



# Tama County

## Employee Handbook

**Our Mission is:**

“The mission of Tama County Government is to provide outstanding public service, be fiscally responsible to taxpayers, and to work with the cooperation of the community and other government agencies to develop community pride. Make Tama County the premier place to live with our growing economy and outstanding rural living. Having a safe, harmonious work environment for our employees to better serve the public.”

**Our Vision is:**

“Continue to grow our economy, enhance rural life and have a strong sense of community pride.”



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# **INTRODUCTION**

## **WELCOME TO TAMA COUNTY!**

This handbook contains information about personnel policies, procedures, benefits, rules and regulations which apply to various employees of Tama County. It is designed to be a working guide for supervisory and staff personnel in the day-to-day administration of our County personnel program. Please note that in addition to this handbook, employees are expected to comply with applicable federal, state and local laws.

Please read the handbook carefully and often and use it as a reference for information related to your employment. It is designed to answer questions and to provide general guidelines to you as an employee. If you do not find the answer, or if the answer seems unclear, your supervisor or the Human Resource Manager will be happy to help you find the answer.

## **PURPOSE OF THE HANDBOOK**

The contents of this handbook are not to be construed in any manner as constituting the terms of any employment contract between Tama County and one or all of its employees. This handbook cannot address every situation that could arise in your workplace and is therefore intended solely to give eligible employees a short description of the policies and working conditions at Tama County. If at any time there should be conflict between a description in this booklet and/or an applicable state or federal statute or a collective bargaining agreement, the terms of the statute and/or the collective bargaining agreement will govern in all cases.

This handbook was developed at the direction of the Board of Supervisors and Tama County reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, work rules, procedures, in whole or part, at any time. Proposed amendments shall be posted in a location accessible to all employees at least five (5) working days prior to any decision by the County Supervisors on an amendment(s).

It is the policy of the Board of Supervisors that these rules and regulations apply to all offices, positions, and employees of the County, except those elected officials, members of citizen boards and commissions, and personnel appointed to serve without compensation. In departments led by an elected official, the policies in this handbook will apply to the extent adopted by the elected official. However, statutorily appointed deputies in these departments are eligible for the fringe benefits defined throughout this manual. Employees under County resolution or the jurisdiction of boards and commissions operating under the powers specified in specific County resolutions or in the Code of Iowa shall be exempt from these rules to the extent that the rules and regulations of the County resolutions and those of boards and commissions supersede the provisions in this handbook.

It is the responsibility of each member of the management team to administer these policies in a consistent and impartial manner.

Any other entity associated with Tama County may adopt Tama County's handbook with the approval of the Board of Supervisors.

This handbook replaces all employee handbooks and amendments issued prior to the date of this handbook. Documents issued prior to this date should be discarded.

## **AT-WILL EMPLOYMENT**

Tama County is an "at will" employer and Tama County employees are "at will" employees. That means that as a Tama County employee, your employment is voluntarily entered into and you are free to resign at any time for any reason. Tama County is also free to end its employment relationship with you at any time for any reason but a prohibited reason. While it is hoped that your employment with Tama County is long and mutually beneficial, neither you nor Tama County has entered into any contract of employment, either stated or implied. The employment relationship between you and Tama County is and will always be one of voluntary employment at-will.

## **ESTABLISHMENT OF DEPARTMENTAL RULES**

Individual departments and autonomous boards may establish rules for the purpose of handling personnel matters applicable to the specific department or autonomous board. Autonomous boards must submit any proposed changes in personnel rules to the Board of Supervisors for review and comment prior to the autonomous board taking action. These rules shall not conflict with the personnel rules established by the County. The departmental head, upon establishing these rules, will distribute a copy to the Board of Supervisors and all covered departmental employees. All newly hired employees must be furnished with a copy of the special departmental rules at least by the time the individual is hired.

# **GENERAL EMPLOYMENT POLICIES**

## **EQUAL EMPLOYMENT OPPORTUNITY & ANTI-DISCRIMINATION**

Tama County is an equal opportunity employer. No applicant for employment or any employee shall be subject to discrimination on the basis of race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, service in the military, or any other protected characteristic. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, discharge, layoff, recall, transfer, leave of absence, compensation, and training. No question in any examination, any employment form or document, or in any other personnel proceeding shall be so framed as to elicit information concerning the political or religious opinions of any applicant or employee.



## **ANTI-HARASSMENT POLICY**

Tama County strives to maintain a working environment free from all harassment, including sexual harassment, by management personnel, by co-workers, and by others with whom the employee must interact in the course of work as a County employee. Tama County expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex (whether or not of a sexual nature including same gender harassment and gender identity harassment), gender, sexual orientation, national origin, age, genetic information, disability, veteran status, or any other protected characteristic. Harassment is a form of misconduct that undermines the employment relationship, has the purpose and effect of unreasonably interfering with an individual's work performance, and/or creates an intimidating, offensive, or hostile work environment. Actions that may create a non-sexual hostile environment include but are not limited to:

- Use of racially derogatory words, phrases, epithets
- Demonstration of a racial or ethnic nature such as the use of gestures, pictures or drawings
- Comments about an individual's skin color or other racial/ethnic characteristics
- Making disparaging remarks about an individual's sex, gender, sexual orientation, or gender identity
- Negative comments about religious beliefs (or lack thereof)
- Expressing negative stereotypes about an employee's birthplace or ancestry
- Negative comments about an employee's age
- Derogatory or intimidating references to a person's actual or perceived mental or physical disability

Sexual harassment, as one example of harassment, is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, because of an individual's sex, when:

- Submission to such conduct is an explicit or implicit condition of employment;
- Submission to, or rejection of, such conduct is used as the basis for employment decisions; or
- Such conduct has the purpose or effect of:
  - Unreasonably interfering with an individual's work performance, or
  - Creating an intimidating, hostile or offensive work environment.

Sexual harassment includes prohibited harassing conduct by members of the same gender.

Harassment in any manner or form by anyone is expressly prohibited. Improper interference with the ability of Tama County employees to perform their expected job duties is absolutely not tolerated. Any employee who experiences such activity should report it immediately to their supervisor, the Chairman of the Board, any member of the department governing board, the Human Resource Manager, or the County Attorney. All reported or suspected occurrences of harassment will be promptly and thoroughly investigated. Where harassment has occurred, Tama County will take appropriate disciplinary action, up to and including discharge.

### **A. RESPONSIBILITIES OF MANAGEMENT**

The Tama County Board of Supervisors will make every effort to see that our actions and those of our agents and department head employees are free from harassment of employees and applicants for employment and to take appropriate disciplinary actions in instances in which it learns of such harassment. The Tama County Board of Supervisors will also take appropriate disciplinary action in those instances where it, its agents or department head employees are aware of harassment of any employee or applicant for employment by any non-managerial employee. For the Tama County Board of Supervisors to fulfill its obligations, all levels of Tama County management and department head employees will:

- Affirmatively assure employees that all forms of harassment are expressly prohibited, that management will conduct a prompt investigation in a manner as discreetly and confidentially as possible concerning reported and suspected occurrences of harassment and that the Tama County Board of Supervisors will take appropriate disciplinary action.
- Inform your immediate department head or, if the allegation is against that individual, the Chairperson of the Tama County Board of Supervisors, of all reported or suspected occurrences of harassment in a timely manner. The Tama County Board of Supervisors will accommodate employees who wish to have their report given to someone other than the department head or the Board of Supervisors. All notices should be submitted in writing to the appropriate person.
- Reject any offer or promise of sexual or other favors made by any employee or applicant for employment in anticipation of, or in exchange for, some employment decision, and at the same time advise such employee or applicant for employment that such an exchange violates policy and will not be tolerated.
- Avoid harassment, including the appearance of such harassment, by refraining from actions, language, jokes and the display and/or possession of materials, such as posters or magazines, which contain depictions that create a hostile work environment.
- Not engage in retaliation against individuals who report incidents of harassment or who participate in an investigation of alleged harassment. Management will also take appropriate disciplinary action against individuals who engage in retaliation.

### **B. RESPONSIBILITIES OF EMPLOYEES AND CANDIDATES FOR EMPLOYMENT**

- Any employee or applicant who feels harassed or who knows of or suspects the occurrence of harassment is responsible for informing the department head or, if the allegation is against that individual, the Chairperson of the Tama County Board of Supervisors, of the facts regarding such harassment so that management may promptly conduct an investigation. The Tama County Board of Supervisors will accommodate employees who wish to have their report given to someone other than the department head or the Board of Supervisors. All notices should be submitted in writing to the appropriate person.

- Employees and applicants will reject any request of sexual or other favors made by the department head, superior or supervisory employee in anticipation of or in exchange for some employment decision and at the same time will report the request to the department head or, if the request is made by that individual, the Chairperson of the Tama County Board of Supervisors.
- Employees and applicants will avoid harassment, including the appearance of such harassment, by refraining from actions, language, jokes and the display and/or possession of materials, such as posters or magazines, which contain depictions that create a hostile work environment.
- Employees and applicants will not retaliate against individuals who report incidents of harassment or who participate in an investigation of alleged harassment. Employees will report any incidents of retaliation to the department head, or, if the allegation is against that individual, the Chairperson of the Tama County Board of Supervisors. The Tama County Board of Supervisors will accommodate employees who wish to have their report given to someone other than the department head or the Board of Supervisors.

### **C. DISCIPLINARY INFORMATION**

In the event an investigation reveals that an employee has engaged in any form of harassment, management will take appropriate disciplinary actions upon their discretion, up to and including discharge for repeated or extremely serious violations. Examples of extremely serious violations of this policy include, without limitation:

- Using the power or authority of a position to explicitly condition an employment decision upon the response of an employee or applicant for employment to a request for sexual or other favors; and
- Abusive physical actions to obtain sexual or other favors.

### **AMERICANS WITH DISABILITIES ACT**

Tama County is subject to the provisions of the Americans with Disabilities Act and Iowa Code Chapter 216. It is the County's policy to comply with these provisions and to not discriminate against any qualified job applicant or employee with respect to any terms, privileges, or conditions of employment because of that person's disability. In compliance with the ADA, the County will consider reasonable accommodations that do not pose undue hardship to the County to enable qualified applicants or employees with disabilities to perform the essential functions of a particular position. The County encourages applicants or employees to make reasonable accommodation requests to the Human Resource Manager.

## **GINA COMPLIANCE**

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to a request for medical information. “Genetic information” as defined by GIAN, includes an individual’s family medical history, the results of an individual or an individual’s family members’ genetic test, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

## **VETERANS PREFERENCE**

Any honorably discharged veteran, as defined in Chapter 35C or Chapter 400.10 of the Code of Iowa shall be entitled to preference in appointment, employment, and promotion over other applicants of no greater qualifications.

## **RECRUITMENT**

All departments with employees that are paid with a Tama County payroll check are to address personnel matters through Human Resources. Upon approval of adding staff or filling a vacant position the Department Head will contact Human Resources and make them aware of the intent to hire and involve Human Resources in the process, or no additional staff will be approved. As well, Human Resources will be involved in disciplinary action and/or termination of employees. Department heads will follow the County’s hiring policy, process and associated requirements.

Pursuant to Iowa Code § 35C.1, whenever a position becomes available, a notice of such opening will be posted on the official Tama County bulletin board for no less than ten (10) days. The notice will also be published in the Tama County designated newspapers. Human Resources will contact the designated newspapers to publish the opening.

Job postings shall include the job title, salary range, location, and method of making application, closing date for receiving application, minimum qualifications, any special requirements, and any selective certification requirements. All job postings shall include a statement indicating that Tama County is an equal employment opportunity employer. All full time, part time, occasional, seasonal, and any other job position open shall have a 10-day posting of that position. Social media posting is also encouraged.

Secondary Roads: All open job positions will be posted in every shop/shed for at least 10 days. Current employees shall be able to apply for a different job position by filling out a Tama County Application. If a current employee is hired to fill a vacant position, then their position must be posted according to Tama County’s recruitment policy.

**A. APPLICATION POLICY**

Applicant information shall be on the application form prescribed by the Human Resources Department. The Human Resource Manager may request an applicant to submit documentary evidence of the possession of any license, certificate, degree, or other evidence of eligibility or qualifications to satisfactorily perform the essential duties of the job classification with or without a reasonable accommodation.

The Human Resources Department may at any time verify statements contained in the application and seek further information concerning an applicant's qualifications. If information is obtained which affects or would have affected an applicant's qualifications or status (if already employed), the department head and/or Human Resource Manager shall make the necessary adjustment or take other appropriate action, up to and including discharge.

All applications must be designated for a specific position or job title and must be received during the designated posted period. The department head or Human Resource Manager may refuse to place an applicant as eligible for an unlimited period or refuse to appoint an applicant for a job classification if it is found that the applicant:

- Does not meet the minimum qualifications or special requirements for the job class or position as specified in the job description, administrative rules, or law or as documented through the essential functions of the job.
- Is physically or mentally incapable of performing the essential functions of the job classification or position and a reasonable accommodation cannot be provided.
- Has knowingly misrepresented the facts relative to the application, test certification, appeal or any other facets of the selection process.
- Has used or attempted to use coercion, bribery, or other illegal means to secure an advantage in the application process.
- Has failed to submit the application within the designated time limits.
- Has been convicted of a crime that is shown to have a direct relationship to the duties of a job class or position.
- Was previously discharged from a position within Tama County.

**B. EMPLOYMENT OF RELATIVES**

The County normally does not permit the employment of two (2) or more members of the same immediate family in the same department. Current employees with family members working for Tama County will be excluded from this policy. Immediate family for purposes of this paragraph shall be defined as parents (in-law), spouse/domestic partner, child, grandparents, grandchildren, and siblings. Exceptions to this policy may be granted at the discretion of the Board of Supervisors.

Department heads are prohibited from hiring or appointing any person from their immediate family, as defined above, for employment with the County.

Elected officials are subject to Chapter 71.1 of the Code of Iowa regarding the hiring of relatives.

If an immediate supervisory relationship between immediate family members is created by marriage or similar circumstances, the employees will be given the option of deciding who will transfer, if possible, or who will terminate employment. If the two employees cannot make the decision in a timely manner, length of service in the department will be the deciding factor and the least senior employee will be transferred, if possible. Otherwise, the employment of the least senior employee will be terminated.

This policy applies to all categories of employment, including full-time, part-time, and temporary classifications, in all County departments. Only employees engaged in an immediate supervisory/subordinate relationship with a relative as defined in the policy on or before the effective date are exempt from this policy. Elected officials and management shall also comply with the restrictions on hiring close relatives set for them in Iowa Code Chapter 71.

## **MEDICAL EXAMINATION FOR CONTINUED EMPLOYMENT**

Employees in certain job classifications may be required to have a medical examination, whether a periodic physical or mental exam, when necessary to determine if they are still able to perform the essential functions of their position. Employees may also be required to complete fitness for duty examinations required by federal, state or local law or County policy as a condition of continuing employment. Also, voluntary medical examinations may be conducted as part of the County's employee health programs. The cost of such examinations when required by federal/state law or departmental policy shall be paid by the Employer under conditions prescribed by the Employer.

Employees seeking to return to work following an illness or injury that may affect the employee's ability to perform essential job functions or that may create safety concerns may be required to complete a fitness for duty examination. The department head/governing board, in consultation with the Human Resources, may require a returning employee to submit to a job-related medical examination when necessary to determine if the employee is still able to perform the essential functions of the employee's position, and to any fitness for duty examinations required by federal, state or local law or County policy.

A required medical examination is a condition of employment. Failure to submit to a medical examination requested by the County may be grounds for disciplinary action, up to and including discharge. All medical information collected by the County will be maintained in a confidential, locked file separate from other personnel files.

## **INVESTIGATIONS**

All employees are required to fully cooperate with any member of management who is conducting a work-related investigation. Providing dishonest, misleading, inaccurate, or knowingly incomplete information in the course of an investigation may subject the employee to disciplinary action.

Impeding, obstructing, or failing to cooperate with an inquiry or investigation conducted by any member of management may also result in disciplinary action. "Obstructing" includes, but is not limited to, threatening, intimidating, or coercing other individuals who may be contacted by management, and discouraging other individuals who may be

contacted by management from responding to or cooperating with management. “Failing to cooperate” includes, but is not limited to, failing to provide information, documents, or materials requested by management, and providing information, documents, or materials to management that are dishonest, misleading, inaccurate, or incomplete.

## **EMPLOYEE RECORDS**

Tama County will only collect personal information that is required to conduct its operations and comply with the applicable reporting and disclosure requirements. Tama County will do what it can to protect confidential employee information, including maintaining the employee’s personnel file and medical file separately.

### **A. PERSONNEL FILE**

The following information, when previously furnished or subsequently collected in sum or in part, is to be included in the employee’s personnel file. Such documents shall be subject to the employee’s access and disclosure consistent with County policy.

1. Records used in deciding such employment actions as hiring, promotions, salary increases, disciplinary actions and discharges;
2. Records relating to an employee’s past and present compensation;
3. Records consisting of information provided by, or signed by, the employee; and
4. Any non-sensitive information and records kept in the files, including but not limited to:
  - a. Job descriptions,
  - b. Evaluations,
  - c. Training records,
  - d. Merit/seniority information,
  - e. Applicable wage scales or references thereto,
  - f. Applicable collective bargaining agreements, or in the rare case when one exists, an individual employment contract,
  - g. Basic employee data such as name, address, social security number, gender, date of birth, job classification or identification number,
  - h. Work authorization I-9 or work permit,
  - i. Tax documentation,
  - j. Benefit records and benefit plan descriptions, and
  - k. Disclosures to the IRS, the Department of Labor, or any other governmental agency.

### **B. EMPLOYEE’S DUTY TO MAINTAIN RECORDS UPDATED**

Any changes in name, marital status, withholding tax exemptions, address, or telephone number should be reported promptly to the appropriate department’s payroll and the Human Resources department.

### **C. MEDICAL FILE**

All medical records of an employee are considered confidential and will be collected and maintained by the Tama County Auditor's Office. Confidential health information will be kept separate from the employee's personnel file. These medical files should include employee's medical records from physicians, including return-to-work and absence excuses. These records will be maintained in a locked file separate from the other personnel files. Confidential health information will only be shared when necessary:

1. To determine reasonable accommodations necessary to allow you to perform the essential functions of your job;
2. To emergency/medical personnel who may be called upon to provide emergency treatment,
3. Contractors of Tama County when the information is necessary for the performance of their services, and
4. With government officials investigating our compliance with the law.

**D. ACCESS AND CONFIDENTIALITY OF EMPLOYEE RECORDS**

Employee records are confidential, pursuant to Iowa Code 22.7(11). Employee records shall be maintained by the Auditor's Office. Each employee is free to examine their own records subject to Iowa Code 91B.1 and the following provisions:

1. The confidentiality and integrity of employee records and files should be protected by an adequate security system.
2. Internal access to personnel files should be strictly limited to those who have a legitimate "need to know".

Except otherwise provided by law, e.g., Fair Credit Reporting Act, external disclosure of employee information without their permission to third parties should be limited and tightly controlled. Confirmation that the person is a present or former employee and job title last held will in most cases will be sufficient.

- Employees may make copies of documents from their files with a total cost of up to \$5.00.
- In official investigations, law enforcement officials are required to produce a valid subpoena before releasing any background information about the employee.
- An employee will be permitted to designate a representative to examine their files only with written consent.
- An employee may write a refutation to any material that is in the file that is viewed as unfair or inappropriate, i.e., performance evaluations that have been prepared but not reviewed by the employee.



- A person designated by the Auditor shall be available during normal business hours to provide the employee with access to their file and safeguard against potential removal or alteration of file contents.

Any concerns or complaints regarding the disclosure of confidential information should be referred to the Human Resource Manager as soon as an employee becomes aware of the disclosure.

#### **E. INFORMATION EXCLUDED FROM EMPLOYEE RECORDS**

Restricted information relating to an employee assistance program (drug and alcohol abuse), third-party reference checks, criminal and civil investigations, arrest records, political affiliation, credit/financial problems and related sensitive information shall not be kept along with the employee records.

### **EMPLOYEE CLASSIFICATIONS AND RELATED DEFINITIONS**

1. Employee  
All persons who receive wages or salaries from the County.
2. Regular Full-Time Employee  
To be classified as a full-time employee, the employee must be scheduled to work a minimum of 37.5 hours per week/one thousand nine hundred fifty (1950) hours per year. The employee shall be paid an hourly or a monthly salary. Such employees may be exempt or nonexempt under the Fair Labor Standards Act (FLSA) as described below. Full-time employees are eligible to participate in any of the County's benefit programs, and can earn or accrue leave, such as vacation leave or sick leave.
3. Regular Part-Time Employee  
Part-time employees are permanent employees regularly scheduled to work fewer than 37.5 hours per week. Such employees may be exempt or nonexempt under FLSA. Part time regular employees are not eligible to participate in any of the County's benefit programs (with the exception of certain part-time employees being eligible for health insurance benefits), nor can they earn or accrue leave, such as vacation leave or sick leave. Employees who regularly work thirty (30) or more hours per week are eligible for the same health insurance benefits as full-time employees pursuant to the Affordable Care Act.
4. Temporary/Occasional Employee/PRN  
An employee who will accumulate less than 1950 hours per year or is hired full-time for a position lasting 120 consecutive calendar days or less shall be considered an occasional employee. Temporary/Occasional employees are not eligible for any benefits received by other employees but are subject to the same work rules governing full-time employees. All help that is hired on a full-time basis but only for a temporary period of time shall be limited to a maximum of 120 consecutive-calendar-days appointment. The temporary/occasional employee will be limited to working an average of less than thirty (30) hours per week for the period beginning June 1 each year and ending May 31 of the following year.

It will be the responsibility of each department head to assure that all temporary/occasional employees average less than thirty (30) hours per week during each look back period (June 1 – May 31).

5. Exempt Employees

Exempt employees are classified as Executive, Administrative, or Professional by the FLSA and are exempt from overtime provisions due to the nature of the work they perform. Exempt employees shall not receive overtime or compensatory time either in the form of pay or time off. The department head may grant reasonable time off, when they feel it is warranted. Exempt employees are paid an annualized salary, may work at multiple locations, and are not eligible for overtime pay or any other financial remuneration regardless of the number of hours worked to accomplish their assigned duties.

6. Non-Exempt Employees

A non-exempt employee is one who is covered by the overtime provisions of the FLSA and is eligible to receive overtime compensation.

Any time worked in excess of forty (40) hours per week must be pre-approved in writing by the employee's department head. Any overtime worked shall be compensated either by one and one-half (1 ½) times the employees' normal hourly rate or the equivalent amount in compensatory time.

7. Probationary Period

A new employee shall serve a probationary period of six (6) months. Said period may be extended by the department head. Full time employees will receive health insurance and holidays (including floating holiday) after the first sixty (60) days of employment. Sick leave will begin to accrue after the first sixty (60) days. No vacation is earned until after the employee has reached their one-year anniversary date.

The probation period for all new employees is an integral part in the determination of their continued employment with the County. During this period, the department head may evaluate the employee's work performance as well as adjustment to their new position.

The department head may terminate the employee at any time, for any lawful reason during an employee's probationary period, without recourse of an appeal with the County system. At the end of the probation period, the employee will be evaluated and if necessary extended for an additional three (3) months if deemed appropriate by the department head.

8. Employer

Tama County, Iowa, acting through the Board of Supervisors, elected officials, or other persons designated by the Board of Supervisors to act on its behalf.

9. At-Will Employees

Employment with Tama County is voluntary. This means it is for an indefinite time and is terminable at any time, with or without cause shown by the Employer, or at completion of a special grant or project. An exception to this provision requires the existence of a written contract between the employee and the County,

signed by a designee of the Board of Supervisors. Nothing in these policies or in other rules or policies adopted by the Board of Supervisors shall in any way be construed as creating an employment contract, either express or implied.

10. Retired

For purposes of these policies, the word “retired” shall be construed to encompass employees who fit the definition of “retired” under Iowa Code Section 97B.45.

## **EMPLOYMENT POLICIES**

### **ASSIGNMENT OF DUTIES**

The responsibility for assigning duties to employee’s rests with the department head or the authorized elected official. Suggestions for improvements in procedures or methods of work are welcome and should be made to the department head.

### **ACCEPTANCE OF GIFTS**

Employees shall not accept personal gifts as a result of their employment with the County of a value greater than allowed by the Code of Iowa.

### **OUTSIDE EMPLOYMENT**

An employee shall not become involved in any activity that impairs attendance or efficiency in the performance of their duties as an employee of Tama County. An employee shall not engage in any employment, activity, or enterprise which is inconsistent, incompatible or in conflict with their duties as an employee of Tama County.

### **HEALTH AND SAFETY**

All employees should follow the guidelines for health and safety.

- Articles of clothing worn must not be so loose fitting or torn that the clothing is likely to become caught in machinery or moving equipment.
- All employees are required to use seat belts properly in all County equipment having seat belts.
- All employees shall report all injuries, no matter how slight, to their immediate supervisor at once.
- All employees shall report any unsafe conditions, unsafe work procedures or acts to their immediate supervisor.
- All employees shall learn the safe way to do their job before they start. If an employee is not sure that they thoroughly understand the job, they should ask their immediate supervisor for additional information.

- All employees shall use the proper method for lifting materials: keep back straight, bend knees and lift with their legs. All employees shall get help if the load is heavy or awkward.
- An employee shall use all safety devices provided for personal protection.
- All employees when driving County vehicles shall follow all laws of the road, including but not limited to applicable speed limits.

It is the responsibility of each and every employee to ensure that all tasks be conducted in a safe and efficient manner complying with all local, state and federal safety and health regulations. Failure to follow Tama County's Health and Safety procedures as set forth in this handbook or the Tama County Safety Manuals, or engaging in conduct that places the employee, volunteer, client or agency property at risk may lead to employee disciplinary action pursuant to Tama County's progressive discipline policy. Tama County reserves the right to use the disciplinary action it deems appropriate in any situation, up to and including discharge.

## **LAYOFFS**

Except for emergencies, such as equipment breakdown or weather, an employee who is to be laid off for more than one (1) week will be given a five (5) day written notice prior to the layoff.

No notice will be needed for layoffs of a shorter period caused by lack of work, equipment breakdown, weather, etc.

While on layoff, an employee is not eligible for paid holidays or any other benefits. Vacations, sick leave and seniority do not accrue during a layoff. An employee may continue insurance benefits at their own expense, in accordance with applicable laws.

## **REDUCTION IN WORKFORCE**

Except as provided below, a layoff shall be required when the department head/elected official permanently reduces the number of employees or number of hours worked by regular full-time employees. Reduction in force shall be by job class and may be by designated unit, or department wide as determined by the department head/elected official. No reduction in force shall be implemented until all temporaries and then probationary employees have been terminated. The plan for reduction in force shall be developed by the department head and/or elected official and shall be posted. Employees who are affected shall be given a minimum of ten (10) days advance notice unless budgetary or other valid considerations require less time.

Recall shall be in inverse order of reduction if the employee is qualified to perform the work available and accepts the position. Recall rights shall expire one (1) year from the date of layoff.

Employees in bargaining units will follow the appropriate procedures for staff reduction identified in the negotiated collective bargaining agreement.

## **JOB ABANDONMENT**

An employee who is absent from duty for two (2) consecutive working days without notifying their department head/elected official will be deemed to have resigned. The department head shall not grant renewed employment unless in their discretion, a justifiable reason can be produced explaining the period of absence.

## **GRIEVANCE PROCEDURE**

The grievance procedure has been established to ensure a systematic means of obtaining further consideration of problems after every reasonable, informal means of discussion has failed. Grievance procedures apply to all employees who have completed their probationary period.

The Grievance Procedure applied to decisions or conditions affecting employment which are under the complete or partial jurisdiction of the Board of Supervisors and not specifically covered by law or other rules or policies set in writing. These decisions or conditions may include alleged poor working conditions, unjust application of discipline, or the unfair interpretation or application of County or departmental rules and regulations by a department head.

- Individuals involved with a grievance procedure may discuss the issue during the working day with involved individuals but without payment if discussions extend beyond the employee's normal working hours.
- An employee must be notified far enough in advance of any hearing so that the employee may make arrangements to attend the hearing.
- Employees may have a representative or consultant with them during their appeal proceeding.
- Any employee may file a grievance or complaint without fear of jeopardizing their position.
- The aggrieved employee and all County-employed witnesses shall be granted time off with pay to attend a hearing, if the occasion arises.
- If an employee terminates their employment by their own volition, they waive all rights to appeal such action.
- The timetable for a particular grievance procedure may be changed on mutual consent of the employee and the reviewer.
- Any employee found by the grievance procedure to have been wrongfully disciplined, suspended or discharged shall have the discipline adjusted appropriately.

## **A. PROCEDURE**

An employee with a problem or complaint should first discuss it with their immediate supervisor and or department head. If unable to reach a compromise or resolution, the employee may submit a formal grievance. The following procedures should be implemented in an attempt to resolve the dispute.

The formal grievance shall be filed in writing with the employee's immediate supervisor and or department head within seven (7) calendar days after the alleged grievance occurred, or within seven (7) days after one could reasonably be expected to have knowledge of the grievance. (If the grievance is with the immediate supervisor and or department head, an employee may present their grievance to the Human Resources).

1. Upon receiving the employee's grievance, the supervisor and or department head has five (5) calendar days in which to give the employee a written statement defending their position or action.
2. If the employee does not agree with the decision of the supervisor and or department head or does not receive a reply within five (5) calendar days, the employee may present a written grievance to the Human Resources. (If there is no immediate supervisor, and the grievance is with the department head, then an employee may present their grievance to the Human Resources Department).
3. Failure of the employee to take further action within seven (7) calendar days after receipt of the written decision from their supervisor and or department head, or within seven (7) calendar days after the written decision should have been issued, will constitute the withdrawal of the grievance.
4. On receiving an employee's grievance, the department head, or Human Resources Department when applicable, shall review the grievance and render a written decision not more than seven (7) calendar days.
5. During this time, the department head may contact all individuals associated with the grievance, conduct interviews, and obtain all needed information.
6. If the employee does not agree with the decision reached, or if the employee does not receive a response within seven (7) calendar days of submitting the written grievance to the department head, or Human Resources Department when applicable, the employee may present a written appeal to the Board of Supervisors.
7. Failure of the employee to take further action within seven (7) calendar days after they have received the decision, or should have received a decision, from their department head or Human Resources Department when applicable, will constitute withdrawal of the grievance.
8. Upon receipt of the written appeal, the Board of Supervisors or their representative should discuss the matter with the employee, their

representative if applicable, the employee's immediate supervisor, and any other individual who has knowledge of the matter.

9. Upon completion of these discussions, the Board of Supervisors shall either render a decision or institute a fact-finding committee to advise the Board of Supervisors on its decision.
10. In either case, the Board of Supervisors shall issue a written decision within fourteen (14) calendar days after receipt of the written appeal. The decision of the Board of Supervisors is final.
11. If the Board of Supervisors sets up a fact-finding committee; the membership shall consist of three (3) members. The Board of Supervisors shall select two (2) department heads who are uninvolved in the dispute, and the grieving party will select the third (3rd) member, who shall be an employee of the County.
12. If an employee is a part of the Health Department, the grievance shall be appealed to the Board of Health for their review and final decision.
13. If the employee is part of the Conservation Department, the grievance shall be appealed to the Conservation Board for their review and final decision.
14. If an employee is a part of the Veteran Affairs Department, the grievance shall be appealed to the Veteran Affairs Board for their review and final decision.

## **POLICY ON POLITICAL ACTIVITY**

Employees may participate in or contribute to the election or appointment of public officials. Political activity, however, must not interfere with normal work duties. No County employee will be coerced or compelled to take part in political campaigns to favor the appointment or election of candidates for any office. Leaves of absence, without pay, may be granted to any person that becomes a candidate for elective office or works for such a candidate. No political activity shall take place on county premises and no county equipment shall be used for political activity.

## **SMOKE-FREE WORKPLACE**

The Iowa Smoke Free Air Act prohibits smoking in all public buildings. State law also prohibits smoking in County-owned vehicles. Smoking in Tama County property, except for designated smoking areas, will result in disciplinary action. Tobacco-free facility and grounds signs shall be posted in building entrance and all vehicles. Smoke-free means no tobacco/nicotine products including but not limited to cigarettes, electronic cigarettes, cigars, chewing tobacco, snuff, pipes or any other such product or device.

## **SEVERE WEATHER**

In the event a county office closes due to weather conditions, or if the National Weather Service issues a severe storm warning for Tama County, employees will be allowed to take vacation, compensatory time, a floating holiday, or no pay as compensation for wages lost due to not being at work. If the County Office remains open, employees who feel the need to leave work for their safety or the safety of their family must request the leave from their department head.

Decisions regarding when county offices will remain open will be made as follows: The decision regarding the County Administration Building will be made by the Tama County Auditor and the decision regarding all other buildings will be made by the individual department head, since some departments are unable to close due to the nature of their job duties. Each department head working in the Administration Building may contact the County Auditor to check on the status of the building, allowing them the opportunity to contact their employees. In the case of a closing, the employees will be required to take leave as stated above in order to be paid for the time not worked. Decisions regarding allowing employees to work when the building is closed will be made at the discretion of the individual department head.

## **RESIGNATIONS**

As at-will employees, Tama County employees may resign at any time. However, failure to provide proper notice may affect the employee's rehire status. Proper notice of resignation must be submitted in writing to the employee's immediate supervisor stating the reason for resigning and the separation date within the following timelines:

- Department heads, managers, supervisors – four (4) weeks.
- Other exempt employees – three (3) weeks.
- Non-exempt employees – two (2) weeks.

All compensation and fringe benefits accrued (i.e., unused compensatory time, and vacation time) up to the resignation date will be paid to the employee. All insurance benefits including health, life, and dental will end on the effective separation date as determined by the Board of Supervisors. An employee who gives notice of resignation or retirement shall have approval of department head to use vacation or comp time during the final two (2) weeks of employment.



# **WAGE & HOUR POLICIES**

## **WORKWEEK**

The normal workweek for full-time employees shall consist of five (5) eight-hour (8) days (37.5 elected officials) as set by the department head. The normal workweek will be from Monday to Sunday. Nothing in this document shall be construed as a guarantee of hours of work per day or days of work per week. Determination of daily and weekly hours of work shall be made by the County. The times and arrangements for lunch and rest periods may vary, depending on the nature of the work being performed and will be granted at the discretion of the immediate supervisor.

## **REST PERIODS**

One (1) fifteen-minute (15) break is allowed during each one-half (1/2) workday.

An employee who is nursing a child up to one year old may take a break for a reasonable period of time for the purpose of expressing breast milk any time she needs to express milk. Tama County will make a location available to the employee (other than a bathroom) that is shielded from view and free from intrusion from coworkers and the public for purposes of expressing milk. If a suitable location cannot be identified for a nursing mother in a particular location, please contact your department head as soon as possible to discuss viable alternatives.

## **OVERTIME AND COMPENSATORY TIME**

All non-exempt employees who work in excess of forty (40) hours in any workweek shall be compensated at a rate of one and one-half (1 1/2) hours for each hour of overtime worked. All overtime requires pre-approval of the employee's department head or the employee's supervisor. At the discretion of the department head, employees may receive compensatory time at a rate of one and one-half (1 1/2) hours off for each hour of overtime worked, up to eighty (80) hours, in lieu of overtime pay. Once an employee has eighty (80) of compensatory time, additional overtime will be compensated monetarily. (Exception: Secondary Roads receive 2 times pay on Sundays)

Vacation time, sick leave, funeral leave, holidays, and compensatory time shall not be counted as working time for the purpose of determining overtime. Except for emergencies, any work in excess of the normal work period must be approved in advance by the employee's immediate supervisor.

Occasionally, an employee may need to work through their lunch break due to lack of staff or special working assignments. However, this is not to be done on a regular basis working through the lunch break to accumulate compensatory time is prohibited.

## **WORKING OFF THE CLOCK**

Tama County prohibits any non-exempt employee from working “off the clock”.

## **PAY PROCEDURES**

All Tama County employees are paid every other Friday according to the schedule compiled by the Auditor’s Office. Hours worked shall be reported to the Department Heads by Monday at noon following the completed two-week work period. Department Heads shall have employees time approved by Tuesday noon following the completed two-week period. Direct deposit of payroll checks is mandatory.

## **WAGE POLICY**

Tama County maintains an equitable method of awarding wages based on education, experience, and complexity of job.

- Wage Scale:  
Each position is assigned a pay grade and corresponding base wage. Employees who meet the minimum requirements of the position are placed at the base wage. Increases in pay grade may be awarded for education, experience, and certifications beyond the minimum requirements. The Human Resource Manager reviews and makes recommendations for changes in employee wage scale. Employees may move grades on the wage scale as a result of an annual performance appraisal or by obtaining additional education and certifications.
- Pay Upon Promotion:  
Employees promoted to a different position shall be assigned to the pay grade that is equal to one grade higher than the equivalent of the current position’s pay grade in the new position’s wage scale, or to the entry level of the new position’s wage scale, whichever is greater. At the discretion of the department head, the newly promoted employee may be placed in the introductory phase for up to six (6) months.
- Pay Upon Transfer:  
Transfers are lateral moves from one department to another to a job with similar job duties and requirements. There are no grade increases with a lateral transfer. The employee could be placed in the introductory phase for up to sixty (60) days.
- Pay for Extraordinary Duties:  
The employer may authorize a one (1) pay grade increase for an employee who is assigned to perform duties not normally assigned to a position in that job class. The increased pay will continue only as long as extraordinary duties are performed.
- Cost of Living Increases:

An annual cost of living percentage increase may be awarded as approved by the Board of Supervisors. The effective date will be the following July 1<sup>st</sup>.

## **PAYROLL DEDUCTIONS**

Federal and state income tax withholdings are made routinely on the basis of the number of exemptions claimed by the employee. Additional deductions shall be made for Social Security tax, IPERS, and applicable health insurance premiums. All court-ordered wage garnishments will be deducted from the employee's pay and forwarded to the proper authority. Further deductions from an employee's paycheck may be made upon an employee's written request and with the consent of the Board of Supervisors. All requests made by the employee concerning payroll deductions must be kept on file.

## **LONGEVITY**

Longevity is a reward for non-exempt employees' long-term service to the County. Longevity will be added as part of the employee's hourly rate on the employee's anniversary date as follows:

Years of continuous service completed	Increase per hour	Total
5 years	\$0.25	\$0.25
10 years	\$0.05	\$0.30
15 years	\$0.05	\$0.35
20 years	\$0.05	\$0.40
25 years	\$0.05	\$0.45
30 years	\$0.05	\$0.50
35 years	\$0.05	\$0.55

Elected officials and department heads are not eligible for the Longevity benefit.

Longevity is a reward for full-time employees. Part-time employees hired before July 1, 2010 are eligible to receive Longevity.

## **LOST CHECKS**

If an employee has lost their check, the employee should immediately report the loss to the Auditor's office. The procedure for issuing a new check will be explained to the employee upon notification.

## **TRAVEL AND TRAVEL EXPENSES**

Employees using their personal vehicle for County business will be reimbursed at the mileage rate set by the Board of Supervisors upon the submission of a properly completed request for reimbursement. Use of a personal vehicle for county business must be pre-approved by the department head.

Employees will be reimbursed for the costs incurred for lodging, meals according to the policy, and other modes of travel that are required for out-of-County conferences and meetings will be reimbursed. Itemized receipts for travel, lodging and meal expenses must be presented for reimbursement within thirty (30) days of returning from the event. There will be no reimbursement for alcohol. Any employee of the County who is required to travel by air shall be authorized to travel only on coach accommodations. However, if these accommodations are not available and the department head or governing board must determine whether it is important that the employee travel at that time and should be allowed to accept the available accommodations.

## **EDUCATION**

The Board of Supervisors encourages the development of each employee to their fullest potential. One mean of attaining this goal is through education. Participation in, and successful completion of, special training programs and job-related courses will be considered for promotions. Evidence of successful completion should be submitted to the department head and be placed in the employee's personnel file.

## **TRAINING**

Employees desiring to attend instructional meeting or training opportunity must receive prior approval from the department head or governing board. The instructional meeting or training opportunity must be beneficial for the employee and improve an operating efficiency of the department. The County will reimburse the County employee for all reasonable travel expenses, meal tickets and registration fees charged for pre-approved opportunities. Meals will be reimbursed up to the amount allowed by the meal reimbursement policy. Itemized receipts are required for reimbursement. The Board of Supervisors may approve an increase in funding in exceptional or unusual cases where funding has not been appropriated or where extra funding is needed.

## **OFFICIAL BUSINESS OUTSIDE THE COUNTY**

Travel outside of the County for County business must be approved in advance by the department head or governing board. Reasonable expenses for food, travel, tuition and lodging incurred on official County business will be reimbursed within the guidelines adopted by the Board of Supervisors. However, discretion should be used with this expense privilege.

## **MEAL REIMBURSEMENT POLICY**

County employees may be reimbursed for their meals only when they are required to be out of Tama County on official business. Meal expenses shall be reimbursed as follows:

Full-Day: \$40.00, or Breakfast (\$10.00 or less), Lunch (\$13.00 or less), and Dinner (\$17.00 or less).

Employees required to be outside of the County or state for 24 hours or more are eligible for a daily reimbursement of \$40.00. (Deputies traveling out of Iowa will have a \$50.00 per day limit).

Meals served as a part of a registration fee for a seminar/training/conference are not eligible for independent reimbursement.

No meals will be reimbursed without an itemized receipt. Tips will not be reimbursed.

**A. PROCEDURE**

Reimbursements require an itemized receipt for the items to be reimbursed on the original receipt with the business name printed on it and must include the date and amount. Credit card receipts are acceptable if they are itemized to show actual items purchased. Also included must be the time of the day you depart and return to the County in order to determine eligibility for the meal reimbursement.

Reimbursement claims must be made within sixty (60) days of the expense. Any claims received thereafter will not be approved.

Tips/gratuities will be reimbursed on meals up to the allowable amount included in that particular meal. Alcoholic beverages will not be reimbursed.

**B. MEAL CHARGES ON COUNTY CREDIT CARD**

Credit card charges for meals will not be accepted for payment by the Tama County Auditor's Office if the meal charge exceeds the allowable reimbursement amount unless a Treasurer's receipt is attached to the claim showing that the employee has paid all amounts in excess of the allowable amount or either a personal check or cash for the excess amount is included with the claim. Any abuse of this policy will result in an employee losing their credit card privileges.

**PROMOTIONS (ELECTED OFFICIAL OFFICE)**

When an employee is promoted from one job classification to another job classification having a higher pay grade, the employee may, at the discretion of the department head, be placed in an introductory period for up to six (6) months. A regular full-time employee who vacated their position to accept a promotion and is rejected during the introductory period will be reinstated to their former position with no loss of seniority or benefits if such former position is then vacant and available.

## **DEPARTMENTAL TRANSFERS**

A departmental transfer is a lateral movement of an employee into another job in a different department within the County. Transfers, either voluntary or involuntary, will be granted by the department head or elected official. Employees transferring within the jurisdiction of the County, without interruption in service to the County, shall not lose any benefits and their anniversary date will remain the same.

A transferred employee will serve an introductory period of sixty (60) days. Inter-departmental transfers will normally require a two- (2) week notice prior to the official transfer unless otherwise agreed to with the appropriate department head. A regular employee who vacated their position to accept a transfer and is rejected during the introductory period will be reinstated to their former position with no loss of seniority or benefits, if such former position is then vacant and available.

There will be no transfers to or from 28E Departments.

## **EMPLOYEE BENEFITS**

### **ANNIVERSARY DATE**

An employee's anniversary date is established on the first day of full-time employment. The status of a re-employed person is that of a new employee and credit for previous service shall not be given. The anniversary date shall be used to calculate sick leave and other benefits.

### **HEALTH INSURANCE**

The County will pay the employer's share of the premium for each eligible full-time employee toward a Health and Major Medical group plan chosen by the County Board of Supervisors. The County's policy will cover the individual and all eligible dependents, subject to the appropriate coverage selection by the employee. A copy of the group plan will be provided to each employee. The employee's share of the premium will be deducted from the employee's paycheck.

Health insurance coverage commences after the employee has been employed sixty (60) days. Health insurance coverage ends on the day employment, or full-time appointment in the case of appointed officials, ends. Continuation of coverage through COBRA is available.

### **FLEX SYSTEM PLAN**

A Flex System Plan for a health care and dependent care savings cards is available through the County. All employees of Tama County are eligible to participate in the plan. An employee may enroll after the employee has been employed sixty (60) days, or at the startup of a new plan year. You must make your elections for each benefit in which you will be participating for the plan year. Employees will be furnished with an enrollment document showing allowable amounts to be saved.

The amounts selected will be deducted from the employee's paycheck over the period of the year. The employee will be responsible for all unfunded expenses during the plan year. In the event that an employee leaves employment with Tama County prior to fully funding their flex account, any amount left unfunded will be deducted from their final payroll check(s) and placed into their flex savings account. During the employee's retirement year, the elected amount of contribution cannot exceed the employee's contributed amount during their employment.

### **CONTINUATION OF HEALTH COVERAGE**

The COBRA continuation of coverage provisions applies to all Tama County employees and full-time appointed officials enrolled in the County's health care plan. Upon obtaining other health coverage, this benefit will stop.

#### **A. CONTINUED COVERAGE PROVISION (COBRA)**

In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), the County will offer covered employees, spouses, and dependent children the opportunity to continue their group medical coverage under the County's current plan if coverage terminates for one of the following events:

1. Death of the covered employee (36 months);
2. Discharge from employment for reasons other than gross misconduct (18 months);
3. Reduction in hours (18 months);
4. Divorce or legal separation (36 months);
5. Entitlement to Medicare by the employee (36 months);
6. A dependent child attaining the maximum age specified in the plan (36 months).

If the covered employee elects continued coverage and pays the applicable premium, the group medical coverage will continue for eighteen (18) months. If the covered spouse and child elect to continue coverage and pay the applicable premium, the group medical coverage will continue for a period of thirty-six (36) months for the following beneficiaries:

1. Widows
2. Divorced spouse
3. Spouses of Medicare eligible employees
4. Dependent children who become ineligible under the health plan.

Qualified beneficiaries who are determined to be disabled under the Social Security Act at the time they become eligible for COBRA continuation are entitled to coverage for up to twenty-nine (29) months.

The beneficiary must notify the Plan Administrator of the desire to continue coverage within sixty (60) days of the qualifying event. After the initial election, the beneficiary must remit the applicable premium to the County Auditor according to the Auditor's calendar for the following month's coverage. Delinquent payments of the premium may be grounds for terminating the continuation coverage.

#### **B. CONTINUED COVERAGE – 509A.13**

Employees who retire from Tama County before attaining sixty-five (65) years of age shall be allowed to continue participation in the Employer's Health/Medical plan for themselves and their spouse under the group contract at the employee's own expense. An employee who wishes continuation of such coverage must request it in writing within thirty (30) days of the date the group insurance would otherwise terminate. Employees shall pay premiums monthly in advance. Continuation of coverage shall terminate when the employee becomes eligible for Medicare or becomes covered by another plan. (Section 509A.13, Code of Iowa).

"Retired" for Iowa Code Chapter 509A purposes shall mean a voluntary separation from full-time employment with Tama County, Iowa by an employee entitled to participate and actually participating immediately prior to such voluntary separation, in the County's accident, health, or hospitalization insurance, health maintenance organization or other medical service plan, or has contracted with a health maintenance organization authorized



to do business in this state. The following individuals are **not** eligible for continued coverage under this section:

1. Any employee who fails to timely request to participate in continued coverage, in writing delivered to Tama County, Iowa;
2. Any employee who may qualify to receive any unemployment compensation benefit;
3. Any employee not otherwise entitled immediately prior to departure from employment to participate in any such County plan or who has refused or otherwise was not participating in such County plan immediately prior to departure from employment;
4. Any employee whose employment was terminated pursuant to lay off or whose County employment was terminated for good cause as determined by the County;
5. Any employee who voluntarily quit employment with the County without good cause as defined under any provision of Iowa Administrative Code §§ 871-24.25(subsections 1 through 8, 10 through 13, 16 through 23, or 25 through 38);
6. Any employee upon such employee reaching the age of sixty-five (65) years; and/or
7. Any employee who fails, regardless of reason or excuse, to timely make and deliver to Tama County, Iowa any required employee document, premium or other payment or any other plan participation required.

**C. PEACE OFFICER OR FIREFIGHTER IN THE LINE OF DUTY**

Pursuant to Iowa Code section 509A.13C, Tama County shall permit continuation of existing coverage or reenrollment in previously existing health coverage for the surviving spouse and each surviving child of an eligible peace officer or fire fighter. Tama County will fund the health insurance premium for three (3) months only until such time as the determination is made as to whether to provide a line of duty death benefit.

**BENEFITS UPON DEATH OR DISABILITY**

The beneficiary of a deceased or disabled employee will receive all monetary benefits accrued by the employee up to the time of death or disability (i.e., vacation time, overtime, salary). The employee's immediate family may continue County group health insurance through COBRA (See Continued Coverage COBRA in Tama County Health Plan).

**LIFE INSURANCE**

The County will pay the premium for each full-time employee towards a \$5,000 Term Life Insurance policy. This coverage terminates when employment terminates.

The insurance programs referred to in this handbook are subject to all terms and conditions of the contract with the insurance carrier.

## **RETIREMENT PLAN**

All full-time employees are required to enroll in the Iowa Public Employment Retirement System (IPERS). In IPERS, a certain percentage of income, determined by the Iowa Legislature, is deducted from an employee's gross pay. The County contributes a matching amount to the individual's fund.

## **ADDITIONAL VOLUNTARY SUPPLEMENTAL INSURANCE OPTIONS**

Additional voluntary supplemental insurances must have at least five (5) employees to start payroll deduction. The County will make available a payroll deduction plan for any employee wishing to subscribe to policies/benefits provided by designated companies. Payroll deduction of any premiums will be made from the first and second paychecks of the month.

## **VOLUNTARY DEFERRED COMPENSATION**

Any additional deferred compensation plan must have at least five (5) employees to start payroll deduction. Any eligible employee who regularly works thirty (30) or more hours per week or who receives a fixed annual salary may request that the Board of Supervisors, by contractual agreement, acquire through an employee's payroll deduction, an insurance contract, annuity contract, security or any other authorized deferred payment contract for the purpose of establishing a deferred compensation program for the employee. (Section 509A.12, Code of Iowa).

## **VACATION**

An employee's anniversary date shall be used to compute vacation leave and sick days. Employees resigning or terminated before they have completed one (1) year of continuous employment will not be eligible for any prorated vacation benefits. During the first year of employment, an employee is not eligible to earn pro rata vacation benefits. Part-time and temporary employees shall not be granted vacation pay.

All full-time employees shall be eligible for vacation on their employment anniversary date as listed below:

After one (1) year of service:	one (1) week
After two (2) years of service:	two (2) weeks
After eight (8) years of service:	three (3) weeks
After fifteen (15) years of service:	four (4) weeks

Employees who work forty (40) hours per week will be credited with forty (40) hours per week and employees who work thirty-seven and one-half (37 1/2) hours will be credited with thirty-seven and one-half (37 1/2) hours per week. An employee shall not accrue vacation leave during periods of temporary layoff, suspension, or leave without pay. The status of re-employed persons is that of a new employee and credit for previous service shall not be given.

With the department head's approval, up to one (1) week of vacation time may be accumulated and carried forward to the next year. Vacation may not be taken in advance of earning and employees may not waive their vacation right in order to collect both vacation and work pay. Vacation exceeding the one (1) week carryover at the employee's anniversary date will be lost. Upon separation from County service, an employee receiving vacation benefits and/or their estate shall be paid on a pro rata basis for all unused vacation left at the time of separation.

**A. VACATION PAY**

The rate of vacation pay shall be the employee's regular pay for the day or week for which they would have been regularly scheduled to work.

**B. CHOICE OF VACATION PERIOD**

Vacation requests should be received at least thirty (30) calendar days in advance, unless agreed to by the department head. The department head must approve vacations. The department head may require rescheduling of vacation when it is necessary for the efficient operation of the department. A vacation request of over fifteen (15) working days in a single continuous period is discouraged, except for those circumstances specifically approved by the employee's department head. When two (2) or more employees request vacation for the same period and not all can be spared from work for the same period, the department head will determine if the employee with the earliest request or the longest term of service will be granted preference as to vacation time.

**C. HOLIDAY DURING VACATION PERIOD**

Any employee on vacation extending through a holiday period shall not have those officially designated holidays charged against vacation leave.

**HOLIDAYS**

Full-time employees who have completed their probationary period are eligible for the following paid holidays:

- New Year's Day
- Presidents Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Day before Christmas
- Christmas Day
- One (1) floating holiday

When a designated holiday falls on a Saturday, the preceding Friday shall be observed as the legal holiday, and when the holiday falls on Sunday, the following Monday shall be observed as the legal holiday. In the case where the holiday falls on Saturday and the

preceding day is also a holiday (Friday), the following Monday shall be taken off for the holiday that fell on a Saturday.

**A. FLOATING HOLIDAY**

Floating holidays must be used in the same fiscal year it is earned. To obtain the floating holiday, an employee shall notify their department head prior to the day being taken. The amount of advance notice needed will be determined by the department head. If the leave places too much of a burden on the department at that time, the department head may require an alternate time. The floating holiday must be taken as a full day and may not be used by the hour.

**B. HOLIDAY PAY**

Full-time employees will be paid for each of the holidays set forth in this policy occurring during the period in which they are actively at work as specified below. Holiday pay will be at the base wage rate for the day or week for which they would have been scheduled to work. A non-exempt employee required to work on any recognized paid holiday shall be paid time and one-half (1 1/2) the employee's base wage rate for all hours worked, plus the paid holiday at said base wage rate

To be eligible for holiday pay, an employee must have worked the last full scheduled workday immediately before and the first full scheduled workday immediately after each holiday or have been on an approved paid leave. An employee on layoff or unpaid leave of absence is not eligible for holiday pay.

**C. RELIGIOUS HOLIDAYS**

It is the policy of the County to permit absence from work with compensation for employees who wish to observe religious holidays of their faith, providing previous arrangements are made with the department head/elected official establishing an alternative work time. If an alternative work period cannot be arranged, an absence will be charged to vacation or to leave without pay.

**SICK LEAVE**

All full-time employees shall earn eight (8) hours of sick leave per full calendar month of employment. Unused sick leave may be accumulated to a maximum of eight hundred (800) hours. Sick leave is income protection in case of illness. Use of sick leave for purposes other than those set forth in this policy may subject the individual employee to disciplinary proceedings up to and including discharge.

Sick leave may be taken in the following situations:

- For illness or injury to an employee which renders them unable to work.
- For medical or dental care for the employee dispensed by licensed practitioners and regular, established health care facilities, provided the same cannot be deferred until after working hours.
- For serious illness or serious injury to a member of the employee's immediate family, defined as their spouse, and children/step-children living at home. This shall be limited to time required for:

- Arranging for care and transportation of the seriously ill or seriously injured;
- Providing transportation for and accompanying the individual for emergency outpatient services;
- Providing transportation for and handling admission procedures for the individual going to the hospital;
- Being in attendance during surgery, child delivery or other times when the patient is in an “intensive care” condition;
- Providing transportation for and handling discharge procedures for the individual returning from the hospital.
- Being in attendance at the hospital for a minor child’s hospitalization.
- Taking a spouse, child living at home, and employee’s dependent parents for scheduled medical or dental care provided appointments cannot be made outside of working hours.
- Caring for an ill child at home.

Sick leave may not be taken for hospital visitations for situations not listed above.

**A. SICK LEAVE PAY**

Payment of accrued sick leave benefits will begin on the first day of absence, computed at the employee's regular pay. If a holiday falls within a paid sick leave, that day will be counted as a holiday and not as sick leave. Paid sick leave is a protection and is never to be considered as time off with pay or vacation time. Sick leave shall not be taken in advance of accrual. All sick leaves shall expire on the date of separation from the County and no employee shall be reimbursed for sick leave outstanding at the time of such separation. Sick leave MAY NOT be used to supplement workers compensation pay.

**B. SICK LEAVE DURING VACATION**

When an employee requests vacation time for a definite period and the request is granted, any period of illness during the period of such vacation shall be charged to sick leave upon the employee producing a written certificate from a practicing licensed physician, osteopath, chiropractor or dentist stating the duration of the illness and the time period that the employee would not have been able to work. The department head will then determine the number of days to be credited to the employee’s accrued vacation time, according to the practitioner’s statement.

**C. VERIFICATION OF SICKNESS**

A department head may require a written certificate from a licensed practicing physician, osteopath, chiropractor or dentist stating the reason for taking sick leave for one (1) day.

A department head may require a written certificate from a licensed practicing physician, osteopath, chiropractor or dentist stating the reason for taking sick leave. In the case of a sickness over three (3) days or any hospital admission, a brief written physician’s statement concerning the employee’s condition, expected date of return to the job, along with any applicable restrictions must be sent to the department head before an employee will be allowed to return to work.

**D. SICK LEAVE CONVERSION**

An employee who has accumulated eight hundred (800) hours of sick leave will continue accruing two (2) hours each month in an account, hereafter known as the sick hold, as long as the employee has the maximum accumulation. This “Sick Leave Conversion” is

offered as a reward for not using sick leave. Employees who have 800 hours of sick leave at the beginning of the month will get the two hours of sick hold as long as they have not used more than 8 hours during the calendar month.

The sick hold accumulated hours are not to be used for the purpose of sick leave and will not be considered as sick leave once they are put into the sick hold. The value of the hours in the sick hold will be paid to the employee annually on the first pay period of the new calendar year. For example, an employee who earns \$14.00 per hour and maintains the 800-hour accumulation for 12 months would be paid \$336.00 the first pay period after December 31. An employee leaving employment will be paid the value of the sick hold as part of their final paycheck.

#### **E. USE OF SICK LEAVE IN THE EVENT OF SOMEONE'S DEATH**

A maximum of 3-day sick leave will be allowed with department head approval for:

- Deaths in the employee's immediate family. For purposes of sick leave use, immediate family includes spouse, parents/step-parents, grandparents, spouse's parents/step-parents and grandparents, the employee's children/step-children, wards, siblings/step-siblings and employee's spouse's siblings.
- For any other funerals, if functioning as a pallbearer or assigned duties by the funeral director.

These 3 days of sick leave may be taken in addition to the Funeral Leave listed below.

#### **FUNERAL LEAVE**

In the case of the death of an employee's immediate family (defined as spouse, mother/father/step-mother/father, sons/daughters/step-son/daughter, granddaughter/grandson/step-granddaughter/grandson, and brother/sister and step-brother/sister, spouses parents), the Employer will pay for a maximum of three (3) consecutive scheduled work days, one of which shall be the day of the funeral, at the employee's hourly rate for continuous time lost in arranging and or attending funeral services.

Employees may be granted one day with pay when attending funeral services for fellow department workers. Payment for this time shall be made only if the funeral has actually been attended.

#### **CALLING IN**

An employee shall inform their department head that they are not coming to work no later than thirty (30) minutes after the workday has commenced, unless it is physically impossible to do so. The department head, at their discretion, may require employees to notify them sooner. Failing to call in to notify the department head of an unexpected absence may result in disciplinary action.

## **CONTRIBUTION OF VACATION, COMPENSATORY TIME & HOLIDAYS**

Employees may donate vacation, holidays or compensatory time to fellow employees who have exhausted all of their sick leave, vacation, holidays and compensatory time, for use as sick leave. Sick leave is not eligible for donation. Employees who are receiving the donated leave must be eligible to earn benefits at the time that the leave is donated.

The following conditions apply to this donation:

1. Department heads for both the employee who is using the donated time as sick leave and the employee donating the time must sign a letter of agreement regarding the donation.
2. The vacation/compensatory/holiday time donated has to be from the employee's current balance.
3. The employee contributing compensatory time must be aware that if they transfer this time they will not be able to collect benefits for the time worked to earn the compensatory time.
4. The employee who is receiving the donation must have exhausted any and all leave they are entitled to before a donation can be received.
5. Once time has been donated it remains with the recipient as sick leave.

## **EMERGENCY LEAVE**

Department heads may grant an employee time off from their duties without compensation for personal reasons for a period not to exceed five (5) working days per calendar year, depending upon the seriousness of the problem.

## **MILITARY LEAVE**

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

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

### **A. REEMPLOYMENT RIGHTS – ELIGIBILITY**

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

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the County for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service, you must report to work or submit a timely application for reemployment according to the following schedule:
  - a. For service of less than thirty (30) days you must report to work by the beginning of your first regularly scheduled workday that would fall eight (8) hours after you return home.
  - b. For service of thirty-one (31) to 180 days you must apply for reemployment within fourteen (14) days after completing service.
  - c. For service of 181 days or more you must apply for reemployment no later than ninety (90) days after completing service.

**B. CONTINUATION OF BENEFITS DURING MILITARY SERVICE**

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

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

**JURY AND RELATED DUTIES**

Any full-time employee shall receive full compensation during the employee's working day for appearance as a witness or jury member before a court, legislative committee, or other judicial or quasi-judicial body, in an action involving the federal government, the state of Iowa, Tama County, or a political sub-division thereof, in response to a subpoena or when such an appearance is ordered in connection with the employee's work by the department head. Any compensation received by employees for court related activities shall be turned over to the County and the employee shall receive their regular wages. Reimbursement for meals, travel and lodging may be retained by the employee.



## **FAMILY AND MEDICAL LEAVE**

Once employees have exhausted all appropriate accrued paid leave, they may request leave under the Family Medical Leave Act (FMLA). An employee, upon written request, will be allowed to retain one (1) weeks' vacation.

To be eligible for Family/Medical Leave an employee must have at least twelve (12) months of service, which does not have to be consecutive, and have worked at least 1250 hours over the preceding twelve (12) months. The approved twelve (12) workweeks of leave will be measured forward from the first date that FMLA leave is used by the employee during any twelve (12) month period.

Employees applying for and granted a family leave of absence are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in the denial or revocation of a family leave.

FMLA is available when the employee is unable to work due to:

1. The birth of a child and to bond with the newborn child within one year of birth,
2. The placement with the employee of a child for adoption or foster care and to bond with the newly placed child within one year of placement,
3. A serious health condition that makes the employee unable to perform the functions of his or her job, including incapacity due to pregnancy and for prenatal medical care,
4. To care for the employee's spouse, child, or parent who has a serious health condition, including incapacity due to pregnancy and for prenatal medical care;
5. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or call to covered active-duty status.

In addition, eligible employees may take up to twenty-six (26) workweeks of leave in a single twelve (12) month period to care for a covered servicemember with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the servicemember (referred to as military caregiver leave). An eligible employee is limited to a combined total of twenty-six (26) workweeks of leave for any FMLA-qualifying reasons during the single twelve (12) month period.

Leave under paragraphs (1) and (2) shall not be taken by an employee intermittently unless the employee and the employer agree otherwise. Paragraph (3) or (4) may be taken intermittently when medically necessary.

FMLA leave can be taken for more than one qualifying reason in the same twelve (12) month leave year. However, multiple serious health conditions or qualifying reasons for leave do not increase the total FMLA leave entitlement available.

Any eligible employee who takes leave for the intended purpose of the leave shall be entitled, on return from such leave:

1. To be restored by the employer to the position of employment held by the employee when the leave commenced; or
2. To be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

The taking of leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

During any period that an eligible employee takes FMLA, the employer shall maintain coverage under any group health plan for the duration of such leave at the level and under the condition's coverage would have been provided if the employee had continued in employment continuously from the date the employee commenced the leave until the date the employee is restored.

#### **A. NOTIFICATION**

When practicable, an employee is required to give thirty (30) days' written notice to the department head in the event of a foreseeable leave. However, the first time the employee seeks leave for a FMLA-qualifying reason, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to FMLA-qualifying reasons for which the County has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reasons for the leave or the need for FMLA leave.

In unexpected or unforeseen situations, an employee should provide as much notice as practicable. Notice can be given by the employee, or by a representative of the employee, such as a relative or friend.

Substance abuse may be a Serious Health Condition if the conditions of this term are otherwise met. However, family and medical leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care services on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for family medical leave.

#### **B. MEDICAL CERTIFICATION**

All requests for leave for an employee's own Serious Health Condition or to care for a family member with a Serious Health Condition must be supported by a certification issued by the health care provider of the employee or the health care provider of the employee's child, spouse or parent, as appropriate.

The County will provide certification forms for completion by the health care provider. Use of these forms is required. The employee must provide the certification within fifteen (15) calendar days after the County requests certification, unless it is not practicable under the circumstances to do so despite the employee's diligent, good-faith efforts. Where an employee fails to timely provide the required certification, FMLA leave may be delayed or denied, in which case time off work may be handled under the County's regular policies and practices for attendance and absences from work and may

be considered unexcused absences subjecting the employee to discipline, up to and including discharge.

When the employee provides a certification, which is incomplete or insufficient and the County provides the employee with notice and an opportunity to cure the deficiency, the employee will have seven (7) calendar days to cure the deficiency with a resubmitted certification. Where an employee fails to timely cure a deficiency, FMLA leave may be denied, in which case time off work may be considered unexcused absences subjecting the employee to discipline up to and including discharge.

Re-certifications will be required by the County at the employee's expense. The employee must provide the requested recertification within fifteen (15) calendar days after the County requests recertification, unless it is not practicable under the circumstances to do so despite the employee's diligent, good-faith efforts. Where an employee fails to provide the requested recertification, FMLA leave may be delayed or denied, in which case time off work may be considered unexcused absences subjecting the employee to discipline up to and including discharge.

The County may obtain clarification and authentication of certifications and may require re-certifications and fitness for duty certifications as allowed by federal regulation. Annual certifications may also be subject to second and third opinions.

At all times, FMLA leave for the employee's or a family member's Serious Health Condition is subject to the certification process. Any absences and time off work which are not covered by FMLA (for example, when an employee fails to provide timely certification, fails to timely cure a deficiency in a certification, fails to allow clarification of a certification, where absences and time off work prior to and during the certification process are later determined to not be covered by FMLA, etc.) are subject to the County's regular policies and practices regarding attendance and time off work, including disciplinary policies depending on the number of absences and other circumstances. Similarly, an employee's failure to cooperate or comply with the recertification or fitness for duty certification process can result in absences not covered by FMLA and subject to the County's regular policies and practices.

#### **C. LIMITATIONS ON AN EMPLOYEE'S RIGHT TO RETURN TO WORK**

An employee on FMLA leave is not protected from actions that would have affected them if the employee was not on FMLA leave. For example, if a shift has been eliminated, or overtime has been decreased, an employee would not be entitled to return to work that shift or the original overtime hours. If an employee is laid off during the period of FMLA leave, the employer must be able to show that the employee would have been laid off during the FMLA leave period.

A covered employer may also deny restoration to a "key employee" if necessary to prevent substantial and grievous economic injury to its operations. A key employee is a salaried FMLA-eligible employee who is among the highest paid 10% of all employees, both eligible and not eligible, within 75 miles of the worksite.

#### **D. EFFECTS ON BENEFITS**

Taking FMLA will not result in the loss of any employee benefit accrued prior to the date on which the leave began.

An employee on FMLA may remain a participant in the County's employee insurance plan whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work.

Employee contributions will be required either through payroll deduction or by direct payment to the County Auditor and Human Resources. The employee will be informed of the amount and method of payment at the beginning of the leave. Loss of insurance coverage will result if the premium amount is paid more than thirty (30) days late.

If the employee misses a premium payment and the County pays the employee's contribution, the employee will be required to reimburse the County for the delinquent payment upon return from leave.

If an employee fails to return to work after FMLA has been exhausted, they will be responsible for the insurance premiums paid by Tama County while the employee was on leave, unless:

1. The employee fails to return because of the continuation, recurrence, or onset of a serious health condition which would entitle the employee to leave under FMLA. Such condition shall be certified by the health care practitioner within thirty (30) days of employee's failure.
2. The employee fails to return because of other circumstances beyond the employee's control.

#### **E. EFFECTS ON EMPLOYEE CLASSIFICATION**

Exempt employees as defined above do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an "eligible" employee's use of leave required by FMLA.

#### **F. HIPAA AND FMLA**

HIPAA requirements must be satisfied for a HIPAA-covered entity to share an employee's or an employee's family member's individually-identifiable health information with an employer. HIPAA requires, among other things, a written authorization by the employee (or the employee's family member) in order to release information for clarification purposes.

An employee may choose to authorize their health care provider to provide clarification directly to the employer; however, the employee *may not be required* to do so. If the employee chooses not to provide such authorization and does not otherwise clarify the certification, the employer may deny the FMLA leave request if the certification is unclear. It is the employee's responsibility to provide the employer with a complete and sufficient certification and to clarify the certification if necessary

#### **G. QUALIFYING EXIGENCY & MILITARY CAREGIVER (INSURED SERVICEMEMBER) LEAVE**

Both types of military family leave follow the same general eligibility rules as other types of FMLA leave. Exigency leave is subject to the same aggregate twelve (12) weeks per

rolling year. Military Caregiver leave may total twenty-six (26) weeks per rolling year, per covered service member, but up to twelve (12) weeks of regular FMLA leave counts toward the twenty-six (26) week total. “Child” is defined to include any age of an individual in this relationship. “Parent” does not include parents “in law.”

Both types of military family FMLA leave are subject to certification or other verification requirements. Where an employee fails to timely comply with any such requirements, or where this process establishes time off and absences from work are not covered by FMLA, the FMLA leave may be delayed or denied and any absences and time off may be considered unexcused absences subjecting the employee to disciplinary action, up to and including discharge.

1. Injured Service Member (Military Caregiver) Leave:

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury which was sustained or aggravated in the line of duty on active duty is entitled to up to twenty-six (26) weeks of leave in a single 12-month period to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness which was incurred or aggravated in the line of duty on active duty; or a veteran who has a serious injury or illness which was incurred or aggravated in the line of duty on active duty and who was a member of the Armed Forces, including the National Guard or Reserves, at any time within five (5) years of receiving the treatment that triggers the need for military caregiver leave. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of twenty-six (26) weeks for all types of FMLA qualifying reasons. The other types of FMLA leave remain subject to the 12-week limit per rolling year. When care for a covered service member is involved, spouses employed by the same employer are jointly entitled to a combined total of twenty-six (26) weeks of leave during a single 12-month period for the birth and care of a newborn child, placement of a child for adoption or foster care, to care for parent who has a Serious Health Condition, and to care for the covered service member.

2. Active Duty Family Leave (Qualifying Exigency Leave)

Eligible employees are entitled to up to twelve (12) weeks of leave because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of any branch of the Armed Forces, including the National Guard or Reserves, and is on active duty in a foreign country or has been notified of an impending call to active duty status in a foreign country. This leave is subject to the same aggregate twelve (12) weeks of FMLA leave per rolling year as the traditional forms of FMLA leave.

## **WORKERS' COMPENSATION**

### **ALL WORK-RELATED INJURIES MUST BE REPORTED WITHIN 24 HOURS.**

Employees must immediately notify their supervisor, department head or elected official when injured on the job, regardless of the injury's severity. For any injury, no matter how minor, the employee must report the injury to Human Resources at 641-484-4191 or 641-485-6863. Reporting the injury to Human Resources, the submission of First Report of Injury and any accident investigation must be completed within twenty-four (24) hours of the injury or as soon as circumstances allow. All pertinent documentation needs to be forwarded to Human Resources upon completion. Human Resources will be the contact source between the department and any care provider or coordinator.

#### **If an employee is injured Monday thru Friday, 8:00 a.m. to 5:00 p.m.:**

The Human Resource Manager will make the appropriate appointment with UnityPoint Family Medicine-Tama/Toledo, located at 1307 S. Broadway St., Toledo, Iowa 52342, phone number 641-484-5445. UnityPoint Family Medicine-Tama/Toledo is the designated facility for minor incidents within normal business hours. The injured employee must go to UnityPoint Family Medicine-Tama/Toledo and identify themselves as a Tama County employee coming in for a workers' compensation injury. If a referral needs to be made, it must be authorized by Creative Risk Solutions prior to treatment.

#### **If an employee is injured afterhours:**

All injuries that occur after hours or on weekends still must be reported to Human Resources but will be referred to the closest emergency trauma center for treatment. The injured employee must go to the closest emergency room and inform the emergency room personnel that they are a Tama County employee, and this is a workers' compensation injury. Follow-up visits should be scheduled with UnityPoint Family Medicine-Tama/Toledo. After initial medical care is completed, continuing care must be coordinated through Creative Risk Solutions, including referrals to specialists such as physical therapists, orthopedic surgeons, etc.

It is the goal of Tama County to provide the best possible care and to return the employee to a healthy and productive individual as quick as possible. Tama County will follow the direction of the treating physician and light duty work will be made available to accommodate almost any situation in regard to a work-related injury.

#### **A. WORK-RELATED INJURY LEAVE**

Employees who miss work due to a work-related injury MAY NOT use their sick leave to supplement their workers' compensation pay. Employees will be allowed to use sick leave for the first three (3) days of the absence if they are not off work for the necessary time required to receive workers' compensation for those days.

#### **B. RETURN-TO-WORK AFTER A WORK-RELATED INJURY**

An employee who has been receiving workers' compensation benefits and is returning to work is entitled to return to the employee's original job, or to an equivalent job with

equivalent pay, terms and conditions of employment. The employee may be required to submit evidence satisfactory to the County that the employee is safely able to return to work, including the successful completion of a fitness for duty exam.

**C. RETURN-TO-WORK PROGRAM (LIGHT DUTY)**

Employees injured on the job who are unable to temporarily or permanently return to their regular job classifications will be assigned modified or alternative work. Regular modified and alternate work will be provided as available in compliance with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act. The objectives of light duty, or modified or alternative work, are:

1. To return employees, who are injured on the job, to work as soon as possible when there is not significant risk of substantial harm to themselves and others.
2. To minimize financial hardship and emotional stress to the employee who has sustained a work-related injury.
3. To assist employees in returning to work at a level as close as practicable to their pre-injury earnings and productivity.
4. To retain qualified and experienced employees.
5. To reduce the cost of disability benefit programs.

When the physician has determined that the Maximum Medical Improvement has been reached and the employee is able to perform the essential job duties of their job with or without reasonable accommodations, the employee shall return to the job classification and duties held prior to the work injury.

**D. RESPONSIBILITIES OF THE EMPLOYEE**

To determine the appropriateness of a job assignment, the employee who is unable to return to work without restriction is responsible for keeping their department head, manager, director, supervisor, elected official (or the department head's designee) informed of the status of the employee's medical condition.

If the employee rejects any assignment within their department which they are compatible with, and which is within the employee's medical restrictions, the employee shall not be compensated by the County or the County's workers' compensation carrier with temporary, partial, temporary total or healing period benefits during the period of refusal (Code of Iowa, Section 85.53).

# **WORKING RULES AND EMPLOYEE CONDUCT**

## **WORKPLACE PRIVACY AND SEARCHES**

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

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

The county assumes no responsibility or liability for any items of personal property which are placed in the desk or workspace that is assigned to you.

If the county conducts an examination or inspection under the terms of this policy, there will be at least two (2) individuals present at the time of the examination or inspection.

## **TELEPHONE AND CELL PHONE USAGE**

Employees conducting County business should use office phones whenever possible. County cellular phones should be used for County business only. With prior approval from the department head, some employees will be authorized to use their personal cell phones for county as well as personal purposes. These employees will be reimbursed for the business use, and are expected to be available by cell phone as needed.

Personal phone calls and cell phone usage should be kept to a minimum. Employees should make personal calls during break or lunch time or with permission of the department head.

## **ELECTRONIC DEVICE AND RESOURCES USE POLICY**

### **A. PURPOSE**

Computers, the Internet, electronic devices, and electronic mail are powerful research, communication, commerce and time-saving tools that are made available to Tama County employees. The use of this efficient and effective communication tool is critical but, like any tools, computers, the internet and electronic mail and mobile devices have the potential to be used for inappropriate purposes. Perceptions are important and Tama County employees must constantly be aware of how their actions are perceived by the public.

While using the county's electronic devices and resources, do not say, do, write, view, or acquire anything that is not for county business purpose. An item or action is for county business purposes if access is required to fulfill your job responsibilities. Note that communications using county property may be subject to public disclosure.



## B. RULES

Tama County computers, electronic devices, electronic mail and the Internet are for conducting official business. Occasionally, employees may use the internet and electronic mail for individual, nonpolitical purposes on their personal time, if such use does not violate the terms and conditions of this policy. Use of the internet and electronic mail offers employees an opportunity to develop research and communication skills valuable to the effectiveness and efficiency of our Tama County government.

- Users of the internet and electronic mail are to comply with all appropriate laws, regulations and generally accepted internet etiquette.
- Users should identify themselves properly when using the internet and electronic mail.
- Each user is individually responsible for the content of any communication intentionally sent over or placed on the internet and electronic mail.
- You must have department head approval to access Tama County email with mobile devices. The County IT person will have to set up access on the mobile device. Employees are **not** authorized to complete this process independently.
- All mobile devices have to be password protected.
- Forward emails containing protected health information (PHI) to personal emails is prohibited.
- County email addresses cannot be associated with a third-party email accounts.
- Use of a flash drive to store or transfer PHI is not allowed.
- HIPAA Policies training is mandatory for all departments that contain, generate, or handle PHI.
- Upon separation from employment, Tama County's IT person should be notified immediately. Email access will be disabled at that time.
- The following actions are prohibited. It is unacceptable for Tama County employees to:
  - Create or distribute defamatory, false, inaccurate, abusive, threatening, racially offensive or otherwise biased, discriminatory or illegal material.
  - View or distribute obscene, pornographic, profane, or sexually oriented material.
  - Violate laws, rules, and regulations prohibiting sexual harassment.
  - Engage in any unauthorized activities for personal financial gain.

- Place advertisements for commercial enterprises, for non-work related use, including but not limited to goods, services, or property.
  - Download, disseminate, store or print materials including articles and software, in violation of copyright laws.
  - Intentionally cause congestion or disruption of networks or systems.
  - Transmit incendiary statements which might incite violence or describe or promote the use of weapons.
  - Conduct political activity that solicits votes, monetary contributions to political parties and/or candidates, and/or promotes voting for or supporting a particular political party or candidate.
  - Use any county property for any illegal purpose.
- If you are a HIPAA-compliant office, you must follow security policies and procedures.

Disregard for the policies or other improper use of the Internet may result in limited use and/or cancellation of a person's access and/or disciplinary action, up to and including discharge.

Where a violation of Tama County policies or applicable law appears to warrant action beyond elimination of computer privileges, the matter may be referred to the department head, then to the Board of Supervisors or to law enforcement authorities.

Complaints or concerns about another's use of Tama County electronic resources should be directed to the department head.

As county property, electronic resources including the Internet and electronic mail may be subject to monitoring.

## **SOCIAL MEDIA POLICY**

### **A. PURPOSE**

County social media accounts shall be used for the purpose of informing the public about county business, services, and events. All official county presence on social media accounts is considered an extension of the county's information networks.

This policy covers all social media messages generated on or handled by electronic communication systems owned by the county. This policy is also applicable to all social media messages generated by employees of the county that relate to their status as an employee of the county. The regulation of employee speech is subject to the right of employees to freedom of speech as that right has been interpreted by the courts.

### **B. PROCEDURES**

The county's website will remain the official location for content regarding county business, services, and events. Whenever possible, links within social media formats

should direct users back to the county's website for more information, forms, documents, or online services necessary to conduct business with the County.

All county social media accounts should be viewable to the public and not use privacy settings.

If a department chooses to participate in social media, online representation on social media accounts is ultimately the responsibility of the department head. The department head shall appoint a social media moderator to control the social media account and ensure appropriateness of content.

Departments should regularly monitor and update accounts at least monthly.

Employees representing the county via social media accounts must conduct themselves at all times as representatives of the county and must comply with the guidelines contained in this policy and with the provisions relating to "Prohibited Content".

Any employee who discovers a violation of this policy shall immediately notify their department head who shall in turn inform the Human Resource Manager. An employee who violates this policy or uses social media for improper purposes shall be subject to disciplinary action up to, and including, discharge.

### **C. DEFINITIONS**

- **Social Media**  
Various forms of discussion and information-sharing mediums, including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include picture-sharing, wall-postings, fan pages, email, instant messaging, and music-sharing. Examples of social media applications include, but are not limited to, Wikipedia (reference), Facebook (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and micro-blogging), LinkedIn (business networking), Instagram (social networking and photo sharing), TikTok (microblogging and video sharing), Discord (voice and text sharing), and news media comment sharing/bloggng.
- **Business Purposes:**  
Use of social media as a means of communicating official information about the county, including events, department activities, emergency information, and feature stories. Business Purposes also includes use of social media for interaction with a professional association, information source necessary to the job duties of an employee, and interaction with other members of a professional association.

### **D. POSTING GUIDELINES**

Employees should be conscious of what they post on social media sites and avoid presenting personal opinions that imply endorsement by the employee's department or the county. If posted material could be attributed to the employee's department or the county, the post must be accompanied by a disclaimer identifying the statements or opinions presented as those of the poster and stating that the statements or opinions do not reflect those of either the employee's department or the county.

Employees should not portray themselves as spokesperson for their department or the county unless they are specifically authorized to do so by either the department head or the Board of Supervisors.

Departments that use social media accounts are responsible for complying with applicable federal, state, and local laws, regulations, and polices. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), First Amendment free speech rights, privacy laws, and information security policies established by the county.

Employees may not post text, video, pictures, or other material that would reasonably be considered to be detrimental to the image of the county or of an individual department. Only post material which you have permission to use.

Employees should keep in mind that once an item is posted it is publicly available on the Internet and cannot be retracted.

#### **E. PROHIBITED CONTENT**

The following content shall be prohibited on official county social media sites.

1. Profane language or content
2. Content that promotes, fosters, or perpetuates illegal discrimination of any kind.
3. Sexually explicit content or links to such content.
4. Solicitation of others for commercial ventures, or religious, social, charitable or political causes.
5. Making or publishing of false, defamatory, or malicious statements concerning any employee, supervisor, the County, or its operations.
6. Personal information about employees.
7. Posting of HIPAA protected information is not permitted.
8. Use of chat sessions in social media associated with any of the above prohibited content will not be permitted.

The department head, or designated representative, reserves the right to delete submissions that are deemed inappropriate, according to prescribed unacceptable content standards. If any record is deleted for unacceptable content, it is the responsibility of the affected department to retain a public record of that content and keep a record of why the information was removed.

Friends, fans, or followers posting inappropriate content should be given a warning and the content should be removed. If an individual posts threats to another person, incited others to immediately violate the law, or post content containing obscene language, the content may be removed and a warning must be given. Additional posting of similar content may result in removing or blocking the individual from the social media platform.

The person managing the social media platform is responsible for retaining a public record of that content and keeping a record of why the information or the individual was removed.

**F. SOCIAL MEDIA ACCOUNT SECURITY**

Department social media accounts should be tied to a County email address.

Only the department head/and or designee(s) should know the login and password to social media accounts. In the event that the department head or designee is replaced, the login and password should be updated.

**G. PERSONAL USE OF SOCIAL MEDIA**

Employees should make certain any online activities do not interfere with their effectiveness at work and ensure any on-duty personal use is limited in nature. If on-duty personal use is interfering with work effectiveness, employees will be subject to disciplinary action.

1. Employees should be mindful of blurring their personal and professional lives when using or accessing social media sites.
2. Employees may not use social media to engage in libelous, defamatory, obscene, or maliciously false behavior directed at the county, departments, elected officials, appointed officials, other employees, or members of the public.
3. Employees may not post confidential information which they have learned through their employment with the county.
4. Posting of PHI not permitted.
5. Employees may not use their county email account in connection with a personal social networking account.
6. Employees shall not participate in online social media or forums on behalf of the county or their department unless they are authorized to do so by their department head.
7. When violations of these guidelines occur, the county reserves the right to exercise judgment in determining the appropriate level of discipline by reviewing each incident on a case-by-case basis.

**VEHICLE USE AND MILEAGE POLICY**

A Tama County vehicle is a vehicle that is registered to Tama County and listed on Tama County's insurance schedule. Tama County has invested in County vehicles to minimize the use of personal vehicles for county business purposes.

**A. POLICY**

1. Tama County employees must have a valid driver's license to use County vehicles. Proof of driver's license must be submitted to the department head.

2. Tama County employees must drive in a safe and courteous manner, complying with all applicable laws of the road. If a Tama County employee receives a penalty for parking or moving violations, the employee is responsible for the penalty.
3. All Tama County employees using Tama County vehicles will be required to pick up their assigned vehicles from their work location or other areas designated by the Board of Supervisors at the beginning of the workday and returning the vehicles by the end of each workday. Tama County employees will not use Tama County vehicles as take-home vehicles.
4. Please keep Tama County vehicles clean and remove any trash or personal items when you are finished using the vehicles.
5. Tama County Employees will report to their place of employment without mileage compensation. No Tama County employee will receive mileage compensation for commuting to their employment location.
6. The mileage compensation rate for all Tama County employees will be determined by the Tama County Board of Supervisors. Current rate is .525 per mile.
7. Tama County employees will use Tama County vehicles for normal county business. Use of personal vehicles for county business purposes should be kept to a minimum and requires prior approval of the department head. Failure to obtain prior approval may result in loss of mileage reimbursement.
8. Tama County employees may not use personal vehicles for county business purposes unless they have submitted proof of automotive liability insurance to the department head. Failure to submit proof of insurance may result in loss of mileage reimbursement.
9. Tama County vehicles will not be used to conduct personal business or for personal use. The only exception is for especially assigned response vehicles, as specified below.
10. There will be no unauthorized passengers allowed in any Tama County vehicle.
11. Immediately report any accidents, mechanical problems or other problems to your supervisor
12. Any employee using or being under the influence of drugs or alcohol while in an employer supplied vehicles, or while engaged in employer business, will be subject to discipline up to and including discharge.
13. If a status change occurs regarding an employee's driving privileges, the employee is required to notify Tama County within five (5) days. At no time should the employee operate any Tama County vehicle in contravention of their current driving privileges.

**B. TAKE-HOME RESPONSE VEHICLE EXCEPTIONS**

In very specific circumstances, some Tama County employees (i.e. the Tama County Sheriff's Office or the Tama County Engineer) will be assigned vehicles for response purposes. These vehicles assigned will be allowed to be taken home. These employees must follow the same vehicle use policy as listed above. If a Tama County employee lives outside of Tama County and is assigned a vehicle, that employee will compensate Tama County for those miles driven outside of Tama County at the mileage rate set by the Tama County Board of Supervisors. Employees who are authorized to take a county vehicle to their home must report the miles that they have driven to and from their home to the Tama County Auditor on a monthly basis and this usage will be reported on their W-2 for tax purposes.

### **C. AUTOMOTIVE INSURANCE**

The County does **not** provide any form of comprehensive collision or liability insurance coverage on personally owned automobiles. Employees receiving mileage reimbursement for use of automobiles for county business shall furnish proof of at least automotive liability insurance. The County **does** provide for comprehensive, collision and liability insurance coverage on an automobile leased/owned by the county.

### **D. MOTOR VEHICLE RECORD REVIEW**

Tama County adheres to the motor vehicle policies and procedures adopted by Heartland Insurance Risk Pool. These policies include but are not limited to a motor vehicle record review. Any employee who, during the course and scope of their employment, operates:

- Any county-owned motor vehicles or equipment licensed by the Iowa Department of Transportation; and/or
- An employee's own motor vehicle for the purpose of conducting Tama County business;

is required to comply with these policies and procedures as a condition to their employment. An employee's refusal to comply with these policies and procedures, including the motor vehicle record reviews, may be grounds for discipline, up to and including discharge.

## **DISCIPLINARY ACTION**

Every workplace must have certain rules of conduct to guide its employees and maintain a proper level of professionalism, harmony and productivity. In the event of a violation of the policies in this handbook or other unsatisfactory conduct by an employee, it may become necessary to impose disciplinary action.

The nature of disciplinary action to be imposed will be determined in the discretion of the employee's supervisor, department head or elected official, depending on the specific circumstances and the employee's prior work record and conduct. Whenever possible, disciplinary action will be designed to assist the employee in improving their performance or conduct, and not to be punitive in nature, but severe action may be taken without prior warning whenever deemed necessary. All disciplinary action must be documented in the employee's personnel file.

Disciplinary action may include informal counseling, verbal or written warning, suspension without pay, discharge, or other appropriate action. Cases of serious misconduct may warrant suspension without pay or discharge immediately. The department head or elected official may elect to place an employee on paid investigative leave before making any disciplinary action determination. The County reserves the right to use the disciplinary action it deems appropriate in any situation, up to and including discharge.

#### **A. TAMA COUNTY WORKING RULES**

The Rules below are only examples of conduct that may lead to disciplinary action. The list is not exhaustive. Each violation shall be considered on its own merits with due consideration as to the nature of the offense, the cause, the background, likelihood of repetition, and the attitude of the offender. Some violations may warrant severe disciplinary action based on these factors. Documentation of all disciplinary action must be put into the employee's personnel file.

1. Horseplay, loafing, or lackadaisical performance of job assignments or disturbing others at work.
2. Frequent tardiness, absenteeism, or leaving work early without authorization or just cause.
3. Working unauthorized hours or violation of work hours, rest periods, or lunch periods.
4. Leaving employee's workplace during work hours without authorization.
5. Attending to personal affairs on county time.
6. Obscene or abusive language.
7. Failure to have adequate knowledge of the policies and procedures of the county.
8. Posting, altering, or removing any material on bulletin boards of county property unless specifically authorized to do so.
9. Failure to properly care for all equipment, tools, materials and facilities used by the employee.
10. Violation of safety and health rules.
11. Violation of any policy outlined in this handbook.
12. Failure to perform duties as outlined in the employee's job description or carry out reasonable assignments or instructions.
13. Refusal to work, without a good reason, when needed due to emergency call-ins, disaster, client emergency, etc.
14. Fighting; disorderly, subversive, insubordinate, immoral, or indecent conduct.
15. Any act of harassment; either verbal, physical or sexual.
16. Failure to complete county records.
17. Transporting unauthorized passengers in County equipment or motor vehicles.
18. Negligence in the operation or care of any equipment or vehicles.
19. Theft, willful destruction and/or unauthorized use or altering of property or equipment belonging to the county or any employee.
20. Disobedience, insubordination, or refusal to comply with reasonable instructions from authorized supervisor.
21. Falsifying, altering, or supplying false information on County records, including payroll records and timecards.



22. Unauthorized copying of County records without proper release and permission.
23. Unauthorized disclosure of confidential information.
24. Possession of weapons, firearms, illegal knives, or explosives in county buildings. (Certified officers acting in the line of duty or by special exception by the department head may be allowed to possess these items in county buildings.)

## **DRUG-FREE WORKPLACE POLICY**

Tama County has a vital interest in maintaining safe, healthful and efficient working conditions for its employees. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks not only for the user, but also to all of those who work with the user, and the public in general.

Tama County requires a DRUG FREE WORKPLACE. For that purpose, Tama County has adopted these policies:

1. The use, sale, possession, distribution or manufacture of illegal drugs or controlled substances on employer premises, while in employer-supplied vehicles, or while engaged in employer business, is prohibited.
2. Any employee using or being under the influence of drugs or alcohol while in employer supplied vehicles, or while engaged in employer business, will be subject to discipline up to and including discharge.
3. The use of drugs prescribed by a licensed physician is permitted. However, it is the responsibility of each employee to ask the prescribing physician if the legally prescribed drug would adversely affect the employee's performance or would endanger the safety and health of the employee, fellow employees or the general public. If the physician determines that the drug may cause any of the above, the employee must immediately notify the appropriate employer representative and the employer then has the right to restrict work assignments or place the employee on an appropriate form of approved leave.
4. The employee must notify Tama County of any drug or alcohol charge within five (5) days if the violation occurred in the workplace or while performing county business.
5. Tama County will notify U.S. Department of Justice, Office of Justice Programs, and Office of the Comptroller within ten (10) days if the person is employed by the Tama County Sheriff's Office.
6. The employee must notify Tama County within ten (10) days of any charge related to alcohol and drugs when this violation occurred outside of the employee's normal working hours.

7. Violation of the above policy is prohibited and if just cause is found, the department head can discipline, suspend or discharge an employee or refer to a rehabilitation program as appropriate under the circumstances.
8. An employee who has engaged in prohibited drug or alcohol use will be evaluated by a substance abuse professional to determine what assistance, if any, is necessary. Tama County shall provide substance abuse evaluation and treatment if recommended by the evaluation. Tama County will assume only the expense of the program covered by the employee's insurance.

However, if the employee fails to undergo evaluation when required or fails to successfully complete substance abuse treatment when recommended by the evaluation, the employee will be disciplined up to and including discharge.

9. Employees are hereby notified that you will be asked to certify in writing that you are aware of this policy and that you agree that you will not violate any of the provisions.

**A. DRUG TESTING ASSOCIATED WITH COMMERCIAL DRIVER'S LICENSE REQUIREMENT**

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

**B. POST-ACCIDENT DRUG OR ALCOHOL TESTING**

Drivers are subject to both post-accident alcohol and drug tests as soon as possible after an accident in which a fatality occurred or in an accident where the driver received a citation and:

- bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
- a vehicle was towed from the scene irrespective of the value of the damage to the vehicle.

Drivers must remain readily available for post-accident testing. Drivers who leave the scene or who do not remain readily available are assumed to have refused to test. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident alcohol and drug tests.

**1. Alcohol Testing Requirements**

Alcohol testing will be administered within two hours and no later than eight hours of the accident. Reasons for administering the alcohol test later than two hours after the accident must be documented. Reasons for not administering the test within eight hours of the accident must be documented. Employees are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.

## 2. Drug Testing Requirements

Drug testing will be administered as soon as possible and no later than 32 hours after the accident. Reasons for not administering the test must be documented.

Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms to the law. The County must receive a copy of the results to use them.

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## **TAMA COUNTY EMPLOYEE HANDBOOK ACKNOWLEDGMENT OF RECEIPT**

I hereby acknowledge and confirm that on the date stated below that I have been provided with a copy of the Tama County Employee Handbook and that I have had a reasonable opportunity to review the policy and ask any questions regarding the handbook.

I understand that none of the provisions included in this Employee Handbook are a contract, that the County has the right to interpret and change these policies in its discretion, and that my employment is not under an employment contract or for any guaranteed period. My employment with the County is “at-will,” and either the County or I can end the employment relationship at any time and for any reason. I also understand that no one has the ability to modify at-will employment by any comments or promises. Any deviation in employment at-will must be expressly agreed to in writing by a designee of the County Board of Supervisors.

I also certify that I have reviewed the Drug-Free Workplace Policy and will comply with its provisions.

\_\_\_\_\_  
Name (Please print)

\_\_\_\_\_  
Signature (Signature required)

\_\_\_\_\_  
Date

*Keep a copy in the employee's personnel file.*

# HIPAA EMPLOYEE CONFIDENTIALITY AGREEMENT

I, the undersigned, have received training on, and been afforded an opportunity to ask questions regarding, the Covered Entity's HIPAA Policies and a (electronic) copy has been provided for me to read. I agree to ask questions on any issues that are unclear to me or that I do not understand. In consideration of my employment or association with the Covered Entity and as an integral part of the terms and conditions of my employment or association, I hereby agree that I will not at any time, during my employment or after my employment or association ends, access or use protected health information (PHI), or reveal or disclose to any persons within or outside the Covered Entity, any PHI except as may be required in the course of my duties and responsibilities and in accordance with applicable local, state or federal laws governing proper release of information.

I also understand that unauthorized use or disclosure of PHI will result in disciplinary action up to and including discharge or termination of association and the possible imposition of fines pursuant to applicable state and federal laws.

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

I have discussed the HIPAA privacy and security rules and policies and the consequences of a breach with the above named.

\_\_\_\_\_  
Privacy Officer

\_\_\_\_\_  
Date