcohol or marijuana while on duty and/or being in possession of unauthorized or unprescribed controlled substances at any time, whether on or off duty.

An employee convicted of illegal conduct related to alcohol, marijuana or controlled substances and who fails to report such a conviction to the policy administrator may be subject to immediate termination from service.

Any employee whose job performance requires the possession of a valid CDL and who loses the CDL for a violation of law shall be subject to disciplinary action up to and including termination from service. The employee shall notify the policy administrator and the employee's immediate supervisor of the loss of the CDL within two business days of the action. Failure to notify the policy administrator of the loss of the CDL before the end of the second business day shall result in immediate termination from service.

Any employee who is using or consuming a prescribed or authorized controlled substance or other substance of any kind whose side effects may inhibit or impair the employee's performance shall provide written notice to the Department Head or Elected Official of such consumption upon reporting to work the very next shift and prior to engaging in any work-related activity, or earlier if possible. Failure to report shall be cause for disciplinary action up to and including termination from service.

Alcohol, Marijuana and Controlled Substance Testing Provisions

Employees subject to this policy shall be subject to alcohol, marijuana and controlled substance testing including the following types of tests: post-offered testing; random testing (except as provided herein); reasonable suspicion testing; post-accident testing; return-to-work testing; and follow-up testing after rehabilitation programs.

The County reserves the right to request and require proof of a valid prescription or legal medical marijuana card prior to any testing.

Post-Offered Testing

Post-offered urine drug testing shall be required of all applicants for safety sensitive positions covered by this policy as a condition of the application procedure. Future employment as defined shall be considered as if the application was for original entry into service for purposes of this policy. Receipt of satisfactory test results is required prior to commencement of employment and/or engaging in safety-sensitive functions, and the failure of an alcohol, marijuana, or controlled substance test disqualifies an applicant from appointment to employment in a safety-sensitive position for a period of no less than 120 days after the failed test date.

Reasonable Suspicion Testing

Reasonable suspicion testing shall be used to determine fitness for duty evaluations, including appropriate urine and/or breath testing when there are objective observable reasons to believe that alcohol, marijuana or controlled substance use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing

shall be made based on documented objective facts and circumstances which are consistent with the effects of substance use. Reasonable suspicion observations and reports can only be made by supervisory or management personnel who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of alcohol, marijuana or a controlled substance. The observing supervisor or manager, whether the person is the employee's immediate supervisor, is required to complete the appropriate required documentation concurrently with the observation and consideration to impose reasonable suspicion testing.

Once a need for reasonable suspicion testing has been determined by supervisor or manager observation, the reasonable suspicion testing shall be required and should be completed as soon as possible within two (2) hours of the observation but in no case later than eight (8) hours after the observation for breath alcohol or marijuana testing and twenty-four (24) hours for controlled substance testing.

Post-Accident Testing

Post-Accident testing shall be required for any and all employees in the following situations:

- (1) after a vehicular accident has occurred (regardless of fault or severity of damages and regardless of whether or not another vehicle is involved in the accident),
- (2) when a traffic citation is issued to a County employee after an accident,
- (3) when an injury to a person requires transport to a medical treatment facility, and the injury can be plausibly related to impairment and alcohol or drug use, or
- (4) when disabling damage to one or more vehicles requires towing from the accident site.

The supervising Department Director or Elected Official will be responsible for contacting the authorized vendor to arrange both breath alcohol and urine drug testing as soon as possible, but no later than one (1) hour after injury. Any employee involved in an accident, including those who possess a valid prescription or medical marijuana card, shall refrain from alcohol or marijuana consumption until post-accident testing has been completed (if deemed necessary) or for twenty-four (24) hours following the accident, whichever comes first.

Random Testing

Random testing shall be conducted on all persons covered by this policy. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically based selection method. Testing shall be conducted whenever and as ordered by appropriate supervisory personnel, but no less frequently than required by federal law and regulations, and in such numbers as is minimally determined under the regulations.

Return-to-Work Testing

Return-to-work urine and breath alcohol testing for all employees covered by this policy shall be required for all employees who have been off work for 30 consecutive days of work (for any reason) or who have previously tested positive on a marijuana, alcohol or controlled substance test. The employee must test negative before being permitted to return to work.

Follow-up Testing

Follow-up testing of employees returning to work after having a positive alcohol, marijuana or controlled substance drug test or following participation in an alcohol or drug rehabilitation program shall be required. Employees shall submit to frequent, unannounced random urine drug, marijuana and breath alcohol testing at least six (6) times in the following twelve (12) months after returning to work. Random testing may be continued for a period of up to sixty (60) months from the employee's return to work date.

Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be conducted on a split sample that was provided at the same time as the original sample and the test analysis shall be conducted at a different qualified laboratory than where the original test was conducted. All costs for employee-requested testing shall be paid by the employee unless the second test invalidated the original test. An employee's request for a re-test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of the notice to the employee of the initial test result. Requests made after the seventy-two (72) hour limits will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

The method of collecting, storing, and testing the split sample required under this policy shall be consistent with the procedures established in 49 CFR Part 40.

Failure to Test

Any employee who fails to submit to the required testing under this policy is considered to have tested positive and shall be subject to all the consequences that flow related to positive testing.

Any employee ordered to test shall report immediately to the test site upon being ordered to submit to testing. No delay of any type may be granted or taken. Delay in reporting by the employee shall be treated as a refusal to test and shall subject the employee to all the consequences that flow related to positive testing. Failure to provide a sufficient sample or for providing an adulterated sample shall be considered as a refusal to test and shall subject the employee to all the consequences that flow.

Testing Controls

Alcohol: Federal regulations require breath testing to be done on Evidential Breath Testing devices approved by the National Highway Safety Administration. An initial screening test is conducted first. Any result that is less than 0.02 blood alcohol concentration is considered negative. If the blood alcohol concentration is 0.02 or greater, a second confirmatory test must be conducted. Any employee who tests with a blood alcohol concentration of 0.02 or greater shall be removed from service for at least twenty-four (24) hours.

Any employee who is found to have engaged in prohibited alcohol conduct under this policy shall be immediately removed from work-related activity; and the employee shall not be permitted to resume work until the employee is (1) evaluated by an SAP, (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in at least one follow-up test.

Cole County, Missouri Employee Handbook

Controlled Substances: Controlled substance testing is conducted by analyzing an employee's urine specimen performed at a laboratory certified and monitored by the US Department of Health & Human Services for the following controlled substances:

1. Marijuana (THC metabolite)*
2. Cocaine
3. Amphetamines (to include amphetamines, methamphetamine, MDMA and MDA)
4. Opioids (to include Codeine, Morphine, 6-AM (heroin), Hydrocodone, Hydromorphone, Oxycodone and Oxymorphone)
5. Phencyclidine (PCP)

The County reserves the right to request and require proof of a valid prescription or legal medical marijuana card prior to any testing.

The testing for marijuana or controlled substances is a two-stage process. First, a screening test is conducted. If the test is positive for one or more of the controlled substances, a confirmatory test is conducted for each identified controlled substance. The confirmatory test is a gas chromatography/mass spectrometry (GC/MS) analysis.

Any employee who tests positive on the confirmatory test shall be interviewed by the County's Medical Review Officer (MRO). The employee shall be immediately removed from work-related activity; and the employee shall not be permitted to resume work until the employee has tested negative in a directly observed follow-up test.

1. The employee agrees to future, unannounced random testing for a County-determined period of time subsequent to the employee's return to work consistent with this policy; and
2. The employee agrees to submit to additional post-return-to-work testing demonstrating that the employee is negative under alcohol, marijuana and/or controlled substance test standards; and
3. The employee agrees that any future alcohol, marijuana and/or controlled substance violations shall be considered as a resignation of the employee from County service without recourse.

Contractual Support Professionals

The County shall secure a contract with an appropriately certified testing laboratory to conduct the marijuana and controlled substance testing analysis and reporting required under this policy and under the federal regulations. The County may contract for the required alcohol testing or may perform the testing using qualified County personnel who utilize appropriate testing equipment.

The County shall engage the services of an independent contractor to serve the County as the MRO, properly credentialed and trained in compliance with federal regulations, who shall not be an employee of the County. The MRO shall, as a part of the engagement contract, maintain all relevant records and provide the required reports that the County needs to comply with the federal reporting requirements.

Cole County, Missouri Employee Handbook

Education & Assistance

Employees are encouraged to seek information about the availability of alcohol and drug counseling and rehabilitation as provided by the Employee Assistance Program.

The County shall develop and provide training for all supervisors and managers who are responsible for the administration and enforcement of this policy. The training, at a minimum, shall include at least sixty (60) minutes of a program on the physical and behavioral effects on personal health, safety and on the work environment and performance indicators on the effects of alcohol or marijuana use and abuse, the side effects of abuse, and the consequences of prohibited work-related activity involving alcohol or marijuana consumption. The training shall include an overview of this policy and its implementation and application to employees.

Training shall also include a component related to objective observation for reasonable suspicion testing, documentation and record keeping. The training may include other components that the policy administrator, the MRO, and/or the SAP believe can enhance the program administration and increase awareness of problems and treatment related to alcohol, marijuana and controlled substance use. The training may also provide components related to County-sponsored or supported referral programs and employee assistance efforts that are sanctioned to deal with alcohol and controlled substance use and abuse problems.

i. Confidentiality:

- All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the County, the testing laboratory, and the MRO, when and as applicable. The records shall be maintained separately from other personnel records kept by the County and shall be kept in a secured location with other medical records. Materials shall not be released to others without the written consent of the affected employee, except under provisions provided in the federal regulations, as needed with regard to the rehabilitation contract, in litigation or quasi-judicial and administrative proceedings related to positive test results and/or to matters initiated by an employee.

Any person who breaches the confidentiality provisions of this policy shall be subjected to immediate termination from employment and/or from any contractual relationship with the County without recourse.

Disciplinary Issues

Unless otherwise specified in this policy, the County's policies related to disciplinary action shall be followed when imposing discipline for violation of this policy.

The fact that an employee may seek assistance from the Employee Assistance Program (EAP) regardless of whether it was initiated voluntarily or mandated by the County shall not serve as a bar to the County imposing disciplinary action related to future violations of this policy.

Any supervisor or manager who knowingly permits an employee to violate this policy or engage in work activity while consuming alcohol, marijuana or a controlled substance or fails to enforce this policy shall be subject to immediate termination from employment.

This policy does not displace any other penalties that may be imposed or incurred because of violation of County policy or state and federal laws, or as provided in the workers' compensation laws.

Coordination with Other Laws & Policies

This policy shall be administered in compliance with other federal, state, and local laws related to employee health and welfare policies, leave policies, benefit programs or other related policies of the County.

In the event that any part of this policy is judicially determined to be in conflict with or in violation of any law or is rendered ineffective because of some state or federal legislative enactment, that part(s) shall be void, but the remainder of the policy shall remain in effect. Parts that are void or voided shall be replaced as soon as possible to maintain the full effect of this policy and/or to bring it into compliance with relevant laws.

Amendments

This policy is subject to amendment by the County from time to time. Amendments that are made shall be provided to employees upon adoption and shall become effective as provided by the policy administrator.

Drug Awareness Program

If needed, employees are encouraged to inquire about the availability of alcohol or drug counseling and rehabilitation as provided by the Employee Assistance Program.

County's Right to Test

An individual may not be hired to perform a safety-sensitive function for the County unless the individual passes a urine drug test for evidence of Marijuana, Cocaine, Amphetamines, Opioids and Phencyclidine (PCP). All new hires and re-hires for full-time, part-time, temporary/seasonal employees may be required to take a urine or other medical test and to agree in writing to allow the results of those tests to be furnished to and used by the County. Those persons who do not pass such test(s) shall not be employed in any safety sensitive position.

704 Personal Appearance

A friendly and courteous attitude by Cole County employees toward the public and co-workers is always required. Similarly, employees are expected to deliver prompt, thorough, and efficient service to consumers to the best of their ability. All employees are required to maintain a neat and clean personal appearance. Each employee shall be subject to specific department rules and regulations concerning proper clothing, personal hygiene, and grooming.

The County will provide for the uniform and special clothing needs of its employees, if appropriate to and required for, specific jobs or positions. The needs will be met by the purchase or lease of the appropriate uniforms and clothing. The employee will be responsible for the proper care and use of clothing and uniforms and the laundering of same, if appropriate.

705 Personal Relationships in the Workplace

The employment of relatives or individuals involved in a dating relationship in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual “romantic” or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Relatives of current employees may not occupy a position that will be working directly for or supervising their relative. Individuals involved in a dating relationship with a current employee may also not occupy a position that will be working directly for or supervising the employee with whom they are involved in a dating relationship. The Cole County Commission also reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions. If a relative relationship or dating relationship is established after employment, between employees who are in a reporting situation described above, it is the responsibility and obligation of the supervisor involved in the relationship to disclose the existence of the relationship to management. The individuals concerned will be given the opportunity to decide who is to be transferred to another available position. If that decision is not made within 30 calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

In other cases, where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

706 Discrimination and Sexual Harassment

No appointment, promotion, demotion, removal, or advancement in employment shall be made on the basis of a protected class, such as race, religion, creed, national origin, sex, gender, sexual orientation, age, veteran status or non-disqualifying physical or mental disability.

Any form of harassment of employees is a serious matter and is prohibited in the workplace by any person. No Department Head, Elected Official, supervisor or other employee shall threaten or insinuate, either explicitly or implicitly, that an employee’s refusal to submit to sexual advances will adversely affect the employee’s employment, performance appraisal, wages, advancement, assigned duties, or any condition of employment or career development. Other discriminating or harassing conduct, including sexual harassment, whether committed by Department Heads, Elected Officials, supervisors, or non-supervisory personnel is also prohibited. Such conduct

includes but is not limited to racist speech, sexual action, advances or propositions, verbal or written abuse of a sexual nature, or disparaging and degrading words used to describe an individual's race, sex, gender, age, religion, etc.

Any Department Head, supervisor, or other employee who is found, after appropriate investigation, to have discriminated against or harassed any employee as prohibited in the preceding paragraphs shall be subject to appropriate disciplinary actions up to and including termination of employment.

It is the policy of the County to provide an environment free from unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constituting sexual harassment. The purpose of this policy is to establish clearly and unequivocally that the County prohibits sexual harassment by and of its employees.

Sexual harassment is misconduct which interferes with work productivity and deprives employees of the opportunity to work in an environment free of unsolicited and unwelcome sexual overtones. Sexual harassment includes all unwelcome sexual advances and sexually oriented communication, requests for sexual favors, and such other verbal or physical misconduct. Sexual harassment is a prohibited practice and in a violation of the law. The U.S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of the Title VII of the Civil Rights Act prohibiting sexual harassment. The Missouri Commission on Human Rights has also issued regulations regarding sexual harassment under the Missouri Human Rights Act.

Sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

An aggrieved person should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop. If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been attempted and found to be ineffective, the aggrieved person should report the conduct or communication to any supervisor. If the supervisor is the offending person, the aggrieved person should report to the next higher level of management.

The County strictly forbids retaliatory actions against a complaining employee. Regardless of the means selected for resolving the problem, the initiation of a complaint of discrimination or sexual harassment will not adversely reflect on the person complaining nor will it affect the employee's future employment, compensation, or work assignments.

Employees are encouraged to use the County's procedure to address sexual harassment problems.

707 Employee Discipline

It shall be the duty of all employees to maintain high standards of conduct, cooperation, efficiency, and economy in their work for the County. Elected Officials, Department Heads and supervisors shall organize and direct the work of their units in a manner calculated to achieve these objectives.

Whenever conduct of an employee falls below a desirable standard, supervisors shall point out the deficiencies at the time they are observed. Corrections and suggestions should be made in cooperation and good will of the employee.

Any action which reflects discredit upon the County service or is a direct hindrance to the effective performance of the County government functions shall be considered cause for disciplinary action against any employee of the County. Circumstances constituting cause for disciplinary actions are listed below, although charges may be based upon cause and complaints other than those listed. The following list is not intended to be exhaustive, but shall include:

- a. Any off-duty conduct which impairs the employee's ability to do the job in a satisfactory manner.
- b. Adjudication of guilt of a felony or a misdemeanor involving a crime against person or property.
- c. Two (2) or more convictions for misdemeanors and/or traffic charges within a three (3) year period.
- d. Intoxication, the consumption of intoxicating beverages or use of recreational and/or illegal drugs while on duty or while on County property, or in violation of the County substance policy.
- e. Abusive or improper treatment to a person in custody.
- f. Offensive conduct or language toward the public, County officers or employees.
- g. Falsification of employment application or other County records, or the altering or falsifying of timecards, work records, or job records.
- h. Incompetence or inability to perform the duties required.
- i. Intentional damage or negligence in the care and handling of County property.
- j. Violation of any official regulation or direction made or given by one's superior, where such violation or failure to obey amounted to an act of insubordination or a serious breach of proper discipline, or resulted, or might reasonably have been expected to result, in loss or injury to the County or to the public.
- k. Commission or omissions of acts unbecoming an incumbent of the particular office or position held which render a reprimand, suspension, demotion, or discharge necessary or desirable for the economical or efficient conduct of the business of the County or for the best interest of the County government.
- l. Violation of any of the provisions of the ordinances or any administrative regulation of the County.

- m. Inducing or attempting to induce any officer or employee in the County service to commit an illegal act, to act in violation of any lawful order and reasonable departmental or official regulation or order, or to participate therein.
- n. Solicitation or receipt in whole or in part from any person of any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment, influence, or bribery to secure advantage in any County activity or circumstances.
- o. Use or attempted use of political influence to obtain special treatment for an interview, employment, promotion, or wage increase.
- p. Failure to pay just debts due to owing, including taxes, licenses, or fines due the County, or failure to make reasonable provision for the future payment of such debts, thereby causing annoyance to the County, superiors, embarrassment to the County, to supervisors, or embarrassment to the service.
- q. Absence from duty, without leave, contrary to these rules, or failure to report after leave of absence has expired or after such leave of absence has been disapproved or revoked and cancelled by the proper authority.
- r. Unauthorized use of County vehicles, tools, equipment, manpower, or materials for personal benefit. Any authorized use must be clearly approved by the appropriate supervisor.
- s. Excessive use of County telephones for the conduct of personal business during working hours or for unauthorized long-distance calls.
- t. Abuse or excessive use of sick leave privileges.
- u. Failure to properly report accidents or personal injuries that occur on County property
- v. Failure to maintain a satisfactory attendance record.
- w. Failure to report wrongdoing of other County employees.
- x. Failure to maintain any license or certification if possession of such a license or certification is a condition of employment.
- y. Any other violations of these rules and regulations deemed sufficient to warrant discipline by appropriate supervisors.

Disciplinary actions shall normally follow the sequence set forth below unless the seriousness of the offense dictates immediate administrative leave with pay while an investigation is undertaken. In very serious situations, immediate termination of employment may result:

- a. Oral reprimand: An employee shall receive an oral reprimand for the first minor disciplinary offense. This action is normally taken by the employee's supervisor with notation to the employee's personnel file.
- b. Written reprimand: A written reprimand shall be transmitted through the appropriate Elected Official or Department Head to the employee and shall state the specific actions leading to the reprimand. This action is normally taken by the employee's supervisor.
- c. Suspension without pay: Suspension is the temporary removal from duty status without pay of an employee for a specified or indefinite period. Suspension shall be approved by the Elected Official or Department Head and reviewed by the Commission's Attorney prior to completion of the action.

- i. An employee may be suspended for an indefinite period when the Elected Official or Department Head determines such action is necessary and in the best interest of the County and in cases where an employee is charged and awaiting trial for a criminal offense involving matters apparently prejudicial to the reputation of the County.
- ii. When an employee has acted or is alleged to have acted in a manner which would be cause for termination of employment, the employee may be suspended while such charges are investigated.
- iii. Whenever an employee is suspended pending trial or investigative outcomes and is subsequently exonerated, the employee shall be reinstated without loss of pay or benefits.
- iv. An employee may be suspended for a definite period of time for specific cause. A pre-disciplinary meeting is required prior to the suspension.
- d. Demotion: An employee may be moved to a position in a class with a lower maximum salary rate for serious misconduct. Demotions shall be approved by the Elected Official or Department Head and reviewed by the County's attorney prior to completion of the action. A pre-disciplinary meeting is required prior to the demotion.
- e. Termination of Employment: Discharge of a regular employee should be recommended in cases involving recurring disciplinary offenses or a single offense involving a serious breach of discipline. Termination of employment shall be approved by the Elected Official or Department Head and reviewed by the Commission's attorney, prior to the completion of the action. A pre-disciplinary meeting is required prior to the official termination of employment.
- f. Personnel file: Documentation of all disciplinary actions will be placed in the employee's personnel file.

708 County's Right to Search

Entry onto County premises constitutes consent to reasonable and necessary searches and inspections of the employee's locker, lunch box, briefcase, purse, pockets, desk, vehicle or any other receptacle the employee uses or has access to, if there is probable cause to suspect the employee of illegal activity or theft. Refusal to consent to a search or inspection when reasonably necessary and requested by the County constitutes insubordination and a violation of County policy, which shall subject the employee to disciplinary action.

709 Workplace Etiquette

Cole County strives to maintain a positive work environment where employees always treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive, offensive, or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. Cole County encourages all employees to keep an open mind and graciously accept constructive

feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

IX. MISCELLANEOUS

801 Employee Appeals and Grievances

It shall be the policy of the County to give individual employees an opportunity to discuss their grievances with their supervisors to find mutually satisfactory solutions as rapidly as possible. In the preparation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination, or reprisal. Appeals of disciplinary actions shall begin with the second step of the procedure as set forth below and shall be in the form of a written report. If an employee has access to more than one (1) complaint process, the employee must choose which process to pursue at the beginning of the grievance and may only utilize one (1) process.

- a Representation. An employee may be accompanied by another employee of the employee's choosing in the presentation of a grievance.
- b Grievance procedure:
 - 1. Oral report: An employee who has a grievance shall first present the grievance to the immediate supervisor within five (5) working days of the action or incident in question. If the grievance is against the employee's immediate supervisor, the employee may report it to the next level of supervision as outlined in number 3 below, within five (5) working days of the incident.
 - 2. Written report: If the oral grievance presentation fails to settle the grievance, the employee may within five (5) working days submit a written report of the action or incident in question to the immediate supervisor. If the grievance is against the employee's immediate supervisor, the employee may report it to the next level of supervision as outlined in number 3 below, within five (5) working days of the incident. Within five (5) working days after receiving such a grievance, the immediate supervisor shall furnish the employee with a written reply to the grievance.
 - 3. Appeal to the Department Head or Elected Official: If the written reply to the grievance is not satisfactory, the employee may, within five (5) working days after receiving the reply, submit an appeal in writing to the Department Head or Elected Official. The Department Head or Elected Official shall confer with the aggrieved employee before rendering a decision. Such decision shall be reduced to writing and shall be delivered to the aggrieved employee within five (5) working days of the date on which the appeal was received by the Department Head or Elected Official.

4. Appeal to County Commission: If the appeal to the Department Head or Elected Official fails to resolve the grievance, the employee may, within five (5) working days of receipt of the decision on the grievance, submit an appeal in writing to the County Commission. Within fifteen (15) working days of the receipt of such an appeal, the County Commission or a designee shall meet with the employee to discuss matters pertinent to the grievance. The decision of the County Commission shall be final, and no further right of appeal shall be provided employees. The County Commission shall forward one (1) copy of the course of action to be followed to the employee concerned and to the Department Head within fifteen (15) days after the meeting with the employee.
 - c Classification grievances: All grievances pertaining to the classification of an employee shall be made in writing to the County Commission through the Department Head. The decision of the County Commission shall be final in all matters of classifications, and the employee shall not have further right of appeal.
 - d Compensation grievances: The pay range established for a given class of work shall not be subject to the grievance or appeals procedure.
 - e Termination appeals: All appeals of termination for cause shall be made to the County Commission within five (5) working days of the effective date of the termination.

In connection with the review of a grievance, appeal, or for any other purpose necessary to determine the adherence to any provision of these rules, the Cole County Commission may conduct such investigation requiring the production of records or reports by a County department.

Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by Cole County. The Cole County's Personnel Policy governs employment-related complaints of disability discrimination.

Prior to filing a complaint, individuals should first contact the Department Head responsible for the services or programs offered by the department. If a satisfactory resolution cannot be reached, then individuals should follow the procedures established below.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainants and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his or her designee as soon as possible but no later than 60 calendar days after the alleged violation occurred to:

Sheila Johnson
Cole County ADA Coordinator
311 East High Street, Room 200
Jefferson City, MO 65101
Phone: (573) 634-9106

Within fifteen (15) calendar days after receipt of the complaint, the Cole County ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Cole County ADA Coordinator will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille or audio tape. The response will explain the position of Cole County and offer options for substantive resolution of the complaint.

If the response by the Cole County ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the Cole County ADA Coordinator within fifteen (15) calendar days after receipt of the response to the Presiding Commissioner (or his or her designee).

Within fifteen (15) calendar days after receipt of the appeal, the Presiding Commissioner (or his or her designee) will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting the Presiding Commissioner (or his or her designee) will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Cole County ADA Coordinator and appeals to the Presiding Commissioner (or his or her designee) and responses from the Cole County ADA Coordinator and Presiding Commissioner (or his or her designee) will be kept by Cole County for at least three years.

802 Suggestion Program

As employees of Cole County, you can contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

All regular employees are eligible to participate in the suggestion program. However, exempt employees are only eligible to submit suggestions that are beyond the scope of their assigned duties and areas of responsibility.

A suggestion is an idea that will benefit Cole County by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making Cole County a better or safer place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions must be submitted on a suggestion form and should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and

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the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help. Submit suggestions to the Cole County Commission and, after review, they will be forwarded to the Suggestion Committee. As soon as possible, you will be notified of the adoption or rejection of your suggestion. Special recognition will be given to employees who submit a suggestion that is implemented.

Index (Revised 1/1/2023)

The following words and phrases shall have the meanings indicated throughout these rules except where the context clearly indicates otherwise.

Accident: An occurrence of an unintentional or unexpected incident that results in physical harm or property damage.

Administrative Officer: A Department Head, human resource office, or appointed/contracted organization who will administer the “Alcohol, Marijuana and Controlled Substance Use, Abuse and Testing Policy” for the County.

Alcohol: The intoxicating agent in beverages including alcohol, ethyl alcohol or other low molecular weight alkaloids including methyl and isopropyl alcohol.

Alcohol use: The consumption of a beverage, mixture or preparation, including any medication, containing alcohol.

Anniversary Date: Date of appointment or promotion to a position in the County service or date of transfer to a different class in the County service for current period of continuous service.

Appointing authority: The County Commission or a designee of the County Commission, or any person having the power by virtue of state law or other lawfully delegated authority to make appointment to the positions in the County service.

Appointment: The designation to a position in the County service of a person who has qualified for the appointment through an appropriate selection process.

Certification: The act of supplying an appointing authority with an appropriate number of names of applicants who are eligible, in accordance with legal provisions and these rules, for appointment to a position.

Certified laboratory: A place certified by the Department of Health and Human Services under the National Laboratory Certified Program where urine samples are tested for drugs.

Class: One or more positions sufficiently similar in respect to assigned work duties and responsibilities that the same class title may be reasonably and fairly used to designate each position allocated to the class, that the same minimum education and work experience qualifications may be required, and the same salary range may apply with equity.

Classification: The original assignment of a position to an appropriate class on the basis of the nature, difficulty, and responsibility of work to be performed.

Collection site: A place designated by the County where employees present themselves for the purpose of providing a specimen of their urine or breath to be analyzed for the presence of drugs or alcohol and meets DOT guidelines established the procedures for transportation workplace drug and alcohol testing programs.

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Commercial Motor Vehicle: As defined in the Missouri statutes, requiring commercial drivers' licenses.

Conflict resolution: Conflict resolution is the procedure used to resolve complaints relating to employment, personnel rules and regulations, working conditions, or relationships between an employee and his Department Head, supervisor or other employees.

County Commission: Elected officials of the County or a designee when appropriate.

Covered employees: An employee who is covered by the provisions of the Fair Labor Standards Act (FLSA), particularly as related to overtime.

Date of employment: The date an employee starts work as a new hire or rehire in the County service.

Date of termination: The date an employee separates from employment in the County service.

Demotion: The movement of an employee from a position in one class to a position in another class having a lower maximum salary rate.

Department: Any of the departments under the jurisdiction of the County Commission, now or as hereafter established.

Department Head: The chief operating manager of any department.

Driver: Any employee of the County who is required, by assigned position, to have and maintain a valid driver's license and operates or has control of any self-propelled or towed County vehicle used on public streets and highways to transport property or passengers.

Drug: Any non-food substance, other than alcohol or such over-the-counter pain relievers, such as aspirin or cold remedies capable of altering the mood, perception, pain tolerance, sobriety or judgment of the person consuming it.

Elected Officials: Presiding Commissioner, Eastern District Commissioner, Western District Commissioner, Assessor, Auditor, Circuit Clerk, Collector, County Clerk, Prosecuting Attorney, Public Administration, Recorder of Deeds, Sheriff, and Treasurer. (Per the Missouri Constitution, the County business is managed by the County Commission.)

Eligible: A person who has a current application on file for a position in the County service.

Emergency: A sudden and unforeseen happening that requires the unscheduled services of an employee to protect the health, welfare, and safety of the community.

Employee: Refers to those paid staff members of the County who work either on a salaried or on an hourly basis for the County and who are not elected by the electorate of the County.

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Employee (Exempt): An employee who is exempted from the provisions of the Fair Labor Standards Act (FLSA) by the Act or who is not covered by the Act, particularly as it relates to overtime.

Employee (Full-time): An employee occupying a position included in the adopted annual budget that is neither specified part-time nor temporary employment, nor limited for a period of less than the budget year. Also, any employee occupying such a position established during a given budget year unless the appointing authority certifies that such position will not be continued in the succeeding year's budget. The hours of work are approximately 2080 per year.

Employee (Law Enforcement): An employee, regardless of rank or status as trainee, probationary or permanent, who must meet all the following criteria:

1. Be a uniformed or plainclothes member of a body of officers and subordinates;
2. Be empowered by statute or local ordinance to enforce laws designed to maintain public peace and order, protect life and property from accident or willful injury, and to prevent and detect crimes;
3. Have the power to arrest; and
4. Have participated in a special course of instruction or study (or will undergo on-the-job training), which typically includes: self-defense, physical training, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, community relations, medical aid and ethics, as specified at a minimum under applicable state law.

Law enforcement employees also meet this test regardless of their being assigned to incidental duties, such as equipment maintenance and lecturing.

Employee (Part-time): An employee hired into a position scheduled for less than 1500 hours (including hours of work and compensatory time) in any continuous twelve (12) month period, excluding those part-time employees covered by the State Merit System.

Employee (Temporary/Seasonal): Terms used interchangeably to describe a position comprising duties which occur, terminate, and recur reasonably, intermittently, or according to the needs of the department. Such position shall not require more than 1499 hours of pay in any continuous twelve (12) month period. The appointment authority shall assign a projected date of termination of less than one (1) year from date of hire and shall have such date made a part of the employee's personnel file.

Firearm: A gun that fires a projectile.

Grievance: A complaint relating to employment, the application of personnel rules and regulations, working conditions, or relationships between an employee and a supervisor.

Illegal/Unauthorized Drug: Any drug, which is not legally obtainable, or any drug, which is legally obtainable but has been illegally obtained and/or is not being used for its intended or prescribed purpose or in the prescribed manner.

Immediate family: Husband, wife, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, grandparents, grandparents-in-law (added 2023), great-grandparents (revised 1/1/2004) and grandchildren.

Introductory period: A working test period during which a newly-appointed full-time or part-time employee is required to demonstrate fitness by actual performance of the duties of the position to which the employee is appointed.

Job description: A written statement of the characteristic duties, responsibilities, and qualification requirements that distinguish a specific position from other positions.

Lay-off: Employment separation made necessary by lack of work or funds or other reasons not related to fault, delinquency, or misconduct on the part of an employee.

Medical Review Officer (MRO): A licensed Doctor of Medicine or Osteopathy with knowledge of drug abuse disorders. The MRO must also have appropriate medical training to interpret and evaluate an individual with confirmed positive test results, medical history, and other relevant biomedical information.

Original employment date: First date of official appointment to a position in the County service after appropriate certification and for any period of continuous service.

Position: A group of current duties and responsibilities assigned or delegated by competent authority, requiring the full-time, or temporary employment of one person.

Possession: Actual or constructive care, custody, control or immediate access to.

Promotion: The movement of any employee from a position of one class to a position of another class having a higher maximum salary rate.

Reasonable Cause: Whenever an Elected Official, Department Head or supervisor has reason to believe the appearance and/or conduct of an employee are indicative of the use of alcohol, marijuana or other drugs. Reasonable cause testing may be triggered if observable indicia of impairment are found to be present.

Resident: A person whose principal place of domicile is within the corporate boundaries of the County. **Substance Abuse Professional (SAP):** A licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed certified psychologist, social worker, employee assistance professional, or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol, marijuana and controlled substance-related disorders.

Transfer: The movement of an employee from one department, division, or unit of the County government to another, from one position to another position of the same class, or to another class having the same maximum salary rate involving the performance of similar or dissimilar duties and requiring essentially the same basic qualifications.

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Under the influence: Any condition where intoxicating liquors, drugs or other substance has affected the nervous system, brain or muscles, as to make a person less able either mentally or physically or both, to perform job duties. An individual may be deemed to be under the influence of a drug, alcohol or substance, if a test for the drug, alcohol or substance results in a positive test and observable indicia of impairment are present.

Vacancy: A duly created position which is not occupied and for which funds have been provided.

Year: A calendar year unless otherwise specified.

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X. EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about Cole County, and I understand that I should consult my Department Head, Elected Official or the HR Manager regarding any questions not answered in the handbook.

I have entered my employment relations with Cole County voluntarily and I acknowledge that there is no specified length of employment. Accordingly, either I or Cole County can terminate the employment relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies and benefits described in this handbook are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Cole County’s policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Cole County Commission (or appropriate Elected Officials with the approval of the Cole County Commission) can adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE’S NAME (printed): _____

EMPLOYEE’S SIGNATURE: _____

WITNESSED BY (printed name and title): _____

WITNESS SIGNATURE: _____

DATE SIGNED: _____