

Fayette County

Employee Handbook

EFFECTIVE NOVEMBER 1, 2020

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Welcome to Fayette County

Fayette County strives to provide a work environment that is conducive to both personal and professional growth. This Handbook provides information concerning Fayette County's employment policies, payroll practices, and employee benefits. Employees are expected to read, understand, and comply with the provisions of this handbook.

Your Supervisor, Department Head and the staff of the County's Human Resources Department are available to answer your questions, address your concerns or help you with any problems.

We hope you find your employment with Fayette County to be rewarding and fulfilling.

Fayette County Board of Commissioners

Dave Lohr, Chairman, County Commissioner

Vincent A. Vicites, First Vice Chair, County Commissioner

Scott Dunn, Second Vice Chair, County Commissioner

Section 1 - Introduction

This Handbook has been prepared to acquaint employees with Fayette County's employment policies and procedures. This Handbook amends, replaces and supersedes all other previous Fayette County handbooks. This Handbook is not intended and should not be construed to be a contract of any nature. The County reserves the right to revise, supplement, or rescind any policies contained in this handbook from time-to-time at the discretion of the Board of Commissioners.

It is each employee's responsibility to read, understand and comply with the provisions of the Handbook.

Bargaining unit employees also should consult the terms of their applicable collective bargaining agreement. The employment terms set out in this Handbook are to be construed in conjunction with, and do not replace, amend or supersede any terms or conditions of employment set forth in any applicable collective bargaining with Fayette County. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement, the terms of the collective bargaining agreement will control.

In accordance with Section 1620 of the Pennsylvania County Code, elected and appointed row officers have exclusive authority over matters related to the supervision, discipline and discharge of any employees who report to the elected official. Any employee of an elected or appointed row officer with questions about the policies contained in this Handbook or their application to their specific position or Department should contact the elected or appointed row officer to whom the employee reports.

In addition, in accordance with Section 1620 of the Pennsylvania County Code, the Court has exclusive authority over matters related to the supervision, discipline and discharge of Court employees. Any Court employee with questions about the application of the policies in this Handbook to their specific position should contact the Court Administrator.

Where the wording of this Handbook concerning employee benefits and the wording in a Benefits Plan Document differ, the language in the Benefits Plan Document will govern.

If you have any questions about anything contained in this Handbook, please consult with your Supervisor, your Department Manager, or the staff of the Human Resources Department.

Section 2 – Employment Policies

EMPLOYMENT-AT-WILL

Unless an employee is covered by a collective bargaining agreement or has civil service protection, employment with Fayette County is at-will, which means that an employee may voluntarily leave employment at any time, for any reason and that the employee may be terminated from employment by the Fayette County at any time, for any reason, with or without notice. Except by written employment agreement for a specific period signed by the Fayette County Board of Commissioners, no one in the County has the authority to enter into an oral or written contract of employment of any kind.

In accordance with Section 1620 of the Pennsylvania County Code, elected and appointed row officers have exclusive authority over matters related to the supervision, discipline and discharge of any employees who report to the elected official. Any employee of an elected or appointed row officer with questions about this provision should contact the elected or appointed row officer to whom the employee reports.

In accordance with Section 1620 of the Pennsylvania County Code, the Court has exclusive authority over matters related to the supervision, discipline and discharge of Court employees. Court employees are subject to the Unified Judicial System's Code of Conduct and Policy on Nondiscrimination and Equal Employment Opportunity. Any Court employee with questions about this provision should contact the Court Administrator.

EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION

Fayette County is an Equal Employment Opportunity Employer. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the County will be based on merit, qualifications, and abilities unless otherwise provided by applicable state or federal law or collective bargaining agreement.

Fayette County prohibits discrimination against any employee or applicant for employment in regard to any terms or conditions of employment on the basis of race, color, religion, religious creed, ancestry, national origin, sex (including pregnancy, sexual orientation and gender identity), gender, age (40 or older), physical or mental disability, non-job related handicap or disability, genetic information, the use of a guide or support animal because of the blindness, deafness or physical handicap of any individual or other characteristic protected by applicable law.

All employees of Fayette County are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, recruiting, hiring, compensation, benefits, transfers, training, promotions, layoff and recall, demotion, leave of absence, termination, opportunities for advancement, and upgrading promotion and other terms and conditions of employment. An exception to this policy may occur when a bona fide occupational requirement exists.

Similarly, Fayette County prohibits retaliation against individuals who have complained of discrimination, who have assisted in or served as a witness in an investigation into or proceeding concerning alleged discrimination, or who have filed any formal action of discrimination.

Any employee found to have engaged in unlawful discrimination or retaliation in the workplace or who otherwise violates this policy will be subject to disciplinary action, up to and including termination of employment.

Any employee with questions or concerns about any type of discrimination or retaliation in the workplace is encouraged to immediately bring these issues to the attention of their immediate supervisor, the Human Resource Director, or to any member of the Board of Commissioners.

Court employees are subject to the Unified Judicial System's Code of Conduct and Policy on Nondiscrimination and Equal Employment Opportunity. Any Court employee with questions about Equal Employment Opportunity, discrimination or retaliation should contact the Court Administrator.

DISABILITY/REASONABLE ACCOMMODATION

Fayette County is committed to complying with the Americans with Disabilities Act (ADA), as amended by the Americans with Disabilities Act Amendments Act (ADAAA), the Pennsylvania Human Relations Act (PHRA), and all applicable federal and state fair employment practices laws, and is committed to ensuring equal opportunity in employment for qualified persons with disabilities. Consistent with this commitment, Fayette County will provide a reasonable accommodation to an employee or applicant with a disability unless doing so will create an undue hardship for Fayette County.

Any employee or applicant who believes they need an accommodation because of a disability should request a reasonable accommodation through the Human Resources Department. Although the request may be made orally or in writing, Fayette County encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation you are requesting;
- The reason you need an accommodation;
- How the accommodation will help you perform the essential functions of your job; and
- The anticipated duration of the requested accommodation.

After receiving your oral or written request, Fayette County will engage in an interactive discussion with you and/or your treating medical professionals to determine if there is a suitable reasonable accommodation that can be made to allow you to perform the essential functions of your job that will not impose an undue hardship on Fayette County.

In connection with the interactive discussion, you may be required to provide medical substantiation of the need for, type of and duration of the reasonable accommodation sought. You may also be required to sign a medical release to allow Fayette County to obtain medical information from your treating medical professional(s) concerning whether you are a qualified individual with a disability and any reasonable accommodation sought.

All medical records associated with any individual's disability and request for a reasonable accommodation will be kept confidential and will only be disclosed to those with a legitimate business need to know the information.

Do not wait until you are in the midst of disciplinary action or performance counseling to request a reasonable accommodation for a disability. Advise Fayette County of your disability and the need for a reasonable accommodation as soon as you are aware of it.

All employees are expected to report for work in a condition fit for duty, meaning that they are expected to perform their job properly and in a safe and efficient manner. The County Any employee taking legally prescribed or over-the-counter drugs or medication is responsible for being aware of any potential effect or impairment such drugs may have on their reactions, judgments, or ability to perform their duties. If the drug or medication will negatively affect or impair the employee's ability to perform their job properly or in a safe and/or efficient manner, the employee is responsible for requesting a reasonable accommodation from the Human Resources Department before working while using the medication. *(Please see the Medical Marijuana section of this handbook for the policy on medical marijuana.)*

In determining whether an employee can safely perform their job, Fayette County will consider whether an employee poses a "direct threat," or significant risk of substantial harm to the health or safety of the employee or others that cannot be eliminated or reduced by reasonable accommodation.

Accommodation for Lactating Mothers

As part of our family-friendly policies and benefits, Fayette County supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. For up to (1) year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The County has designated the room located in a private room adjacent to the Ladies Restroom on the Ground Floor of the Courthouse for this purpose¹. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Human Resources Department. Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work offsite or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

WORKPLACE HARASSMENT

Fayette County encourages all employees to treat each other with dignity and respect and to act responsibly in helping maintain a workplace that is free of harassment. The County is committed to providing a work environment free from unlawful discrimination, harassment and retaliation. The County maintains a strict policy prohibiting workplace harassment on the basis of race, color, age (40 and older), religion, sex (with or without sexual conduct), pregnancy, disability, national origin,

¹ Employees in who work in other locations should check with Human Resources for the designated location.

genetic information, or any other protected status under applicable federal or state employment discrimination law. In accordance with the Pennsylvania Human Relations Act, the County prohibits employment discrimination and harassment on the basis of race, color, religious creed, ancestry, age, sex, national origin or non-job-related handicap or disability or the use of a guide or support animal because of the blindness, deafness or physical handicap. Fayette County, in accordance with applicable federal and state law, prohibits retaliation against individuals who have complained of discrimination or harassment, who have assisted in or served as a witness in an investigation into or proceeding concerning alleged discrimination or harassment, or who have filed any formal action of discrimination or harassment.

Any employee found to have committed unlawful discrimination, harassment, or retaliation or otherwise violates this policy will be subject to disciplinary action, up to and including immediate termination.

Harassment consists of unwelcome conduct, whether verbal, physical or visual, on the basis of sex (with or without sexual conduct), pregnancy, sexual orientation, gender identity, race, color, age, national origin, religion, disability, protected activity (*i.e.*, opposition to prohibited discrimination or participation in the statutory complaint process) or other protected status under applicable federal, state or local employment discrimination law which unreasonably interferes with an individual's job performance or otherwise creates an intimidating, hostile or offensive working environment, or which results in a tangible employment action such as hiring, firing, promotion or demotion. Harassment may include derogatory remarks, epithets, offensive jokes, the display or circulation of offensive printed, electronic (e.g., emails, text messages or internet/social media postings), or visual material, or offensive physical actions. Unwelcome off-duty conduct that carries over into the workplace may violate this policy.

Unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct of a sexual nature constitute unlawful sexual harassment when:

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

Sexual harassment also includes unnecessary touching of an individual or unwelcome physical contact such as patting, pinching or brushing against another, subtle pressure or request for sexual activities, referring to or calling an individual by an endearing, demeaning or sexual term, a display in the workplace of sexually suggestive objects, pictures, cartoons or posters, graphic verbal commentaries about or leering at an individual's body, sexually degrading words used to describe an individual, sexually explicit, suggestive or offensive comments, jokes or teasing, preferential or derogatory treatment based on gender, verbal abuse of a sexual nature, physical or sexual assault, or other similar behavior. Unwelcome off-duty conduct of a sexual nature that carries over into the workplace may violate this policy.

All employees are responsible for complying with and helping to enforce the County's policy against harassment. Any individual who believes that he or she has been the victim of harassment or who has witnessed such harassment must ***immediately report*** such conduct to his or her supervisor or to any of the persons listed below so that the situation can be promptly investigated and remedied. An employee should not wait until the suspected harassment becomes severe or pervasive. An employee who is uncomfortable for any reason in bringing such matter to the attention of his or her supervisor, or who is not satisfied after bringing the matter to the attention of his or her supervisor, must report the matter to the Human Resources Department. If the employee is uncomfortable with bringing the report to the attention of an immediate supervisor or the Human Resources Director, the employee should bring the report to the attention of any member of the Board of Commissioners. Any supervisor who receives a complaint of harassment or becomes aware of a potential situation must refrain from taking his or her own action and immediately report the matter to the Human Resource Director. Any questions about this policy or suspected harassment or retaliation should also be brought to the attention of the Human Resource Director.

Court employees are subject to the Unified Judicial System's Code of Conduct and Policy on Nondiscrimination and Equal Employment Opportunity. Any Court employee with questions about workplace discrimination, harassment or retaliation should contact the Court Administrator.

The matter will be promptly, thoroughly and impartially investigated and all allegations of harassment will be kept confidential to the extent possible. The alleged harasser will not have any direct or indirect control over the investigation. Employees should be aware that the County may use an outside source to assist in the investigation of such complaints. In any event, an investigation will include, at a minimum, interviews of the employee who complained of harassment, the alleged harasser(s), and others who could reasonably be expected to have relevant information. If the County determines that harassment occurred, it will take immediate and proportional measures to stop the harassment and ensure that it does not recur.

The County absolutely will not tolerate unlawful workplace harassment or discrimination. The County also will not tolerate retaliation against anyone who files a bona fide complaint of harassment or discrimination or who participates in an investigation. Any employee who is determined to have violated this policy, whether hourly or salary, will be subject to disciplinary action, up to and including termination of employment.

Section 3 – Employment Practices

EMPLOYMENT CLASSIFICATION

The following terms are used to describe the classifications of Fayette County employment status.

Regular Employees

Regular Full-Time: An employee who is regularly scheduled to work 37.5 hours or more per week. Regular full-time employees are eligible to participate in County benefits.

Regular Part-Time: An employee who is regularly scheduled to work 20 hours or fewer per week and is compensated on an hourly basis. Regular part-time employees are not eligible for paid time off, health insurance, dental insurance, vision insurance, or life insurance benefits unless required by applicable law, collective bargaining agreement or other agreement with the County. Please see the Human Resources Director regarding specific eligibility.

Non-Regular Employees

Casual Employee: Employees who are hired to work on an as-needed basis, with no specific set schedule. Casual employees are not eligible to participate in County benefits other than those mandated by applicable law.

Temporary/Seasonal: Employees who are hired for a limited period not to exceed 180 days, for reasons other than to replace a regular, full-time or part-time employee who is absent from work due to illness or other approved leave. Temporary seasonal employees generally may be scheduled for up to 37.5 hours per week, though they may be scheduled to work more than those hours. Temporary/seasonal employees are not eligible to participate in County benefits other than those mandated by applicable law.

Temporary Replacement (Full-Time) – Employees who are hired for a period of not more than 180 days to temporarily substitute for a regular, full-time employee who is absent from work due to illness or other approved leave and who is reasonably expected to return. Such employees typically are scheduled to work 37.5 hours per week and may be eligible by law to participate in some County benefits but are not eligible for paid time off or life insurance benefits unless required by applicable law or collective bargaining agreement. Please see the Human Resources Director regarding specific eligibility.

Temporary Replacement (Part-Time) – Employees who are hired on a part-time basis for a period of not more than 180 days to temporarily substitute for a regular, part-time employee who is absent from work due to illness or other approved leave and who is reasonably expected to return. Temporary replacement employees are not eligible to participate in County benefits other than those mandated by applicable law or collective bargaining agreement.

Exempt/Non-Exempt Status

In addition to the above classifications, each employee is designated as either exempt or non-exempt from receiving overtime under federal and state wage and hour laws.

Non-exempt Employees are entitled to overtime for all hours worked over 40 hours in a workweek under specific provisions of the Fair Labor Standards Act (FLSA) and/or the Pennsylvania Minimum Wage Act (PMWA). Overtime is calculated at the rate of one and one-half times the employee's regular base rate for all hours worked over 40 hours. For purposes of overtime compensation, hours credited for holidays, vacations, personal days, sick days, bereavement leave, and other types of leaves, whether paid or unpaid, are not included as "time worked" in the base 40-hour period unless otherwise provided in an applicable collective bargaining agreement. *(Please see the Overtime Policy for more information.)*

Exempt Employees are those employees who, because of their duties, responsibilities and manner of pay, are "exempt" or not entitled to overtime under the FLSA and PMWA. Exempt employees are expected to work the hours necessary to perform the duties of their respective position, which may include time in excess of the normally scheduled County business hours.

If you have questions concerning your exempt or nonexempt status, please contact the Human Resources Director.

In addition, certain employees who are covered by collective bargaining agreements may be entitled to additional overtime or other pay in accordance with the terms of the applicable collective bargaining agreement. Please contact the Human Resources Director for details.

NEPOTISM/INTIMATE RELATIONSHIPS

Nepotism generally refers to favoritism and partiality granted to relatives in the hiring, promotion, disciplinary, and firing process. In the context of this policy, certain practices shall be prohibited and considered Nepotism.

Public confidence in County government requires openness and transparency in all functions. Concentration of any function of government in any family erodes this public confidence. Nepotism creates the appearance of impropriety, whether or not any actual improper activities exist or have occurred, affecting the County's ability to operate effectively and without hinderances. Potential personal conflicts from outside of the work environment that carry over to day-to-day working relationships can also result from Nepotism.

For purposes of this policy, the following definitions apply:

RELATIVE: The term "relative" means father, mother, brother, sister, uncle, aunt, husband, wife, son, daughter, step-son, step-daughter, son-in-law, daughter-in-law, niece, or nephew (by blood or marriage). Relatives by adoption are treated the same as biological relatives.

COMMISSIONER: Any person elected or appointed County Commissioner.

DEPARTMENT HEAD: Any person supervising a department of Fayette County under the management of the Commissioner's office.

PROHIBITIONS: Effective June 18, 2020:

Any relative of a Commissioner shall be ineligible for employment with the County unless the individual's date of employment predated the election of the Commissioner.

Any relative of a Department Head shall be ineligible for employment in the department or office over which the Department Head supervises.

No person shall be employed, considered for employment, or promoted into a position where such employment would be under the direct supervision of a relative.

No person shall be employed, considered for employment, or promoted into a position where such employment would make the person a direct supervisor of a relative.

No person is to take part in actions concerning hiring, disciplining, promoting, or dismissing a relative.

No person shall be employed, considered for employment, or promoted into a position where such employment would be in a department or closely related department that a Relative is already employed in.

EXCEPTIONS:

Nothing in this policy shall pertain to any current employee who was hired on or before June 18, 2020. In the event this policy is contrary to any existing contract, collective bargaining agreement, or statutory right of an employee, such agreement or right shall be controlling.

INTIMATE RELATIONSHIPS

In an effort to prevent favoritism, morale problems, disputes or misunderstandings, as well as potential sexual harassment and retaliation claims, no supervisory employee is permitted to date or engage in a romantic or sexual relationship ("Intimate Relationship") with an employee who is working directly for or under the direct supervisor of the supervisory employee. The goal of this policy is not to dictate or otherwise define personal relationships, but to ensure that all employees feel that they are being treated fairly and equitably.

If the Intimate Relationship is established after employment, the supervisory employee is responsible to notify Human Resources, and the situation will be addressed on a case-by-case basis. Employees generally will not be placed in positions where they work with or have access to sensitive information regarding someone with whom they have an Intimate Relationship or if there is an actual or apparent conflict of interest.

HIRE DATE / ANNIVERSARY DATE / SENIORITY DATE

An employee's Hire Date is the date that the employee begins working for Fayette County. The Hire Date will be used to calculate eligibility for most benefits, and the date used for employment verification on all authorized forms and government reports.

Employees re-hired by the county after 1/1/05 will have their previous period of continual service counted toward their length of service, in the calculation of vacation pay and sick pay, as long as the period that they were absent from County employment was shorter than their previous period of employment with the County.

Employees moving from part-time to full-time status will be credited for their service as a part-time employee. The calculation used to determine credited hours will divide the employee's total number of hours worked as a part-time employee by the employee's weekly hours scheduled as a full-time employee, rounded to the next highest whole number, to determine the number of weeks of prior service. This "Adjusted Date Made Full-Time" will be used for purposes of vacation and sick pay calculations.

Service for purposes of pension calculation are outlined in the retirement plan Summary Plan Description.

PERFORMANCE REVIEWS

Fayette County generally conducts annual performance reviews of all employees other than Court employees. An employee's annual performance review will be prepared by the employee's supervisor and reviewed by the employee's Department Head or the Department Head's designee.

A newly hired employee generally will receive written goals and objectives in the sixty (60) days of employment and generally will have a performance review at their one (1) year anniversary.

Review Process

The performance review process generally functions as described below. Fayette County reserves the right to modify this process in its discretion.

1. **Self-Assessment.** Fayette County begins the review process with a self-assessment. The self-assessment provides an opportunity for employees to characterize accomplishments since hire or the last review date. These may include goals met or additional achievements above and beyond expectations.
2. **Performance Ratings.** Supervisors will assess, using a variety of job-related factors, whether employees exceed, meet or fail to meet expectations. Examples of areas of assessment include:
 - a. Job knowledge, skills, and abilities
 - b. Quality of work
 - c. Productivity
 - d. Reliability

- e. Communication
 - f. Work relationships
 - g. Safety
 - h. Job performance
3. **Goals.** Each employee will work with their supervisor to set goals for the coming review period. Subsequent reviews will take into consideration goals articulated in prior reviews.
 4. **Training and Development Needs.** The supervisor may suggest or require additional training and development that may help the employee improve performance.
 5. **Employee Comments.** The employee will be asked to sign and date the review and will be permitted to provide written comments in response to the review.

Performance Evaluations will be maintained in the employee's personnel file and a copy will be provided to the employee.

If you have any questions regarding this policy or if you have questions about performance reviews that are not addressed in this policy, please contact the Human Resources Director.

Court employees should contact the Court Administrator regarding performance evaluations.

OPEN DOOR POLICY

Fayette County has an "open door" policy for all employees, whereby an employee may informally address problems or concerns with their supervisor, Department Head or Human Resources.

You are encouraged to first share your concerns, seek information, provide input, and resolve problems/issues with your immediate Supervisor. If for any reason you are not comfortable bringing your concerns to your Supervisor, you may raise your concerns with your Department Head or Human Resources.

Remember, we cannot address concerns that we do not know about. You may use the County's Open Door Policy without fear of reprisal.

Court employees should address any problems or concerns with the Court administrator.

(Please see the Problem Resolution Policy for the procedure to formally address problems or concerns. Please see the Equal Employment Opportunity/Non-Discrimination Policy and Workplace Harassment Policy to address concerns of discrimination, harassment and retaliation.)

ACCESS TO PERSONNEL FILES

Personnel files are the property of Fayette County. An employee's personnel file contains information such as the job application or resume, training records, performance reviews and other records relating to employment.

Any current employee may request a review of their personnel file using the procedure outlined in this policy. Representatives of current employees may also request to review an employee's personnel file on behalf of the employee in accordance with this policy, provided that the representative is authorized to do so in writing by the employee. Fayette County may take reasonable steps to verify the identity of the employee's representative to ensure that personnel information is only provided to authorized individuals.

Any employee who wishes to their personnel file must make a written request to the Human Resource Department to schedule review of the personnel file. Within a reasonable time after receiving the employee's written request, Fayette County will provide the employee (or the employee's authorized representative) with access to the employee's personnel file. The employee or employee representative must review the personnel file in the County's Human Resource office and in the presence of a representative from the Human Resource Department. The employee may be required to review the file on non-working time. The employee or employee's representative will be notified of the designated time and place for inspection of the personnel file. The employee and the employee's representative will not be permitted to remove any documents from the personnel file but may take notes concerning the contents in the file. Employees and employee representatives generally will not be permitted to make copies of the contents of the personnel file.

PERSONNEL INFORMATION CHANGES

It is the employee's responsibility to promptly notify Human Resources of any personal data changes. Changes can consist of the employee's name, address, telephone number, marital status, number of dependents, names of dependents, who to contact in case of emergency, and/or educational accomplishments. Since changes may affect the employee's benefits, taxes, insurance status, etc. Please promptly report any changes as soon as possible, preferably within 30 days of the event.

SEPARATION FROM EMPLOYMENT

Employment may be terminated voluntarily by the employee or involuntarily by the County. Employees who voluntarily resign from employment with the County are requested to give the County the professional courtesy of giving at least ten (10) working days of advance notice and working during the entire notice period to allow the County time to prepare for the transition of duties. The Human Resources Department generally will schedule an exit interview with any employee who has voluntarily terminated employment.

Following either voluntary or involuntary termination, an employee will receive their final paycheck on the first regular payday following the employee's last day of employment. To the extent permitted by applicable law, any vacation time taken in advance of earning it, any outstanding debts owed to the County or reimbursement of personal telephone calls, shall be deducted from your final paycheck, to the extent permitted by law.

An employee who resigns from the County with one year or more of continuous service, who has provided at least ten (10) working days advance notice to the County, and who has worked the entire period of a ten (10) working day advance notice period, will be paid for any vacation pay they earned but did not use during the year in which employment ends. The County reserves the right to pay an employee for any advance notice period and in lieu of the employee working.

Unused vacation pay will not be granted to any employee who resigns without providing and working during the entire ten (10) day advance notice period or who is terminated for misconduct or cause.

Upon separation of employment, all employees are required to return all Fayette County documents, handbooks, uniforms, keys, security cards, and other property to the County at the time of termination. To the extent permitted by applicable law, any cost of unreturned property will be deducted from the employee's final pay.

RELEASE OF EMPLOYMENT INFORMATION AND EMPLOYMENT REFERENCES

Only the Human Resources Department is authorized to respond to requests for verification of current and former employment with Fayette County, employment references on behalf of the County or information regarding any current or former employee. No other employee, supervisor, manager, or representative of the County is authorized to respond to such requests.

If you receive such a request for information regarding any current or former employee, please direct the inquiry to Human Resources. Responses to such inquiries will be limited to confirmation of dates of employment and position(s) held. Wage inquiries and/or requests for additional information will only be processed if submitted in writing along with a signed release by the individual who is the subject of the inquiry unless otherwise required by law.

Section 4 – Pay and Compensation

SALARY BOARD

The Salary Board must approve all changes in compensation.

Each year the Salary Board will review compensation programs as part of the budget preparation process and may make adjustments if the Board deems it to be fiscally appropriate. An annual salary plan will be submitted annually by each Department Head to the Commissioners of Fayette County for their approval as part of the budget process.

BIWEEKLY PAY

Each employee will be paid every two weeks (every other Friday). Paychecks will be available for pickup at the employee's work location unless the employee has elected direct deposit.

Employees are required to submit an accurate and approved time sheet by the established deadline. Failure to timely submit an accurate and approved time sheet may result in disciplinary action, up to and including termination of employment.

OVERTIME

From time to time it may be necessary for the County to require employees to work more than forty (40) hours in a workweek as business necessitates. In such cases, the County will attempt to provide as much notice as practicable.

Non-exempt employees who work more than forty (40) hours in a workweek will be eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA) and the Pennsylvania Minimum Wage Act. For purposes of computing overtime, the workweek runs from midnight on Sunday through 11:59 p.m. the following Saturday. Overtime compensation shall be 1 1/2 times the employee's equivalent hourly rate. For purposes of overtime compensation, hours credited for holidays, vacations, personal days, sick days, jury duty, bereavement leave, or other types of leaves, whether paid or unpaid, are not included as "time worked" in the base 40-hour period unless otherwise provided in an applicable collective bargaining agreement.

Any overtime for non-exempt employees must be pre-approved in advance. The employee's Supervisor must request advance approval from the Board of Commissioners and receive approval prior to the work being performed. In the event an employee works more hours than his or her scheduled work time or overtime without first receiving the appropriate approval, the employee will be paid for the time worked, but the employee and the supervisor may receive disciplinary action up to and including termination from employment for working overtime without appropriate advance authorization.

Exempt employees may be required to work more than their regularly scheduled hours, including more than 40 hours in a week. However, exempt employees are not entitled to overtime compensation.

COMPENSATORY TIME

Non-Exempt Employees

Unless otherwise provided by applicable collective bargaining agreement, non-exempt employees will be paid for overtime as described above. Under certain limited conditions and only with advance supervisory approval, certain non-exempt employees of the County may be approved to receive compensatory time off, at a rate of not less than one and one-half hours for each overtime hour worked, instead of being paid overtime pay. Any supervisor who approves compensatory time is responsible for accurately tracking the compensatory time and promptly and accurately reporting the approved compensatory time to Human Resources. Any employee who has been approved to receive compensatory time in lieu of overtime compensation will be permitted to use compensatory time on the date requested unless doing so would unduly disrupt the operations of the County. Approved compensatory time may be accumulated up to a maximum of forty (40) hours. If an employee terminates employment with the County for any reason before using any accrued compensatory time, the compensatory time will be paid in the final paycheck, at a rate of not less than one and one-half hours for each overtime hour worked to accrue the compensatory time.

Exempt Employees

Exempt employees are expected to perform their duties efficiently and effectively, no matter what amount of time it takes. There is no legal requirement to pay overtime or compensatory time to exempt employees. However, in circumstances where an exempt employee has performed unusual or extraordinary duties (e.g., emergency response, special assignment, or other similar event outside of regular business hours), the County will consider granting a limited amount of compensatory time to an exempt employee.²

Exempt Employees Except Department Heads: An exempt employee must submit any written request for compensatory time to their Department Head, Human Resources, and the Commissioners. The written request must explain the unusual or extraordinary duties performed by the exempt employee, the amount of time the exempt employee spent performing such duties outside of regular business hours, and the amount of compensatory time requested. If approved, the Commissioners will determine the amount of compensatory time, if any, to be granted the exempt employee. Generally, compensatory time granted to a non-exempt employee will be on an hour-for-hour basis. The Department Head is responsible for tracking the compensatory time taken by the exempt employee. The compensatory time must be taken within the following thirty (30) days, and only with Department Head approval so not to unduly disrupt operations. Any accrued compensatory time granted that is not

² Any compensatory time accumulated by an exempt employee before November 1, 2020, must be used on dates approved by the Department Head, or in the case of a Department Head must be used on dates approved by all three (3) Commissioners, **before December 31, 2020**. An exempt employee will not be eligible to use compensatory time on any date when it will be unduly disruptive of County operations. Any approved compensatory time accrued prior to November 1, 2020 that is not used by December 31, 2020 will be lost.

taken within thirty (30) days of being approved by the Commissioners will be lost and will not be paid out upon termination of employment for any reason.

Department Heads: A Department Head must submit any written request for compensatory time to Human Resources and the Commissioners. The written request must explain the unusual or extraordinary duties performed by the Department Head, the amount of time the Department Head spent performing such duties outside of regular business hours, and the amount of compensatory time requested. No compensatory time will be granted to a Department Head without the unanimous approval of all three (3) Commissioners. If approved, the Commissioners will determine the amount of compensatory time, if any, to be granted the Department Head. Human Resources is responsible for tracking the compensatory time taken by the exempt employee. The compensatory time must be taken within the following thirty (30) days, and only with the unanimous approval of all three (3) Commissioners so not to unduly disrupt operations. Any accrued compensatory time granted that is not taken within thirty (30) days of being approved by the Commissioners will be lost and will not be paid out upon termination of employment for any reason.

PAY RATE CHANGES

Pay rate changes which have been approved in writing by the Board of Commissioners or Salary Board and the employee's Supervisor must be submitted by Human Resources within ten (10) days, using a Payroll Information Form. Records of pay rates and changes are kept in the Payroll Department and in the employee's personnel file.

PAY CORRECTIONS

The County intends to comply with all applicable federal and state wage laws. All reasonable steps are taken to ensure that employees receive the correct amount of pay and that employees are paid promptly on the scheduled payday. In the event that an employee believes that there is any error in or improper deduction from the employee's paycheck, the employee should immediately report the problem to the Human Resources Director, and it will be investigated. In the event that an error has been made, it will be promptly corrected.

TIMEKEEPING PROCEDURES

All employees are required to keep an accurate record of time worked in order to correctly calculate employee's pay and benefits. "Time worked" is all the time actually spent performing assigned duties. Employees are responsible for recording all hours worked in order to ensure that they are accurately paid for all hours worked.

Employees must accurately record and report all time worked. Employees are to accurately complete timesheets that are provided by the County and promptly submit timesheets to the County. Supervisors are responsible for monitoring all time worked by employees and ensuring that time worked by employees is accurately reported and recorded.

The following rules must be observed:

1. Employees must sign in and out for their own time worked. No employee may sign in or out for another employee.
2. Non-exempt employees must sign in and out at lunch breaks. The employee must be signed out upon cessation of work and the employee must be signed in when returning to work. Signing in and out at the same time is not allowed.
3. Employees must sign in when they are ready to start working.
4. Any errors or accidental omissions on the timesheet which require correction must be signed by the supervisor and the employee.
5. Tardiness, including late reports and returning to work late after lunch or breaks, and early departures will be considered on the same basis as absenteeism.
6. Employees who the premises during work hours for reasons other than County business must sign out when leaving, sign in when returning, and report their departure and return to their supervisor.
7. Employees generally are expected to be at their workstations and ready to begin work at 8:00 a.m., unless another schedule has been approved by the employee's Supervisor, Department Head, or Human Resources.
8. Employees must accurately report all time worked.
9. No employee or supervisor may direct another employee to under-report, over-report, falsely report, or inaccurately report the amount of time an employee actually worked.
10. Under no circumstances should any employee record or change another employee's time. No one, including a supervisor, is permitted to change an employee's time unless the employee reports an error or requests an adjustment.

Department Heads are responsible for submitting employee time sheets to the Controller's office the Friday preceding every payday. All overtime and jury/witness duty pay requests must be accompanied by the proper authorization forms and documentation.

Exempt employees' time sheets will serve as a daily record of attendance or absence. Pay will not be altered based on the times signed in and out within a workday.

The County reserves the right to implement digital timekeeping with the advancement of technology.

Altering, falsifying, tampering with time records, or any other violation of this policy will result in disciplinary action, up to and including termination of employment.

Section 5 – Employee Conduct

PROBLEM RESOLUTION

Occasionally, employees experience problems or have concerns that have not been resolved through the informal Open Door Policy (*Please see Open Door Policy*) or other means. In those circumstances, employees may formally submit their complaints through the Problem Resolution procedure described herein.

PLEASE NOTE:

The County's policies prohibiting discrimination, harassment, and retaliation are outlined earlier in this Handbook. Employees who feel they have been discriminated against, harassed, or retaliated against in the workplace should refer to the County's Equal Employment Opportunity policy and Workplace Harassment policy for the proper procedure for reporting discrimination, harassment, and retaliation. Employees who are qualified individuals with a disability and need a reasonable accommodation should refer to the County's policy on Disabilities Accommodations policy for information on requesting a reasonable accommodation.

Bargaining unit employees should refer to the Grievance Procedure in the applicable collective bargaining agreement.

Court employees should address problems or concerns with the Court Administrator.

Problem Resolution Procedure:

Step One – The employee should submit their complaint in writing to their supervisor. It is the supervisor's responsibility to ensure that any complaint receives prompt attention. It is of the utmost importance that in all instances the supervisor notifies the employee of the action taken to correct the situation. The employee will receive a written explanation, generally within five (5) working days.

Step Two – An employee who feels their complaint has not received adequate attention in Step One, or has a complaint about their supervisor, may direct the complaint to the Department Head or their designee.

Such complaints are to be made in writing, including copies of the Supervisor's response, generally within five (5) working days of their Supervisor's response. The Department Head or designee will review the complaint and arrange a meeting with the employee, generally within five (5) working days of receiving the complaint. The Department Head or designee will provide the employee a written decision, generally within five (5) working days following the meeting.

Step Three – An employee who feels their complaint has not received adequate attention in Step Two, or has a complaint about their supervisor, may direct the complaint to the Commissioners or their designee.

Such complaints are to be made in writing and include copies of the Supervisor's and Department Head's responses, generally within five (5) working days of their Department Head's response. The

Commissioners or their designee will review the complaint and arrange a meeting with the employee, generally within five (5) working days of receiving the complaint. The Commissioners or their designee will provide the employee a written decision, generally within five (5) working days following the meeting. The decision of the Commissioners or their designee is final.

The County reserves the right to deviate from the aforementioned steps and generally stated time frames, depending on the circumstances.

ETHICAL STANDARDS POLICY

Fayette County expects its employees to practice proper ethical conduct at all times with special attention to the following items:

Outside Employment³

No employee shall receive any income for employment in addition to County employment that in any way conflicts with County employment. In particular, there shall be no income where there is actual, or the appearance of, conflict of interest or influence asserted which would affect his or her County position. Appearances of a conflict of interest may be avoided by a full disclosure, coupled with an advisory opinion from the State Ethics Commission and/or the County Solicitor.

Public Officials and employees who are covered under The Public Official and Employee Ethics Act "Ethics Act," 65 PA. C. S. 1101 et seq. shall disclose to the Chief Clerk the present source (or prospective source) of any income and/or consideration not obtained from the County if that income and/or consideration will be from performing services involving the same skills, knowledge, or professional certification as that utilized in their County employment.

Conflict of Interest

A conflict of interest is defined as any of the following:

1. Any act in violation of state law, state regulations or administrative rulings related to conflicts of interest.
2. Receipt of any benefit from non-County sources which influences, or likely would influence, on-the-job decision making by a County employee.
3. Any benefit resulting in personal gain as a result of County employment, excepting remuneration from the County earned as an employee.
4. Any act that is contrary to the best interest of the County.

Confidentiality

Information, decisions and personal matters which are, as a matter of law, considered confidential shall not be disclosed by an employee except as permitted by law. No County documents shall be removed from the office where the person is employed unless permission has been granted by the

³ No County employee may engage in outside employment while on paid leave from the County unless expressly approved in advance by the Commissioners.

Department Head, Row Officer or equivalent. No County documents, except public records, may be copied unless permission has been granted by a Row Officer or County Commissioner.

Information acquired confidentially through the performance of County job duties should not be used for making private profit.

Court employees should consult with the Court administrator regarding the confidentiality of Court documents.

Gifts and Favors

No employee should ever accept, for themselves or their family, favors or benefits under circumstances that might be construed by a reasonable person as influencing the performance of their county duties. The following situations are exceptions to that general prohibition, provided that the item of value is not given or offered with the intent to influence a Fayette County employee, client or supplier in connection with any transaction.

1. An employee may accept advertising or promotional material of a nominal value (for example, pens, calendars, notepads and similar items). Department Heads are to set up procedures to ensure that these materials are distributed equitably.
2. An employee may accept discounts or rebates on services or merchandise that do not exceed those generally available to other customers. Department Heads are to set up procedures to ensure that these discounts are distributed equitably.
3. An employee may accept civic, charitable, educational or religious organization awards of reasonable value in recognition of service or accomplishment.
4. Employees should discuss any gift or other thing of value, which is not covered by the above exceptions, with the Department Head in advance. If an employee should receive any item, which is in violation of this policy, he or she should immediately report it to the Department Head. Whenever possible, the gift should not be accepted until the Department Head's authorization has been received. If the refusal or return of the gift is not possible, the employee may be instructed to arrange for the donation of the gift to a charitable organization.

Misuse of Personal Services and/or County Property

No public official, Department Head, or Supervisor shall receive, request, encourage or otherwise allow any County employee whom they supervise (directly or indirectly) to provide services of a personal nature to them. Request to provide such service may be grounds for disciplinary action up to and including termination. This includes any act of intimidation, undue influences or coercion.

County employees must report any suggestion or act regarding a request for provision of personal services to the President Judge (Court-appointed employees) or the Human Resource Director (non-Court-appointed departments).

County materials and equipment may be utilized **only** for County purposes. Misuses of material and/or equipment by any County employee may result in disciplinary action up to and including termination.

Employees may provide services of a personal nature for co-workers; however, such services may only be provided on personal time.

Political Activity and Contributions

The use of County letterhead, offices, and addresses for the purposes of political activity and/or solicitation for political or non-governmental purposes is strictly prohibited.

No employee shall solicit or be solicited for political contributions as a condition of employment or with the intent of providing favors or preferential treatment to any person in the performance of the employee's governmental duties.

Employees may make personal political contributions, as permitted by law, but shall not do so with the intent of being reimbursed by the county or receiving a personal favor or other benefit related to their county employment.

No employee shall promise to any person any employment, position, contract, appointment, compensation, or other benefit, provided by or related to County government, as consideration, favor or reward for any political activity of any kind. This includes the solicitation of political contributions or voter registrations.

Except as provided by law or written County policies, no employee shall deprive, attempt to deprive or threaten to deprive any person of any employment, position, contract appointment, compensation or other benefit, provided by or related to county government, solely due to any political activity of any kind, or lack thereof, including the solicitation of political contributions or voter registrations.

No employee shall engage in the following activities during the employee's working hours during a day the employee is actively working:

1. Circulation of nominating petitions;
2. Solicitation of political contributions;
3. Solicitation of voter registrations.
4. Engage in any type of political activity/election.

The State Ethics Act

The State Ethics Act requires certain public employees to file a Statement of Financial Interest on an annual basis with the County's Chief Clerk. A public employee who must normally file this form is one who is employed by the County and who is responsible for taking or recommending official action in a decision-making capacity, not merely the carrying out of existing policies or procedures. For questions on whether you need to file a Statement of Financial Interest, contact the County Solicitor.

Compliance with State Code of Ethics

It may be appropriate, at times, for a question of ethics to be addressed directly by the Pennsylvania State Ethics Commission (PSEC). An opinion from the PSEC is not determinative as to whether an individual has complied with the State Ethics Laws.

Applicability of the Ethical Standards

These Ethical Standards apply to all County employees over which the Board of County Commissioners has supervisory authority. Specific departments may require additional ethical standards that are unique to their professional discipline with Commissioner approval.

Excluded would be the Judicial Branch, Elected Officials, Row Officers and any other individuals who by law would not be covered. The judiciary has its own Code of Judicial Conduct, promulgated by the Pennsylvania Supreme Court. The elected Row Officers are elected representatives of the citizens of Fayette County and cannot be made subject to a code of ethics promulgated by the County Commissioners. The Row Officers are subject to the requirements of the Pennsylvania State Ethics Act.

Reporting Violations of the Ethics Standards

Every employee of the County is under an obligation to disclose to their Department Head, Row Officer, Chief Clerk, or County Commissioner any violation of the Ethics Standards. The obligation exists when the employee witnesses the violation or has received reasonable information that a violation has occurred.

To the greatest extent possible, the identity of the person reporting the violation will be kept confidential. An employee who fails to report a violation is breaching the public's trust and is subject to disciplinary action.

Whistleblower Protection

The County will not retaliate against an employee who reports, or will report, an instance of wrongdoing for waste or suspected violation of local, state or federal law to the employer or to a governmental authority. Employees who participate in an investigation, inquiry or hearing by a governmental agency are similarly protected. The County need not compensate an employee who participated in such an investigation, inquiry or hearing for the hours missed from work unless otherwise required to by law.

Penalties for Violation of the Ethics Standards

All suspected violations will be investigated by the Chief Clerk who will report their findings to the Board of Commissioners. The responsibility for making a determination as to whether there has been a violation is the County Commissioners', in conjunction with the Chief Clerk, Solicitor, Department Head or Row Officer for the relevant employee. Progressive disciplinary procedures will apply.

This Ethical Standards policy is not intended to preclude or dissuade employees from engaging in

legally required activities or activities protected by state or federal law, including the Pennsylvania Labor Relations Act, such as discussing wages, benefits, or terms and conditions of employment, forming, joining, or supporting labor unions, bargaining collectively through representatives of their choosing, raising complaints about working conditions for their and their fellow employees' mutual aid or protection.

USE OF COUNTY TELEPHONE AND OFFICE EQUIPMENT

Fayette County's telephones and office equipment are the property of the County. County telephones, computers, and office equipment are generally to be used for Fayette County business use only.

The following rules apply to the use of County telephone and office equipment:

1. Personal telephone calls are discouraged but are allowed on an emergency basis. Employees are to practice discretion in using the County's telephones.
2. Any use of the County telephone is not to interrupt business operations or take employees away from their assigned duties.
3. Long distance and/or toll calls are not to be made on County phones.
4. Personal use of the County's photocopiers, fax machines, cell phones, computers, cameras, mail service, computer files and software for commercial, religious, political or other non-business purposes is prohibited.

Violation of any provision of this policy may result in disciplinary action, up to and including termination of employment.

ELECTRONIC SYSTEMS AND INTERNET USAGE POLICY

Fayette County employees are provided access to computers, e-mail and voice mail systems and the Internet. This is for the benefit of the County, to help the County in the conduct of its business and to fulfill its mission.

The computer, hardware, software, e-mail system, phone system, and voice mail system to which employees are given access are Fayette County property. All documents stored on County computers are and remain County property.

All contents of Fayette County's electronic and internet resources and communications systems are the property of the County. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on Fayette County's electronic information and communications systems. Do not use Fayette County's electronic and internet resources and communications systems for any matter that you desire to be kept private or confidential from Fayette County.

Fayette County reserves the right, for legitimate business reasons including enforcement of this policy,

to review, audit, intercept and access all documents stored on County computers and all messages created, received or sent for any purpose over the County's computer, e-mail, internet, voice mail, phone or electronic system. Computer documents or the contents of e-mail properly obtained for legitimate business purposes may be disclosed for legitimate business reasons without the permission of the employee who created, stored, received or sent the document or e-mail. Do not assume that erased messages cannot be retrieved.

All passwords for County-provided devices and accounts must be disclosed to the Department Head, IT Administrator or Human Resources upon request.

Notwithstanding the County's right to retrieve and access documents on County computers, e-mails and other electronic systems for legitimate business reasons, Fayette County employees are prohibited from using and/or accessing the contents of another employee's computer or e-mail messages unless they have their supervisor's authorization to do so.

Supervisors should monitor all computer, e-mail and Internet usage by employees as far as it is practical and ensure compliance with the above policy. Employees should exercise common sense in using the County computer system. For example, the confidentiality of documents and messages should be protected as they are logged into the computer system just as an employee would protect hard copies of confidential information from disclosure.

Because of the risk of outside viruses and applications that may conflict with the County computer systems, employees may not add to or augment their work systems or settings with any personal software.

In order to protect documents, e-mails and other computer information from unauthorized access, employees are not to give their passwords to any co-worker or a third party.

Department Heads, IT Administrator or Human Resources may request passwords securing County property including computers, documents, email and phone systems for a legitimate business purpose.

Employee shall not use the Fayette County electronic systems to:

- Engage in any conduct that violates any Fayette County policy including, but not limited to, its policies addressing workplace discrimination, harassment and/or retaliation, workplace violence, and/or ethics;
- Make any statement relating to the employee's position with the County that interferes with the efficient functioning of the office/Department where the employee works or that has a detrimental impact upon the employee's working relationship with the persons served by the office/Department where the employee works;
- Engage in vulgar or abusive language, personal attacks of any kind, or offensive terms; targeting individuals or groups;
- Endorse commercial products, services, or entities;
- Endorse or oppose political parties, candidates, or groups;
- Access or post on social media;
- Make negative statements about residents, either generally or referencing specific interactions with residents you may have had;

- Discuss any agency or County-related information that is not considered public information. Note that the discussion of sensitive, proprietary, or classified information is prohibited;
- Violate any other laws or ethical standards; or
- Impersonate someone other than yourself on County systems.

Violation of any provision of this policy will subject an employee to discipline up to and including termination of employment.

SOCIAL MEDIA USE

Fayette County recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media. However, Fayette County employees should recognize and understand that these types of tools can sometimes blur the line between professional and personal lives and interactions. Because of this, employees are reminded that the County's social media guidelines and existing standards should be taken into consideration when participating in these activities at any time, but particularly when identifying themselves as employees of the County or when that conclusion could be drawn that their opinions are those of the County or impact their work on behalf of the County.

All Fayette County employees should understand the public and transferable nature of social media, regardless of security settings. Private communications posted on the internet can easily become public and Fayette County employees are responsible for understanding the rules and privacy settings of the sites they use. If you don't want something to become public, do not put it on the internet—regardless of your security settings. Always consider how something could be construed or interpreted before posting, particularly where there is some connection to your work on behalf of the County or the County's services or mission. While it may only take second to post, it will forever be in the public domain. Almost everything can be documented or archived. Therefore, even after deleting, it may later be viewed.

Social media includes all forms of communicating or posting information, content or materials on the Internet, including without limitation authoring, hosting and maintaining your own blog, posting messages on your own or someone else's blogs or social media profiles, bulletin boards, chat rooms, or any other form of electronic communication; posting comments on publicly accessible message boards, maintaining a profile on social networking sites, and audio casting or video casting content which you create. "Tweeting" on Twitter is a form of micro-blogging, as are status or comments posted via Facebook and such micro-blogging or related behavior is covered under this policy. Also covered are activities such as "liking" or reposting content that would denote your participation in communication. The policy is designed to serve as a "catch all" for all social media, even if the specific media or means is not mentioned specifically herein.

All of Fayette County's policies outlined in this Handbook apply to an employee's social media use. Social media should never be used in a way that violates any other Fayette County policies or employee obligations. If your social media activity would violate any of Fayette County's policies in another forum, it will also violate them in an online forum. Specifically, your social media activity is subject to discipline when such behavior could have an adverse impact on the performance of your job duties, the performance of any other County employee's job duties, or that may otherwise adversely

affect the operation of the County' s legitimate business. Employees are prohibited from accessing, posting, or reposting on social media during County working time, unless it is part of the employee's official duties.

The following, non-exhaustive, restrictions on social media activities apply to all employees at all times, and violations may be cause for disciplinary action up to and including termination of employment:

- **Criminal:** Employees shall not engage in any behavior on social media that is criminal. Criminal charges do not necessarily have to be levied in order for a violation to occur. Examples include sharing information that is known to be false or making statements that are defamatory, threatening or abusive. You must also always respect all trademark, copyright and publication laws.
- **Misuse of Position:** Employees shall not use their position with the County for private gain or otherwise in violation of a County, state, local or federal policy in any social media activity. Additionally, if confusion or doubt is likely to arise regarding whether your statement is personal or a representation because of your position with the County, you should expressly state that you are an employee of the County but that your views are not necessarily those of the County.
- **Use of Non-Public Information:** Employees shall not engage in or nor allow for the improper use of nonpublic information. For example, an employee shall not knowingly permit the unauthorized disclosure of classified information, proprietary information, the content of confidential or deliberative discussions. Do not communicate any information that would violate the conflict of interest or ethics rules. It is your responsibility to determine whether or not your conduct is in compliance with all such applicable regulations. If you have questions regarding the conflict of interest or ethics rules and compliance, please contact the County Solicitor or Human Resources Director.
- **Political Activity:** Employees should consider their position and what types of political activity are permitted and appropriate. Certain positions are restricted in making political commentary. Other employees may be permitted to engage in political activity but only if it does not disrupt or interfere with the efficient functioning of the County. If you are unsure about what political activity is permitted, you should contact the County Solicitor or Human Resources Director.
- **Discrimination and Harassment:** Fayette County prohibits discrimination against any employee or applicant for employment in regard to any terms or conditions of employment on the basis of race, color, religion, religious creed, ancestry, national origin, sex (including pregnancy, sexual orientation and gender identity), gender, age (40 or older), physical or mental disability, non-job related handicap or disability, genetic information, the use of a guide or support animal because of the blindness, deafness or physical handicap of any individual or other characteristic protected by applicable law. If it would violate a County policy in another forum or medium, it is a violation via social media (e.g., offensive derogatory remarks, epithets, offensive jokes, the display, or circulation of offensive visual material). Managers and supervisors are expected to conduct themselves in a professional manner at all times, and to refrain from posting

or reposting anything on social media that could give the appearance of discriminatory bias.

- **Impact on County and Co-workers:** Regardless of where the conduct takes place, behavior that has an adverse impact on an employee or the workplace may result in discipline. Such conduct that would not be permissible in the workplace is not permissible by employees online, even if done during non-work hours or away from the workplace on personal devices. Therefore, employees must avoid making or participating in communications that have a detrimental impact on their working relationship with co-workers or others they interact with as a result of their position, such as residents, or other behavior that interferes with the efficient functioning of the County.
- **Social Media on Behalf of the County:** Only those employees who are specifically directed by their Department Head should ever make a social media communication on behalf of the County. Such posts and any media responses are subject to Departmental approval. Employees are not permitted to utilize County equipment, networks or working time for personal social media purposes (e.g., accessing or posting on personal social media). Again, if there is any question about whether your representation is personal, a clarification should be made stating that that you are speaking on your own behalf and not as an employee of the County. This means that you should write in the first person and use your personal contact information when communicating via social media. If you disclose your affiliation as an employee of Fayette County, you should also include a disclaimer that your views do not represent those of the County.

If you discover any violations of this policy, you should contact your supervisor or Human Resources as soon as practically possible. Managers must document and report violations to Human Resources immediately.

Nothing in this policy is intended to interfere with your rights under federal, state or local laws, nor will the County construe this policy in a way that limits such rights. This includes your rights to discuss wages, hours, or other terms and conditions of employment, forming, joining, or supporting labor unions, bargaining collectively through representatives of your choosing, raising complaints about working conditions for you and your fellow employees' mutual aid or protection or otherwise engage in activity protected by the Pennsylvania Employee Relations Act or Pennsylvania Labor Relations Act.

If you have any questions regarding this policy, including if you are unsure about a communication that you would like to make, please contact Human Resources.

SOLICITATION AND DISTRIBUTION

In order to prevent disruptions in the operation of the County, and in order to protect employees from harassment and interference with their work, Fayette County has established the following rules regarding solicitation and distribution of literature or other materials on County property and during working time, which must be observed.

The solicitation or distribution of literature or other written materials by non-employees on County

property is prohibited at all times, unless approved by the Fayette County Board of Commissioners.

The solicitation of one employee by another employee for any non-County related purpose while either employee is on actual work time is strictly prohibited. The distribution of non-County related advertising material, handbills, printed or handwritten literature, solicitations for the sale of goods or services, contest promotions, or requests for donation in work areas is prohibited at all times. The distribution of these materials in non-work areas is prohibited when either the employee distributing the material, or the employee intended to receive the material is on actual work time. Work time does not include breaks, meal periods, or any other periods in which employees are not on work time. Any solicitation or distribution that takes place during a non-working time by employees must also adhere to other County policies, including but not limited to compliance with the conflict of interest policy and prohibitions against harassment, discrimination, illegal drugs and alcohol, and gambling.

Supervisors are to monitor all work areas to ensure that solicitation prohibited by this policy is not occurring.

Non-employees are prohibited from making unauthorized visits, solicitations or distributions of any kind of materials on County premises or to employees during their working time when they are not on county premises.

This policy is not intended to preclude or dissuade employees from engaging in legally required activities or activities protected by state or federal law, including the Pennsylvania Employee Relations Act and Pennsylvania Labor Relations Act, such as discussing wages, benefits, or terms and conditions of employment, forming, joining, or supporting labor unions, bargaining collectively through representatives of their choosing, raising complaints about working conditions for their and their fellow employees' mutual aid or protection.

RULES OF CONDUCT AND DISCIPLINE

Fayette County expects professional, efficient and productive conduct from all employees at all times in the workplace. Employees are to perform their jobs with skill and dedication. All employees are expected to act responsibly, adhere to the highest business principles in matters of personal conduct, and exhibit a high degree of integrity at all times.

Corrective action generally should be discussed with the employee and then confirmed in writing. Supervisors should communicate relevant information regarding the problem and the expected requirements for correction and improvement by the employee. The level of disciplinary given to the employee may vary depending on the circumstances, and the County reserves the right to impose any level of discipline it deems warranted by the situation, including taking no disciplinary action. Some of the factors that will be considered when determining the level of discipline are:

- whether the offense is repeated despite coaching, counseling or training;
- the employee's work record; and
- the impact the conduct and performance issues have on the County.

Except as otherwise provided in an applicable collective bargaining agreement, Fayette County employees generally are employed "at-will" and the continuation of their employment is subject to

management discretion. Therefore, nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Fayette County and its employees.

In accordance with Section 1620 of the Pennsylvania County Code, elected and appointed row officers have exclusive authority over matters related to the supervision, discipline and discharge of any employees who report to the elected official. Any employee of an elected or appointed row officer with questions about the policies contained in this Handbook or their application to their specific position or Department should contact the elected or appointed row officer to whom the employee reports.

In addition, in accordance with Section 1620 of the Pennsylvania County Code, the Court has exclusive authority over matters related to the supervision, discipline and discharge of Court employees. Any Court employee with questions about the application of the policies in this Handbook to their specific position should contact the Court Administrator.

SMOKING POLICY

The policy of the County is to prohibit the smoking or use of tobacco in any form, including smoking, electronic or vaping, chewing, rubbing or spitting, by any person within County-owned, leased, or rented building or structural facility. This policy shall further prohibit smoking or use of tobacco in any form, by any person operating or riding as a passenger in any County-owned, leased, or rented vehicle. Smoking and use of tobacco in any form, is also prohibited surrounding buildings and facilities other than in designated smoking areas. All tobacco and related products must be properly disposed of.

Nonexempt employees may utilize designated smoking areas for their two (2) scheduled fifteen (15) minute work-breaks during the workday. Exempt employees should work with their supervisors to take smoking or tobacco use breaks that otherwise do not interfere with the business operations of the County. Employees may also use the designated smoking areas during their meal period or before or after work hours. Other breaks for smoking or tobacco use are not permitted. Failure to return to work in a timely manner from breaks or extended breaks will be considered tardiness under the County's Attendance Policy, and violation of this policy may result in disciplinary action up to and including termination of employment.

ATTENDANCE POLICY

Employment at Fayette County carries with it the personal responsibility to be on the job on time, ready to work, every scheduled workday.

Absenteeism and tardiness directly influence both the employee and Fayette County's ability to provide services to the public. Reliable and punctual attendance is expected of all employees. At the same time, Fayette County recognizes that unforeseen circumstances arise that can affect an employee's attendance. Consequently, this policy is designed to address attendance issues in an objective and reasonable manner.

REPORTING ABSENCES

1. If an employee is going to be absent from work, he or she must speak with his or her Supervisor directly within 30 minutes of the scheduled start time. If the Supervisor is unavailable, he or she must speak with another designated management representative. The employee is expected to personally make the call unless physically or mentally unable to do so.
2. The employee must state the reason for the absence, and whether the employee is taking a vacation day, personal day, sick day, FMLA or a reasonable accommodation of disability in the form of medical leave, and the anticipated duration of the absence.
3. The Supervisor will then sign the employee out for the day and advise Human Resources if the employee needs to apply for FMLA or a reasonable accommodation of disability in the form of medical leave. *(Please note that the employee also will be required to follow the procedures outlined in the County's Disability/Reasonable Accommodation Policy and FMLA Policy).*
4. Absences will be considered unexcused if there is no valid reason for the absence, for example:
 - a. if the employee has no remaining vacation or personal days and there is no medical reason for the absence; or
 - b. if the employee is absent for any reason and does not inform his or her Supervisor; or
 - c. if a request for time off is refused and the employee is absent anyway.
5. Any absence of the employee for more than three (3) consecutive days generally must be supported by medical substantiation. If the employee is absent for three (3) consecutive days without contacting the Supervisor, the absence may be considered a voluntary resignation from employment.

Unexpected Time Off of Department Heads (illness/emergencies/etc.)

1. The Department Head must contact the Human Resources Department to provide name, notice of the absence, reason for calling off work (e.g., vacation, personal day, sick leave, FMLA, etc.) and the expected duration of the absence. This must be confirmed in writing. *(Please note that the employee also will be required to follow the procedures outlined in the County's Disability/Reasonable Accommodation Policy and FMLA Policy).*
2. The Human Resources Department will then email the Commissioners and their respective staff, listing the Department Head's absence from work, the reason for calling off and the expected duration.
3. Any absence of the Department Head for more than three (3) consecutive days generally must be supported by medical substantiation.

4. The Human Resources Department will also track the Department Head's attendance to ensure excessive absenteeism is not occurring.

In Advance Time Off Requests of Department Heads (vacation/appointments/etc.)

1. Department Heads must send an email to the Commissioners and Human Resources stating the dates they are requesting off and the reason for the absence (e.g., vacation, personal day, medical leave, etc.). *(Please note that the employee also will be required to follow the procedures outlined in the County's Disability/Reasonable Accommodation Policy and FMLA Policy).*

DISABILITY/REASONABLE ACCOMMODATION

If an employee has a disability and needs a reasonable accommodation of that disability, please see the Disability/Reasonable Accommodation Policy in this handbook.

Employees are required to follow the call-off and reporting off policies listed above for absences due to disability or reasonable accommodation in the form of medical leave.

FAMILY AND MEDICAL LEAVE ACT (FMLA) LEAVE

Please refer to the Family and Medical Leave Act (FMLA) policy in this handbook, if an employee must take time off:

- For a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status;
- To care for a covered servicemember with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the servicemember; or
- For intermittent leave (i.e., FMLA leave in separate blocks of time or by reducing the time the employee works each day or week for a single qualifying reason under the FMLA).

Employees are required to follow the call-off and reporting off policies listed above for absences due to FMLA Leave.

DISASTER / INCLEMENT WEATHER

In the event of disaster or severe inclement weather, start time delays, the County Commissioners or

their authorized designee have discretion to determine early dismissal or total office closure. In this event, the Commissioners or their authorized designee will notify Department Heads. Department Heads will notify their respective subordinates. Department Heads are responsible to keep current contact information for their employees.

During severe weather, in the absence of Department Head notification, employees are encouraged to listen for delayed start/closing announcements broadcast over local radio stations pertaining to the Fayette County offices. Unless employees are notified that their specific office is closed, employees are expected to report for work as long as they can safely travel.

Employees are expected to make every attempt to arrive at work on time and work their regularly scheduled workday as long as they can safely travel. Employees notified that their County office is closed prior to their start time will not receive pay unless otherwise required by law or any applicable collective bargaining agreement. Employees that are notified of early dismissal after reporting to work will be paid for the remainder of the workday. Employees unable to report to work on days when their offices are open may be permitted to take vacation or personal days at the discretion of their supervisor; otherwise, the time will generally be unpaid.

In the case of a publicly broadcast announcement pertaining to a specific building problem, employees are expected to report for work at their regularly scheduled time, unless otherwise notified by Department Head.

In case of emergency the County may provide transportation for select offices critical to public safety.

TARDINESS AND LEAVING EARLY

Leaving work early before the allotted time, taking extended lunch or breaks, or arriving to work after the scheduled start time without prior authorization or in the absence of an emergency is considered a violation of the attendance policy.

Violation of the attendance policy may result disciplinary action, up to and including termination from employment. The County generally will follow progressive discipline, but it reserves the right to impose any level of discipline it deems warranted under the circumstances.

DRUG AND ALCOHOL FREE WORKPLACE

Purpose

In compliance with the Drug-Free Workplace Act of 1988, the County of Fayette is committed to providing a safe, healthy, and productive workplace that is free from alcohol, illegal drugs, or any other unlawful substance as classified under local, Pennsylvania state, or federal laws while employees are working for the County, whether on or off its premises.

Alcohol and drug abuse pose a threat to the health and safety of County employees and to the security of the County's equipment and facilities. For these reasons, the County is committed to the elimination of drug and alcohol use and abuse in the workplace. The County has established a policy that aims to balance respect for individuals with the need to maintain an alcohol and drug free workplace.

To provide awareness about the dangers of drugs and alcohol, the County’s drug and alcohol free workplace policy, disciplinary action that may be taken if this policy is violated and available employee assistance, all employees are provided a copy of this policy in the Handbook and such policy is specifically reviewed during orientation at the time of hire.

Scope

This policy, unless otherwise specifically stated, applies to **all Fayette County employees**, and where applicable, applicants for employment with the County.

Certain policies as specified will only apply to the following **safety sensitive positions**:

<input type="checkbox"/> Van Driver	<input type="checkbox"/> Chief Adult Probation Officer
<input type="checkbox"/> Warden	<input type="checkbox"/> Assistant Chief JPO
<input type="checkbox"/> Deputy Warden	<input type="checkbox"/> Assistant Chief APO
<input type="checkbox"/> Sheriff Deputy (Including Chief)	<input type="checkbox"/> Bridge Workers (All)
<input type="checkbox"/> Chief Court Security Officer	<input type="checkbox"/> Maintenance Workers (All)
<input type="checkbox"/> Correctional Officer	<input type="checkbox"/> Ferry Boat Pilots (All)
<input type="checkbox"/> Director of Emergency Management Agency	<input type="checkbox"/> Mechanic/Vehicle Inspector
<input type="checkbox"/> Adult Probation Officer I	<input type="checkbox"/> Working Supervisor-Bridge
<input type="checkbox"/> Juvenile Probation Officer II	<input type="checkbox"/> FACT Operations Manager
<input type="checkbox"/> 911 Coordinator	<input type="checkbox"/> FACT Technicians (All)
<input type="checkbox"/> 911 Dispatcher	<input type="checkbox"/> Transit Vehicle Operators (All)
<input type="checkbox"/> Chief Juvenile Probation Officer	

A separate, more stringent drug and alcohol policy Supplement also applies to all employees who operate or are involved in the operation of a Commercial Motor Vehicle and are covered by the **Department of Transportation (DOT)** regulations. Employees who are subject to DOT regulations must follow both this policy and the DOT policy Supplement.

Illegal drug, as used in this policy, means any substance as classified as unlawful under federal, state, or local laws or the unlawful use or possession of a legal substance, such as abuse of a prescription or over the counter medication.

County premises includes any County property, building, facility, vehicle, equipment or rental.

Although the use of **marijuana** was legalized under Pennsylvania state law for limited medical purposes, it remains an illegal drug under federal law. In compliance with state law, the County will not take adverse action against a job applicant or employee solely on the basis of his or her status as an individual who is certified as a medical marijuana cardholder. However, medical or recreational use of marijuana can affect the workplace and therefore, is prohibited, as is any other federally illegal drug. Additionally, **CBD** products may contain measurable amounts of THC that may produce a positive result when tested for marijuana.

Human Resources is responsible for policy administration and any applicant or employee with questions regarding this policy or any questions regarding drugs, alcohol or testing in the workplace not covered in this policy should contact HR immediately.

Prohibited Conduct

The County expressly prohibits the following activities at any time that an employee is either (1) on duty or conducting County business (either on or away from County's premises), or (2) on County's premises (whether or not the employee is working):

- The use, abuse, or being under the influence of alcohol, illegal drugs, or other impairing substances.
- The possession, sale, purchase, transfer, manufacture, dispensation or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the employee, or drug-related paraphernalia.
- The illegal use or abuse of prescription or over the counter drugs.

A violation of any of the above is subject to disciplinary action, up to and including termination of employment.

Prescription and Over the Counter Medications

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees who take over-the-counter medication or other medication that can legally be prescribed under both federal and state law that will impair their job performance, safety, or the safety of others should inform Human Resources before reporting to work under the influence of the medication if they believe they need a reasonable accommodation. For more information on how to request a reasonable accommodation, please refer to the County's Disability Accommodations Policy.

Required Testing

In furtherance of the commitment to a drug and alcohol free workplace, and the prohibitions on use and abuse of unlawful drugs and alcohol in the workplace, the County maintains a policy in which job applicants and current employees may be required to submit to drug and alcohol testing in certain situations. This policy is intended to comply with applicable laws regarding drug and alcohol testing and current and prospective employee privacy rights.

Pre-employment

All offers of employment or transfer to safety-sensitive positions with the County are conditioned on the applicant or employee submitting to and successfully completing and passing a drug test.

Reasonable Suspicion

If the County has a reasonable suspicion that an employee's performance or behavior indicates that the employee is violating the Company's alcohol and drug policies, then the County reserves the right to have the employee undergo drug and/or alcohol testing and/or an immediate medical evaluation to determine fitness for duty.

Random Testing

Employees in safety -sensitive positions are subject to drug and alcohol testing on a random basis. The random selection will be completed in a non-discriminatory manner. Employees may not know about the random testing until immediately prior to the testing.

Post-Incident Testing

Employees who violate the Company's safety or security procedures or who are in work-related accidents may be subject to drug and alcohol testing. This applies even if the incident did not result in injury to any person or any property damage. Additionally, employees who are returning from any drug or alcohol related incident, whether such incident was related to on or off duty conduct may also be subject to such drug or alcohol testing, to the extent permitted by law.

Testing Procedures

All drug and alcohol testing under this policy will be conducted by an independent licensed testing facility which will obtain the individual's written consent prior to testing.

The County will pay for the full cost of all testing of employees. Employees will be compensated at their regular rate of pay for time spent submitting to a drug and alcohol test required by the County.

Any employee suspected of violating this policy or subject to testing will be suspended until the County receives the results of a drug and alcohol test from the testing facility and any other information the County may require to make an appropriate determination.

Under no circumstances will an employee suspected to be under the influence of drugs or alcohol be allowed to drive to the testing facility. A licensed manager must transport the employee or arrange for transportation and arrange for the employee to be transported home.

Consequences of a Positive Test

Employees who test positive for illegal drugs or alcohol will be subject to discipline, up to and including termination of employment. Applicants who test positive for drugs or alcohol will have their conditional job offers withdrawn.

Consequences for Refusing to Submit to Testing or Failing to Complete the Test

Employees who refuse to submit to testing as required by the County or who fail to complete the test will be subject to discipline, up to and including termination of employment. Job applicants who refuse to submit to drug and alcohol testing will be deemed to have withdrawn themselves from the application process and will no longer be considered for employment.

Searches and Inspections

The County reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees and visitors may be asked to cooperate in inspections of their persons, work

areas and property that might conceal a drug, alcohol or other contraband. This right extends to the search or inspection of clothing, desks, lockers, bags, briefcases, containers, packages, and any vehicles on County property where prohibited items may be concealed.

Any illegal drugs or drug paraphernalia may be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including termination.

Crimes Involving Drugs

The County prohibits all employees, including employees performing work under government contracts, from using, manufacturing, distributing, dispensing, possessing, selling or transferring an illegal drug in or on County premises or while conducting County business. County employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

Any employee who is convicted of, plead guilty to or is sentenced for a crime involving an illegal drug for a violation occurring in the workplace must report the conviction, plea or sentence to Human Resources within five (5) days. Failure to comply will result in discipline including termination.

Employees who report a workplace violation will be disciplined and may be required to participate in a drug assistance or rehabilitation program. The violation must also be reported by Human Resources within ten (10) days for any employee performing work under a federal contract.

Employee Assistance Program (EAP)

The County will assist and support employees who voluntarily seek help for substance abuse (including, but not limited to, misuse of alcohol, illegal drugs, prescription, and over-the-counter drugs) before becoming subject to discipline or termination under this or other County policies. The County provides an employee assistance program (EAP) for all employees and their eligible dependents.

The EAP is designed to help individuals manage issues that can impact their well-being and work performance, such as substance abuse, workplace stress, family problems, and other personal issues.

The County's EAP provider is Mazzitti & Sullivan EAP Services. You may call the EAP at 1-800-543-5080 or access services online at <https://www.mseap.com/for-employees/> All communications with the EAP are confidential.

Treatment is confidential (unless an EAP counselor is required by law to disclose information such as child abuse) and will not become a part of an employee's personnel records. For more information on the EAP, contact Human Resources.

Confidentiality

All records relating to an employee or applicant's drug and alcohol test results will be maintained separately from the individual's personnel file and only disclosed on a need to know basis. Such records and information may be disclosed among managers and supervisors on a need-to-know basis

and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

Any applicant or employee with any questions regarding this policy or drugs, alcohol or testing should contact Human Resources immediately.

DEPARTMENT OF TRANSPORTATION DRUG AND ALCOHOL POLICY SUPPLEMENT

This Supplement is only applicable to those County of Fayette employees or applicants whose position is covered under the DOT in relation to the operation of a Commercial Motor Vehicle.

Introduction

This Department of Transportation Drug and Alcohol Policy Supplement outlines the specific rules regarding drugs and alcohol, including use and testing, of employees who operate or otherwise perform certain safety-sensitive positions relating to the operation of a Commercial Motor Vehicle (CMV) in accordance with U.S. Department of Transportation (DOT) rules and Federal Motor Carrier Safety Regulations (FMCSR). It is the policy of the County to comply fully with the regulations mandating pre-use, random, reasonable suspicion and post-accident drug and alcohol testing in accordance with regulations issued by the DOT and FMCSR.

The Supplement applies only to those County of Fayette employees or applicants whose job requires them to operate a CMV or otherwise perform a safety sensitive position in relation to the operation of a CMV. Positions and employees or applicants covered by this policy shall be referred to herein as “drivers”.

This Supplement contains the requirements of the DOT regulations, except where indicated that a particular provision is based on the authority of the County. The Supplement is in addition to other County policies, rules and regulations. Employees subject to the Supplement are expected to abide by both this Supplement and all other County policies, if other policies and this Supplement conflict, the Supplement will prevail.

The County is committed to complying with all relevant federal, state and local laws, including DOT rules and FMCSR regarding the operation of CMV that meet certain weight, use and capacity criteria. If any employee has questions regarding this Supplement, they should contact Human Resources immediately.

Definitions

The following terms shall have these defined meanings as used within this Supplement.

Commercial Driver’s License (CDL): A special license required of drivers who drive Commercial Motor Vehicles which meets the following criteria:

- Meets or exceeds 26,001 lbs. gross vehicle weight; or
- Transports 16 or more passengers, including the driver; or
- Transports hazardous materials as determined by the Hazardous Materials Act, 49 USC 5101, and are required to placard the vehicle under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

Commercial Motor Vehicle (CMV): Any self-propelled or towed vehicle used on a highway (any roadway or passage which may be available to public transportation at any time, whether on private or public property) in interstate or intrastate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight (including trailers) rating of 10,001 lbs. or more; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of as determined by the Hazardous Materials Act, 49 USC 5101, and are required to placard the vehicle under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

Driver: Any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; part-time, casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors. For purposes of pre-employment testing, the term driver includes a person applying to drive a commercial motor vehicle.

Accident: An accident is defined as an incident involving a commercial motor vehicle in which there is either a fatality, an injury treated away from the scene, or a vehicle being required to be towed from the scene.

Breath Alcohol Technician (BAT): A person who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

Confirmation Test: For alcohol testing, a second test, following a screening test with a result of 0.02 grams or greater of alcohol per 210 liters of breath, that provides quantitative data of alcohol concentration. For controlled substances testing, a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test in order to ensure reliability and accuracy.

Designated Employer Representative (DER): An employee authorized by the County to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the County, consistent with the requirements of 40.3. Service agents cannot act as DERs.

Evidential Breath Testing device (EBT): A device approved by the National Highway Traffic Safety Administration (“NHTSA”) for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA’s “Conforming Products List of Evidential Breath Measurement Devices” (“CPL”), and identified on the CPL as conforming with the model specifications available from NHTSA’s Traffic Safety Program.

Medical Review Officer (MRO): A licensed physician responsible for receiving and reviewing laboratory results generated by the drug testing and for evaluating medical explanations for certain drug test results.

Performing a Safety-Sensitive Function: Any period in which the driver is actually performing, ready to perform, or immediately able to perform any safety-sensitive functions.

Safety-Sensitive Function: Any of the seven on-duty functions set forth in 395.2, listed below:

- All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatch, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations, or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle.
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Screening Test:

- In alcohol testing it means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system.
- In controlled substance testing it means an immunoassay screen to eliminate negative urine specimens from further consideration.

Substance Abuse Professional (SAP): A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning evaluation, treatment, follow-up testing, and after-care.

Contact person for information regarding controlled substance and alcohol misuse – Human Resources Director Cristi Spiker, 724-430-1200, ext. 5002.

Information, Education and Training

- All drivers must receive a copy of this policy and sign a Confirmation of Receipt
- All current and new drivers will receive written information about the testing requirements, and how and where they may receive assistance for alcohol or drug misuse.
- This policy will be available to all employees.
- Information will be provided to all drivers regarding the effects of alcohol misuse and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol problem; and available methods of intervening when an alcohol and/or controlled substance problem is suspected.
- Educational information will be made available periodically which will focus on the potentially dangerous effects of drug and alcohol use and abuse, the procedures associated with pre-employment drug screening and "reasonable suspicion" testing, the effects on job performance measured in loss of productivity, and the potential safety hazards presented to the individual employee, other employees and the public.
- All recruitment advertising will include the statement "Drug/alcohol screening is a condition of employment" at the bottom of the advertisement/posting with the EEO statement.

- All final candidates for employment will be given a copy of this policy and be given the opportunity to read the policy in its entirety.
- All personnel responsible for supervising and managing drivers must attend at least two hours of training on alcohol and drug misuse symptoms and indicators used in making determinations for reasonable suspicion testing.
- Supervisors and managers will be instructed on the detection of abuse problems and the enforcement of the testing policy. Periodic, on-going training will also occur after implementation of the policy.

Responsibilities

The Designated Employee Representative

The DER is responsible for the following Drug and Alcohol Screening compliance activities:

- Ensure each driver participates in an appropriate drug and alcohol testing program in accordance with DOT regulations. All results will be kept and maintained in the Separate Driver Qualification files.
- Review all driver qualification forms and documents for completeness and compliance.
- Maintain Driver Qualification files including mandatory drug testing information.
- Ensure that all testing information and records are maintained in accordance with the standards of confidentiality and will only be released to those authorized by the FMSCA.
- Coordinate with supervisors to ensure that all drivers receive proper educational materials and have access to necessary information.

Supervisor/Department

The duties of the driver's supervisor or their department include:

- Active participation in the hiring process for employees who drive CMVs, which includes:
 - a. Ensuring all offers of employment shall be contingent upon successful conformation of prior employment, driving record, completion of physical, drug and alcohol testing, and other DOT requirements for drivers.
 - b. Ensuring the post-offer applicant obtains their physical, road test, and CDL drug and alcohol testing.
- Informing and requiring drivers to submit a sample for drug/alcohol testing at the designated medical and/or collection facility when the supervisor suspects that the driver is under the influence of drugs or alcohol, pursuant to DOT regulations, contacting Human Resources as soon as possible following the incident, and completing the Supervisor's Reasonable Suspicion Form.
- Adhering to DOT regulations.

Driver

The responsibilities of a driver include:

- Avoid the use of controlled substances when reporting for or remaining on duty and for four hours prior to on duty time, unless the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a CMV. Controlled substances include alcohol and prescription and non-prescription drugs.

*Please note that the DOT considers marijuana an illegal controlled substance regardless of state law or physician recommendation, meaning that a positive result for marijuana will be reported as a violation and be cause for removal from safety sensitive positions, even if

a physician advises that use does not adversely affect the ability to safely engage in activities.

- Submit a sample for drug or alcohol testing when called upon to do so by their supervisor, including random testing for CDL drivers, pursuant to DOT and County policies (see “Refusal to Submit Form”).
- Comply with DOT regulations

Testing Procedures

Types of Tests

To the extent practical, all tests will be conducted during employees' normally scheduled work hours. All testing required by this policy will be conducted in accordance with the Omnibus Transportation Employee Testing Act of 1991 and drug testing guidelines and regulations issued by the Department of Transportation. The following tests are required:

- *Pre-Employment (Pre-Use)*. All applicants for employment in driver positions, or candidates for transfer or promotion to such positions (pre-use) are subject to screening for improper use of alcohol or controlled substances.
- *Post-Accident*. Conducted after accidents on drivers in County vehicles whose performance could have contributed to the accident, as determined by a citation for a moving traffic violation, and for all fatal accidents even if the driver is not cited for a moving traffic violation.
 - a. Alcohol tests should be conducted within two (2) hours, but in no case more than eight (8) hours, after the accident.
 - b. Employees must refrain from all alcohol use until the test is complete.
 - c. Post-accident drug tests must be conducted within thirty-two (32) hours.
- *Reasonable Suspicion*. Conducted when a trained supervisor or manager observes behavior or appearance that is characteristic of alcohol or illicit drug misuse.
 - a. If a driver employee's behavior or appearance suggests alcohol or drug misuse, a reasonable suspicion test must be conducted.
 - b. If a test cannot be administered, the driver must be removed from performing safety-sensitive duties for at least twenty-four (24) hours.
 - c. Testing for alcohol abuse must be based upon suspicion which arises just before, during or just after the time when the employee is performing safety-sensitive duties.
 - d. Testing for substance abuse may occur at any time upon suspicion.
 - e. Reasonable suspicion testing may only be conducted after consultation with the designated employee representative or their designee.
- *Random*. Conducted on a random, unannounced basis just before, during, or after performance of safety-sensitive functions for alcohol or at any time for drugs.
 - a. Each year, the number of random alcohol tests conducted by the County must equal at least 10% of all the safety sensitive CDL employees or the then required minimum.
 - b. Random drug tests conducted by the County must equal at least 25% of all CDL employees or the then required minimum.

- *Return to Duty and Follow-up.* Conducted when an individual who has violated the prohibited alcohol or drug standards returns to performing safety-sensitive duties.
 - a. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after a driver returns to duty.
 - b. Follow-up testing may be extended for up to sixty (60) months following the return to duty.

Conducting Tests

- *Alcohol:* DOT rules require breath testing using evidential breath testing (EBT) devices.
 1. Two breath tests are required to determine if a person has a prohibited alcohol concentration.
 2. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second, confirmation test must be conducted
- *Drugs:* Drug testing is conducted by analyzing a driver's urine specimen and must be processed through a U.S. Department of Health and Human Services certified facility.
 1. Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.
 2. DOT rules require a split specimen procedure.
 - a. Each urine specimen is subdivided into two bottles labeled as primary and split.
 - b. Both bottles are sent to the laboratory.
 - c. Only the primary specimen is opened and used for the urinalysis.
 - d. The split specimen remains sealed at the laboratory.
 - e. If the analysis of the primary specimen confirms the presence of illegal controlled substances, the driver has 72 hours to request that the split specimen be sent to another DHHS certified laboratory for analysis.
 3. All urine specimens are currently analyzed for the following drugs:
 - a. Marijuana (THC metabolite)
 - b. Cocaine
 - c. Amphetamines
 - d. Opiates (including heroin), and
 - e. Phencyclidine (PCP)
 4. Testing is conducted using a two-stage process:
 - a. First, a screening test is performed.
 - b. If the test is positive for one or more of the drugs, a confirmation test is performed for each identified drug.

*Sophisticated testing requirements ensure that legitimate over-the-counter medications or prescriptions are not reported as positive results.

 5. All drug tests are reviewed and interpreted by a physician designated as a Medical Review Officer (MRO) before they are reported to the County.
 - a. If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen.
 - b. For all the drugs listed above, except PCP, there are some limited, legitimate medical uses that may explain a positive test result. The MRO will take into

consideration when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

- c. If the MRO determines that the drug use is legitimate, the test will be reported to the Designated Employer Representative, as a negative result.

*Please note that the DOT considers marijuana an illegal controlled substance regardless of state law or physician recommendation, meaning that a positive result for marijuana will be reported as a violation and be cause for removal from safety sensitive positions, even if a physician advises that use does not adversely affect the ability to safely engage in activities.

Consequences

Refusal to Submit to an Alcohol or Drug Test and the Consequences

- Refusal to submit to an alcohol or controlled substances test means in one or more of the instances described below that a CDL employee:
 1. Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this policy,
 2. Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this policy,
 3. Refuses to wash his or her hands after being directed to do so during collection of a urine sample,
 4. Admits to the collector of a urine sample that he or she has adulterated or substituted their specimen,
 5. An observed collection of a urine sample, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process,
 6. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process, or
 7. Behaves in a confrontational way that disrupts the collection process or otherwise engages in conduct that clearly obstructs the testing process.
- Drivers who refuse to submit to an alcohol or drug test are not allowed to perform safety-sensitive functions and must be referred to a substance abuse professional for evaluation and comply with any treatment recommendations and comply with all return to duty requirements.
- Pursuant to County authority, and in its sole discretion, employees who refuse to submit to a test will be subject to discipline, up to and including discharge.

Consequences of Alcohol/Drug Misuse

- Drivers who have any alcohol concentration, defined as 0.02 or greater, who are tested just before, during or just after performing safety-sensitive functions must be removed from performing such duties for a minimum of twenty-four (24) hours.
- Disciplinary action, up to and including termination, may be imposed by the County upon an employee whose alcohol test reveals any alcohol concentration, between 0.02 and 0.04.

- Drivers who engage in prohibited alcohol or drug conduct, or who test positive for alcohol use greater than 0.04 or drug use, will be immediately removed from safety-sensitive functions for a period of time to be determined by the County at its sole discretion. The time shall be for at least a minimum until such employee can be evaluated by a substance abuse professional, comply with any treatment recommendations, and comply with all return to duty requirements.
- Disciplinary action, up to and including termination, may be imposed by the County pursuant to its sole authority and discretion upon a driver who engages in prohibited alcohol or drug conduct or those drivers who test positive for alcohol use greater than 0.04 or drug use.
- Pursuant to DOL regulations, even an employee who is terminated shall receive a referral to a substance abuse professional if they test positive for drugs or alcohol
- A driver who tests positive for alcohol use greater than 0.04 or drug use but is not terminated must be evaluated by a substance abuse professional and comply with any treatment recommendations to assist them with their alcohol or drug problem.
 1. The payment for any recommended treatment will be strictly at the expense of the employee (or their health insurance program, if applicable).
 2. Employees may be placed on sick leave or leave without pay status during the treatment period, whichever is appropriate.
- Drivers who are not otherwise terminated, have been evaluated by a substance abuse professional, who comply with any recommended treatment, who have taken a return to duty test with a result less than 0.02 alcohol and a negative drug test, and who are then subject to unannounced follow-up tests at the employees' expense, may return to work.
- Once an employee successfully completes rehabilitation, the employee shall be returned to their regular duty assignment or an equivalent position. Employee assignments during treatment shall be based on each individual's circumstances. As a condition of employment, the employee must comply with prescribed follow-up care and testing.
- Nothing in this policy is creates a guarantee of employment or otherwise alters the at-will status of employment

Record Keeping

The County keeps detailed records of its alcohol and drug misuse prevention program. Employee alcohol and drug testing records are confidential and kept separate from other employment records in the Driver Qualification file. Test results and other confidential information may only be released to the employer, the substance abuse professional, the MRO, and any arbitrator of a grievance filed in accordance with any applicable collective bargaining agreement. Any other release of this information may only be made with the driver's consent, or in response to a court order.

Pre-employment References

- The County must obtain and review the following information from each employer that the prospective driver worked for, in a safety-sensitive position, during the previous two (2) years:
 1. Information about a test in which the employee's blood alcohol was 0.04 or greater,
 2. Information about a positive drug test, and
 3. Information about any refusal to participate in the alcohol and drug testing program.
- The prospective employee must provide the former employer with a written release allowing the release of this information or the prospective employee will not be hired.

- If the previous employer indicates that a positive result was received, or that the employee refused to participate when selected for an alcohol or drug test, the applicant may not be hired unless:
 1. The prospective employee has already consulted with a substance abuse professional,
 2. Already received recommended treatment, and
 3. Subsequently tested negative in a return to duty test for the former employer.
- The County must provide the same information to subsequent employers of current County employees when provided with a written release.

Any questions regarding this Supplement should be directed to Human Resources.

DRESS CODE

Each employee's personal appearance is a reflection of the County. Employees are expected to project a professional image appropriate for the position they hold with the County. Safety is also of utmost importance and care should be taken when choosing what to wear based upon the employee's duties.

It is expected that all employees practice good personal hygiene. Good personal hygiene habits include bathing or showering daily, shaving or trimming facial hair daily, practicing good oral care, using deodorant, cleaning and grooming hair, and cleaning and trimming fingernails.

Employees are expected to wear clothing that is clean, appropriate and safety compliant for the job duties of the employee. It is the Department Head's responsibility to enforce this policy. The County reserves the right to determine what is appropriate, and employees improperly attired or groomed will be sent home and directed to report to work properly attired and groomed. Under such circumstances, non-exempt employees will not be compensated for the time away from work unless required by law or collective bargaining agreement.

Employees are expected to adhere to the following dress code:

- **All Clothing, including Shirts:** Must be clean and pressed and appropriate for the workplace. Must not be excessively tight, revealing, sheer, or low cut. Must not display profanity, nudity, or logos or emblems that would violate County anti-discrimination, anti-harassment policies, or anti-violence policies.
- **Slacks:** Dress or casual slacks must be cleaned and pressed. Jeans of any type or color, leggings, shorts, and spandex pants are not acceptable.
- **Sweaters:** V-neck, crew neck, or cardigan style are acceptable.
- **Shoes:** Business shoes and dress casual shoes, including dress sandals, must be clean and/or polished. No tennis shoes, sneakers, flip-flops, or work style boots are permitted. Certain exceptions for footwear, such as workstyle boots, may be made and required to meet safety requirements. Employees subject to these exceptions and requirements will be advised by their Supervisor of such conditions.

- **Skirts/Dresses:** Skirt or dress length is to be no shorter than 3” above knees. No shorts, skorts or miniskirts are permitted. Bare midriffs and high slits are not permitted.
- **Hair:** Conservative business style. Beards and mustaches must be neatly trimmed. Employees are to be clean-shaven if not wearing a beard or mustache.
- **Jewelry:** Conservative jewelry and no visible pierced body parts except for two ear piercings.

Exceptions

Certain employees may be required to wear a uniform or other type of dress, they will be directed by their Supervisor as to the appropriate coordination of the uniform and any non-uniform attire permitted. Other employees may be permitted or required to wear non-dress code items, such as work boots, due to their position and safety elements of certain duties.

Supervisors, at their discretion, may relax the dress code for employees who are assigned to perform tasks more physical in nature such as movement of supplies, installation of computer hardware, etc. The supervisor of each Department is responsible for pre-approving this exemption.

On Fridays, with Supervisor permission, certain employees are permitted to wear blue jeans so long as it does not impede the safety, performance of duties or the business necessity of a position. Ripped, torn, or frayed jeans are not permitted.

Any employee who requires a reasonable accommodation from the established dress code for reasons based on religion, disability, or other grounds protected by federal, state, or local laws should contact the Human Resources Department. Reasonable accommodation will be granted unless it would cause an undue hardship on Fayette County.

Section 6 – Workplace Policies and Procedures

BULLETIN BOARDS

Bulletin Boards are one of the most important ways of communicating information. Make it a habit to glance at them every day to keep up to date on changes in County programs and other matters of interest. The County will also post required posters from the federal and state governments. Except as otherwise provided in any applicable collective bargaining agreement, only information approved by the Commissioners or Human Resources is allowed to be posted, and employees may not post, tape, tack, or affix in any way any form of literature, printed or written materials, photographs, or notices of any kind on County bulletin boards, on the walls, or anywhere else on County property. You are responsible for the observance of any rules and regulations posted on the bulletin boards.

This policy is not intended to preclude or dissuade employees from engaging in legally required activities protected by state or federal law, including the Pennsylvania Labor Relations Act and the Pennsylvania Employee Relations Act, such as discussing wages, benefits, or terms and conditions of employment; forming, joining, or supporting labor unions; bargaining collectively through representatives of their choosing, or raising complaints about working conditions for their and themselves and fellow employees' mutual aid or protection.

PERSONAL PROPERTY

Fayette County cannot assume any responsibility for loss or damage to any personal property an employee may bring to work.

If you bring personal property on County property, please know that the County, for legitimate business reasons, may search any personal property brought into the workplace. The County may search County property such as desks and lockers, for a legitimate business purpose.

OFFICE HOURS

The Fayette County Courthouse will be open to the public from 8:00 a.m. to 4:30 p.m. and an hour break for an unpaid lunch from 12:00 to 1:00 p.m. Courthouse employees generally are expected to work each weekday for 7 1/2 hours (37.5 hours per week).

Other office hours and working hours may vary by location and department. Please see your Department Head for department-specific hours. Please see the Attendance policy regarding requirements for punctuality.

Court employees should consult with the Court Administrator about their scheduled office hours.

Meal Breaks

Most employee meal breaks are scheduled for one (1) hour. Department Head have discretion to make changes in an employee's scheduled lunch hour due to operational requirements, to the extent permitted by any applicable collective bargaining agreement.

Non-exempt employees must sign out at the beginning of their meal break and sign back in upon return from a meal break. Non-exempt employees are prohibited from performing any work during a meal break.

Employees, including supervisors, may not pressure, suggest, or direct that an employee perform any work during an unpaid meal break. If for any reason a non-exempt employee is required to work and receives a meal break of less than 20 minutes, they must notify Human Resources so that this time is adjusted to reflect that it was time worked for payroll and timekeeping purposes.

An employee may not work through their lunch hour in order to leave early or arrive late without prior approval of their supervisor or Department Head, or as a reasonable accommodation of a disability.

Break Periods

Department Heads may grant employees two fifteen (15) minute (paid) breaks during a 7.5 hour workday depending on staffing needs, or as otherwise may be required by an applicable collective bargaining agreement. Employees should not clock in or out for these paid breaks.

(Lactating mothers should refer to the Accommodations for Lactating Mothers Policy.)

Break times will be determined by the employee and Supervisor. Breaks are not permitted at the beginning or end of the workday to offset arrival and departure times, nor may employees add rest breaks to the meal break. Employees are expected to return promptly from breaks; extended breaks will be considered tardiness and a violation of the Attendance Policy.

This policy is provided as a guideline for taking breaks, and not as a guarantee of breaks. If an employee is not provided with or able to take a break period due to operational needs, the employee will not be provided with an additional or extended break, nor will they be provided with additional compensation unless required by applicable collective bargaining agreement or applicable federal or state law.

TRAVEL AND BUSINESS EXPENSE

The purpose of the County's reimbursement policy is to provide reasonable and adequate reimbursement for expenses incurred by employees when traveling on County business as approved by the Commissioners, Row Officers, or Judges. This policy applies to all employees of the County.

Employees who use their own vehicles on County business will be reimbursed at the current rate established by the County or Business Unit where approved, or by the applicable collective bargaining agreement.

Employees should discuss in advance with their supervisor travel arrangements such as bus, train, or air travel, car rental, meals, room accommodations, and conference attendance. To be eligible for reimbursement, travel arrangements must be approved in advance by the employee's supervisor or Department Head prior to occurrence of the expense.

VEHICLE USE AND OPERATION

All Fayette County employees who must operate their own vehicle or any County vehicle for County business must operate the vehicle in a safe manner and drive defensively to prevent injuries and property damage. Employees must comply with all applicable traffic and other laws, regulations and County policies while operating or traveling in personal and County vehicles on County business.

Any employee who must drive their own vehicle or any County vehicle for County business must possess a current, valid driver's license. The County at any time may request that the employee produce proof the employee holds a current, valid driver's license. The County also may review the employee's motor vehicle or driving record at any time.

County vehicles are to be driven by authorized employees only, except in case of repair testing by a mechanic.

Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor and the Human Resources Department, and immediately discontinue operation of the vehicle.

All accidents in County vehicles, regardless of severity, must be reported to the police, to the employee's supervisor and to the Human Resources Department. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible). Accidents in personal vehicles while on County business must follow these same accident procedures. Accidents involving the employee's personal injury must be reported to the Human Resources Department.

Employees immediately must report all traffic violations and tickets received during the operation of a County vehicle, or while driving a personal vehicle on County business, to their supervisor and the Human Resources Department.

Drivers who use their own vehicles on County business are required to offer proof of insurance on an annual basis. It is recommended that all drivers carry limits of liability of \$100,000/300,000/50,000 or a combined single limit of \$300,000. These limits are suggested for the protection of the employee while on County business. All employees shall immediately report to the County any change in their driving record or cancellation of their auto insurance, within 5 days of the incident, conviction, or cancellation.

Driver Safety Rules

- Driving on County business and/or driving a County vehicle while using or under the influence of intoxicants and other drugs which could impair driving ability is prohibited.
- Cell phone use while driving is prohibited. Drivers need to be aware when use of the cell phone is creating a distraction from safe driving and should pull off the road to park before using a cell phone. While driving, attention to the road and safety should always take precedence over conducting business over the phone.

- Drivers and passengers must wear seat belts at all times. Children and infants being transported for County business must be secured in properly fitted safety seats and boosters.
- No driver shall operate a County vehicle when their ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication. *(Please see Disability/Reasonable Accommodation policy.)*
- All drivers and passengers operating or riding in a County vehicle or personal vehicle being used for County business **must** wear seat belts.
- No unauthorized persons are permitted to ride in County vehicles.
- Drivers are responsible for the security of County vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
- Head lights shall be used 2 hours before sunset and until 2 hours after sunrise, or during inclement weather or at any time when a distance of 500 feet ahead of the vehicle cannot be clearly seen.
- All applicable federal, state and local traffic and other laws must be obeyed.

Accident Procedures

In the event of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.

- Call for medical aid if necessary.
- Call the police. All accidents, regardless of severity, must be reported to the police. If the driver cannot get to a phone, he should write a note giving location to a reliable appearing motorist and ask him to notify the police.
- Record names and addresses of driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.
- Pertinent information to obtain includes license number of other drivers; insurance company and policy numbers of other vehicles; make, model, and year of other vehicles; date and time of accident; and overall road and weather conditions.
- Do not discuss the accident with anyone at the scene except the police. Do not accept any responsibility for the accident. Don't argue with anyone.
- Provide the other party with your name, address, driver's license number, and insurance information.
- Immediately report the accident to the Security and Fleet offices. Provide a copy of the accident report and/or your written description of the accident to the Fleet office ASAP.
- There will be a formal accident review conducted on each accident to determine cause and how the accident could have been prevented.

Violation of this policy in any manner may result in revocation of driving privileges and disciplinary action, up to and including termination of employment.

DIRECTIVE ON OUTSIDE COMMUNICATION

The Fayette County Commissioners or their specifically authorized designees are the only persons authorized to make public comments on policy issues regarding the County. All media requests must be directed to the County Solicitor. Under special circumstances, the Commissioners may authorize

Department Heads may speak on behalf of the County on matters within their responsibility.

(Please also see the Social Media Policy.)

RIGHT TO KNOW LAW

The Pennsylvania Right to Know Act, also known as the Pennsylvania Sunshine Law, is a series of laws designed to guarantee that the public has access to public records of governmental bodies in Pennsylvania. The Pennsylvania Sunshine Act legislates the methods by which public meetings are conducted.

Unless otherwise provided by applicable law, records that meet the definition of a “public record” under the Pennsylvania Right to Know Law (“RTKL”) shall be accessible for inspection and duplication by a requester. Requests for access of a public record should be referred to the Chief Clerk.

Public Record

A public record is defined by the RTKL as a record, including a financial record, of a Commonwealth or local agency that: (1) is not exempt under section 708 of the RTKL; (2) is not exempt from being disclosed under any other federal or state law or regulation or judicial order or decree; or (3) is not protected by a privilege. Examples of public records include, but are not limited to, 911 time response logs, grant applications, contracts involving government agencies, agency decisions, and the name, title, and salary of public employees and officials.

Responses under the RTKL require careful review, consideration, and protection of certain information such as a person’s social security number. RTKL requests are also subject to strict timelines. Any RTKL request must be immediately referred to the Chief Clerk.

No one may respond to a request for a public record under the RTKL without the express written permission or directive the Chief Clerk, the Board of Commissioners, or the County Solicitor.

Section 7 – Paid and Unpaid Time Off

HOLIDAYS

Fayette County has designated paid time off for certain Holidays. Employees should refer to their specific Holiday Schedule issued annually by the County for the days that are paid holidays.

To receive holiday pay, an employee must work the regularly scheduled workday before and after the holiday, unless an exception is approved in writing by the employee's Supervisor or Department Head, or in accordance with an applicable collective bargaining agreement. If an employee is absent the day before or after the holiday due to illness, the employee must submit medical substantiation that the employee was unable to work the day before or after the holiday in order to receive holiday pay.

On a County scheduled holiday, regular, full-time employees are eligible for paid time off at their regular rate of pay for their regularly scheduled number of hours for the paid holiday. Part-time and non-regular employees are not entitled to be paid for holidays. Holiday pay does not count as "time worked" for overtime calculations or other purposes, unless otherwise provided by an applicable collective bargaining agreement.

If a paid Holiday falls on a Saturday, the Holiday will be observed on the previous Friday. If a Holiday falls on a Sunday, it will be observed on the following Monday. Operations that have a seven-day per week work schedule may observe the Holiday on whichever day of the week the Holiday falls. If a non-exempt employee works on a holiday, the employee must report the time worked and the employee will be paid for all time worked in accordance with the County's applicable Pay and Overtime policies, or as set forth in any applicable collective bargaining agreement.

If an employee is absent from work during the period when a holiday falls due to disability, Family and Medical Leave, or Workers' Compensation, the employee is not eligible to receive holiday pay.

If a holiday falls in the week of an employee's scheduled vacation, the day of the holiday will be counted as a holiday. The vacation day will be allowed at another time.

The County observes the following paid holidays:

New Year's Day	January 1
Martin Luther King	3 rd Monday in January
President's Day	3 rd Monday in February
Good Friday	Good Friday
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Day following Thanksgiving Day	Friday after Thanksgiving

Christmas Eve
Christmas Day

December 24
December 25

Some Row Officers and Elected Officials or the Court may have established a different holiday schedule. Please check your specific holiday schedule for the paid holidays.

VACATION POLICY

Full-time employees will be awarded the following amount of paid vacation on January 1st of each calendar year:

Years of Service	Vacation Amount
After one (1) year of service	Five (5) days
After two (2) years of service	Ten (10) days
After five (5) years of service	Fifteen (15) days
After ten (10) years of service	Twenty (20) days
After fifteen (15) years of service	Twenty-five (25) days
After twenty (20) years of service	Thirty (30) days

Eligible employees reaching a service threshold listed above during the calendar year will receive the additional vacation days on their anniversary date.

Any employee who works fewer than the equivalent of six (6) months in the previous year shall receive a prorated amount of vacation. In this case, the employee will receive 1/12th of their normal vacation amount for each month worked.

Part-time and non-regular employees are not entitled to paid vacation benefits.

Vacation benefits do not carry over from one year to the next; therefore, unused vacation will be forfeited.

If an observed paid holiday falls within your scheduled vacation, it will not count as a vacation day. *(Please see the Holiday policy for further information.)*

Vacation days will not be paid at the same time any employee is off on Workers' Compensation disability or on any day where an employee is using sick time. *(Please see Workers' Compensation and Sick Time Policies.)*

Vacation days are not counted as "time worked" for overtime calculation or other purposes, unless

otherwise provided by an applicable collective bargaining agreement.

(Please see Separation from Employment Policy regarding eligibility for payment of vacation upon termination of employment for various reasons.)

Scheduling Vacation

To schedule vacation, eligible employees must submit a Vacation Request Form to their Department Head by February 1st of each year. Requests submitted by February 1st will be approved based on seniority and operational necessity by March 1st of each year. Requests submitted after February 1st will be approved on a first-come, first-served basis based on operational and staffing needs of the County.

Eligible employees may take vacation time in increments of ½ days. Employees may not take vacation time in advance of accruing it, unless specifically approved by the Commissioners. If approved by the Commissioners, the employee will be required to sign a written acknowledgement of the amount of advanced vacation time and authorize payroll deduction for any advanced time not earned by the time the employee is separated from employment for any reason. Employees who have been approved for advanced vacation time and who terminate employment prior to earning the vacation will have the advanced vacation deducted from their paycheck, unless otherwise prohibited by applicable law. *(Please see Separation from Employment Policy.)*

Vacation Pay upon Separation from Employment

Upon separation from employment, employees will be paid for any accrued but unused vacation time with the following exception. Unused vacation pay will not be granted to any employee who resigns without providing and working during the entire ten (10) day advance notice period or who is terminated for misconduct or cause. *(Please see Separation from Employment Policy.)*

FAMILY AND MEDICAL LEAVE POLICY

Fayette County provides leave according to the Family and Medical Leave Act of 1993 (FMLA), as amended, which provides for unpaid, job-protected leave to covered employees in certain circumstances.

Eligibility

To qualify for FMLA leave, an employee must (1) have worked for Fayette County for at least twelve (12) months, though it need not be consecutive; (2) worked at least 1250 hours in twelve (12) months preceding the leave; and (3) be employed at a work site that has 50 or more employees within 75 miles. Please contact the Human Resources Department for any questions regarding eligibility for FMLA leave.

Leave Policy

If eligible, an employee may take up to twelve (12) or twenty-six (26) weeks of family or medical leave, whichever is applicable (as explained below), within the relevant twelve (12) month period defined

below. While an employee is on FMLA leave, Fayette County will maintain any group health insurance coverage at the same level and under the same circumstances as when the employee was actively working, as explained more fully under the section titled, *Medical and Other Benefits*. Upon returning from approved FMLA leave, the employee has the right to be restored to the same job or an equivalent position, subject to the terms, limitations and exceptions provided by law.

Leave Entitlement

Eligible employees may take **up to twelve (12) weeks** of unpaid FMLA leave in a twelve (12) month period, which uses a “rolling” method that is measured backward from the date you use any FMLA leave, for any of the following reasons:

- The birth of a son or daughter and in order to care for such son or daughter (leave to be completed within one year of the child’s birth);
- The placement of a son or daughter with an employee for adoption or foster care and in order to care for the newly placed son or daughter (leave to be completed within one year of the child’s placement);
- To care for a spouse, son, daughter or parent with a serious health condition;
- To care for your own serious health condition, which renders you unable to perform any of the essential functions of your position; or
- A qualifying exigency of a spouse, son, daughter or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty). Qualifying exigency includes a short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Each time an employee takes FMLA leave under the “rolling” method, the remaining leave entitlement would constitute any balance of the twelve (12) weeks that has not been used during the immediately preceding twelve (12) months.

Eligible employees may take **up to twenty-six (26) weeks** of unpaid FMLA leave in a single twelve (12) month period, beginning on the first day that you take FMLA leave to care for a spouse, son, daughter or next of kin who is a covered service member and who has a serious injury or illness related to active duty service, as defined by the FMLA’s regulations (known as military caregiver leave).

Both Spouses Employed by Fayette County

Spouses who are both employed by Fayette County and eligible for FMLA leave may be limited to a combined total of twelve (12) weeks of leave during the twelve (12) month period if leave is requested:

- For the birth of a son or daughter and in order to care for such son or daughter;
- For the placement of a son or daughter with the employee for adoption or foster care and in order to care for the newly placed son or daughter; or
- To care for an employee’s parent with a serious health condition.

Spouses who are both employed by Fayette County and eligible for FMLA leave may be limited to a

combined total of twenty-six (26) weeks in a single twelve (12) month period if the leave is either for:

- Military caregiver leave; or
- A combination of military caregiver leave and leave for other FMLA-qualifying reasons.

Notice of Leave

If the need for FMLA leave is foreseeable, the employee must give Fayette County at least thirty (30) days prior written notice. If this is not possible, the employee must at least give notice as soon as practicable (within one to two business days of learning of the need for leave). Failure to provide such notice may be grounds for delaying FMLA-protected leave, depending on the particular facts and circumstances.

Additionally, if an employee is planning a medical treatment or a series of treatments or the employee is taking military caregiver leave, the employee must consult with Fayette County first regarding the dates of such treatment to work out a schedule that best suits the needs of both the employee or the covered military member, if applicable, and Fayette County.

Where the need for leave is not foreseeable, the employee is expected to notify Fayette County within one to two business days of learning of the need for leave, except in extraordinary circumstances. Fayette County has Family and Medical Leave Act request forms available from the Human Resources Department. Please submit a written request, using this form, when requesting leave.

(Please note that employees must also follow the call-in and reporting off requirements set forth in the County's Attendance Policy.)

Certification of Need for Leave

If an employee is requesting leave because of the employee's own or a covered family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. Medical Certification forms are available at the Human Resources Department. When an employee requests leave, Fayette County will notify the employee of the requirement for medical certification. If certification is requested, the employee must provide a completed certification within 15 days of the request or provide a reasonable explanation for the delay. If the employee provides at least thirty (30) days' notice of medical leave, the employee should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of FMLA-covered leave until it is provided. If the certification is incomplete or insufficient, Fayette County will advise the employee in writing of what additional information is necessary to make certifications complete and sufficient. Employees must return revised medical certifications to Fayette County within seven calendar days. With employees' or their family members' permission, Fayette County's Human Resource Department may contact employees' health care provider for clarification or authentication of medical certifications after employees have the opportunity to revise insufficient or incomplete certifications; employees' direct supervisors do not contact employees' health care providers for such information.

Fayette County, at its expense, may require an examination by a second healthcare provider designated by Fayette County. If the second healthcare provider's opinion conflicts with the original medical certification, Fayette County, at its expense, may require a third, mutually agreeable,

healthcare provider to conduct an examination and provide a final and binding opinion. Fayette County may require subsequent medical recertification. Failure to provide requested certification within fifteen (15) days, if such is practicable, may result in delay of further leave until it is provided.

Fayette County also reserves the right to require certification from a covered military member's healthcare provider if the employee is requesting military caregiver leave and certification in connection with military exigency leave.

Reporting While on Leave

Employees who wish to apply for and who are approved for FMLA leave must follow the County's call-off and reporting off procedures. *(Please see Attendance Policy.)*

If an employee takes leave because of his or her own serious health condition or to care for a covered family member, the employee must contact the Human Resources Department at the beginning of the leave and at least two (2) business days prior to the expiration date of the FMLA medical certification, if practicable, regarding the status of the condition and the intention to return to work. If the original certification of FMLA does not contain an expiration date, then the employee must contact the Human Resources Department every thirty (30) days during the period of the leave. In addition, the employee must give notice as soon as practicable (within two business days, if feasible) if the dates of leave change or are extended or initially were unknown.

Leave is Unpaid

FMLA leave is unpaid. Employees are required to use all remaining paid leave (sick, personal, ½ vacation that is available at the start of the FMLA), except as otherwise provided under any applicable collective bargaining agreement with respect to substitution of paid time off during FMLA leave.

The substitution of paid leave time for unpaid FMLA leave time does not extend the twelve (12) or twenty-six (26) weeks (whichever is applicable) of the FMLA leave period. In no case can the substitution of paid leave time for unpaid leave time result in your receipt of more than 100% of your salary. Your FMLA leave runs concurrently with other types of leave, for example accrued vacation time that is substituted for unpaid FMLA leave.

Medical and Other Benefits

During approved FMLA leave, Fayette County will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid FMLA leave, Fayette County will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the leave is unpaid, the employee must promptly pay his or her portion of the premium. The healthcare coverage will cease if the premium payment is more than thirty (30) days late. If payment is more than fifteen (15) days late, Fayette County will send the employee a letter to this effect. If Fayette County does not receive the premium payment within fifteen (15) days after the date of this letter, the coverage may cease. If the employee elects not to return to work for at least thirty (30) calendar days at the end of the leave period, the employee will be required to reimburse Fayette County for the cost of the health benefit premiums paid by Fayette County for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

Employees will not earn any holiday, paid sick leave, personal and vacation benefits during the unpaid portion of an FMLA leave. Employees will continue to earn years-of-service credit while on FMLA leave.

Intermittent and Reduced Schedule Leave

If medically necessary, FMLA leave occasioned by a serious health condition may be taken intermittently (in separate blocks of time due to a serious health condition) or on a reduced leave schedule (reducing the usual number of hours worked per workweek or workday). FMLA leave may also be taken intermittently or on a reduced leave schedule for a qualifying exigency relating to covered military service. Employees needing intermittent/reduced schedule leave for foreseeable medical treatment must work with Fayette County to schedule the leave so as not to unduly disrupt operations, subject to the approval of the employee's health care provider.

If leave is unpaid, Fayette County will reduce the employee's salary based on the amount of time actually worked. In addition, in certain circumstances, while the employee is on an intermittent or reduced schedule leave, Fayette County may temporarily transfer the employee to an available alternative position that better accommodates the leave schedule and has equivalent pay and benefits. These circumstances include if the leave is foreseeable, is based on planned medical treatment for the employee or a family member, or if the Fayette County agrees to permit the leave for the birth of a child or for placement of a child for adoption or foster care.

All employees utilizing intermittent leave must follow the call-off and reporting off procedures in the County's Attendance Policy. (*Please see Attendance Policy*) and notify, in writing, the employee's direct Supervisor and the Human Resources Department. The notification should include the days and/or hours in which you are utilizing FMLA leave. Additionally, timesheets must be marked accordingly to identify the days and hours used for FMLA.

Returning from Leave

If an employee takes leave because of his or her own serious health condition (except if the employee is taking intermittent leave), the employee is required, as are all employees returning from other types of medical leave, to provide medical certification that the employee is fit to resume work and can perform the essential functions of his or her job. Otherwise, the employee will not be permitted to resume work until the certification is provided.

Subject to the requirements of the FMLA and regulations, upon return from an FMLA leave an employee will be restored to the same or equivalent position as he or she held prior to the leave. An equivalent position has the same pay, benefits and working conditions as previously existed. It also involves the same or substantially the same duties and responsibilities and must entail substantially equivalent skill, effort, responsibility and authority. Employees on an FMLA leave are also subject to any reduction in force that would have occurred had they not been on FMLA.

Misuse of Leaves

Fraud or misuse of leaves of absence will result in disciplinary action up to and including termination. A non-exhaustive list of examples of fraud or misuse include:

- Working elsewhere while on leave without the express permission of the Commissioners
- Falsifying a leave application form
- Failure to return from authorized leave except as otherwise authorized by the County (e.g., extension of unpaid leave as a reasonable accommodation of disability, approved personal leave)

Extensions

If the employee has exhausted FMLA but requires additional time prior to returning to work, the employee can request a Personal Leave or an extension of unpaid leave as reasonable accommodation under the Americans with Disabilities Act. *(Please see Personal Leaves of Absence and Disability/Reasonable Accommodation Policy)*

BEREAVEMENT LEAVE

The County will provide full-time employees with up to a maximum of six (6) days with pay for the death of the employee's spouse, significant (cohabitating) other, child, stepchild, legal ward, father, mother, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, and significant (cohabitating) other's mother, father, or child.

As it pertains to significant (cohabitating) others, a fully executed affidavit of domestic partnership must be on file with the Human Resources Department before the date of death in order to confirm this relationship and to receive bereavement leave.

Full-time employees may be excused for a maximum of three (3) consecutive working days with full pay, which shall include the day of the funeral, as bereavement leave for a death in the immediate family. Weekends and holidays will not negate consecutive workdays. The immediate family shall include the employee's: grandparent, grandparent-in-law, grandchild, stepmother, stepfather, stepbrother, stepsister, first cousin, aunt, uncle, niece, nephew, brother-in-law or sister-in-law. This policy may include any other person living within your household.

Full-time employees may be excused for bereavement leave of one (1) day with full pay due to the death of an employee's child's natural parent (including adoptive parent) who no longer resides with the employee.

Part-time and non-regular employees are not eligible for paid bereavement leave but are eligible for unpaid bereavement leave.

The County may, at its sole discretion, extend bereavement leave with pay as provided in this policy.

The County reserves the right to request any documentation that may be necessary to confirm eligibility for bereavement leave.

MILITARY LEAVE

The County recognizes that employees may need to be absent from work to serve in the US or state military. The County provides military service leaves of absence to all eligible employees in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable Pennsylvania laws.

If you need to take military service leave, you or an authorized military service officer should provide advance notice to your supervisor or the Human Resources Department. When possible, you should give at least 30 days' notice of your request for leave. If 30 days' notice is not possible because of military necessity or for other reasons, you should give as much advance notice to the County as possible.

Written notice is preferred, but not required. Where possible, please submit a copy of your military orders, training notice, or order to active duty, along with your completed Leave of Absence request form, to your supervisor or the Human Resources Department.

Eligible employees include regular full-time, part-time, and non-regular employees who are absent from work because of eligible military service. For purposes of this policy, eligible military service means certain types of service (listed below) in the following branches of the US military: U.S. Armed Forces, U.S. Reserves, National Guard (including the Army National Guard and Air National Guard, when the employee is engaged under federal authority in active duty for training, inactive duty training, or full-time National Guard duty), Pennsylvania National Guard and Pennsylvania Air National Guard, commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

Eligible employees may take leave under this policy for the following types of military service: active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, Pennsylvania National Guard and Pennsylvania Air National Guard duty when the employee is called or ordered to active state or special state duty by the Governor, submitting to an examination to determine your fitness for any of these services, funeral honors duty performed by National Guard or Reserve members, service as an intermittent disaster response appointee of the National Disaster Medical System when employees are activated under federal authority or attending authorized training in support of a federal mission.

Employees on military leave may choose to use any accrued vacation time and keep whatever military pay is received, or the employee may choose not to use any vacation time and the County will pay the difference between the total military pay and what the employee's base pay would have been during the period of military leave. The maximum time the County can pay the difference is two weeks. To receive any differential pay, employees must submit their military pay stubs to the Human Resources Department so the County can calculate the differential pay.

During military service leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. For all other non-seniority benefits, except for the pay differential under this policy, an employee on military service leave will receive the same rights and benefits as employees on any other

leave of absence.

Employees may be eligible for reemployment after their military service leave. Any employees who would like to return to work must report to work or submit an application for reemployment to the Human Resources Department, including their military discharge documentation, if available, as follows:

- If their military service was for less than 31 days, they must report to work on the first regularly scheduled workday that is at least eight hours after they return home from military service.
- If their military service was for 31 to 180 days, they must apply for reemployment within 14 days following completion of military service.
- If their military service was for more than 180 days, they must apply for reemployment within 90 days following completion of military service.
- If they suffered a service-connected injury or illness and they are hospitalized or convalescing, they have up to two years following completion of military service to return to their jobs or apply for reemployment, depending on the length of recovery time required.

If any employees are unable to comply with this reporting schedule through no fault of their own or if they are injured or recovering from an injury and need an accommodation for specific circumstances beyond their control, they should speak with the Human Resources Department as soon as possible to determine if they are eligible for a reasonable accommodation or additional time to apply for reemployment. Employees who do not report to work or apply for reemployment within the applicable timeframe will be subject to the County's rules about unexcused absences. Nothing in this policy requires the County to reemploy individuals who are not eligible for reemployment rights under applicable law.

Employees who are eligible for reemployment will be reemployed with the same seniority, and all rights and benefits based on that seniority, that they would have attained if they had not taken military leave. Seniority rights include pay and benefits that accrue or are determined based on length of service.

Where the Pennsylvania Military Leave of Absence Act offers more protections or benefits to employees, the protections or benefits that are more favorable to the employee, as provided by such law, will apply.

JURY DUTY AND WITNESS DUTY

The County grants all employees time off to serve on a jury or as a witness when subpoenaed by the court. Full-time employees who have jury duty or who are subpoenaed to court to appear as a witness will be paid the difference between their regular rate and the amount received from the Courts for such duty for up to ten (10) days of jury duty service each year. The remainder of time spent on jury duty will be unpaid. While on jury duty, employees will be continued on the health insurance plan as if they were working, provided the employee was enrolled in the plan prior to commencing jury duty or witness leave.

Part-time and non-regular employees are not eligible for paid Jury Duty and Witness Duty leave but are eligible for unpaid Jury Duty and Witness Duty leave.

VOLUNTEER COMMUNITY SERVICE

The County encourages employees to support their communities through volunteer service. Employees who volunteer as firefighters, fire police, volunteer members of ambulance services or rescue squads shall not be terminated or disciplined for time missed as the result of responding to a call prior to the time the employee was due to report to work for the County.

Time missed responding to such a call will be considered hours worked and compensated at their regular rate of pay and will be credited as hours worked for purposes of calculating overtime compensation for non-exempt employees.

Employees missing time covered by this policy are responsible for providing the Department Head and the Human Resources Department with documentation from the designated head of the volunteer group corroborating the date and time of and reason for the emergency response.

Paid Sick Time

The County's Paid Sick Time policy is intended to provide employee income assistance during employment for absences related to the employee's own illness or injury, or as otherwise set forth in this policy.

Employees are encouraged to accumulate their sick time, if possible, in anticipation of an emergency medical situation that may prevent them from being able to work.

(Please also refer to the Disability/Reasonable Accommodation Policy, FMLA Policy and Personal Leave Policy).

Eligibility

Regular full-time employees who have completed one (1) calendar year of service will be eligible for twelve (12) days of paid sick time effective January 1st of each calendar year. Newly hired employees will receive a prorated amount of sick time upon hire in the amount of 7.5 hours of sick time for each full month of anticipated service in their first calendar year of employment.

Part-time and Non-regular employees are not eligible for paid sick time but may be entitled to unpaid sick time. *(Please also refer to the Disability/Reasonable Accommodation Policy, FMLA Policy and Personal Leave Policy).*

Accrual

Sick time may accumulate from year to year up to a maximum of 120 days. Any unused sick time is forfeited at the time of resignation, termination, retirement or any other separation from employment,

as it is intended only to compensate employees for sick time when they are actively employed.

Sick Time Usage

Sick leave is to be used when an employee is disabled or physically/mentally unable to perform the essential functions of his or her job, with or without a reasonable accommodation, due to non-work-related illness or injury, including when the employee is temporarily disabled due to pregnancy-related illness and childbirth. Sick leave may also be used when an employee needs to attend a medical or dental appointment that cannot be scheduled outside of normal office hours.

Up to five (5) sick days may also be used per year to care for the employee's child, spouse, or parent, if the family member case qualifies for FMLA leave, then the employee must use all available sick time concurrently with the FMLA leave. *(Please see FMLA Leave Policy.)*

The County reserves the right to request proper and complete medical substantiation of illness or injury to support the necessity for sick leave including, but not limited to when the employee requests sick leave for absences (1) the day before or day after a holiday, (2) the day before or day after a scheduled vacation, (3) that are considered by the County to be patterns of absences (i.e. every other Friday, every other Monday), and (4) that are considered to be excessive use by the County. Medical substantiation is required if an employee is absent for three (3) or more consecutive workdays.

Concurrent Use with FMLA Leave/Disability/Reasonable Accommodation

An employee who is on FMLA Leave must use all available paid sick time concurrently with the employee's FMLA leave. Sick time is not to be used to extend FMLA Leave. *(Please see FMLA Policy.)*

Any employee who requests medical leave as a reasonable accommodation of a disability must use all available paid sick leave before taking unpaid medical leave under the Disability/Reasonable Accommodation Policy. *(Please see Disability/Reasonable Accommodation Policy.)*

Coordination with Holiday Pay

Holidays occurring during a period of illness are not charged against the sick time. *(Please see Holiday Pay Policy.)*

Coordination with Workers' Compensation

Employees receiving Workers' Compensation benefits are not entitled to be paid for sick time also, because sick time is intended to be used for non-work-related illness or injury. *(Please see Workers' Compensation Policy.)*

Coordination with Vacation Pay

Vacation days will not be paid at the same time as any day where an employee is using sick time. *(Please see Vacation Policy.)*

Sick Time Donation

Full-time employees may surrender accrued sick leave to another employee who has used all of his or her accrued sick time due to a personal medical emergency or a medical emergency of a spouse, parent or child. A medical emergency includes a major illness or medical condition that requires a prolonged absence or intermittent absences related to the same illness or condition. In order to surrender or receive sick days under this Sick Time Donation policy, the following guidelines apply:

1. An employee receiving the surrendered days must currently be on an approved Family and Medical Leave Act (FMLA) leave for a personal medical emergency or a medical emergency of a spouse, parent or child.
2. An employee wishing to receive surrendered sick days of fellow employees must submit the Sick Time Donation Request form to the Human Resources Department. The request form must be signed and dated and must specify the medical emergency that the employee or the employee's spouse, parent or child is experiencing. Human Resources will keep all request forms confidential.
3. If an employee would like for Human Resources to circulate a letter requesting fellow employees to surrender accrued sick time, he or she must indicate that desire on the Sick Time Donation Request form. Human Resources will then circulate the letter on behalf of the employee to all County employees. The letter will not include confidential medical information.
4. An employee receiving the surrendered days must have exhausted all of his or her own accrued sick leave and vacation time prior to using sick leave surrendered by a fellow employee.
5. An employee receiving surrendered sick leave will be paid for such time at his or her regular rate of compensation. If an employee who has surrendered sick leave has a different pay rate than the employee receiving the sick time, the sick leave rate will be converted based on the recipient employee's pay rate.
6. An employee wishing to surrender sick leave must submit a Donation of Sick Leave Form, signed and dated, to the Human Resources Department. The employee may specify the employee to whom he or she wishes to surrender sick leave on the form.
7. An employee may surrender ten (10) sick leave days per employee per year, not to exceed ten (10) days surrendered per year. An employee will not be eligible to surrender any sick leave days if he or she has less than five (5) accrued sick leave days remaining.
8. Donations must be date stamped upon receipt. Once the FMLA leave period has been exhausted, any unused sick leave will be returned to the employees who surrendered it in reverse order in which it was received.

9. Other than an employee who issues his or her intention to retire and has twenty (20) years or more of continuous service, no employee will be permitted to donate sick leave after he or she has issued an intention to resign or retire from employment.

PERSONAL LEAVE OF ABSENCE

Regular full-time employees who have completed at least ninety (90) days of continuous service are eligible to request a personal leave of absence. The Commissioners may grant an unpaid personal leave of absence for compelling personal reasons, reasons that are not covered by the FMLA leave policy or if the employee is not eligible for FMLA leave, or for other reasons. Personal leave cannot be taken on an intermittent basis. If an employee wishes to request an unpaid leave of absence as a reasonable accommodation for a disability, please see the Disability/Reasonable Accommodation Policy.

Part-time and non-regular employees are not eligible to be considered for personal leaves of absence unless the personal leave is requested and approved as a reasonable accommodation of disability. *(Please see the Disability/Reasonable Accommodation Policy.)*

During the personal leave of absence, an employee who has been eligible to participate in medical insurance coverage during employment may continue his or her medical insurance coverage provided that the employee promptly pays the entire premium during the personal leave in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) due to a reduction in work hours. Failure to promptly pay the premium during a personal leave may result in loss of eligibility for coverage.

Reinstatement cannot be guaranteed to any employee returning from personal leave. Fayette County at its discretion generally will endeavor to place employees returning from leave in their former positions or position comparable in status and pay, subject to budgetary restrictions, Fayette County's need to fill vacancies, and the ability of Fayette County to find qualified temporary replacements. However, there is no guarantee of reinstatement to any employee on personal leave.

If a position is available and the employee does not return to work after the conclusion of a personal leave of absence, this will be deemed a resignation.

Accepting employment elsewhere while on a personal leave of absence is prohibited and is grounds for termination from employment.

PERSONAL TIME

Regular full-time employees will be eligible for two (2) days of personal time each calendar year. Personal days are awarded upon hire and on January first of each year. Part-time employees and non-regular employees are not eligible for paid personal time.

Unused personal time may not be carried over from one year to another and will not be paid upon the employee's termination or resignation.

Section 8 -Safety Policies and Procedures

GENERAL SAFETY POLICY

Policy Statement

Fayette County holds in high regard the safety and health of its employees. We believe that incidents which injure people and damage equipment cause needless personal suffering, inconvenience, and expense. We believe that taking common sense precautions can prevent practically all incidents.

To this end, every reasonable effort will be made in the interest of safe working conditions, safe premises, and the prevention of accidental injuries and illnesses.

Fayette County will not terminate, threaten to terminate, demote, suspend, or discriminate against any employee for making statements, complaints, or recommendations relating to employee safety and health, for serving as a safety committee member, or for participating in a workplace safety inspection.

Managers and Supervisors

Each manager and supervisor shall view safety as a vital part of his or her overall responsibility. Managers and supervisors are responsible not only for the quantity and quality of work produced by employees, but also for their occupational safety and health. Managers and supervisors are responsible to maintain safe working conditions. Each manager and supervisor shall be held accountable for the safety record of his or her area of responsibility.

Employee Safety Rules

Each employee is responsible to:

- Work in a safe manner at all times, making safety an integral part of every job.
- Learn and follow Fayette County's established safe job procedures for each job you perform.
- Refrain from reporting to work while using, possessing, or under the influence of alcohol or illegal drugs, and from consuming while on duty.
- Use equipment properly; do not abuse it. Do not remove or disable safety features, devices, or guards on any equipment.
- Wear appropriate clothing for the job.
- Use safety equipment and personal protective equipment as required- hard hats, eye protection, hearing protection, and so forth.
- Take an active part in the safety program.
- Cooperate fully with the program.
- Report unsafe acts and unsafe conditions to your supervisor immediately.
- Smoke only in designated areas outside of all buildings or County vehicles.
- Keep all work areas clean and orderly.
- Attend all safety training sessions as directed.
- Know where first aid supplies are kept.

- Never attempt to repair or adjust a machine while it is operating. Follow Fayette County's lockout / tag out procedure when adjusting or working on equipment.
- Know and understand Fayette County's Hazcom (Hazardous Materials Communications) program.
- If working alone, makes sure that other employees know exactly where you are and when you are expected to return.
- Never block an emergency exit, even for a few minutes.

An employee who sustains a job-related injury or illness must:

- Report the incident to his or her supervisor immediately. Supervisor then should forward to Human Resources.
- Complete reporting forms as instructed.
- Obtain medical care from a provider specified by Fayette County for the first visit and for 90 days following.

Off-Site Safety Procedures (Non-Uniformed County Employees)

When a job assignment requires an employee to enter upon a residential or commercial property within Fayette County, the following procedures shall be followed:

- Prior to arriving at the property, contact the property owner to let him or her know the date and time the employee will be on their property and explain the reason for the employee's presence;
- If the Department provides a county vehicle for such assignments, the employee shall use the county vehicle with a municipal license plate;
- Once at the property, first introduce yourself to the property owner, and again explain the purpose and anticipated length of time the employee will be present;
- If the property owner is absent, the employee shall leave a door hanger with the time, date, reason for the visit and his or her name with the Department phone number;
- If the property has "No Trespassing" signs posted, the employee shall leave the property until personal contact is made with the property owner;
- If the property owner exhibits a hostile attitude, the employee shall leave the property immediately;
- While on the property, the employee's County issued photo ID tag shall be visible at all times and the employee shall wear a County issued safety vest, which shall also be visible and worn at all times while on the property;
- When the job assignment is complete, inform the property owner that the employee is leaving the premises.
- Any Department policies concerning off-site safety policies and procedures shall be followed in conjunction with the above-stated policies.

Disciplinary Procedure

Employees who do not follow Fayette County's safety guidelines and the provisions of the safety program may be subject to disciplinary action, up to and including termination of employment.

Safety Suggestion and Complaint Procedure

Fayette County maintains a safety suggestion and complaint procedure to make sure that every employee has a chance to be heard.

A safety suggestion box, including a supply of blank forms, is located in the employee break room. The Safety Committee Chairperson is responsible to make sure that blank forms (Attachment) are available at all times.

The safety committee chairperson shall collect the contents of these boxes once each week. He or she is authorized to take immediate action as indicated by the nature of the suggestion or complaint. In addition, all completed forms shall be reviewed at the next safety committee meeting, and appropriate action shall be taken by the committee.

Safety Committee

The responsibilities of the safety committee shall include, but not limited to:

- To evaluate the employee safety program annually and make written recommendations for Fayette County's management.
- To establish procedures for monthly workplace inspections by the safety committee for the purpose of locating and identifying safety and health hazards.
- To conduct monthly workplace safety inspections for the purpose of locating and identifying employee safety and health hazards. All safety inspections must be documented in writing. The location and identity of all identified hazards must be documented in writing, and the committee must make recommendations to Fayette County's management regarding correction of these hazards. All written reports must be maintained by the safety committee.
- To report specific safety hazards to Fayette County's management, and document corrective measures that were taken.
- To review all employee work-related illnesses and injuries in a timely fashion, make sure they were investigated properly and recommend appropriate corrective action to Fayette County's management.
- To review all employee suggestions and complaints regarding occupational safety and health hazards and recommend appropriate corrective action to Fayette County's management.
- To review all newly implemented safety equipment or safety and health procedures for effectiveness and make appropriate recommendations to Fayette County's management.

The responsibilities of the safety committee chairperson shall include, but not be limited to:

- To preside at all meetings of the safety committee.
- To act as liaison between the safety committee and Fayette County's management.
- To ensure that the safety committee operates in accordance with this policy.
- To schedule monthly meetings; to ensure that meetings are held at least monthly.

- To solicit agenda topics, and to prepare a written agenda for each meeting and distribute it to each member at least one week before the meeting.
- To delegate responsibility for follow-up action to individual committee members.
- To prepare written minutes within one week of each meeting and distribute them to committee members and Fayette County's management and post a copy in the workplace.
- To ensure that the education and training requirements listed below are met.
- To maintain a current written membership list; to ensure that committee membership meets the requirements listed below.

Safety Committee Membership

The membership of the safety committee shall consist of an equal number of employer and employee representatives as follows:

<u>Position</u>		<u>Position</u>	
Prisons	Employee	Emergency Management	Employer
Bridge	Employee	Bldg. & Grounds	Employer
Assessment	Employee	Commissioner's Office	Employer

1. Membership must represent all the major work functions of Fayette County.
2. All members shall serve a continuous term of at least one year.
3. Membership should be rotated to bring new members onto the committee. However, to ensure continuity, at least one experienced committee member must always serve on the committee.
4. Employees interested in becoming safety committee members should apply in person to the safety committee chairperson.
5. The safety committee chairperson shall be appointed by members of the safety committee and shall report directly to the Fayette County Board of Commissioners.
6. All safety committee members will be permitted to spend reasonable time away from their scheduled work assignment to perform committee duties, without loss of pay or benefits.

Operation of Meetings

1. All safety committee decisions shall be made by majority vote of the members present at the meeting.
2. The safety committee must meet monthly. Additional meetings may be held as necessary, at the discretion of the committee chairperson.
3. The chairperson shall bring the meeting to order and cover at least the following items:
 - i. Old business from previous meetings.
 - ii. Topics on the agenda. At a minimum, the following topics shall be discussed:
 1. All employee job-related injuries and illnesses that occurred since the previous meeting.
 2. The status of all unresolved or uncorrected safety and health hazards.

- b. New business. The chairperson shall have the discretion to table any new business and add it to
- c. the agenda of the next monthly meeting.
- d. Adjournment of the business meeting.
- e. Safety inspection conducted by members of the committee.

Authority

The safety committee shall carry the delegated authority of Fayette County's management with respect to employee safety and health matters.

Training

Each safety committee member shall receive training in employee safety and health at least once per year. Topics must address concerns that are specific to Fayette County.

Training programs must be conducted by a person or persons with one of the following qualifications:

- A certified safety professional (CSP)
- A certified industrial hygienist (CIH)
- A person with a bachelor's degree in occupational safety and health
- A person with a bachelor's degree in science or engineering, and at least two years of experience in occupational safety and health.

FIRE PREVENTION AND EVACUATION

Fire prevention must be the job of every employee. Evacuation procedures are posted in each building. Fire exits must be kept clear from obstruction and plainly marked. Violation of fire prevention rules will be grounds for disciplinary action up to and including termination of employment.

Evacuation Procedures

In the event of an emergency, such as fire, and an alarm sounds employees should:

- Proceed immediately to the stairwell exit using the primary evacuation route from their area.
- DO NOT USE THE ELEVATORS**
- Close the door to their office as they leave.
- To avoid injury, walk as quickly as possible, but do not run.
- Do not carry any items, i.e. coffee, coats, purses, newspapers, etc. into the stairwells
- Keep your head up and remain calm.
- Proceed to designated area and remain there in a quiet and orderly manner and wait for further instructions.

WORKPLACE VIOLENCE

Fayette County is committed to preventing workplace violence and to maintaining a safe work environment. Given the seemingly increasing occurrence of violence in the workplace, the County has adopted the following guidelines.

1. All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, horseplay, or other conduct that may be dangerous to others.
2. Firearms, weapons and other dangerous or hazardous devices or substances are prohibited on County premises, except those authorized by County Ordinance 97-1 (Courthouse Security).
3. Conduct that threatens, intimidates, or coerces another employee, a client, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment or discrimination including that which is based on an individual's gender, race, age, or any other characteristic protected by federal state, or local law.
3. All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the employee's supervisor or any other member of management. This includes threats by employees, clients, vendors, solicitors or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.
4. All suspicious individuals or activities should also be reported as soon as possible. Employees should not place themselves in danger. Employees should not, attempt to mediate a commotion or disturbance.
5. The County will promptly and thoroughly investigate all reports of threats of violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as practical. In order to maintain workplace safety and the integrity of its investigation, the County may suspend employees, either with or without pay pending investigation.
6. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination.
7. The County encourages employees to bring disputes or differences with other employees to the attention of the supervisors or management before the situation escalates into potential violence. The County is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

Violation of this policy may result in disciplinary action, up to and including termination of employment.

Section 9 – Benefits

GENERAL BENEFITS SUMMARY

Fayette County provides an excellent benefits package for its employees who meet the eligibility requirements of the applicable plans and policies. Benefits include paid time off, health insurance, dental insurance, vision insurance, life insurance, pension, Social Security and Worker's Compensation. Some benefits require employee elections or contributions. Additional information is available through the Human Resources Department.

The County reserves the right, in its sole and absolute discretion, to amend, modify, or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further, the County reserves the exclusive right, power, and authority, in its sole and absolute discretion, to administer, apply, and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans. The County will maintain the most current insurance documents; however, this is subject to availability of revised documents from the insurance carriers.

In the event of a conflict between this Handbook and the applicable plan document or policy, the applicable plan document or policy shall control.

Generally, regular full-time employees are eligible to participate in the County's benefit plans. Part-time and non-regular employees may be entitled by law to participate in some plans but are not eligible for paid time off, health insurance, dental insurance, vision insurance, or life insurance benefits unless required by law or applicable collective bargaining agreement. Any employee who has questions regarding eligibility to participate in any benefit plan offered by the County should contact the Human Resources Department.

COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue benefit coverage under the employer's medical plans, dental plans, vision plan, and flexible spending accounts when a "qualifying event" would normally result in the loss of eligibility.

Qualifying Events

Following are common examples of qualifying events:

- Termination of employment
- Death of the employee
- Reduction in work hours
- Divorce
- Retirement (if not eligible for retiree medical insurance)
- Loss of eligibility by a dependent child

Length of Coverage

Coverage may continue for differing lengths of time depending upon the reason for eligibility. The time limitations are:

- Up to 18 months if loss of coverage is due to termination of employment or reduction in work hours
- Up to 36 months for dependents if loss of coverage is due to death, divorce, or a dependent child's loss of eligibility
- Up to 29 months if the individual is disabled at the time of eligibility for continued coverage or is disabled within 60 days of eligibility for continued coverage

Cost of Coverage

Under extended coverage, the eligible individual pays full cost of coverage at the employer's group rate plus an administrative fee.

Termination of Continued Coverage

Continued coverage may terminate if:

- The individual becomes covered by another group plan (including Medicare),
- The individual fails to pay the required premium within the established grace period, or
- The employer no longer offers the plan(s) to its active employees.

Employee Responsibility

The County makes every effort to comply with the guidelines regarding an employee's and qualified dependent's rights under COBRA. Under certain circumstances such as divorce and dependent eligibility, it is the employee's responsibility to advise the Human Resources Department so the extended coverage may be offered to the employee's dependents.

WORKERS' COMPENSATION BENEFITS

If you sustain a work-related injury or illness, you must immediately notify your Supervisor and Human Resources.

Fayette County provides a comprehensive Worker's Compensation insurance program at no cost to you. This program covers any injury or illness sustained in the course of and arising out of employment with the County, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Worker's Compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. Hospital bills and medication resulting from work-related injuries will be addressed in accordance with the appropriate Workers' Compensation laws.

Fayette County has posted on bulletin boards a list of designated health care providers with whom injured or ill workers must seek treatment for work-related injuries or illnesses. Please contact the Human Resources Department with any questions regarding the list of health care providers or workers' compensation.

EMPLOYEE ASSISTANCE PROGRAM

Fayette County provides an Employee Assistance Program (EAP) for all of its employees and their families at no cost to the employee. The EAP is available 24 hours a day, 7 days per week. The EAP is designed to help individuals manage issues that can impact their well-being and work performance, such as substance abuse, workplace stress, family problems, and other personal issues.

The County's EAP provider is Mazzitti & Sullivan EAP Services. You may call the EAP at 1-800-543-5080 or access services online at <https://www.mseap.com/for-employees/> All communications with the EAP are confidential.

Treatment is confidential (unless an EAP counselor is required by law to disclose information such as child abuse) and will not become a part of an employee's personnel records. For more information on the EAP, contact Human Resources.

Scope of Assistance

The EAP can provide assistance in many areas including:

- Drug and alcohol abuse
- Child or spouse abuse
- Concerns about aging parents
- Emotional distress
- Grieving
- Health related issues
- Issues with children and adolescents
- Job stress
- Legal and financial referrals
- Marital and family discord

What's Covered

Up to three (3) sessions with a counselor per problem situation is provided at no cost. If additional sessions are required, they may be covered by other insurances which will be explained during a free consultation.

Additional information is available in from the Human Resources Department.

DEFERRED COMPENSATION PROGRAM

Fayette County offers a supplemental retirement program established by the National Association of Counties (NACo) for county employees. PEBSCO is the exclusive administrator of the plan.

The plan allows employees to defer or “set aside” a percentage of their current earnings into a retirement account on a tax-deferred basis. Taxes on the retirement account income itself are also deferred.

A variety of investment options are available ranging from extremely conservative to very aggressive.

Deductions are made through payroll deductions and can be changed at any time.

Please contact the Human Resources Department with any questions concerning this plan.

ACKNOWLEDGEMENT OF RECEIPT OF FAYETTE COUNTY EMPLOYEE HANDBOOK

I hereby acknowledge that I have received the Fayette County Employee Handbook. I understand that I must read, understand, and comply with all provisions of the handbook applicable to me. I further understand that if I have any questions about the Employee Handbook, I am to consult with my Supervisor, my Department Manager, or the Human Resources Director.

I understand that the Employee Handbook is not intended or construed to be a contract or guarantee of employment or continued employment, but instead is a reference guide regarding Fayette County policies and procedures. I further understand and agree that unless I am covered by a collective bargaining agreement or have civil service protection, my employment with Fayette County is at-will, which means that I may voluntarily leave employment at any time, for any reason and that I may be terminated from employment by the Fayette County at any time, for any reason, with or without notice. I understand and agree that, except by written employment agreement for a specific period signed by the Fayette County Board of Commissioners, no one at the County has the authority to enter into an oral or written contract of employment of any kind with me.

I further understand that wherever a provision in this Handbook differs from the provisions of any collective bargaining agreement that applies to me, I should refer to the specific terms of the collective bargaining agreement, which will control, but the remainder of the policies in this Handbook apply to me.

In addition, in accordance with Section 1620 of the Pennsylvania County Code, I understand the Court has exclusive authority over matters related to the supervision, discipline and discharge of Court employees. Any Court employee with questions about this provision should contact the Court Administrator.

I understand that in accordance with Section 1620 of the Pennsylvania County Code, elected and appointed row officers have exclusive authority over matters related to the supervision, discipline and discharge of any employees who report to the elected official. Any employee of an elected or appointed row officer with questions about this provision should contact the elected or appointed row officer to whom the employee reports.

I understand that Fayette County may need to, and reserves the right to, revise, supplement, or rescind any policies or any portion of this handbook from time-to-time at the discretion of the Commissioners.

Employee's Printed Name

Position

Employee's Signature

Date