



Personnel Policy Manual

Revised November 17, 2020

UPDATED POLICY REVIEW

The following update to the policy and procedures manual has been approved by the Hubbard County Board of Commissioners on November 17, 2020, to be effective November 17, 2020:

- Personnel Policy Cover page dated November 17, 2020
- Section 6 – Classification Plan

/s/Charlene Christenson
Charlene Christenson
Chair, Hubbard County Board of Commissioners

11/17/20
Date

/s/Eric Nerness
Eric Nerness
Coordinator

11/17/20
Date

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INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY

INTRODUCTION

This policy manual is intended to provide Hubbard County (County) administrative and supervisory personnel, as well as county employees, a guide and resource to Board of Commissioner (Board) approved policies and procedures regarding employment and personnel issues. The policies and procedures in this manual are intended to ensure County employees are afforded fair and consistent treatment, and equal opportunity in accordance with applicable law.

The Hubbard County Board of Commissioners expects employees to conform to the policies and procedures defined within this manual and to accept full accountability while striving for personal productivity, integrity, and professionalism.

THIS MANUAL AND ITS SPECIFIC COUNTENTS, STATEMENTS, AND POSITIONS ARE NOT INTENDED TO CREATE A CONTRACT BETWEEN THE COUNTY OR ANY OF ITS EMPLOYEES. IT IS UNDERSTOOD THAT EMPLOYMENT WITH THE COUNTY IS AT-WILL, AND EMPLOYEES MAY TERMINATE THEIR EMPLOYMENT WITH THE COUNTY AT ANY TIME FOR ANY REASON. THE COUNTY RESERVES THE SAME RIGHT (AT WILL EMPLOYMENT) REGARDING DISCONTINUATION OF EMPLOYMENT. THE TERMS OF THIS MANUAL ARE IMPLEMENTED AND APPLIED AT THE SOLE DISCRETION OF THE COUNTY OR ITS REPRESENTATIVE AND MAY BE MODIFIED OR WITHDRAWN AT ANYTIME. THIS MANUAL SUPERSEDES ANY PRIOR POLICIES, PAST PRACTICES, OR ORAL REPRESENTATIONS MADE BY THE COUNTY OR ITS DESIGNEES.

SCOPE

Subject to the requirements of state and federal law, and any provision of a collective bargaining unit, the policies within this manual apply to all employees.

EXPECTED BEHAVIOR

Our main purpose is to provide services, to the public and to each other, with a tone of behavior that manifests respect and would be perceived as commendable. Each and every employee is expected to show a kind and courteous demeanor towards the general public and also towards fellow employees. Violent, offensive or rude behavior shall not be tolerated nor condoned.

POLICY RESPONSIBILITY

Board of County Commissioners - responsible for the approval and revisions of personnel policies; final arbitrator in questions of interpretation and application of NON Contract policies.

Personnel Committee - responsible for offering recommendations to the Board of County Commissioners on personnel policy related issues.

Coordinator: - responsible for the administration of all personnel and benefit policies in the County. (Human Resource Manager is a subset of the Coordinator)

Department Managers/Supervisors - responsible for the application of personnel policies within departments and for employees under their immediate supervision; may develop operational departmental procedures.

SECTION 2

INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY

TERMINOLOGY

BENEFIT ELIGIBLE: Part-time Non-exempt employees who are regularly scheduled and remain in pay status a minimum of 20 hours per week or more are eligible for paid time off (PTO) (Section 12). Those employees who are working in a recurring twelve month per year position and remain in pay status a minimum of 32 hours per week, are eligible for the health insurance benefit (Section 16). Exempt part-time are the same. Seasonal and Temporary employees (Section 3) are eligible for only holiday pay with on-call employees (Section 3) receiving no benefits.

CLASS or CLASSIFICATION: All positions sufficiently similar in duties, authority, and responsibility to permit grouping under a common title with equity of common standards of selection.

COLLECTIVE BARGAINING AGREEMENT (UNION CONTRACT): A contract negotiated between the County and a union representing a defined group of employees outlining wages, benefits, and terms and conditions of employment.

CONTINUOUS SERVICE: Shall consist of no break in employment by resignation or termination.

UNION EMPLOYEE: An employee within a defined bargaining unit and governed by a collective bargaining agreement (union contract).

DEPARTMENT MANAGER: Those elected or appointed officials who are responsible for management of a department.

EXEMPT POSITIONS: Those positions that by the Code of Federal Register (CFR) 29 are exempt from overtime and minimum wage law or requirements. See Addendum V.

FULL-TIME EMPLOYEE: An employee who is regularly scheduled, on an annual basis, to work 40 hours per week and remains in pay status.

FULL YEAR OF EMPLOYMENT: Non-Exempt - The completion of a minimum of at least 2080 regular, non-overtime hours in pay status over a twelve month period and Exempt – The completion of a minimum of at least 52 weeks in pay status over a twelve month period.

GRANT EMPLOYEE: An employee who works for the county under a grant will be considered a county employee and is eligible for applicable county benefits as allowed by policy or grant.

HIRE DATE: Hire date shall be defined as the date an employee's employment with Hubbard County begins and consists of continuous service with the county not to include on-call positions.

INDEPENDENT CONTRACTOR: An individual, firm, or business who provides services for the county under a purchase of service agreement or other contract, and is not eligible for any county benefits.

KINDRED:

First Degree of Kindred: Spouse, child, parent, parent-in-law, step-parent, step-children and foster children.

Second Degree of Kindred: Sister and sister-in-law, brother and brother-in-law, grandparent, spouse's grandparents and grandchild.

Third Degree of Kindred: Aunt, uncle, niece, nephew, great-grandparent, and great grandchild (including spouse's third degree of kindred).
See Addendum I

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INTRODUCTION, SCOPE, POLICY RESPONSIBILITY, & TERMINOLOGY

NON UNION EMPLOYEE: An employee who is not represented by a third party or governed by a collective bargaining agreement (union contract).

NON EXEMPT POSITIONS: Those positions that by CFR 29 are not exempt from overtime and minimum wage law requirements. See Addendum V.

ON-CALL EMPLOYEE: An employee who is hired to work for the county on an intermittent basis, is not regularly scheduled nor accrues any benefits and whose position is expected not to exceed 30 days of employment in one given department periodically. (Section 3)

PART-TIME EMPLOYEE: An employee who remains in pay status and is regularly scheduled to work, on an annual basis, less than 40 hours per week.

POSITION: A group of duties and responsibilities requiring the full-time or part-time employment of one person.

PROBATIONARY PERIOD: A specified period of time during which an employee is required to demonstrate suitability for the position for which they were hired, with suitability of employee for continued employment to be determined by the department manager. (Section 4)

PROMOTION: The movement of an employee to a higher rated job position with the consent of the employee and employer and the completion of a job description for that posted position.

RECLASSIFICATION: The re-rating of an existing job with more or less duties where the essential job functions have remained in tact. (Section 6)

REGULAR POSITION: A position which is continuous in nature and is more than six (6) months in duration.

SEASONAL POSITION: A position which is seasonal in nature based on the duties of the position and does not exceed a continuous six (6) months in a calendar year, and includes paid holidays. (Section 3)

TEMPORARY POSITION: A position which is either limited by the duration of the work, limited by duration of funding, is an intern or a student and includes paid holidays. (Section 3)

TOTAL YEARS COUNTY EMPLOYMENT SERVED: Shall consist of total years of employment with the county, with or without a break in service.

TRANSFER: A change of an employee from one position to another position in the same class or a comparable class in the same pay range.

VETERAN: Applicants and employees who are entitled to a veteran's preference as outlined in M.S.A. §197.45 - 197-481. Provisions of this law shall supersede any provisions of the policies outlined this policy manual.

VOLUNTEER: An individual who volunteers to perform services for the county and does not receive compensation of any kind and such services performed are not the same type of services an individual is employed to perform.

SECTION 3 EMPLOYMENT

I. FULL TIME AND/OR PART TIME REGULARLY SCHEDULED EMPLOYEES

A. POLICY STATEMENT: It is the Policy of Hubbard County to practice equal opportunity employment in the recruitment and selection of candidates for position openings. Hubbard County does not discriminate on the basis of race, color, national origin, gender, religion, age, sexual orientation or handicapped status in employment or the provision of services. The following statement shall appear on all position vacancy notices and advertisements: "Hubbard County is an EOE." ***THE COORDINATOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND TERMINATION PROCEEDINGS.***

B. AUTHORIZATION BY THE COUNTY BOARD: All position openings in all departments, except elected positions, shall be subject to review and approval by the County Board.

1. When a department has a full time or part time position opening to be filled, the department manager or the Coordinator shall get Board approval in order to fill the position.
2. If there are changes requested to a vacant position, or creation of a new position, the Department Manager must seek Board approval prior to the classification committee rating the position.
3. If there are changes in a present position refer to Section 6.
 - a. The effective date of compensation shall be the date the position is filled, following the Board's acceptance of the classification committee point recommendation (for existing filled positions, see Section 6 – Position Descriptions & Point Reviews).

C. RECRUITMENT

1. A "position vacancy" form shall be drafted by the Coordinator's Office and reviewed by the department manager. The Coordinator's Office shall post all position openings. No position shall be awarded outside of the procedure described in this policy.
 - a. The Coordinator's Office shall be responsible for posting a copy of the "position vacancy" form on the county website a minimum of ten (10) calendar days (at the discretion of the department manager, see 2 below); the bulletin board located at the east entrance of the Hubbard County Government Center (employee entrance); the Heritage Living Center; the Hubbard County Public Works Department; the North and South Transfer Stations; the Law Enforcement Center; and the Social Services Department. The position vacancy form shall remain posted until the vacancy closing date listed on the notice.
 - b. Development of an approved ranking criteria for all applications accepted shall be completed by the hiring department manager prior to the closing date listed on the "position vacancy" and reviewed by the Coordinator's Office (examples can be provided by the Coordinator's Office to assist department managers).
 - c. Establishment of the minimum qualification per the developed ranking criteria and the number of applicants to be interviewed shall be established by the hiring department manager and provided to the Coordinator's Office prior to the closing date listed on the "position vacancy".
 - d. Development of the interview questions and any testing to be completed during the interview process shall be provided to and reviewed by the Coordinator's Office prior to the closing date listed on the "position vacancy".
2. At the discretion of the department manager and/or Coordinator, the position opening may be posted on the county website for a minimum of ten (10) calendar days or advertised in the county legal newspaper and other acceptable recruitment methods.
 - a. Application forms shall be available from the Coordinator's Office or on the county website (www.co.hubbard.mn.us).
 - b. The Coordinator's Office shall maintain all completed applications for one (1) year.
 - c. The Coordinator's Office shall forward copies of the appropriate applications to the department manager for review.
 - d. In the event a position is vacated within the initial probationary period the Department Manager shall at a minimum post the vacated position internally (see C.1.a.) and may consider the original

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SECTION 3 EMPLOYMENT

applications received for that position prior to further advertising. (See Section 4 for Probationary Period)

D. SELECTION

1. The department manager and Coordinator shall be responsible for coordinating the screening of applicants and selecting the best qualified candidate that matches the requirements of the position.
2. Acceptable selection methods may include personal interviews, verification of educational background and employment records, validated testing and physical examinations and completion of a criminal background check.
 - a. All selection methods shall measure only the criteria required to perform the duties outlined by the job description and criteria and methods must be applied consistently to all candidates.
 - b. The county will make reasonable accommodations to those applicants who request it per the Americans with Disabilities Act (ADA).
3. Prior to making the final selection, the method of selection must be reviewed and approved by the Coordinator.

E. NOTIFICATION OF CANDIDATES

1. The Coordinators Department shall be responsible for coordination of the notification of all candidates who were not selected within (10) working days after the position is filled.
2. The Coordinators Department shall be responsible for the coordination of providing the candidate selected to fill the position, with a written confirmation of the selection.
 - a. The notification shall include the job title, starting salary, list of benefits, starting date and time and date and location to report upon acceptance of the position. A copy of the notification shall be filed in the employee's personnel file.
3. The Coordinators Department and the hiring department shall complete an employee orientation with each new employee.
4. All new employees will be advised of the "Employees Right to Know" Laws and of the county's AWAIR program.

II SEASONAL, TEMPORARY AND ON-CALL POSITION POLICY

The rate of compensation for Seasonal, Temporary or On-Call positions shall be one of the following:

- ◆ 80 percent of Step 1 of the position being filled;
- ◆ a past county employee, may be compensated at 80 percent of the last wage earned while employed; or
- ◆ a salary range of \$9.00 minimum to \$13.00 maximum, effective 08/01/15 with the minimum wage increased to \$9.50/hour, effective 08/01/16.
- ◆ The starting wage is to be determined by the Department Manager and Coordinator at an appropriate rate for those employees who have experience in a similar position or the same as an existing county position. Exception to the above established rate of pay schedule shall require Board approval depending upon skills, knowledge and abilities necessary to accomplish the essential job functions of the work required. When a department manager has a need for a seasonal, temporary or on-call position, the department manager or the Coordinator shall get Board approval in order to fill the position.

A. TEMPORARY POSITION: A position which is either limited by the duration of the work, limited by duration of funding, is an intern or a student and will not receive benefits except for Holiday pay.

B. SEASONAL POSITION: A position which is seasonal in nature based on the duties of the position and does not exceed a continuous six (6) months in a calendar year and will not receive benefits except for Holiday pay.

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C. ON-CALL POSITION: A position that works on an intermittent basis throughout the year. An on-call position is not regularly scheduled or guaranteed hours. This position is not eligible for benefits.

1. TERMS OF POSITIONS

- a. Seasonal, Temporary and On-call position employees are expected to comply with all policies and procedures and meet the same job performance expectations as regularly scheduled employees.
- b. Compensation of a seasonal, temporary and on-call employee will be the responsibility of the department in which the work is performed.
- c. Employees serving in an on-call capacity shall reserve the ability to refuse work if their schedule prevents. On-call employees who are continuously unavailable over a six month period, voluntarily terminate their employment. If they are available to work again, they may apply and be re-hired, at the discretion of the employer.

2. PROCEDURE

- a. A "pool" of on-call employees who are available to work on an intermittent basis and meet minimum qualifications may be maintained by respective departments.
- b. Utilization of an on-call employee must be authorized by the County Board.
- c. Training specific to the department requesting a temporary, seasonal and/or on-call employee will be the responsibility of the manager in need of assistance.

3. EXTENSION OF TEMPORARY, SEASONAL OR ON-CALL EMPLOYMENT: A department manager may request an extension of employment of a temporary employee provided the temporary employee was hired to fill a regular employee's position, who has been granted a leave of absence and has asked for an extension of leave of absence.

- a. A department manager may also request an additional 10% compensation for a temporary employee who is asked to extend temporary employment.

In the event the need for a seasonal employee increases to the need for a regular part time or full time position, there is no need to post the increased position but prior board authorization is required for the increase.

In the event the need for an on-call employee increases to the need for a temporary employee, there is no need to post the temporary position but prior board authorization is required for the increase to temporary status.

D. TEMPORARY INTER-DEPARTMENT JOB REASSIGNMENT: A temporary position being filled within or between departments shall be compensated with a 10% increase of the employee's present salary provided newly assigned temporary position is at a higher classification and exceeds 20 working days in duration.

1. Temporary inter-department job reassignments may be allowed when employee is reassigned for a sick/medical leave of more than 20 working days.

E. PROCEDURE IN THE EVENT OF EXTENDED EMPLOYMENT: In the event a temporary or seasonal employee moves directly into a full time position or part-time position that qualifies for pro-rated benefits, the employee's temporary or seasonal employee hours will count toward completion of 2080 hours required for first step increase. Benefit accrual or pro-rated accrual shall commence upon date of qualifying employment. Hire date will be date that continuous service with Hubbard County commenced in a regularly scheduled position.

III PERA PHASED RETIREMENT OPTION (PRO) Program

A. TERMS OF POSITION

1. Per legislative action effective 05/23/09, a PRO program is available to members of the Coordinated and Basic plans.
2. Member must be 62 years of age or older.

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3. Members under a PRO program may begin collecting their PERA retirement benefits without a formal termination of employment.
4. No 30-day break in public service prior to collecting a retirement benefit will be required and there will be no prohibition against having any agreement to return to work with the current employer.
5. Post-retirement earnings will not be subject to the limits that apply prior to full Social Security retirement age.
6. Neither the member nor the employer is required to make any further contributions to PERA.
7. No PERA service credits will be earned by the employee, so there will be no future adjustment to the high-five average salary.
8. The program is scheduled to sunset June 30, 2019.
9. A current retiree cannot participate in the program
10. More information is available on the PERA website along with frequently asked questions.

B. ADMINISTRATION

1. The County Board has the discretion to determine if it will offer the PRO program to an employee and for how long.

C. PERA MEMBER QUALIFICATIONS

1. Be age 62 or older
2. Be eligible for monthly retirement benefit
3. Have worked at least 1044 hours per year for the five years preceding participation in the PRO Program
4. Agree to a reduced schedule, defined as
 - ◆ 25% or greater reduction in hours and
 - ◆ will not exceed 1044 hours of work per year, essentially half time or less.

D. LENGTH OF PHASED RETIREMENT OPTION Program

1. The initial employment option under the PRO program cannot exceed one year in length.
2. The employment agreement may be renewed annually, but may not extend beyond five years. The renewal must occur before the employee attains full retirement age as defined by PERA.

E. TERMINATION OF EMPLOYMENT UNDER THE PRO Program

1. Upon completion of the phased retirement, a member must meet the requirements normally applied to someone who is terminating public service, including the prohibition of any future employment agreement, and the minimum 30-day break in public service.
2. If the retiree later returns to PERA-covered employment, the earnings limits would apply.
3. Any Paid Time Off (PTO) accrual remaining at the time of a PRO employee termination of employment shall be paid to the employee.

F. PRO EMPLOYEE BENEFITS

1. WAGE: a PRO employee shall continue at the same rate of pay as he/she was earning as a regular employee prior to the effective date of the PRO unless negotiated differently at the time of PRO Agreement approval by the County Board. (See Salary Administration below for duration of PRO Agreement)
2. PAID TIME OFF (PTO): A PRO employee shall be eligible for paid time off (PTO) accrual and it shall be available to the employee as outlined in Section 12.
3. HOLIDAY ACCRUAL: a PRO employee shall be eligible for pro-rated holidays, named in Section 13, based on percentage of annual hours scheduled.
4. SALARY ADMINISTRATION & LONGEVITY PAY: A PRO employee shall be eligible for wage review and treatment after a full year of employment (completion of 2080 hours) and continuation of service increment based on anniversary date as outlined in Section 5.

SECTION 4

PROBATIONARY PERIOD

A. POLICY STATEMENT: It is the policy of Hubbard County that employees serve an initial probationary period of six (6) months for the purpose of demonstrating satisfactory job performance. If the employee fails to demonstrate satisfactory job performance, they may be dismissed during the probationary period without prior notice or obligation at the sole discretion of the department manager. After the employee meets the satisfactory six month review, the employee shall receive an annual performance review based upon the date as defined in Section 5. Completion of a probationary period does not create an employment contract. Nothing in this section shall be construed as an employment contract and all employees will remain "at will".

B. ELIGIBILITY

1. All employees newly hired or re-hired shall serve a probationary period.
2. An employee promoted or transferred to a vacant position shall serve a probationary period of thirty (30) working days for that position. These employee's accrued benefits will remain available throughout the probationary period. If the employee fails to meet the qualifications of the new position during the probationary period, the employee may apply for their prior position as a new applicant.

C. PROCEDURE

1. A performance evaluation should be completed by the Department Manager on each employee prior to the completion of the probationary period.
2. An employee in any probationary period shall be terminated if the employee has not demonstrated satisfactory job performance. In all cases, the Department Manager shall discuss the intent to discharge with the Coordinator prior to the termination to insure consistency and compliance with county policy and applicable law.
3. The initial probationary period for an employee can be extended upon department manager's recommendation and/or Board action. The extension shall be in writing with copies going to the employee, supervisor, and the employee's personnel file.

D. COMPENSATION

1. No raises, for new employees, shall be enacted during any probationary period except for the annual wage adjustment approved by the Board of Commissioners.
2. Any increases awarded upon completion of the initial probationary period shall be based upon performance as determined by the employee's Department Manager and/or Board approval.

E. BENEFITS DURING THE PROBATIONARY PERIOD

1. Health insurance coverage becomes effective the 1st of the month following 30 days employment, subsequent to all proper paperwork being submitted within the required period. (Refer to Section 16, page 1).
2. Paid Time Off (PTO) is accrued from the most recent hire date and is available to be used during the initial probationary period.
3. Holiday pay is available to an employee provided the employee is in pay status the last regular shift to which the employee would have been assigned prior to the holiday and the first regular shift to which the employee would have been assigned following the holiday (Refer to Section 13, page 1).

SECTION 5

COMPENSATION ADMINISTRATION: STEP INCREASES, LONGEVITY PAY, AND SHIFT DIFFERENTIAL

A. POLICY STATEMENT: It is the policy of Hubbard County to provide procedures used as the basis for uniform compensation administration.

B. PURPOSE

1. The purpose of this section is to explain the procedures used as the basis for uniform compensation administration per the salary compensation grid included in Addendum IX and to provide a guide for supervisors in determining when a step increase, longevity pay, and shift differential are to be granted.

C. STARTING COMPENSATION

1. The starting compensation for a new employee is normally the minimum of the compensation grade range. There may be circumstances when an employee with long term prior experience may be placed within the step system. Prior review by the Human Resources Director and approval by the Board is necessary.
2. A current employee who applies for, is hired or is promoted to a higher rated position will move across the compensation grade range to the step in the new position that has a minimum of a 3% increase in compensation. They will then advance as outlined in D.
3. An employee applying for a position with the same grade as their current position will be considered a lateral transfer resulting in no change of wage. They will then advance as outlined in D.
4. The following is provided as a guideline for the movement of a current employee to a lower rated position. Variations due to circumstances not outlined will be determined on a case by case basis with recommendation by the Human Resources Director for Board review and approval:
 - a. If the employee's current grade is less than ten grades higher than the grade of the position being moved to and the current county experience is relevant to the new position, the employee will move to an equivalent step on the lower grade as current step. (example: step 5 to step 5).
 - b. If the employee's current grade is ten or more grades higher than the grade of the position being moved to and current county experience is relevant to the new position, the employee will receive credit for years of service with the county to move to the lower grade (12 year employee will move to step 10 at the lower grade or a 5 year employee will move to step 5 at the lower grade).
 - c. If the current county experience is not relevant to the position being moved to, then a step recommendation will be based on qualifications on a case by case basis, upon review by the department manager and the Human Resources Director and presented to the Board.

D. STEP INCREASES

1. Step increases will be awarded from the date of the last step increase until reaching the top of the employee's respective grade, after the completion of a **full year of employment** (as defined in Section 2) and a successful satisfactory performance evaluation as stated in F.1.
2. Employees hired prior to January 1, 1997 and have not reached the top of their compensation range shall continue to receive annual step increases January 1 after completion of a **full year of employment** and satisfactory performance evaluation.
3. Employees hired after January 1, 1997, shall receive their annual step upon completion of a **full year of employment**, based on their date of hire and satisfactory performance evaluation.

E. INITIATION AND APPROVAL OF COMPENSATION ADJUSTMENTS

1. Compensation adjustments require the approval of the department manager and the Human Resources Director.

SECTION 5

COMPENSATION ADMINISTRATION: STEP INCREASES, LONGEVITY PAY, AND SHIFT DIFFERENTIAL

F. PERFORMANCE MEASUREMENT

1. Prior to requesting a step increase for a subordinate, a satisfactory employee performance evaluation must be completed and submitted to the Human Resources Department. The period of employment covered in the performance evaluation should be the prior **full year of employment** required for the requested step increase. The employee's evaluation must be completed by their supervisor and approved by the department manager.
2. Prior to implementing a step increase for a department manager, a satisfactory performance evaluation must be completed by the Board and submitted to the Human Resources Department. The period of employment covered in the performance evaluation should be a **full year of employment** per the evaluation schedule established by the Board.

G. LONGEVITY PAY: Employees shall be rewarded for their years of continuous service through the addition of longevity pay.

1. The effective date shall be on the anniversary of their hire date.
2. **LONGEVITY SCHEDULE:** Longevity pay will be paid according to the following schedule:

Years of continuous service:	Percentage of Longevity pay added to base pay:
10 years	1%
15 years	2%
20 years	3%
25 years	4%
30 years	5%
35 years	6%

H. SHIFT DIFFERENTIAL: Shift Differential pay shall be provided to essential Sheriff's Office employees scheduled to work between 6:00 p.m. and 6:00 a.m. for those hours actually worked. Said pay shall be administered uniformly within the Sheriff's Department.

SECTION 6

CLASSIFICATION PLAN

Purpose Statement

Hubbard County maintains a job evaluation system of assigning positions of comparable worth (M. S. §471.994, as amended). Positions are evaluated within a specific classification and pay grade, to achieve internal equity between positions and ensure compliance with the Minnesota Local Government Pay Equity Act (M.S. §471.991 – 471.999, as amended).

Classification

Each County Board approved position shall be defined by a job description, including a description of the position, reporting relationships, essential job duties, qualifications, and working conditions. In coordination with Human Resources, Department Managers shall develop and maintain current job descriptions. It is an inherent managerial duty to design, redesign, restructure and create new positions to meet the objectives and changing needs of the County (M.S. 179A.07, as amended).

The job evaluation process will assign a classification and pay grade to each position within the County, unless excluded by statute. The County Board shall approve submittal of any position to an outside review agency which will assign the classification and pay grade to ensure classification consistency is maintained. Human Resources will inform the Department Manager and job incumbent(s) of the results of the classification and pay grade. The classification and pay grade is not grievable under collective bargaining contracts or County Policy. A job incumbent(s) may appeal the classification, with approval of the Department Manager, within 5 business days of the date of the results. The Human Resources Director will coordinate the appeal with the outside review agency. An unresolved appeal will be presented to the County Board for final decision.

New Position/Reorganization

When a Department Manager requests a new position or restructures work within the department, positions may require new job descriptions and evaluation for appropriate classification. New Positions/ Reorganization Reviews ensure classifications are maintained when a structural or functional change is planned.

Request for Review and Reconsideration

A Department Manager may submit a request to the Human Resources Director for a review and reconsideration of an existing classification. A request may only be made in a year when the Ongoing Maintenance Process is not taking place for that classification. Only one request for review and reconsideration opportunity will be provided regardless of how many employees are in the classification.

The review and reconsideration should precisely identify the changes to the job description. There should be considerable change to warrant the review. The request for review and reconsideration will determine whether a job evaluation is a **reallocation** (a reclassification resulting from significant changes over a period of time in the position's duties and responsibilities) or a **change in allocation** (a reclassification resulting from abrupt, management imposed changes in duties and responsibilities). A reallocation generally requires the incumbent to have been performing duties and responsibilities for greater than 6 months; this does not initiate a job posting process. A change in allocation initiates the job posting process.

Ongoing Maintenance

Ongoing Maintenance of the evaluation system will be performed within a periodic cycle to ensure classifications are evaluated regularly as changes may occur.

SECTION 6 CLASSIFICATION PLAN

The initial Ongoing Maintenance may be performed within the initial years of a periodic cycle. Future Ongoing Maintenance may be performed within a periodic cycle.

The Human Resources Director shall notify Department Managers of the positions in their department when scheduled for Ongoing Maintenance. Review of job descriptions will be performed to ensure accuracy of the job description.

Implementation of Changes to Position Classification

Unless addressed in a collective bargaining agreement, implementation of a change to a position classification shall be as follows and will be applied to job incumbent(s) actively working within the classification:

1. If the job incumbent(s) current grade and step is equal to the new pay grade, the job incumbent(s) will move to the same step on the new pay grade as current step (example: grade, 11, step 5 to grade 1, step 5).
2. If a position is evaluated to a higher pay grade, the job incumbent(s) will receive a salary increase from their current grade and step to the new pay grade which is equal to or next higher than their current step (example: grade 17, step 5 to grade 4, step 5).
3. If a position is evaluated to a lower pay grade, the job incumbent(s) will move from their current grade and step to the new pay grade which is equal to or next higher than their current grade and step but not above the pay range of the new pay grade. If the current grade and step is above the new pay range, the base pay shall be frozen until the new range exceeds the base pay, at which time the job incumbent(s) will again be eligible for pay increases.
4. Classification and pay grade changes that result from Ongoing Maintenance completed in the first half of the year will be effective the second pay date in June. Classification and salary grade changes that result from the Ongoing Maintenance Process completed in the second half of the year will be effective the second pay date in December.
5. Classification and pay grade changes that result from New Position/Reorganization or Request for Review and Reconsideration shall be effective the beginning date of the first regularly scheduled pay period following completion of the evaluation process.

SECTION 7

EMPLOYEE PERSONNEL RECORDS

A. POLICY STATEMENT: It is the policy of Hubbard County to maintain a private personnel file for each employee in accordance with M.S. 13.01 through M.S. 13.88 (Minnesota Government Data Practices Act).

B. ACCESS: Employee personnel files are open for inspection and review during office hours by the subject employee, the employee's authorized representative, the immediate Department Manager, the Coordinator and his/her deputy, subject to limitations contained in M.S. §13.43.

C. RESPONSIBILITY FOR RECORD KEEPING

1. The employee shall be responsible for keeping personal data current.
2. The Department Manager shall be responsible for submitting employment data.
3. The payroll person shall keep benefit data current as received.
4. The Coordinator shall be responsible for maintaining all active and inactive personnel files including the review of all items prior to filing. Official personnel records of county employees are held within the Coordinator's Office.

D. CONTENTS

1. Personal Data
 - a. Employee name
 - b. Current address
 - c. Telephone number
 - d. Person to be contacted in case of emergency
2. Employment Data
 - a. Application, pre-employment tests, reference checks, and data relevant to decision to hire, when applicable
 - b. Copy of written notification of hire
 - c. "Position vacancy" posting leading to transfer or promotion
 - d. Official correspondence between a county authority and the employee
 - e. Annual Performance evaluations – It is the responsibility of each supervisor and/or department manager to review every subordinate at least annually and complete an employee evaluation.
 - f. Salary changes
 - g. Leave requests
 - h. Authorization of leave requests
 - i. Medical statements and physical examination results - separate file
 - j. Documentation of unsatisfactory work performance or behavior
 - k. Termination notice
 - l. Employee acknowledgment and authorization of reference checks and employment verification completion (on completed employment application).
 - m. Such other personnel data maintained by the County, as defined under Minnesota Statute §13.43.
3. Benefit Data
 - a. Record of regular hours and overtime worked
 - b. Record of paid time off accrued and used
 - c. Record of sick leave accrued and used prior to January 1, 2014, and thereafter for union personnel as set forth in their applicable collective bargaining unit.
 - d. Record of holidays used
 - e. Insurance information

SECTION 8

PAYROLL

A. POLICY STATEMENT: Hubbard County maintains an accurate and effective payroll system.

B. PAY PERIODS: Human Resources establishes an annual payroll schedule, with bi-weekly pay periods.

C. RECORD KEEPING

1. Electronic timesheets are the official record of hours worked (regular hours worked, overtime hours worked), holiday, paid time off (PTO), and other leave hours claimed in each pay period.
 - a. Non-exempt employees' hours worked, PTO, and other leave hours claimed shall be recorded to the nearest ¼ hour increment.
 - b. Exempt employees should record leave hours claimed to the nearest half day (29 CFR §541.710).
2. The Department Manager is responsible for the completion of an electronic timesheet for each employee in the department.
 - a. Completed electronic timesheets must be electronically signed by the employee and immediate supervisor or designated representative of the employer, to verify the accuracy of time reporting. In the absence of either attestation, the Department Manager or designee, Human Resources, or Coordinator may sign for timely completion of the payroll processing.
 - b. The Department Manager is responsible for the department submittal of completed electronic timesheets for the pay period to Human Resources by 4:30 p.m. Tuesday following the close of the pay period.
3. Human Resources will maintain a cumulative record of timesheets.
4. All time must be accurately identified on the electronic timesheet. An employee may be subject to disciplinary action up to and including termination for false reporting.

D. ELECTRONIC PAYSTUBS

1. Electronic paystubs will reflect compensation for hours worked, holiday, PTO, and other leave hours.
2. Bi-weekly paystubs are available electronically on Friday by accessing the employee's personal online account.
3. When a payday occurs on a holiday, the electronic paystub will be available on the preceding work day.
4. When an employee terminates, whether by resignation or discharge, the terminal payroll shall be issued in accordance with Minnesota Law.
5. Direct deposit is mandatory for all employees (M.S. 471.426, as amended).

SECTION 9

HOURS OF WORK & ATTENDANCE

A. POLICY STATEMENT: It is the policy of Hubbard County that schedules shall be worked to cover business hours per M.S. §373.052, as amended, with the understanding that the normal workday and/or the workweek may be adjusted to accomplish the workload needs of the County.

B. HOURS OF WORK:

1. Hubbard County has established the county work week to be measured from Sunday through the following Saturday. When possible, a normal work week is five days and a normal work day is 8:00 a.m. to 4:30 p.m.
2. A **full time employee** and/or **part time employee** schedule is assigned by the department manager.
3. Employee attendance not in compliance with an assigned schedule may be subject to disciplinary action up to and including dismissal.

C. LUNCH PERIODS

1. Any employee working a shift of at least six (6) continuous hours shall be entitled to a thirty (30) minute lunch period, to be scheduled by the department manager or supervisor.
2. A non-essential employee working an eight (8) hour shift shall be required to take an unpaid thirty (30) minute lunch period. Lunch periods shall not be skipped for the purpose of leaving early.
3. An essential employee working in the Sheriff's Office will be entitled to a thirty (30) minute lunch period during their scheduled shift and shall be compensated as part of the work shift.

D. REST PERIODS

1. A non-essential employee working a minimum a four (4) hour shift or up to an eight (8) hour shift is to be provided a fifteen (15) minute rest period during each four (4) hour period of continuous work, as department needs permits.
2. Essential employees will be provided a rest period not to exceed fifteen (15) minutes during each one half of their scheduled shift or an equivalent period throughout their shift, as work permits.
3. Rest periods are part of the paid work shift. An employee shall not be compensated in additional money for refusing to take or who is unable to take a scheduled rest period due to departmental needs.
4. A rest period may not be used to extend the beginning of the work day.
5. Non-essential employee rest period shall be scheduled by the department manager or supervisor.
6. Rest periods may be added to the beginning or the end of the lunch period, but not both or the end of the day at the discretion of the department manager or supervisor, on a case by case basis as department needs will permit.

SECTION 10

OVERTIME

A. POLICY STATEMENT: It is the Policy of Hubbard County to compensate "non-exempt" employees for time worked in excess of a regular work week in accordance with the Federal Fair Labor Standards Act (FFLSA). The regular work week is defined in Section 9, Hours of Work and Attendance, page 1.

B. ELIGIBILITY: All employees of Hubbard County who meet the CFR 29 Part 516.2 criteria and are therefore non-exempt employees, shall be paid overtime. (See exempt employee list, Addendum V)

C. ASSIGNMENT AND AUTHORIZATION OF OVERTIME

1. Department Managers shall be responsible for assigning and authorizing over time within annual departmental budgeted monies. Overtime experienced during the year, that exceeds budgeted amounts, are to be addressed with the Board as to reason and need by the Department Manager.
2. Employees shall not work overtime unless authorized to do so by the Department Manager or Supervisor, except for emergency situations that would preclude prior approval with written follow-up to the Department Manager or Supervisor as to the emergency.
3. Overtime will generally be distributed as equally as practical among employees performing the same job duties. The County reserves the right to assign overtime based upon the skills and abilities of the available employees.
4. Employees shall be expected to work overtime based on the needs of the department.

D. CALCULATION AND COMPENSATION

1. For all recorded hours in excess of forty (40) hours per week, in a regular work week, non-exempt employees (other than essential law enforcement) shall receive compensatory time at one and one half, or overtime pay equal to one and one half times their regular pay. The Department Manager or Supervisor and the employee shall agree in advance of any overtime being worked whether the employee shall earn overtime pay or compensatory time.
2. Non-exempt essential law enforcement employees regularly scheduled to work 2080 hours or more annually, shall receive compensatory time at one and one half, or overtime pay equal to one and one half times their regular pay for all hours worked beyond their regular scheduled work shift.
3. Compensatory time shall be taken with the approval of the Supervisor or Department Manager. Compensatory time may not be accrued in excess of eighty (80) hours. The Supervisor or Department Manager is responsible for monitoring booked comp time and assuring compliance with the eighty (80) hour maximum.
4. When an employee requests monetary compensation of accrued compensatory time, the employee shall receive pay at their regular hourly wage. No request will be considered outside the regular payroll timelines for any given pay period.
5. Overtime shall be calculated in fifteen (15) minute periods.
6. Holidays and Paid Time Off (PTO) shall count toward the calculation of overtime.
7. Comp time cannot be used to exceed the employees regularly scheduled work week as referenced in D.1 above.
8. Travel time spent by an employee to attend an authorized seminar or conference shall count towards the calculation of overtime for those hours in excess of the normal work day, as the lessor of:
 - a. time spent in excess of the employees round trip travel time to their normal work location or
 - b. travel time spent round trip from their home.

SECTION 11

SEVERANCE OF EMPLOYMENT

A. POLICY STATEMENT: It is the policy of Hubbard County to provide terminal benefits to employees, in good standing, voluntarily terminating employment with proper notice. An employee's effective date of severance is the last work day and shall not be considered extended by use of banked leave. ***THE COORDINATOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND SEVERANCE PROCEEDINGS.***

B. VOLUNTARY SEVERANCE

1. Resignation with proper notice: Proper notice shall be defined as department manager's receipt of written notification at least ten days prior to the effective date unless, due to extenuating circumstances beyond the control of the employee, he/she is unable to do so and the department manager agrees the circumstances are extenuating. The signed notice shall state the effective date of severance and the reason/s for resignation.

C. INVOLUNTARY SEVERANCE

1. Discharge: Refer to Section 4, Probationary Period, and Section 18, Discipline, for policies regarding discharge of employment.
2. Layoff: In the event the Board of Commissioners determines conditions require a reduction of staff, a method is established to accomplish such reductions in a fair and equitable manner. Considerations are given to an employee's performance and tenure. Voluntary layoffs will be sought before any involuntary layoffs.
 - a. Within each department and job class selected for a reduction in staff, the order of layoff is determined by considering the employee's performance and seniority.
 - b. The department manager shall give the employee written notice of any proposed layoff. The notice shall be submitted to the employee at least fourteen (14) calendar days prior to the effective date of layoff. Except in the instance of a government shut down or termination of a grant in which event the layoff may be effective without notice.
 - c. The laid off employee shall be paid out for accrued PTO with the employee's final pay check that is direct deposited.
3. Recall From Layoff: Employees who have been selected for layoff will have recall rights for one (1) year following the effective date of the layoff.
 - a. Within each department, employees on recall will be offered open and available positions prior to the position being posted, provided the employee meets minimum qualifications.
 - b. Laid off employees requested to return to work are required to report to work 14 days after accepting a position.
 - c. Laid off employees who do not report to work within 14 days, or who decline a position lose their recall rights.
 - d. Consideration will be given to employees on recall who are interested and qualified as determined by the County for the open position in another department.

D. TERMINAL BENEFITS

1. Paid Time Off (PTO): Regular employees who terminate their employment because of disability, retirement, or written resignation with proper notice accepted by the County, shall be entitled to payment of 100% of PTO benefits up to 480 hours provided the following are valid:
 - a. Be in good standing.
 - b. Provide a minimum, two week written notice of resignation unless, due to extenuating circumstances beyond the control of the employee, he/she is unable to do so and the department manager agrees the circumstances are extenuating. The signed notice shall state the effective date of severance and the reason for resignation.
 - c. The value of PTO shall be the mathematical product obtained by multiplying the employee's hourly rate of pay at the time of severance times the employee's unused accumulated PTO hours, not to exceed 480 hours.

SECTION 11

SEVERANCE OF EMPLOYMENT

- d. An employee leaving the employment of Hubbard County with a PTO balance that has a value greater than \$400 will be paid its value (D.1.c.), by 100% deposit of that amount to a Minnesota State Retirement System (MSRS) Health Care Savings Plan (HCSP).
- e. An employee leaving the employment of Hubbard County with a PTO balance that has a value less than \$400 will be paid its value (D.1.c.) in cash.
2. When an employee is laid off, the employee shall be paid for accrued PTO via regular payroll timelines.
3. Employees who resign without proper notice, or who are discharged, are not eligible for their accrued PTO balance.
4. In the event of the death of an employee, accrued PTO shall be paid to the employee's beneficiary.
5. PTO pay reflects payment to which an employee is entitled at the time of termination of their employment.
6. PTO pay does not extend the employee's effective date of termination beyond the last work day.
7. When an employee transfers from one department to another within the County the accrued PTO time shall be charged back to the department where the PTO time was accrued.
8. Accrued PTO shall be paid upon severance including severance during probationary period.
9. Health and Life Insurance: The County shall pay for employee coverage through the last day of the calendar month of the effective date of termination. For continuation of insurance after termination, see Section 16.

E. SEVERANCE RESERVE – In the event of an extended Family Medical Leave qualifying event, an employee may re-purchase hours held in Severance Reserve to remain in pay status. The value of the Severance Reserve will be divided by the employee's current wage if re-purchase is necessary and shall be only in the event no other leave is available.

1. Upon termination of employment all Severance Reserve benefits will be deposited in the MSRS HCSP.

SECTION 12

PAID TIME OFF (PTO)

A. POLICY STATEMENT: It is the policy of Hubbard County to provide employees time away from work and is implemented by means of the Paid Time Off (PTO) Policy.

B. ELIGIBILITY: Employees must be regularly scheduled and remain in pay status a minimum of twenty (20) hours per week, annually.

C. ACCRUAL

1. PTO is accrued from the date of hire, based on an annual payroll cycle (consisting of at least 2080 hours), the employee's respective tenure and the following schedule.

Schedule:	Accrual:
Date of hire through 1st year	.0692 per hour in pay status (approximately one hundred forty-four (144) hours)
Second year of service through 5th year	.0808 per hour in pay status (approximately one hundred sixty-eight (168) hours)
Sixth year of service through 10th year	.0923 per hour in pay status (approximately one hundred ninety-two (192) hours)
Eleventh year of service through 15 th year	.1039 per hour in pay status (approximately two hundred sixteen (216) hours)
Sixteenth year of service through 20 th year	.1154 per hour in pay status (approximately two hundred forty (240) hours)
Twenty-first year of service through 25 th year	.1269 per hour in pay status (approximately two hundred sixty-four (264) hours)
Twenty-sixth year of service and after	.1385 per hour in pay status (approximately two hundred eighty-eight (288) hours)

2. Provisions for accrual:
 - a. If an employee's status changes to less than twenty (20) regularly scheduled hours per week, accrual will discontinue upon the date of change.
 - b. If an employee's status changes to regularly scheduled part time (at least twenty (20) hours per week) or full time, (at least 2080 hours per year), accrual will commence on the date of change.
 - c. During an unpaid leave of absence PTO is not accrued.
 - d. PTO accrues at a normal rate while the employee remains in pay status.
 - e. When an employee's tenure with the county reaches a PTO threshold per the schedule above (C.2.), the new accrual rate will begin on the first day of the pay period including the anniversary of the hire date.
 - f. PTO hours will count toward the calculation of overtime.

D. AVAILABILITY

1. PTO accrues on every hour in regular pay status, is reflected on each digital pay stub and may not be taken until earned, which is the beginning of the following pay period.
2. Hubbard County pay dates reflect compensation for a two week period, four weeks prior to any respective pay date.
3. To determine available PTO, time taken for the previous two week period must be considered.
4. Other than the first year of employment full time employees will be required to take a minimum of forty (40) and up to forty-two (42) regularly scheduled hours off per annual payroll cycle depending on work schedule. Part time employees (other than the first year of employment) will be required to take a minimum of twenty (20) regularly scheduled hours off per annual payroll cycle depending on work schedule. (Part time annual requirement factor: $40/2080 = .0192$ multiplied by annual hours worked)

SECTION 12 PAID TIME OFF (PTO)

5. In the event an employee does **not** meet the minimum leave requirement, the difference in time taken to time required will be deducted from the employee's PTO accruals at the beginning of the next annual payroll cycle (1040 to 2184 hours).
6. One hour of PTO shall be equal to the employee's regular hourly straight time earnings.
7. A new employee may be granted an unpaid leave of absence by the department manager without loss of cafeteria plan eligibility if the following conditions are met: (1) the absence is due to an event that will occur during the employee's probationary period; (2) the event was planned or scheduled prior to the date the employee started work at the County; and (3) the employee requests leave for the event prior to starting work for the County.

E. PTO SCHEDULING:

1. All requests for PTO will be considered by a department manager or supervisor on a case by case basis. While every effort will be made to provide employees the time off per their preference, time off requests may be denied based on the needs of the department so as not to interrupt the normal operation of the department and service to the public.
2. PTO may be taken in one-quarter (1/4) hour increments.
3. Non-emergency use of PTO must be requested a minimum of twenty-four (24) hours prior to the requested leave to be considered an advance PTO request. The Department Manager may waive the 24 hour notice.
4. Advance PTO requests made prior to January 31 of each year will be given first preference.
5. In the event multiple PTO requests are received for the same time frame, PTO will be granted using years of service with the county, as the deciding factor for granting the leave.
 - a. In the event multiple requests are made by employees for the same time frame and the senior employee has taken the same date/s the previous year, the next most senior employee's PTO request will be approved.
 - b. Failure of an employee to make an advanced request for PTO, per the prescribed timelines listed in E.4., shall result in loss of the employee's consideration based on years of service.
 - c. Beginning February 1 of each year, preference in scheduling PTO shall be based on the order in which requests are received.
6. An employee may take PTO for an unplanned "emergency" without requesting it in advance. "Emergency" PTO refers to PTO taken due to the employee's illness or injury, the illness or injury of the employee's child, spouse, adult child, sibling, parent, mother-in-law, father-in-law, grandchild, or stepparent. PTO may also be used on an emergency basis for any other purpose of which sick leave could be taken under Minnesota Statutes, Section §181.9413 (as amended) when the employee does not have advance notice (not regular doctor's appointments). Employees using PTO on an emergency basis must inform their department manager or supervisor of the leave no later than the start of their regular shift, if possible. If it is not possible to provide notification due to an exigent circumstance – such as hospitalization – then the employee must notify their department manager or supervisor of their absence as soon as possible.
7. Emergency use for non-medical reasons or for more than three days in a thirty day period may require documentation of the emergency, including a doctor's certificate when appropriate.
8. Failure to obtain advance leave or appropriate approval of emergency use of PTO may subject the employee to disciplinary action.
9. When an official holiday occurs during a scheduled PTO event, the time shall be considered a holiday.

F. MAXIMUM ANNUAL PTO BALANCE - Employees shall be allowed to accumulate PTO up to a maximum of four hundred eighty (480) hours. Employees will suffer no loss of benefit unless over the maximum upon reaching the first pay date of each year. (See F.1., F.2., and F.3. below)

1. In the event an employee's PTO balance exceeds the maximum 480 hour balance on the first pay date of the following year or at the time of a mid-year termination and no PTO Distribution Form has been

SECTION 12 PAID TIME OFF (PTO)

completed, **all hours exceeding 480 will be forfeited.** (See F.1.a.)

- a) In the event an employee's PTO balance exceeds the maximum 480 hour balance at the time of a mid-year termination, a PTO Distribution Form (CASH OUT OPTION) commitment of record on file with the Human Resources Department, will be honored.
2. **CASH OUT OPTION:** An employee may cash-out not less than 8 hours but no more than 40 hours of PTO hours with the following stipulations:
 - a.) The employee must have a minimum of 240 hours in their PTO bank to be eligible for the cash-out feature.
 - b.) The employee must have used 80 hours of PTO in the prior annual payroll cycle, at the time the cash out commitment is made.
 - c.) The employee must make written application for the cash-out option to the Human Resources Department by December 1 of the year prior to actual payment by completing a PTO Distribution (CASH OUT) Form. Payment will be made the first payroll in December of the following year and will be by direct deposit. PTO balance must exceed hours of commitment at the time the PTO CASH OUT payment is required.
 - d.) The cash-out distribution will be paid at the rate of pay at the time of payout.
 - e.) Election of cash-out is irrevocable.
 - f.) At no time will the PTO balance of an employee electing to participate in the cash-out option be less than the cash-out elected. The amount of CASH OUT commitment will be reserved for payment throughout the year and will be monitored by the Department Manager.
 - g.) Election of a CASH OUT Option will not prevent the employee from accessing EIB the following year, if necessary.
 - h.) The completed PTO Distribution Forms indicating the amount of PTO cash-out will be provided to Department Managers on December 5 of each year or the first working day thereafter.
3. **DEFERRED COMPENSATION OPTION:** In the event an employee's projected PTO balance is expected to exceed the maximum on the first pay date of the new year, the employee may elect to deposit the value of the excess PTO in a deferred compensation plan with the following stipulations:
 - a) The employee must meet the requirement of D.4. (Employee will be required to take a minimum # of regularly scheduled PTO hours off per annual payroll cycle, depending on work schedule), to be eligible for this feature and if not met, the deferred compensation option will not be available.
 - b) The contribution amount may not exceed sixty-four (64) hours and will use the employee's rate of pay effective on December 1.
 - c) The contribution amount will be subject to maximum deferral regulations of the IRS and compliance will be the responsibility of the employee.

For those employee's wishing to transfer excess accrued PTO hours to a deferred compensation account, as outlined, a PTO Distribution Form (EXCESS PTO DISTRIBUTION) must be completed and is available from the Human Resource's tab located on the County Intranet or by contacting the Human Resources Department no later than the first pay date in December prior to the year that the PTO balance is expected to exceed the maximum balance permitted.

G. EXTENDED ILLNESS BANK (EIB) – history provided in Addendum VIII: Extended Illness bank (EIB) hours (current balance of available hours may be found in the digital time card system) may be used after the use of twenty-four (24) hours of PTO, with the approval of the department manager or supervisor, for any of the following reasons:

1. Illness or injury to the employee, causing absence from work.

SECTION 12 PAID TIME OFF (PTO)

2. Illness or injury to the employee's child, adult child, spouse, sibling, parent, grandparent, grandchild, mother-in-law and father-in-law, or step parent, which requires the employee's presence, subject to the limitations of Minnesota Statutes, Section §181.9413 (as amended).
3. Pregnancy related accommodation (M.S. §181.9414).
4. An employee may use EIB hours after utilization of a minimum of twenty-four hours of PTO for themselves or for the relatives listed in G.2., for the purpose of "safety leave" as defined in Minnesota Statutes, Section §181.9413 (as amended).
5. Employees claiming a need for use of EIB may be required to file adequate, written evidence that they have been absent as authorized. Use of EIB for safety leave as outlined in G.2 above will not exceed 160 hours in any 12-month period (unless approved by the department manager).
6. EIB may also be used for a relative living with the employee immediately preceding their illness or injury. If the EIB is used for said relative and exceeds five (5) consecutive days, it is understood that approval will be granted only upon satisfactory review of the work schedule.
7. Subsequent absences as a result of an event requiring intermittent leave, whether FMLA qualified or not, will be exempt from the twenty-four (24) hour minimum PTO utilization requirement and the access to EIB will be considered met by the initial occurrence.
8. An event requiring the employee's in-patient care will be exempt from the twenty four (24) hour minimum PTO utilization requirement and access to EIB will be from the date of hospital admittance.
9. Employees having been incapacitated for a major portion of the EIB used, may be required to provide evidence by a certified medical professional of being physically, mentally and emotionally able to perform their duties before returning to work.
10. Election of the **CASH OUT Option** will not prevent the employee from accessing their EIB, if necessary.
11. When an employee has incurred a work-related injury and will be missing work, the first three (3) days are not paid under workers' compensation unless the employee will miss more than ten (10) days of work. Therefore, the 24-hour paid time off benefit waiting period will be waived allowing the employee to use their EIB without using any PTO. If the injured employee will be missing more than ten (10) days of work, then worker's compensation starts from day one.
12. PTO and EIB can be bought back from the County once a determination is made that the employee is eligible for workers compensation wage benefits. In addition, employees receiving Worker's Compensation may use EIB until exhausted and then PTO to supplement workers' compensation in an amount not to exceed their current wage.
13. Claiming EIB when not eligible within the provisions of this policy, may be cause for disciplinary action, including cancellation of EIB benefits, suspension, demotion or termination.
14. No compensation of EIB hours remaining at the time of employee's separation from employment from Hubbard County will be provided.

H. SEVERANCE RESERVE – history provided in Addendum VIII: Severance Reserve (SR) hours shall be administered as outlined below:

1. In the event of an extended Family Medical Leave qualifying event, an employee may re-purchase hours held in Severance Reserve to remain in pay status. The value of the Severance Reserve will be divided by the employee's current wage if re-purchase is necessary and shall be only in the event no other leave is available.
2. Upon termination of employment all SR benefits will be deposited in the MSRS HCSP.

SECTION 13 HOLIDAYS

A. POLICY STATEMENT: It is the policy of Hubbard County to provide employees with certain paid holidays.

B. ELIGIBILITY

1. An employee must be regularly scheduled and remain in pay status a minimum of twenty (20) hours per week. Employees who work more than twenty (20) hours per week but less than forty (40) hours per week shall have their holiday pay prorated.
2. Employees must be in pay status the last regular shift to which they would have been assigned prior to the holiday and first regular shift to which they would have been assigned following the holiday.

C. SCHEDULE

1. The following days have been designated as official paid Holidays:

New Year's Day (January 1)	Labor Day (1st Monday in September)
Martin Luther King Day (3 rd Monday in January)	Veterans' Day (November 11)
President's Day (3rd Monday in February)	Thanksgiving Day (4th Thursday in November)
Friday before Easter	Day after Thanksgiving
Memorial Day	Christmas Day (December 25)
Independence Day (July 4)	

Sheriff's Office Essential Employees receive holidays as listed in the schedule above.

2. Changes in this schedule shall be authorized by the Board of County Commissioners.
3. When a holiday falls on a Saturday, the previous Friday shall be designated as the official holiday. When a holiday falls on a Sunday, the following Monday shall be designated as the official holiday.
4. A work shift that begins on an official holiday receives holiday pay for the duration of the shift. A work shift that ends on an official holiday does not receive holiday pay.

D. COMPENSATION AND CALCULATION

1. When an eligible employee works an official holiday, the employee shall receive time and one half (1½) times the hourly rate of pay for hours worked in addition to regular holiday pay.
2. Sheriff's Office essential employees shall receive Holiday pay for holidays not scheduled to work at straight time.
3. When an official holiday falls during a scheduled paid time off (PTO) leave, the day shall be considered a holiday.
4. When an official holiday falls during a paid leave of absence, the day shall be considered a holiday.
5. Paid holiday hours shall count toward the calculation of overtime.

SECTION 14

VACATION, SICK & PERSONAL LEAVE

This section eliminated effective January 1, 2016, with the ratification of the Teamsters Local 320 Collective Bargaining Agreement representing the group's move to Paid Time Off (PTO).

NOTICE: Employees and prospective employees are at will employees, and should be advised that the policies expressed herein do not create any rights of employment, nor do the policies constitute a contract of employment between the County and employee or officers thereof. This policy is not to be deemed as a contract between any employee or prospective employee and the County, and can be amended or eliminated at any time, without notice, at the discretion of the County Board.

SECTION 15
LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY

FAMILY MEDICAL LEAVE ACT

- A. POLICY STATEMENT:** It is the policy of Hubbard County that any Family Medical Leave is to run concurrently with any paid leave available to the employee and be in accordance with state and federal law.
- B. ELIGIBILITY:** **To be eligible, an employee must have been employed by Hubbard County for at least 12 months; have completed at least 1250 hours of service in the last 12 months and should make an eligible leave request. Eligible leave requests are determined by the following:**
1. Employee needed to care for their spouse, son, daughter, or parent with serious health condition;
 2. Birth of child, placement of child by adoption or foster care; and/or
 3. Serious health condition that makes the employee unable to perform his or her job functions.
 4. Or as otherwise covered under FMLA.
- C. AUTHORIZATION**
1. Advance notice of at least 30 days or as far in advance as possible in written form or verbally followed by written verification is required.
 2. The department manager shall be responsible for approving requests for FMLA leave.
 3. In the event of sick relative care or employee medical leave, a doctor's statement may be required. The statement must include the dates/duration of the leave. Status reports, upon request, during the absence may be requested. Hubbard County reserves the right to request further information concerning the care required at any time during the absence.
 4. Parental leave will not be granted more than twelve months after the birth or placement of the child.
 - a With regard to parental leave, if both parents are employees of Hubbard County their total parental leave allowed will be no more than 12 weeks.
- D. LENGTH OF LEAVE**
1. An employee is entitled to up to 12 weeks in a 12 month period of time for qualifying events as described above.
 2. The twelve month period of time is measured from the date of the first qualifying FMLA leave taken.
 3. FMLA leave may be taken in one block of time or intermittently.
- E. BENEFITS**
1. Hubbard County will continue to provide insurance coverage at the same level and the same cost to the employee as before the qualifying leave.
 - a. It is at the option of the employee whether or not to continue insurance coverage.
 - b. If the employee does not return to work following the leave, the employer-paid portion of the insurance premiums will be recovered.
 2. As long as the employee remains in pay status by using paid time off (sick, vacation, or personal leave of union personnel only) each leave benefit will continue to accrue during the leave. After each benefit leave availability is exhausted, accrual will discontinue.
 3. All other benefits will be discontinued during this leave.
 4. Leave under FMLA will count toward years of service and longevity with Hubbard County.
- F. RETURN TO WORK**
1. Employees will be returned to his/her previous position or an equivalent position.
 - a An equivalent position is measured by the following: comparable duties, terms, conditions, pay, benefits, and/or hours worked before the leave.
 2. There is no guarantee the employee will be returned to the exact position as prior to the leave.
 3. There is no guarantee the employee will be returned to the position in the event they would have been laid off or the position would have been discontinued during FMLA the employee would not be entitled to return to their position.

SECTION 15

LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED

4. If the employee fails to return after a granted, qualifying leave, unless authorized by the County Board, the employee's employment may be automatically terminated.
5. A doctor's statement will be required in the event of a medical leave to enable the employee to return to work. The doctor's statement shall state the employee's capability to fully perform the duties of his/her position and any restrictions necessary.

G. THE "KEY" EMPLOYEE EXCEPTION: Hubbard County may refuse to restore an employee's position that is in the upper 10% of the county's salaried work-force when that denial is necessary to prevent serious economic injury to the county.

1. Upon the determination of the county of a resulting serious economic injury, the employee must be notified they will not be provided a position upon their return.
2. If the serious economic injury occurs after the employee is on leave, the county must notify the employee and provide the employee a reasonable time to return to work.
3. If after the employee is notified there will not be a position available upon his/her return and the employee chooses to remain on leave the full amount of time provided, Hubbard County must maintain health coverage under the same terms and conditions for the leave period.

LEAVES OF ABSENCE WITHOUT PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to consider the following employee leaves without pay:

- Child Care Leave (*In addition to FMLA Leave*)
- Educational Leave
- Medical Leave (*In addition to FMLA Leave*)
- Personal Leave

B. ELIGIBILITY: An employee must be full time or part time in a regular position.

C. AUTHORIZATION

1. The employee shall submit a written request for a leave of absence to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for approving requests for leaves of absence except an **Educational Leave** and a **Personal Leave** in excess of ten (10) working days. **Educational Leaves** will be considered only, upon the recommendation of the Department Manager, by the County Board on a case by case basis and **Personal Leaves** beyond ten (10) working days require Board approval.
 - a. A **child care** or **medical leave** of absence shall be considered only if an employee has exhausted all accumulated paid time off leave. An **educational** or **personal leave** of absence shall be considered only if an employee has exhausted all paid time off leave (union employee benefits are set forth in the applicable collective bargaining agreement).
 - b. The Department Manager shall consider the circumstances surrounding the request and may, for a **medical leave**, require the submission of a physician's written statement citing that the employee is unable to work due to a personal, physical or mental illness or injury or treatment of a chemical dependency, and the projected date of return to work.
 - c. The Department Manager shall consider the work load and staffing of the department prior to approving the request.
 - d. The Department Manager shall consider the employee's length of employment and attendance record.
 - e. For a **Medical Leave** a Department Manager may, at any time during the leave, request a physician's statement updating the employee's condition and projected date of return to work.
3. Authorized Leave requests and medical statements shall be filed in the employee's personnel file or appropriate employee medical file.

D. LENGTH OF LEAVE

1. The county board may consider a leave of absence based on the totality of the circumstances – based on the needs of the department etc. Leaves of absence may be granted for up to six (6) months.

SECTION 15

LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED

E. EFFECT ON BENEFITS, LEAVES, AND SENIORITY

1. For continuation of employee insurance benefits, full premium payments to the Auditor's office one month in advance of the coverage must be made.
2. There will be no paid time off accrual, no holidays paid or PERA contributions made during an unpaid leave of absence (union employee benefits are set forth in the applicable collective bargaining agreement and are not available while on an unpaid leave).

F. REINSTATEMENT AND TERMINATION DURING A MEDICAL LEAVE OF ABSENCE

1. Prior to returning to work from a **medical leave** of absence, the employee shall provide a physician's statement that the employee is able to return to work.
2. An employee returning to work within the authorized leave period shall be reinstated to the original position or a position in the same classification. The employee shall be reinstated in the same department with the current hours and pay.
3. An employee exceeding the authorized leave period without giving proper notice shall be dismissed.
4. An employee giving proper termination notice within the authorized leave period shall be eligible for terminal benefits.

ELECTED OFFICE MEETING ATTENDANCE LEAVE OF ABSENCE WITH OR WITHOUT PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to authorize employee attendance of elected office meetings per M.S. §211B.10.

B. AUTHORIZATION

1. The Department Manager must receive written notification of intended absence at least 20 days in advance.

C. COMPENSATION

1. The Department Manager may authorize make-up of hours absent to allow this employee to remain in pay status, at their own discretion.

MILITARY LEAVE - LEAVE OF ABSENCE WITH OR WITHOUT PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to grant employees a maximum of fifteen(15) working days off with pay during any calendar year for National Guard, Reserve duty, or militia duty as outlined in M. S. §192.26. In addition, a **military leave without pay** will be granted to an employee engaged in active service in war time or other emergency in the military or navel forces of the United States in accordance with M. S. §192.26. Other benefits will be granted per State and Federal law.

B. AUTHORIZATION

1. The employee shall submit a written request for a leave of absence due to military duty to the Department Manager at the earliest possible date. A copy of the orders shall be presented to the Department Manager, if possible.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.

LEAVES OF ABSENCE WITH PAY

APPEARANCE AT GOVERNMENT PROCEEDINGS - LEAVE OF ABSENCE WITH PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to grant employees a leave of absence with pay for a subpoenaed appearance before a court, legislative committee, or other body as a witness in a proceeding involving the federal government, State of Minnesota, or one of its political subdivisions, if the appearance is in connection with the employee's official duties.

SECTION 15

LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED

B. AUTHORIZATION

1. The employee shall submit a written request for a leave of absence due to a subpoenaed appearance at a government proceeding to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.

BEREAVEMENT LEAVE - LEAVE OF ABSENCE WITH PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to grant employees a maximum of three (3) days with pay in the case of a death in the immediate family of the employee or the employee's spouse to the second degree of kindred. The immediate family shall also include others who function as first or second degree of kindred. Leave may also be taken with respect to the third degree of kindred if such leave is deducted from, paid time off leave and for those employees who have an extended illness bank (EIB), utilization of EIB may be authorized at the discretion of the Department Manager.

B. AUTHORIZATION

1. The employee shall submit a written request for a leave of absence due to death in the immediate family to the Department Manager at the earliest possible date. If circumstances prevent submission of a written request, the employee shall contact the department head within thirty (30) minutes of the start of the employee's scheduled shift.
2. The Department Manager shall be responsible for authorizing leaves of absence and may, at their discretion, authorize additional utilization of paid time off leave, on a case by case basis, due to the individual circumstances. (Union employee benefits are set forth in the applicable collective bargaining agreement.)
3. The authorized written request or a notation of the verbal request shall be filed in the employee's personnel file.
4. Leave to be prorated accordingly for employees working less than 40 hours per week.

C. ELIGIBILITY: An employee must be regularly scheduled to work a minimum of twenty (20) hours per week, per pay period, in a regular position, to be eligible for this benefit.

JURY DUTY - LEAVE OF ABSENCE WITH PAY

A. POLICY STATEMENT: It is the policy of Hubbard County to grant employees a leave of absence with pay for required jury duty.

B. AUTHORIZATION

1. The employee shall submit a written request for leave of absence due to jury duty to the Department Manager at the earliest possible date.
2. The Department Manager shall be responsible for authorizing leaves of absence.
3. The authorized written request shall be filed in the employee's personnel file.
4. The employee shall return to work if excused or released from jury duty during regular working hours.

C. COMPENSATION

1. An employee, full-time or part-time, summoned to serve on any court jury shall be compensated by the County at the regular rate of a regular work day, without any reduction of paid time off accumulation (union employee benefits are set forth in the applicable collective bargaining agreement). In return therefore, any compensation, other than mileage received by the employee for serving on jury duty, shall be turned over to Hubbard County and re-deposited in its original fund.
2. If a holiday occurs during jury duty, the employee shall be paid for the holiday.

SECTION 15
LEAVES OF ABSENCE WITH AND/OR WITHOUT PAY - CONTINUED

ELECTION JUDGE - LEAVE OF ABSENCE WITH OR WITHOUT PAY

- A. POLICY STATEMENT:** It is the policy of Hubbard County to approve Election Judge leaves of absence with pay per M.S. §204B.195.
- B. AUTHORIZATION**
1. The Department Manager must receive written notification of intended absence at least 20 days in advance
 2. In addition to the written notice a certification from the appointing entity stating the hourly election judge compensation must be provided.
 3. No Department Manager can be required to allow more than 20% of the total work force to be absent from any one work site to serve as election judge.

VOTING IN NATIONAL AND STATE ELECTIONS - LEAVE OF ABSENCE WITH PAY

- A. POLICY STATEMENT:** It is the policy of Hubbard County to grant employees a reasonable amount of time off with pay in the forenoon to vote in any statewide general election or federal general election, in accordance with M.S. §204C.04.
- B. AUTHORIZATION:** The Department Manager and employee shall arrange a mutually agreeable time for the employee to vote.

SECTION 16

CAFETERIA PLAN

- A. **POLICY STATEMENT:** It is the policy of Hubbard County to offer eligible employees benefits through the Cafeteria Plan, including health insurance.
- B. **ELIGIBILITY:** An employee who is working in a position expected to recur annually and is regularly scheduled for forty (40) hours per week is Cafeteria Plan eligible, so long as the employee remains in pay status forty (40) hours per week or the employee is on an unpaid statutory leave which requires employer insurance contribution. An employee out of pay status shall not be eligible for the Cafeteria Plan contribution for one month following their return. An employee who works more than an average of thirty (30) hours during the ACA measurement period established by Hubbard County will be eligible for health insurance, as outlined per the Alternate Benefit Eligibility as set forth in Addendum VII.
- C. **CAFETERIA PLAN CONTRIBUTION:** Hubbard County will contribute an amount toward the Cafeteria Plan for regular full time (40 hours/week), benefit eligible employees – as set forth in Addendum VII.

ALTERNATE BENEFIT ELIGIBILITY: Hubbard County will contribute via the Cafeteria Plan, for health insurance, the minimum amount required to meet the requirements of the Affordable Care Act (ACA) for eligible regular part time employees as set forth in Addendum VII.

In addition, Hubbard County will provide benefit eligible employees \$10,000 life insurance coverage.

A new employee may be granted an unpaid leave of absence by the department manager without loss of Cafeteria Plan eligibility if the following conditions are met: (1) the absence is due to an event that will occur during the employee's probationary period; (2) the event was planned or scheduled prior to the date the employee started work at the County; and (3) the employee requests leave for the event prior to starting work for the County.

- D. **COVERAGE:** Coverage becomes effective the first of the month following 30 days of employment and remains effective as long as employee remains benefit eligible. Coverage for an employee terminating county employment or otherwise losing coverage due to a qualifying event shall be effective through the last day of the calendar month in which the employee is employed or otherwise entitled to coverage. Benefit eligibility will be determined using a measurement period, administrative period and stability period as required by the ACA and established by the county.

In the event the health insurance provision of this Agreement fails to meet the requirements of the Affordable Care Act (ACA) and its related regulations or cause the Employer to be subject to a penalty, tax or fine, the Employer will develop an alternative provision so as to comply with the Act and avoid any penalties, taxes or fines.

- E. **OPTIONS TO CONTINUE COVERAGE:** Payment of full premiums for continued coverage must be made in the Coordinator's Office one month in advance of the desired coverage.
1. An employee not in pay status has the option to continue coverage per current state and federal law.
 2. A terminating employee that is PERA annuity eligible may continue their insurance coverage indefinitely.

SECTION 16

CAFETERIA PLAN

3. A county employee who terminates after ten or more years of service is eligible to continue coverage on the group plan indefinitely.
4. A terminating employee that is not PERA annuity eligible may continue coverage per COBRA guidelines. Cobra coverage requirements are available in the Coordinator's Office.
5. Terminating or retiring enrollees can choose to enroll in a different health plan from the county offered plans, only during an open enrollment period.

Please see the County Coordinator's Office for complete COBRA coverage requirements.

SECTION 17

EXPENSE REIMBURSEMENT

POLICY STATEMENT: It is the policy of Hubbard County to reimburse employees for meals, lodging and mileage expenses incurred while performing duties required by the employer. Lodging expenses to be reimbursed by the county **require receipts**.

A. EXPENSE REIMBURSEMENT

1. **Mileage** incurred while using private transportation for county business will be reimbursed at the rate established in January of each year by the County Board. Personnel will be required to furnish their own car if a county car is not available. Employees will be required to provide proof of auto insurance to the Auditor's Office prior to payment of personal mileage expenses. Mileage incurred while traveling between the employee's residence and normal work location is not reimbursable. This includes repeat trips back to the normal work location for work related responsibilities. Mileage will be reimbursed based on the following:
 - a. The actual miles traveled when driving from the normal work location to another work site(s), and back again.
 - b. The miles driven in excess of the employees normal commute if stopping at a work site while traveling between the employees residence and normal work location.
 - c. The miles driven in excess of the employee's normal commute when the employee drives from their residence, to another work site (e.g. a conference), and then returning to their residence.
2. **Fare** while using public transportation.
3. **Lodging** will be reimbursed at actual cost when overnight travel is necessary and receipts will be required.
 - a. Personal expenses such as personal phone calls, movie rental charges, etc. are not reimbursable.
 - b. Tips and alcohol are not reimbursable and shall not be included on claims.

C. MEAL REIMBURSEMENT

1. Meals while traveling for **business purposes**, outside of the County whether an overnight stay is required or not, will be paid for the actual amount of the meal not to exceed the schedule as established by the County Board in January of each year with said schedule to be reflected in Addendum VI of this policy.
2. Tips and alcohol are **not** reimbursable and shall not be included on claims.
3. Meal receipts are not necessary.
4. No meal reimbursement is allowed if meal is included with registration fees.
5. Meal reimbursements are taxable income unless involving an overnight stay.

D. AUTHORIZATION

1. The Department Manager shall be responsible for authorizing business travel and approving meal reimbursements per the time requirements established by the Board and listed in Addendum VI.
2. The employee shall be representing the interests of the County.
3. Travel must not be related to union activities.

E. PROCEDURE FOR REIMBURSEMENT

1. The employee shall submit an expense sheet for overnight stays for meals, lodging and other itemized proper reimbursements. For those meal reimbursements not during an overnight stay, the form to be used is the time card. Receipts for meals are not required.
2. The Department Manager shall approve expenses claimed before submitting the bill to the Board of County Commissioners.
3. A special check shall be issued for overnight expense reimbursement.

SECTION 17

EXPENSE REIMBURSEMENT CONTINUED

CONFERENCE & SEMINAR EXPENSES/EDUCATIONAL TUITION REIMBURSEMENT

A. POLICY STATEMENT: Hubbard County seeks to assure the delivery of quality services by supporting the professional growth and development of its employees and elected officials. All employees and elected officials will be afforded opportunities and resources for continuing education, technical training updates, required training, and other experiences which fit within the approved budget.

It is the policy of Hubbard County to allow regular employees educational opportunities that are directly related to the employees current position and intending to update and enhance an employees ability to perform the responsibilities of their current position.

B. ALLOWABLE EXPENSES

1. Fees for seminars, conferences, or conventions, including additional required materials, directly related to the current position.
2. Travel expenses incurred, per policy.
3. Travel time as defined in Section 10, D,6.
4. Fees, tuition, or expenses for education opportunities which are not directly related to an employee's current position are approved on a case by case basis by the Board of Commissioners.

C. EDUCATIONAL TUITION REIMBURSEMENT

1. Employees who work (32) hours or more per week on an ongoing basis and have completed their probationary period may be eligible for tuition reimbursement. Resignation or termination of the employee automatically terminates their eligibility for educational assistance benefits.
2. Education assistance will be provided for courses offered by technical institutes, trade schools or accredited colleges or universities. The classes chosen must be related to the employee's development in their current position, improve their job skills and knowledge and/or prepare the employee for advancement within county government. Under this plan, an employee will be reimbursed up to \$300/year providing monies are available within the current year's county training budget with prior approval as outlined below. Textbooks purchased as a requirement of a course of instruction will be paid for by the employee.
3. Approval of reimbursement must be granted in advance of enrollment in the course. A request by the employee must be completed and submitted to the Department Manager including the following: 1) course name, brief description and how the proposed course relates to the employee's current or future position; 2) sponsoring organization; 3) time element involved; 4) credit to be received; 5) location where course is conducted; 6) cost; 7) employee's intention regarding time off and travel. The Department Manager must acknowledge 1) the education is required by Hubbard County to keep the employee's present position (salary, status or job) and serves a bona fide business purpose of Hubbard County, or 2) the education maintains or improves skills needed in the employee's present or future work. The Department Manager will forward the request and their recommendation to the County Board for final authorization.
4. All requests must be pre-approved before employee enrollment at the beginning of each quarter to be considered for this reimbursement. All request approvals shall be on an individual basis based on the employee's attendance, work history, and other contributing employment factors. Once authorized, and upon satisfactory completion of the course (Grade "C" or better, "Pass" on "Pass/Fail" grading system and/or Certification of Completion or Attendance), the employee will submit reimbursement documentation to the Coordinator's Office. The employee will required to submit a receipt of payment and a certificate of participation or credit earned before reimbursement will be paid. Reimbursement will not be given when an employee has not satisfactorily completed a course or received a failing grade.
5. Employees wishing to participate in the educational reimbursement program shall do so on their own time. Attendance at classes is not reimbursable under this policy. Time used to attend courses of study during normally scheduled work hours must have prior department manager approval and utilization of flex time in accordance with the Fair Labor Standards Act may be authorized to make up any hours used for class attendance if available.
6. **Retention Period:** The retention period is considered a twelve month period after the completion of the reimbursed course. It is understood and agreed to by the employee that the employee will reimburse the county in full if voluntary resignation occurs within one (1) year of completion of the course unless forced to

SECTION 17

EXPENSE REIMBURSEMENT CONTINUED

resign for health reasons verified by a licensed physician, or due to department head failing to be reappointed or re-elected to the position resulting in the employee's loss of county employment. If any of these criteria have not been met after county monies have been extended for such purposes, the employee will make full restitution of all county funds expended. This reimbursement shall be paid to the county either by direct payment, or the employee may sign a release agreement to withhold the amount from their wages.

D. AUTHORIZATION

1. Educational opportunities directly related to the employee's current position, and offered in-state, must be approved by the Department Manager (B.1).
2. Educational opportunities that are either not directly related to the employee's current position, or are out-of-state, must receive prior approval by the Department Manager and the Board of Commissioners (B.4.).
3. Attendance shall not be related to union activities.

EMPLOYEE PER DIEM

A. POLICY STATEMENT: It is the policy of Hubbard County to reimburse employees while attending committee meetings when they are Board appointed and when their representation is not related to the employee's Hubbard County employment.

B. PAYMENT OF PER DIEM

1. Per diem will be paid, as set annually by the Board, for attendance at committee meetings, as a Board appointed, non-employee representative, not held during work hours.
2. Attendance of county employees at committee meetings, as a Board appointed, non-employee representative held during work hours, will be dealt with as follows:
 - a. Employee attendance at a committee meeting while in Hubbard County employee pay status, will not be entitled to a per diem.
 - b. An employee who uses vacation, personal leave, or compensatory time in order to attend a committee meeting, shall be entitled to per diem.

SECTION 18

DISCIPLINE

A. POLICY STATEMENT: It is the policy of Hubbard County to administer discipline consistently in an effort to improve an employee's performance and/or conduct as needed. *THE HUMAN RESOURCES DIRECTOR MUST BE INVOLVED IN ANY AND ALL HIRING, DISCIPLINARY, AND TERMINATION PROCEEDINGS.*

B. PROCESS: Discipline may be in any one of the following forms, depending upon the nature and severity of the conduct and the employee's prior discipline history. Nothing in this policy shall be construed as requiring the County to impose discipline in any particular order.

1. Oral reprimand
2. Written reprimand
3. Suspension
4. Demotion
5. Discharge

Documentation of oral reprimands, written reprimands, notices of suspension, notices of demotion, and notices of discharge are to become a part of the employee's personnel file. Employees will receive notices of such discipline. The signature of the employee does not mean that he or she agrees with the discipline.

Prior to any discharge proceedings, the department manager must confer with the Human Resources Director to review and confirm all relevant information to determine if discharge is in compliance with county policy and applicable law.

Employees who are being considered for discharge shall be advised in writing of the impending action and the reasons for it. The employee is then given an opportunity to respond to the charges prior to the decision to discharge.

Employees who are veterans and qualify for the Veterans Preference Act are allowed additional rights under the act. Veterans must be provided with a written notice detailing the charges and the right to request a hearing within 60 days consistent with Minnesota Statutes §197.46, as amended.

In the event of a discharge, the supervisor and/or department manager, and Human Resources Director will meet with the employee to be terminated. The reasons for termination will be discussed with the employee and documented. The employee and supervisor/department manager shall receive copies of the termination document and the original shall be placed in the employee's personnel file.

A discharged employee will receive their final paycheck including any terminal benefits on the next scheduled payday.

Nothing in this policy shall be construed as altering the at-will nature of employment.

SECTION 19 GRIEVANCES

POLICY STATEMENT: It is the policy of Hubbard County to provide employees a means of communicating disagreements or disputes involving the interpretation or application of the personnel policies and procedures approved by the Board of County Commissioners. The established formal procedure ensures employees access to all levels of management, complete and impartial hearings, and expedient, objective resolutions to problems.

LEVELS OF APPEAL

- ▶ Level 1 Immediate Supervisor
- ▶ Level 2 Department Manager
- ▶ Level 3 Human Resource Manager/Board of Commissioners

GRIEVANCE PROCEDURE

Step 1	TIME LIMIT
An employee, or group of employees having a grievance shall discuss the problem with the immediate supervisor within five (5) working days of the situation precipitating the grievance.	5 Working Days
After a thorough investigation of the problem, the supervisor shall provide the employee with a verbal answer, not later than five (5) working days after the initial discussion of the grievance. The response should reflect a thoughtful justification of the situation or a course of action to resolve the problem.	5 Working Days
If the grievance is not resolved in Step 1 and the employee wishes to further appeal the grievance, refer to Step 2.	
Step 2	TIME LIMIT
The employee shall submit a signed statement of the grievance to the department manager within three (3) working days of the supervisor's response. The written statement shall include the date of the incident precipitating the grievance, the nature of the grievance, and the desired settlement. In the event the immediate supervisor is the department manager, all provisions of this procedure shall nonetheless be followed.	3 Working Days
After a full investigation of the problem and the facts involved, the department manager shall submit a written response to the employee within ten (10) working days of receipt of the written grievance. If the department manager believes the situation discussed in the grievance was justifiable, the response should contain facts or arguments supporting its justification. If the department manager believes the situation was not justifiable, the response should thank the employee for raising a valid question and indicate a means of resolving the problem.	10 Working Days
If the grievance is not resolved in Step 2 and the employee wishes to further appeal the grievance, refer to Step 3.	

SECTION 19

GRIEVANCES CONTINUED

Step 3	TIME LIMIT
The employee shall submit a signed statement of the grievance to the human resources manager within three (3) working days of the department manager's written response.	3 Working Days
The human resources manager shall, within ten (10) working days, include discussion of the grievance on the agenda for the next meeting of the Board of County Commissioners.	10 Working Days
The Board of County Commissioners shall conduct a hearing and investigation, submitting a written decision to all involved parties.	
The board shall have authority to call any County employee for testimony pertinent to the grievance.	
The Board may investigate any department for the purpose of resolving the grievance.	
The decision of the Board shall be final.	10 Working Days

PROVISIONS TO THE GRIEVANCE PROCEDURE

1. If an employee does not present the grievance within the time periods established, the grievance shall be considered waived.
2. If a grievance is not appealed to the next step within the time period established, the grievance shall be considered settled on the basis of the last answer.
3. If a supervisor or department manager does not answer a grievance within the time period established, the employee may consider the grievance denied and immediately appeal the grievance to the next step.
4. The time limit in each step may be extended by mutual agreement of the employee and the county authority involved in the step.

E. PROTECTION OF EMPLOYEE RIGHTS: No employee shall be subject to harassment, reduction of employment status, benefits or pay, or loss of advancement opportunities as a result of participating in a grievance procedure or testifying in a grievance proceeding.

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE

GENERAL STATEMENT OF POLICY It is the policy of Hubbard County (hereinafter "County") to maintain an environment that is free from offensive conduct, harassment and violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation. The County prohibits any form of religious, racial, sexual, gender, marital status, age, national origin, status with regard to public assistance, sexual orientation or disability discrimination, harassment and violence.

It shall be a violation of this policy for any employee, agent, officer, commissioner or other elected official of the County to engage in offensive or harassing verbal or physical conduct of a sexual nature or regarding race, national origin, gender, religion, disability, age, status with regard to public assistance, marital status or sexual orientation towards any County employee, officer, agent, or member of the public seeking public services or public accommodations.

It shall be a violation of this policy for any County employee, agent, officer commissioner or other elected official to inflict, threaten to inflict, or attempt to inflict sexual violence or violence based on religion, race, gender, marital status, status with regard to public assistance, sexual orientation, age, national origin or disability, upon any employee, agent, officer or member of the public seeking services or accommodation from the County.

The County will act to investigate all complaints, either formal or informal, verbal or written, of offensive, harassing or violent conduct of a sexual nature or based upon religion, national origin, race, gender, sexual orientation, marital status, status with regard to public assistance age, or disability, and to discipline or take appropriate action against any employee, agent, officer, commissioner or other elected official who is found to have violated this policy.

OFFENSIVE CONDUCT, HARASSMENT AND VIOLENCE DEFINED

1. **Sexual Gender Based Offensive Conduct or Harassment: Definition:** Sexual/Gender based offensive conduct/harassment includes unwelcome physical or verbal conduct relating to an individuals gender or directed at an individual because of gender; unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual or gender biased nature when:
 - a. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, public services or public accommodations;
 - b. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individuals employment, public services or public accommodations; or
 - c. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individuals employment or use of public services or public accommodations or creating an intimidating, hostile or offensive employment, public service or public accommodation environment.Examples of sexual/gender harassment may include but are not limited to:
 - ◆ unwelcome verbal remarks, jokes or innuendoes of a sexual nature or based upon gender;
 - ◆ unwelcome pressure for sexual activity;
 - ◆ unwelcome, sexually motivated or inappropriate patting, pinching, or other physical contact;
 - ◆ unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individuals employment or access to public services or public accommodations;
 - ◆ unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises or preferential treatment with regard to an individuals employment or access to public services or public accommodations;
 - ◆ any sexually motivated unwelcome touching;
 - ◆ distribution or display of written materials, pictures or other graphics of a sexual or gender biased nature;
 - ◆ other unwelcome behavior or words directed at an individual based of gender.
2. **Sexual Violence Definition:** Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts including the genital area, groin, inner thigh, buttocks or breasts, as well as the clothing covering these areas.

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

Sexual violence may include, but is not limited to:

- ◆ touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- ◆ coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- ◆ coercing, forcing or attempting to coerce or force a sexual act on another; or
- ◆ threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

3. **Race/National Origin Based Offensive Conduct/Harassment and Bias Definition:**

Racial/national origin harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature based on race/national origin is made a term or condition, either explicitly or implicitly, of obtaining, or retaining employment, or of obtaining or retaining access to public services or public accommodations;
- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on race/national origin by an individual is used as a factor in decisions affecting that individual's employment or access to public services or public accommodations; or
- ◆ the conduct or communication of a derogatory, harassing or biased nature based on race/national origin has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or creating an intimidating, hostile or offensive employment or public service/accommodation environment.

4. **Racial/National Origin Violence Definition:** Racial/National Origin violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race or national origin.

5. **Religion Based Offensive Conduct/Harassment and Religious Bias Definition:**

Religious harassment/bias occurs when:

- ◆ submission to conduct or communications of a religiously derogatory, harassing or biased nature is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- ◆ submission to or rejection of conduct or communications of a religiously derogatory, harassing or biased nature by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
- ◆ the conduct or communication of a religiously derogatory, harassing or biased nature has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.

6. **Religious Violence Definition:** Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.

7. **Disability Based Offensive Conduct/Harassment and Disability Bias Definition:**

Disability based harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's disability is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's disability, by an individual is used as a factor in decisions affecting that individual's employment or access to public service/accommodations; or
- ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's disability has the purpose or effect of substantially interfering with an individual's employment or use of public service/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.

8. **Age Based Offensive Conduct/Harassment and Age Bias Definition:**

Age based harassment and/or bias occurs when:

- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's age is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

- ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's age, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
 - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's age has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
9. **Marital Status Based Offensive Conduct/Harassment and Marital Status Bias Definition:** "Marital status" means whether a person is single, married, remarried, divorced, separated or a surviving spouse, and in employment cases includes protection against discrimination on the basis of the identity, situation, actions or beliefs of a spouse or former spouse.
- Marital status based harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's marital status is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/ accommodations;
 - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's marital status, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
 - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's marital status has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
10. **Status With Regard to Public Assistance Based Offensive Conduct/Harassment and Bias Definition:** "Status with regards to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, housing subsidies, AFDC or general assistance.
- Public assistance status based harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's status with regard to public assistance, as defined above, which is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
 - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's status with regard to public assistance, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
 - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's status with regard to public assistance has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating, hostile or offensive employment or public service/accommodation environment.
11. **Sexual Orientation Based Offensive Conduct/Harassment and Bias Definition:** "Sexual Orientation" means having or being perceived as having an emotional, physical or sexual attachment to another person without regard to the sex of that person or being perceived as having an orientation for such an attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include physical or sexual attachment to children by an adult.
- Sexual orientation based offensive conduct/harassment and/or bias occurs when:
- ◆ submission to conduct or communications of a derogatory, harassing or biased nature which is based on an individual's sexual orientation, as defined above, is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining or retaining public services/accommodations;
 - ◆ submission to or rejection of conduct or communications of a derogatory, harassing or biased nature based on an individual's sexual orientation, by an individual is used as a factor in decisions affecting that individual's employment or access to public services/accommodations; or
 - ◆ the conduct or communication of a derogatory, harassing or biased nature based on an individual's sexual orientation has the purpose or effect of substantially interfering with an individual's employment or use of public services/accommodations or of creating an intimidating hostile or offensive employment or public service/accommodation environment. See also Section 21 B, 1, Sexual Harassment.

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

12. **Sexual Orientation Based Violence Definition:** Sexual orientation violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, that individuals actual or perceived sexual orientation.
13. **Assault: Definition. Assault is:**
 - ◆ an act done with intent to cause fear in another of immediate bodily harm or death;
 - ◆ the intentional infliction of or attempt to inflict bodily harm upon another; or
 - ◆ the threat to do bodily harm to another with present ability to carry out the threat.
14. **Applicability: Offensive conduct, harassment or bias may occur**
 - ◆ Between a supervisor and an employee;
 - ◆ Between co-employees;
 - ◆ Between an employee or supervisor and a member of the public seeking to obtain or use public services/accommodations;
 - ◆ Between a commissioner or other elected official and an employee or member of the public receiving or seeking public services/accommodations.
 - ◆ Between an agent of the County and an employee, Supervisor, elected official or member of the public.

REPORTING PROCEDURES: Any person who believes he or she has been the victim of offensive conduct of a sexual nature, sexual harassment or harassment or bias based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation by an employee, agent, official, commissioner or other elected official of the County, or any person with knowledge or belief of conduct which may constitute such harassment or bias toward an employee, official or member of the public seeking or receiving public services or accommodations, shall report the alleged conduct immediately to an appropriate County official designated by this policy.

The County encourages the reporting party or complainant to use the report form available from the County Human Resource office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the County Human Rights Officer.

1. **In Each County Department**
 - a. The department head of each department is the person responsible for receiving oral or written reports of all types of offensive conduct, harassment and bias described in Section II, page 1 at the department level.
 - b. Any supervisory employee, whether or not the person is a department head, who receives a formal or informal, oral or written report of harassment, bias or violence is defined in this policy, shall inform the department head immediately without screening or investigating the report, unless the department head is involved in the alleged harassment, bias or violence. In the event that the department head is involved the report shall be made directly to the County Human Rights Officer or Alternate Human Rights Officers as described below. Failure of a supervisory employee to forward such a report to the appropriate party shall be grounds for discipline, including immediate discharge of employment.
 - c. Upon receipt of a report, the department head must notify the County Human Rights Officer immediately, without screening or investigating the report. The department head may request, but may not insist upon, a written complaint by the complainant. A written statement of the facts alleged will be forwarded as soon as practicable by the department-head to the Human Rights Officer. If the report was given verbally, the department head shall personally reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the department head.
 - d. If the complaint involves the department head, the complaint shall be made or filed directly with the County Human Rights Officer by the reporting party or complainant.
2. **County-Wide**
 - a. The County Board hereby designates the County Coordinator, 301 Court Ave., Park Rapids, Minnesota, 56470, (218)732-9023, as the County Human Rights Officer(s) to receive reports of sexual harassment and of offensive conduct, harassment and violence based on race, national origin gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation.

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

- b. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with one of the Alternative Human Right Officers Gregory D. Larson, County Attorney, P. O. Box 486, Park Rapids, Minnesota, 56470, (218)732-4133 and/or County Board Chairman, 301 Court, Park Rapids, Minnesota, 56470, (218)732-9023. The County shall conspicuously post the name of the Human Rights Officer and Alternative Human Rights Officer, including mailing address and telephone number.
3. Submission of a good faith complaint or report of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation shall not affect the reporter's future employment or access to public services or public accommodations.
4. Use of formal reporting forms is not mandatory.
5. The County will process complaints made under this policy as discreetly as possible, consistent with the County's legal obligations and the necessity to investigate allegations of discriminatory harassment and violence and take disciplinary action when the conduct has occurred.

INVESTIGATION

1. By authority of the County Board, the Human Rights Officer or Alternative Human Rights Officer, upon receipt of a report or complaint of offensive or harassing conduct of a sexual nature or offensive conduct, harassment, bias or violence based on race, national origin, gender, religion, disability, age, marital status, status with regard to public assistance or sexual orientation, shall undertake or authorize an investigation. The investigation may be conducted by County officials or by a third party designated by the County.
2. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
3. In determining whether alleged conduct constitutes a violation of this policy, the County should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and the surrounding circumstances.
4. In addition, the County may take immediate steps, at its discretion, to protect the complainant and other employees or members of the public pending completion of the investigation.
5. The County Human Rights Officer shall make a written report to the County Human Resource Manager. If the complaint involves the Human Resource Manager, the report may be filed directly with the County Board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

E. COUNTY ACTION

1. The County will take such action as appropriate based on the results of the investigation. In the event that the investigation establishes that a violation of this policy has occurred, disciplinary action may be taken.
2. Consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes §13.01 et. seq., the results of the County's investigation will be made available to the complainant.

F. REPRISAL: The County will discipline or take appropriate action against any employee officer, commissioner, agent or other elected official who retaliates against any person who reports alleged harassment, bias or violence under this policy or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment, bias or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

G. DISCIPLINE: Any county action taken against an individual pursuant to this policy shall be consistent with the requirements of;

1. Applicable Collective Bargaining Agreements;
2. County Policies;
3. State and Federal Law.

The County will take such disciplinary action it deems necessary and appropriate, including warning, suspension immediate discharge or other appropriate action to end discriminatory harassment and violence and prevent its recurrence.

SECTION 20

POLICY AGAINST OFFENSIVE CONDUCT, HARASSMENT & VIOLENCE CONTINUED

H. DISSEMINATION OF POLICY

1. This policy shall be conspicuously posted in each County building in areas accessible to employees and members of the public.
2. This policy shall be distributed to all employees upon its adoption and to all new employees upon hire.

I. PROMOTION OF RESPECTFUL BEHAVIORS: As employees working in Hubbard County, we believe everyone plays a role in reducing violence. Violent crime, abuse, and injustice occur in families and in places of work, learning, and play. The resources of the entire community are needed to identify the multiple causes of violence, to diminish the harm inflicted by violence, and to create relationships that promote peace and safety. Networking, cooperation, and collaboration are required to promote respectful interactions, which in turn will result in the reduction of violence.

Therefore...

We promise and ask all to join us, to practice and promote the following respect policies at home, at work, at our schools, and within our communities.

We agree:

To Respect Self and Others

To respect myself, to affirm others; to avoid uncaring criticism, hateful words, physical attacks, and self-destructive behavior.

To Communicate Effectively

To share my feelings honestly, to look for safe ways to express my anger, and to work at solving problems peacefully.

To Listen

To listen carefully to others, especially those who disagree with me, and to consider others' feelings and needs rather than insisting on having my own way.

To Forgive

To apologize and make amends when I have hurt another, to forgive others, and to keep from holding grudges.

To Be Courageous

To challenge disrespect in all forms whenever I encounter it, whether at home, at church, at school, at work, within the community or wherever it might exist, and to stand with others who are treated unfairly.

SECTION 21

CONFLICTS OF INTEREST

A. POLICY STATEMENT: It is the policy of the County of Hubbard to prohibit its employees from engaging in any activity practice, or act which conflicts with or appears to conflict with the interests of the county or its citizens. Examples of conflicts of interest that should always be avoided are set forth below.

B. PERSONAL GAIN: The following actions by an employee of the County shall be deemed to be conflicts of interest and subject to disciplinary action as appropriate:

1. Use or attempted use of the employee's official position to secure benefits, privileges, exemptions, or advantages for the employee or the employee's immediate family or an organization with which the employee is associated which are different from those available to the general public.
 - a. If an employee or a member of the employee's immediate family has a financial interest in a firm that does business with the County, the employee must not represent the county in such transactions.
 - b. No employee shall accept gifts from any person or firm doing or seeking to do business with the county other than plaques or similar mementos recognizing individual services in a field of specialty or to a charitable cause; payment of reimbursement expenses for travel or meals, not to exceed actual expenses incurred, which are not reimbursed by the County of Hubbard, and which have been approved in advance by the employee's supervisor as part of the employee's work assignment; honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the County of Hubbard; advertising novelties such as pens, pencils, calendars, or other gifts of nominal value.
 - c. An employee of the County of Hubbard shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.
 - d. An employee shall not use or allow the use of county time, supplies, or county owned or leased property and equipment for the employee's private interest or any other use not in the interest of the county, except as provided by law.
 - e. No employee shall, directly or indirectly, give, offer, or promise anything of value to any representative of any financial institution in connection with any transaction or business that the county may have with such financial institution.

C. OUTSIDE EMPLOYMENT

1. No employee of the County of Hubbard shall accept other employment or contractual relationship that will affect the employee's independence of judgment in exercise of official duties.
 - a. No employee shall accept full time, part time, or temporary employment in any organization that does business with the county. The county recognizes the right of its employees to spend their non-working time away from the job as they please. It does, however, require that activities away from the job must not compromise the public interest or adversely affect the employee's job performance and ability to fulfill all responsibilities to the county.

D. CODE OF ETHICS: The Code of Ethics and Implementation Guidelines of the American Society of Public Administration shall be an integral part of this policy and employees of the County of Hubbard are expected to familiarize themselves with it and subscribe to it. (See Addendum III, to this Policy.)

E. VIOLATIONS: Violations of the provisions of this policy shall be grounds for disciplinary action against an employee.

F. It is the policy of Hubbard County that close personal or intimate relationships between employee and supervisor are not permitted because of potential conflicts of interest, as well as potential issues of liability pursuant to state and federal laws and Section 20 of this policy. Any such conduct or behavior in violation of this policy shall be subject to discipline pursuant to Section 18 of this policy.

SECTION 22

SUBSTANCE ABUSE POLICY

A. POLICY STATEMENT: Hubbard County recognizes that alcoholism and other drug dependencies are a significant social problem and highly detrimental to the safety and productivity of individuals in the County workplace. In accordance with the Drug-Free Workplace Act of 1988, Hubbard County has a responsibility to maintain a drug free working environment.

The County recognizes that drug dependency may be an illness. Consistent with this understanding, however, the County has an obligation to insure that individuals perform their jobs efficiently, safely and in a professional business-like manner. The purpose of this policy is to set forth Hubbard County's position regarding alcohol and other drug use and possession in the workplace.

This policy is applicable to all employees, independent contractors and volunteers or any individual representing the County in any capacity and shall be referred to as individuals hereafter within this policy.

B. SCOPE: The county at its discretion may, because of a reasonable suspicion, have any individual tested for any controlled substance in accordance with Minnesota Statutes §181.950-957 (1987), the Minnesota Drug and Alcohol Testing in the Workplace Act. Individuals do have the following rights: 1. To refuse a substance abuse test; 2. To have a positive test re-tested at the individual's expense; or 3. To provide evidence as to why the test was positive by providing prescription medication the individual is currently taking or other relevant information. An individual who refuses to be tested will be treated the same as an individual with a positive test and afforded the same rights. Questions regarding the policy should be referred to the Coordinator's Office.

C. PROHIBITIONS

1. No individual shall report to work under the influence of alcohol, marijuana, controlled substances, or other drugs which affect the individual's alertness, coordination, reaction, response, judgment, decision-making or safety. Said conditions hereafter referred to as *substance abuse*. The County encourages individuals in safety sensitive positions to notify their supervisor if they are taking medically prescribed drugs that may impair job performance. *Under the influence of alcohol* shall mean a test result is determined to be equal to or greater than a .04 blood alcohol level.
2. No individual shall unlawfully manufacture, distribute, dispense, possess*, transfer* or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance, as defined in Schedules I-V of Section 202 of the Controlled Substance Act (21 USC 812) and as further defined by regulation at 21 C.F.R. 1300.15, during work hours, on County owned property or wherever the County's work is being performed. *The only exception being Law Enforcement Personnel transporting amounts used for evidence or for training purposes.
3. No individual shall operate, use or drive any equipment, machinery or vehicle owned or leased by Hubbard County while impaired due to substance abuse.

D. REQUIREMENTS

1. Each individual is required to notify their supervisor of the following: 1. Any criminal drug statute conviction for a violation occurring in the workplace, no later than five (5) days of such conviction or 2. Any alcohol statute violation that would affect their legally operating a county owned vehicle upon return of the individual to work after the event. The County will notify any contracting/granting agency within ten (10) days of receipt of an individual conviction notice.
2. Hubbard County individuals have a responsibility to abide by the provisions of this policy. Any supervisor and/or individual who observes an individual in violation of these provisions shall document the circumstances, facts and observations made, with individuals making their report to their supervisor. Department heads or supervisors shall notify the appropriate law enforcement agency when they have reasonable suspicion to believe an individual may have illegal drugs in their possession at work or on County premises.

SECTION 22

SUBSTANCE ABUSE POLICY CONTINUED

3. Upon a report of reasonable suspicion to the Coordinator and agreement of the Department Manager and Coordinator that a reasonable suspicion of substance abuse does exist, the individual in question will be given a Substance Abuse Form stating his/her choices, prior to completion of a substance abuse test. In the event the Coordinator and/or Department Manager are not available when an observable offense exists, or when there is a strong reasonable suspicion that an offense does exist, a supervisory level individual may document the situation and have the suspected person(s) complete the testing form and proceed with appropriate action. It is encouraged that at least two people of supervisory level or above observe or investigate an alleged observation of abuse, and both must concur with the action to be taken. **This action MUST be kept confidential, and reporting individuals should be directed NOT to divulge any investigation or testing.**
4. Tests will be obtained by Dakota Clinic in Park Rapids. Tests during off hours or anytime the clinic is closed will be done by St. Joseph's Hospital, Park Rapids. The County will be billed directly for such services and shall be the responsibility of the department involved. The employee to be tested must be driven to the testing facility by the appropriate law enforcement personnel and accompanied by management, if possible.

E. CONSEQUENCE OF VIOLATIONS: Violations of any of the provisions of this policy shall constitute cause for disciplinary action, up to and including termination. Each situation will be evaluated on a case by case basis depending upon the severity and circumstances involved.

F. EMPLOYEE ASSISTANCE: Hubbard County will take an active role in educating employees of the danger involved in substance abuse.

Individuals who voluntarily admit to having substance abuse problems may be eligible for paid and/or unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the individual abstains from use of the problem substance while on leave, abides by all organization policies, rules, and prohibitions relating to conduct in the work place, and if the County will not suffer an undue hardship as a consequence of granting the leave.

Hubbard County recognizes that individuals may wish to seek professional assistance in overcoming substance abuse problems. Please contact the Coordinator's Office for more information about benefits potentially available under the individual medical benefit plans and any possible referral sources.

G. DATA DISCLOSURE: Disclosure of information regarding individual substance abuse in the workplace will be consistent with applicable collective bargaining agreements and law. Questions in this area should be directed to the Coordinator's Office.

**HUBBARD COUNTY
SUBSTANCE ABUSE FORM**

It has been determined that there is reasonable suspicion to believe _____ should be tested per the Hubbard County Substance Abuse Policy.

The county has determined there is a need for the above-named employee to be substance abuse tested in accordance with Minnesota Statutes §181.950-957 (1987).

The individual has the following rights regarding a substance abuse test request and shall be read these rights before completing this form:

Their rights are:

1. to refuse the test and/or
2. to have a positive substance abuse test re-tested at their own expense and/or
3. to provide evidence as to why the test was positive by providing prescription medication the employee is currently taking or other relevant information.

An individual that refuses to be tested will be treated the same as a positive test and afforded the same rights.

I have heard, read and understand the above. Furthermore, I acknowledge the above information to be a portion of Section 22, Substance Abuse Policy as set forth in the Hubbard County Personnel Policy.

_____ I am participating in a substance abuse test voluntarily, as requested.

_____ I refuse to participate in a substance abuse test, which has been requested of me.

Individual Name (printed): _____

Individual signature: _____

Date: _____

SECTION 22 – APPENDIX B
DRUG AND ALCOHOL POLICY
COMMERCIAL DRIVER’S LICENSE (CDL)
DEPARTMENT OF TRANSPORTATION (DOT)

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SECTION 22 – APPENDIX B
DRUG AND ALCOHOL POLICY
COMMERCIAL DRIVER’S LICENSE (CDL)
DEPARTMENT OF TRANSPORTATION (DOT)

SECTION 1. POLICY

Hubbard County (the “County”) recognizes applicants and employees who are required to hold a Commercial Driver’s License (CDL) to perform safety-sensitive duties are subject to the drug and alcohol testing provisions mandated by the Omnibus Transportation Employee Testing Act of 1991. To the extent federal statute or regulations change, the policy shall be construed as consistent with those changes. Because changes in applicable law and the County’s practices and procedures may occur from time to time, this policy may change in the future, and nothing in this policy is intended to be a contract, promise, or guarantee the County will follow any particular course of action, disciplinary, rehabilitative or otherwise, except as required by law. This policy does not in any way affect or change the status of any at-will employee.

This policy is established to maintain a drug and alcohol free workplace, including testing for controlled substances and alcohol as mandated by Title 49 CFR Part 382. Work performance and safety suffers when employees use or abuse drugs and/or alcohol. The County wishes to provide a safe workplace for employees, customers and the general public. The County also has a separate Policy on Controlled Substance and Alcohol Testing for employees not covered by DOT regulations.

SECTION 2. DEFINITIONS

The following definitions shall define the terms as used in this policy and are referenced in CFR Part 382.107. In the event any conflict should arise between the definitions of terms herein and the definitions of those terms in DOT rules, regulations interpretations or guidance, the definitions herein shall be deemed superseded and the DOT rules, regulations interpretations or guidance shall control.

Accident means an occurrence involving a CMV operating on a public road which results in:

1. Fatality; or,
2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or,
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle(s) to be transported away from the scene by a tow truck or other motor vehicle.

Actual knowledge means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the driver, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or a controlled substance, or a driver's admission of alcohol or controlled substance use under the provisions of Sec. 382.121. Direct observation as used in this definition means observation of alcohol or controlled substance use and does not include observation of driver behavior or physical characteristics sufficient to warrant reasonable suspicion testing under Sec. 382.307.

Adulterated Specimen means a specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

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Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

Alcohol Concentration means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an alcohol test conducted under 49 CFR Part 40.

Alcohol Confirmation Test means a subsequent test using EBT, following a screening test with a result of 0.02 or greater that provides quantitative data about the alcohol concentration.

Alcohol Screening Device (ASD) means a breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration and appears on ODAPC’s Web page for “Approved Screening Devices to Measure Alcohol in Bodily Fluids” because it conforms to the model specifications of NHTSA.

Alcohol Screening Test means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Alcohol Use means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication) containing alcohol.

Breath Alcohol Technician (BAT) means a person who instructs and assists employees in the alcohol testing process and operates an Evidential Breath Testing Device (EBT).

Chain of Custody means a procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

Collection site means a place designated by Hubbard County, where individuals present themselves for the purpose of providing a urine specimen for a drug test.

Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse) means the FMCSA database that 49 CFR Part 382, Subpart G requires employers and service agents to report information to and to query regarding drivers who are subject to the DOT controlled substance and alcohol testing regulations.

Commercial Motor Vehicle (CMV) means a motor vehicle or combination of motor vehicles used to transport passengers or property if the vehicle:

1. Has a gross combination weight rating (GCWR) of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
2. Has a gross vehicle weight rating (GVWR) of 26,001 or more pounds, or
3. Is designed to transport 16 or more passengers including the driver; or
4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act, (49 USC 5103(b)) and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).

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Confirmation (or confirmatory) drug test means a second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

DHHS is the Department of Health and Human Services or any designee of the Secretary of the Department of Health and Human Services.

Dilute Specimen means a specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling Damages means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

1. *Inclusions.* Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
2. *Exclusions.*
 - a. Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
 - b. Tire disablement without other damage even if no spare tire is available.
 - c. Headlight or taillight damage.
 - d. Damage to turn signals, horn or windshield wipers which make them inoperative.

Driver means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors. All “drivers” are “employees” for purpose of this policy.

Drugs (or Controlled Substances) means the substance for which laboratories are required to test for under 49 CFR Part 40 and FMCSA regulations as each may be amended from time to time.

Employee means any person who is designated in a DOT Agency regulation as subject to drug testing and/or alcohol testing. For purposes of drug testing, the term employee has the same meaning as the term “donor” does in connection with Custody and Control Forms and Department of Health and Human Service regulations and guidance.

Evidential Breath Testing Device (EBT) means a device that is approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the .02 and .04 alcohol concentration, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

FMCSA is the Federal Motor Carrier Safety Administration.

Initial Drug Test (also known as a screening drug test) means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolite.

Laboratory means any US laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of HHS Mandatory Guidelines for Federal

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Workplace Drug Testing Programs; or in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Licensed medical practitioner means a person who is licensed, certified, and/or registered, in accordance with applicable federal, state, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

Medical Review Officer (MRO) means a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer’s drug testing program and evaluating medical explanations for certain drug test results.

Negative return-to-duty test result means a return-to-duty test with a negative drug test result and/or and alcohol test with an alcohol concentration of less than 0.02 as described in 49 CFR Part 40.305.

Prescription Medications means the use (by a driver) of legally prescribed medications issued by a licensed medical professional familiar with the driver's work related responsibilities.

Random selection means a mechanism for selection of employees for testing where each employee has an equal chance of being selected each time selections are made.

Reasonable suspicion means that the employer believes the appearance, behavior, speech, etc. of an employee are indicative of the use of a drug or alcohol based on the observation of at least one supervisor or official who has received training in the identification of behaviors indicative of drug and/or alcohol use.

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

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations, or otherwise inspecting, servicing, or conditioning any CMV at any time;
3. All time spent at the driving controls of a CMV in operation;
4. All time, other than driving time, in or upon any CMV except time spent resting in a sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle;

Screening Test Technician (STT) means anyone meeting the requirements for a BAT that may act as a Screening Test Technician, provided that the individual has demonstrated proficiency in the operation of a non-evidential screening device.

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Service Agent or Third Party Administrator means any person or entity, other than an employee of the employer, who provides services specified under this part to employers and/or employees in connection with DOT drug and alcohol testing requirements.

Substance Abuse Professional (SAP) means a person who evaluates employees who have violated a DOT alcohol and drug regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted Specimen means a specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

SECTION 3. RESPONSIBILITIES

All employees are strictly prohibited from using, possessing, selling, transferring, transporting, or being under the influence of drugs or alcohol while working, performing job duties, while on the employer’s premises, or while operating the employer’s vehicles or equipment.

It is the County’s responsibility to provide testing that is in compliance with all federal and state laws and regulations, and within the provisions of this policy. The County will retain all records related to this testing. The County’s designated person(s) to retain records, monitor, facilitate, and answer questions pertaining to these procedures is the Hubbard County Human Resources Director or designee(s).

The supervisor(s) of drivers is responsible to be able to make reasonable suspicion observations to determine if the driver is impaired in some way, and be prepared to implement the requirements of this policy if necessary.

The driver is responsible for complying with the requirements set forth in this policy. The driver will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance in excess of regulation-established threshold levels while on duty. The driver will not use alcohol within 4 hours prior to performing a safety-sensitive function, while performing a safety-sensitive function, or immediately after performing a safety-sensitive function, or as required under post-accident testing.

The driver must submit to alcohol and controlled substances tests administered under Part 382.

The driver is responsible to inform their supervisor of any prescription medication use prior to performing a safety-sensitive function which may have an effect on their driving ability. The driver may be required to present written evidence from a health care professional which describes the effects such medications may have on the driver’s ability to perform safety-sensitive functions. The County reserves the right to seek additional opinions from qualified medical personnel concerning the potential effects of the prescribed medication on a driver’s ability to perform safety-sensitive functions, and to prohibit a driver from performing safety-sensitive functions while they are taking prescription medications. Any such prohibition will be without prejudice and the driver will be allowed to return to duty upon ceasing use of the medication or when the County determines safety-sensitive duties will not be affected upon review of sufficient information provided by qualified medical personnel.

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SECTION 4. PROHIBITED DRUG AND ALCOHOL RELATED CONDUCT

The following drug and alcohol related activities are prohibited by the FMCSA for operators of CMV(s):

1. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. Being on duty or operating a CMV while possessing alcohol, unless that alcohol is manifested as a part of a shipment. This includes the possession of medicines containing alcohol (prescription or over the counter), unless the package seal is unbroken.
3. Using alcohol while performing safety-sensitive functions.
4. Performing safety-sensitive duties within four hours of using alcohol.
5. When required to submit to a post-accident test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
6. Refusing to submit to a drug or alcohol test required by post-accident, random, reasonable cause, return-to-duty, or follow-up testing requirements.
7. Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any drug, except when instructed to by a licensed medical professional who has advised the driver that the substances do not adversely affect the driver's ability to operate a CMV.
8. Reporting for duty, remaining on duty, or performing a safety-sensitive function after testing positive for drugs.

SECTION 5. OTHER ALCOHOL RELATED CONDUCT

FMCSA rules require that in the event of an alcohol test result equal or greater than 0.02 BAC, but less than 0.04 BAC the employee will not be permitted to perform safety-sensitive duties for a minimum of 24 hours.

SECTION 6. TYPE OF TESTING REQUIRED

Pre-employment Testing (Sec. 382.301): All applicants, including employees currently employed by the employer, applying for a job where duties include operating a CMV, are required to submit to pre-employment testing for controlled substances, if a contingent job offer is made. The offer is contingent upon all of the following:

1. A negative result of the drug test.
 - a. Diluted specimens: A Positive diluted specimen verified and reported by the MRO will be treated as a verified positive test. A Negative diluted specimen verified and reported by the MRO will be directed to immediately take another test. The test of any second test conducted shall be the final test result.
2. The applicant's written agreement authorizing all former employers to release to the employer all information about the applicant concerning the following items within the last three years:
 - a. alcohol tests with result of 0.04 BAC or greater,

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- b. positive test results for drugs,
 - c. refusals to be tested,
 - d. any SAP referrals or evaluations.
3. The receipt of acknowledgements from all former employers in a manner satisfactory to the employer indicating that none of the items referenced in paragraph 2 above have occurred with respect to the applicant.
4. Verification that applicant has submitted electronic consent through the Commercial Driver’s License Drug and Alcohol Clearinghouse granting access to the applicant’s Clearinghouse records to determine whether the Driver:
 - a. Has a verified positive, adulterated, or substituted controlled substances test result;
 - b. Has an alcohol confirmation test with a concentration of 0.04 or higher;
 - c. Has refused to submit to a test in violation of §382.211;
 - d. That an employer has reported actual knowledge, as defined at §382.107;
 - e. That the driver used alcohol on duty in violation of §382.205;
 - f. That the driver used alcohol before duty in violation of §382.207;
 - g. That the driver used alcohol following an accident in violation of §382.209;
 - h. That the driver used controlled substance in violation of §382.213.
5. Completion of a successful query of the Commercial Driver’s License Drug and Alcohol Clearinghouse indicating that none of the items referenced in paragraph 4 above have occurred with respect to the applicant.

An applicant who submits a specimen which the MRO verifies and reports to be an adulterated or substituted specimen will have refused to submit to testing.

The employer will not consider an applicant for employment who receives a verified positive test result.

An applicant who refuses to submit to a controlled substance test shall be disqualified from further consideration for the conditionally offered position.

Post-accident Testing (Sec. 382.303): If a driver is involved in an accident, the driver shall immediately notify their Supervisor. The driver is subject to post-accident testing if the accident involved:

1. a fatality,
2. bodily injury with immediate medical treatment away from the scene,
3. disabling damage to any motor vehicle requiring tow away, or
4. the driver receiving a citation.

The driver may also be subject to post-accident testing at the discretion of the supervisor without meeting the above listed reasons.

The driver will be tested for drugs and alcohol as soon as possible following the accident. The driver must remain readily available for testing. If the driver isn't readily available for alcohol and drug testing, the driver may be deemed as refusing to submit to testing. A driver involved in an accident may not consume alcohol for 8 hours or until testing is completed.

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If the alcohol test is not administered within 2 hours following the accident, the Designated Employer Representative (DER) or designee(s) will prepare a report and maintain a record stating why the test was not administered within 2 hours.

If the alcohol test is not administered within 8 hours following the accident, all attempts to administer the test will cease. The DER or designee(s) will prepare a report and maintain a record stating why the test was not administered within 8 hours.

The drug test must be administered within 32 hours of the accident. If the test could not be administered within 32 hours, all attempts to test the driver will cease. The DER or designee(s) will prepare and maintain a record stating why the test was not administered within 32 hours.

Random Testing (Sec 382.305): Random testing will be spread reasonably throughout the calendar year. All random drug and alcohol tests will be unannounced, with each driver having an equal chance of being tested each time selections are made. The selection of drivers for random alcohol and controlled substances testing will be made by a scientifically valid method as described in Sec. 382.305(i). At least the minimum percent of the average number of driver positions as required by FMCSA will be tested each year.

A driver may be tested for alcohol while performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function.

The driver must proceed immediately to the assigned collection site when notified of being randomly selected for testing.

Reasonable Suspicion Testing (Sec. 382.307): If the driver's supervisor or another official designated to supervise drivers believes a driver is under the influence of alcohol or drugs, the driver will be required to undergo a drug and/or alcohol test. Reasonable suspicion alcohol testing is only authorized if the observations are made during, just preceding, or after the driver is performing a safety-sensitive function.

The basis for requiring testing will be specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the driver. In the case of controlled substance, the observations may include indications of the chronic and withdrawal effects of a controlled substance. A written record of the observations leading to an alcohol or controlled substance reasonable suspicion test, signed by the supervisor or official who made the observation, will be completed within 24 hours of the observed behavior or before the results of the alcohol or controlled substances test are released, whichever is first.

The driver's supervisor or another official will immediately remove the driver from any and all safety-sensitive functions and take the driver or make arrangements for the driver to be taken to a testing facility.

If an alcohol test is not administered within 2 hours following a reasonable suspicion determination, the DER or designee(s) will prepare and maintain a record stating the reasons why the test was not

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administered within 2 hours. If the test was not administered within 8 hours after a reasonable suspicion determination, all attempts to administer the test shall cease. A record of why the test was not administered must be prepared and maintained.

Notwithstanding the absence of a reasonable suspicion test, no driver may report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol use, nor will the County permit the driver to perform or continue to perform safety-sensitive functions until (1) an alcohol test is administered and the driver’s alcohol concentration is less than .02; or (2) 24 hours have elapsed following the determination of reasonable suspicion.

Return-to-duty Testing (Sec 382.309): The County reserves the right to impose discipline against drivers who violate applicable FMCSA or DOT rules or this policy, subject to applicable personnel policy and collective bargaining agreements. Except as otherwise required by law, the County is not obligated to reinstate or requalify such drivers for a first positive test result.

Should the County consider reinstatement of a DOT covered driver, the driver must undergo a SAP evaluation and participate in any prescribed education/treatment, and successfully complete return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or a controlled substance test with a verified negative result, before the driver returns to duty requiring the performance of a safety-sensitive function. The SAP determines if the driver has completed the education/treatment as prescribed.

The employee is responsible for paying for all costs associated with the return-to-duty test. The controlled substance test will be conducted under direct observation.

Follow-up- Testing (Sec. 382.311): The County reserves the right to impose discipline against drivers who violate applicable FMCSA or DOT rules or this policy, subject to applicable personnel policies and collective bargaining agreements. Except as otherwise required by law, the County is not obligated to reinstate or requalify such drivers.

Should the County reinstate a driver following a determination by a SAP that the driver is in need of assistance in resolving problems associated with alcohol use and/or use of controlled substance, the County will ensure that the driver is subject to unannounced follow-up alcohol and/or controlled substance testing. The number and frequency of such follow-up testing will be directed by the SAP and will consist of at least 6 tests in the first 12 months following the driver’s return to duty. Follow-up testing will not exceed 60 months from the date of the driver’s return to duty. The SAP may terminate the requirement for follow-up testing at any time after the first 6 tests have been administered, if the SAP determines such test is no longer necessary. The employee is responsible for paying for all costs associated with follow-up tests.

Follow-up alcohol testing will be conducted only when the driver is performing safety-sensitive functions, or immediately prior to or after performing safety-sensitive functions.

Cost of required testing: The County will pay for the cost of pre-employment, post-accident, random, and reasonable suspicion controlled substance and alcohol testing requested or required of all job

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applicants and employees. The driver must pay for the cost of all requested confirmatory re-tests, return-to-duty, and follow-up testing.

SECTION 7. TESTING PROCEDURES

All testing shall be conducted in accordance with 49 CFR Part 40 and any published guidance, interpretation or amendments. If any conflict arises between the procedure described below and the currently effective provisions of 49 CFR Part 40, the currently effective provision shall control.

Drug Testing Process: Drug testing is conducted by analyzing an applicant’s or employee’s urine specimen. Laboratory analysis of specimens consists of testing for the following classes of drugs at the cutoff levels determined by DOT:

1. Amphetamines/Methamphetamines
2. Cocaine
3. Opioids
4. Phencyclidine (PCP)
5. THC (marijuana, hashish, etc.)

In accordance with FMCSA regulations, the urine specimens will be collected using the split sample collection method. The employee will provide a urine sample at an employer designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled “primary” and “split”, seal the specimen bottles, complete the chain of custody form (CCF), and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the applicant or employee.

Once the specimen is received by the testing laboratory, the laboratory will inspect the specimen bottles and the CCF for the presence of any fatal or correctable flaws. The laboratory will then conduct the initial testing on the specimen to determine if the specimen contains sufficient quantity of any drug to warrant further testing. The testing laboratory will also conduct validity testing on the specimen to determine whether certain adulterants or foreign interfering substances are present in the urine, if the urine was diluted, or if the specimen was substituted.

If the results of the initial drug test are negative, no further testing will be conducted. If the results of the initial drug test are positive, the laboratory will perform a confirmation test on the specimen for each of the substances identified in the initial test. The results of any confirmation tests will be the laboratory’s final test result.

Drug test results are reported directly to the MRO by the testing laboratory. The MRO reviews the laboratory results, verifies the results, then reports the results directly to the employer. If the laboratory results are negative, the MRO performs an administrative review only. If the laboratory’s test result is confirmed positive, adulterated or substituted the MRO performs an administrative review and interviews the employee in order to provide an opportunity to explain the test result. The MRO will contact the employee directly, on a confidential basis, to determine whether the employee wishes to discuss the test result. The MRO will determine whether a legitimate medical explanation exists to explain the laboratory result. If no legitimate medical explanation is offered for the laboratory’s test

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result the MRO shall verify the test results as positive for drugs, or as a refusal to test because of adulterated or substituted and report the results to the employer.

The MRO shall notify each employee that the employee has 72 hours in which to request a test of the split specimen. If the employee requested an analysis of the split specimen within 72 hours of having been informed of a verified positive test, the MRO shall direct the laboratory, in writing, to transfer the split specimen to another DHHS-SAMHSA certified laboratory for analysis. If the employee has not contacted the MRO within 72 hours, the employee may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the verified positive test, or other circumstances unavoidably prevented the employee from timely making contact. If the MRO concludes that there is a legitimate explanation for the employee’s failure to contact him or her within 72 hours, the MRO will direct the analysis of the split specimen.

If after making reasonable efforts and documenting those efforts, the MRO is unable to reach the employee directly, the MRO must contact the employer, who shall direct the employee to contact the MRO.

The MRO may verify a test positive without having communicated directly with the employee about the test results under the following circumstances:

1. The employee expressly declines the opportunity to discuss the test results.
2. Neither the MRO nor the employer is able to reach the employee within 10 days of the date on which the MRO received the test result from the laboratory.
3. The employee has not contacted the MRO within 72 hours of being instructed to do so by the employer.

Special Urine Specimen Collection Situations

The Observed Collection

In most circumstances the employee will provide the urine specimen in a private enclosure. However, in limited situations the employee is required to be observed while providing the required urine specimen. A direct observation collection is required in the situations listed below:

1. For all Return-to-Duty and Follow-up drug tests;
2. If the collector observes materials brought to the collection site or if the employee’s conduct clearly indicates an attempt to tamper with a specimen;
3. If the employee provides a specimen with a temperature out of range;
4. If the employee provides a specimen that appears to have been tampered with;
5. If the laboratory reported to the MRO that a specimen was invalid, and the MRO reported to the employer that there was not an adequate medical explanation for the result, the employee must submit a second specimen under direct observation;
6. If a positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed, then the employee must submit a second collection under direct observation; and
7. If the laboratory reported to the MRO that the specimen was negative-dilute with a

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creatinine concentration greater than or equal to 2mg/dL but less than or equal to 5 mg/dL, then the employee must submit to a second collection under direct observation.

In an observed collection, a person of the same gender will accompany the donor into the urination area to observe the urination process. The observer is required to direct the donor to raise their shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the observer, by turning around, that the donor does not have a prosthetic device. The observer must then watch the donor urinate into the collection container. Specifically the observer must watch the urine go from the donor’s body into the collection container

Employee is unable to provide sufficient specimen

If the employee is unable to provide the appropriate quantity of urine, the collection site person will instruct the employee to drink up to 40 ounces of fluids distributed over a period of up to 3 hours or until the employee has provided a sufficient sample. If the employee is still unable to provide a complete sample, the test shall be discontinued and the employer notified. The employee will be instructed to obtain, within 5 working days, an evaluation from a licensed physician acceptable to the MRO to determine if the employee’s inability to provide a specimen is genuine or constitutes a refusal to test.

Testing Laboratory: All drug testing will be conducted by a laboratory certified by DHHS-SAMHSA to perform drug testing for DOT regulations. The laboratory shall be chosen by the employer or its service agent.

Alcohol Testing Process: The FMCSA alcohol test rules require alcohol screening tests to be administered by a breath alcohol technician (BAT) using an evidential breath testing device (EBT) or alcohol screening device (ASD); or by a screening test technician (STT) using an ASD. The technician will first administer an alcohol screening test. Any result less than 0.02 alcohol concentration is considered a “negative” test. If the alcohol concentration is 0.02 or greater, a second test, an alcohol confirmation test, must be performed. The alcohol confirmation test must be conducted on an EBT administered by a BAT. The test must be conducted within 15–30 minutes of the alcohol screening test. The results of the alcohol confirmation test will be the final test result. If the employee attempts and fails to provide an adequate amount of breath, the employer will direct the employee to obtain written evaluation from a licensed physician to determine if the employee’s inability to provide a breath sample is genuine or constitutes a refusal to submit to testing. Alcohol test results are reported directly to the employer.

SECTION 8. REFUSAL TO SUBMIT TO TESTING

An employee subject to this policy shall have refused to submit to testing when they:

1. Fails to appear for a test after being directed to do so by the employer;
2. Fails to remain at the test site until the test is completed;
3. Fails to provide a urine specimen for a required drug test or fails to attempt to provide a breath or saliva specimen for a required alcohol test;
4. Fails to permit the direct observation or monitoring of the provision of their urine specimen

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- for drug test when required by DOT regulations;
5. Fails to provide a sufficient amount of urine or breath for a drug or alcohol test and it has been determined through a medical evaluation that there was not adequate medical explanation for the failure;
 6. Fails or declines to take a second test that the employer or collector has directed the employee to take;
 7. Fails to undergo a medical examination as directed by the MRO as part of the result verification process or as directed by the employer as part of the DOT required insufficient specimen procedure;
 8. Fails to sign the certification statement at Step 2 on the Alcohol Testing Form (for an alcohol test);
 9. Fails to cooperate with any part of the testing process (e.g. refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector);
 10. For an observed collection, fails to follow the observer’s instructions to raise clothing above waist, lower clothing and underpants, and turn around to permit the observer to determine if the donor has any type of prosthetic or other device that could be used to interfere with the collection process;
 11. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process;
 12. Admits to the collector or MRO that they adulterated or substituted the specimen;
 13. Has a test result that is verified by the MRO as adulterated or substituted.
 14. Engages in any other conduct that clearly obstructs the test process.

Consequences of Refusal to Submit to Testing: An employee who refuses to submit to an alcohol and/or controlled substance test required by this policy will not be permitted to perform safety-sensitive functions and will be considered insubordinate which will result in disciplinary action, up to and including immediate termination from employment.

Adulterated/Substituted Specimens: An employee who submits a specimen which the MRO verifies and reports to be an adulterated or substituted specimen will have refused to submit to testing.

Diluted Specimens: Any employee which the MRO verifies and reports as a positive diluted specimen will be treated as a verified positive test.

An employee who submits a specimen which the MRO verifies and reports as a negative diluted specimen will be directed to immediately take another test. The test of any second test conducted shall be the final test result.

SECTION 9. APPLICANT/EMPLOYEE RIGHTS TO A SPLIT SAMPLT TEST

All applicants and employees subject to the controlled substance testing provisions of this policy that receive a confirmed positive test result for the use of controlled substances have the right to request, at employee or applicant expense, a confirming retest of the split urine sample.

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DRUG AND ALCOHOL POLICY
COMMERCIAL DRIVER’S LICENSE (CDL)
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If the confirming retest is negative, no adverse action will be taken against the employee, and an applicant will be considered for employment.

SECTION 10. DISCIPLINE

Any employee found to be in violation of this policy is subject to disciplinary actions, up to and including termination of employment. Nothing in this policy limits or restricts the right of the employer to discipline or discharge an employee for conduct which violates the employer’s policies or rules. Except as otherwise required by law, the County is not obligated to reinstate or requalify such drivers for a first positive test result.

SECTION 11. FMCSA CONSEQUENCES TO EMPLOYEES ENGAGING IN PROHIBITED CONDUCT

Employees who have engaged in prohibited conduct are subject to the following consequences according to FMCSA rules:

1. The employee will be immediately removed from safety-sensitive functions;
2. The employee will not be permitted to perform safety-sensitive functions;
3. The employee will be referred to a SAP and advised by the employer of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol and/or the use of drugs;
4. If the employer retains the employee, the employee must complete an initial evaluation by a SAP who will determine what assistance the employee needs in resolving problems associated with alcohol misuse and/or drug use;
5. The SAP will make a recommendation for education or treatment and refer the employee to an appropriate educational or treatment program;
6. The employee must complete a follow-up evaluation with the SAP to determine if the employee has successfully carried out the SAP’s educational or treatment recommendations;
7. If the SAP believes any ongoing services are needed to assist an employee to maintain sobriety or abstinence from drug use after the employee resumes the performance of safety-sensitive duty, the employee must comply with these recommendations and the employer or its agent may monitor and document the employee’s participation in the recommended services;
8. Before the employee will be allowed to return to performing safety-sensitive functions, they must undergo a return-to-duty testing. If the conduct involved the use of alcohol, the employee must submit to an alcohol test with a result indicating breath alcohol level of less than 0.02. If the conduct involved the use of drugs, the employee must submit to a drug test with a verified negative test result received;
9. The employee shall also be subject to unannounced follow-up alcohol and/or drug testing.

SECTION 12. LOSS OF CDL LICENSE FOR TRAFFIC VIOLATIONS IN COMMERCIAL AND PERSONAL VEHICLES

Effective August 1, 2005, the FMCSA established strict rules impacting when CDL license holders can lose their CDL for certain traffic offenses in a commercial or personal vehicle. Employees are required to

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notify their supervisor immediately if the status of their CDL license changes in anyway (Sec. 391.11 – 391.15).

SECTION 13. CONFIDENTIALITY/RECORDKEEPING

All driver alcohol and controlled substance test records are considered confidential (Sec. 382.401). For the purpose of this policy/procedure, confidential recordkeeping is defined as records maintained in a secure location with controlled access.

Driver alcohol and controlled substance test records will only be released in the following situations (Sec. 382.405):

1. to the driver, upon their written request;
2. upon request of a DOT agency with regulatory authority over the County;
3. upon request of state or local officials with regulatory authority over the County;
4. upon request by the United States Secretary of Transportation;
5. upon request by the National Transportation Safety Board (NTSB) as part of a crash investigation;
6. upon request by subsequent employers upon receipt of a written request by a covered driver;
7. to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results). Additionally, an employer may disclose information in criminal or civil actions in accordance with 49 CFR § 40.323(a)(2).
8. upon written consent by the driver authorizing the release to a specified individual.

In the event of a post-accident test, the drug and/or alcohol test result(s) may also be provided to the worker’s compensation insurance carrier.

SECTION 14. COMMERCIAL DRIVER’S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE REPORTING REQUIREMENT

As required by 49 CFR Part 382, Subpart G, the following information will be reported to the Commercial Driver’s License Drug and Alcohol Clearinghouse:

- 1) A verified positive, adulterated, or substituted drug test result;
- 2) An alcohol confirmation test with a concentration of 0.04 or higher;
- 3) A refusal to submit to a drug or alcohol test;
- 4) An employer’s report of actual knowledge of, as defined at 49 CFR §382.107:
 - a. On duty alcohol use pursuant to 49 CFR §382.205;
 - b. Pre-duty alcohol use pursuant to 49 CFR §382.207;
 - c. Alcohol use following an accident pursuant to 49 CFR §382.209;
 - d. Drug use pursuant to 49 CFR §382.213;
- 5) A SAP’s report of the successful completion of the return-to-duty process;
- 6) A negative return-to-duty test; and

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- 7) An employer’s report of completion of follow-up testing.

SECTION 15. TRAINING AND ASSISTANCE

Driver Education and Training (Sec. 382.601): All drivers will be given information regarding the requirements of Part 382 and this policy by Human Resources or their supervisor.

Training for Supervisors (Sec. 382.603): The County shall ensure all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under § 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

Referral, Evaluation, and Treatment (Sec. 382.605): A list of substance abuse professionals will be provided to all drivers who fail an alcohol test or test positive for drugs. All cost associated with referral, evaluation, and treatment is the sole responsibility of the driver/employee.

Employee Assistance Program (EAP): The County has in place a formal EAP to assist employees with addressing serious personal or work related problems at any time. The County’s EAP provides confidential, cost-free, short-term counseling to employees and their families. Employees who have an alcohol or drug abuse problem are encouraged to seek assistance before a problem affects their employment status. Employee Assistance Programs are available through Sand Creek Group Ltd. at 1-800-550-6248 or www.sandcreekeap.com.

SECTION 16. DESIGNATED EMPLOYER REPRESENTATIVE (DER)

The DER will coordinate the implementation, direction, and administration of the alcohol and drug testing policy for the employer. The DER is the individual(s) employed by the employer who are identified by the employer as able to receive communications and test results from service agent and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation process. Employee questions concerning this policy should be directed to the DER.

The County’s Designated Employer Representative (DER):

Gina Teems or designee(s)
Human Resources Director
218-732-2362

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APPENDIX A
TO
CDL DRUG AND ALCOHOL POLICY

Employee or Applicant Acknowledgement of Receipt of Employer Policy

I, _____, acknowledge that I have received a copy of the Hubbard County Commercial Driver’s License Drug and Alcohol Policy. I have read, understand and agree that I will abide by the Employer policies. I also understand that the Employer has the right to modify this policy as changes in regulation, law or as the Employer otherwise determines is necessary.

EMPLOYEE:

I understand that violation of the DOT regulations and/or Employer policies would be an act of misconduct and/or gross misconduct, and failure to comply is grounds for disciplinary action, up to and including termination.

I further acknowledge that I have voluntarily signed this document below and that my signature is evidence of my agreement to and acceptance of these terms and conditions of my employment.

Signature: _____ Date: _____

Printed Name: _____ Witness Signature: _____

APPLICANT:

I understand my conditional job offer will be withdrawn if I refuse to test or test positive for a controlled substance.

I further acknowledge that I have voluntarily signed this document below and that my signature is evidence of my agreement to and acceptance of these terms and conditions of my pre-employment testing.

Signature: _____ Date: _____

Printed Name: _____ Witness Signature: _____

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DRUG AND ALCOHOL POLICY
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APPENDIX B
TO
CDL DRUG AND ALCOHOL POLICY

Driver Consent for:
Limited Queries of the Federal Motor Carrier Safety Administration (FMCSA)
Drug and Alcohol Clearinghouse

I, _____, provide consent to Hubbard County to conduct limited queries of the FMCSA Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exist in the Clearinghouse.

I understand that if a limited query conducted by Hubbard County indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to Hubbard County without first obtaining additional specific consent from me.

I further understand that if I refused to provide consent for Hubbard County to conduct a limited query of the Clearinghouse, Hubbard County must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

This consent will remain in effect through the duration of my employment with Hubbard County and authorizes Hubbard County to conduct limited queries as often as needed, but at least once a year, to comply with FMCSA requirements.

Employee Printed Name

Employee Signature

Date

SECTION 23

INCLEMENT WEATHER POLICY

A. POLICY STATEMENT: It is the policy of Hubbard County that all County facilities remain open during normal business hours. In the event of inclement weather, the County Board Chairman has the authorization per Minnesota Statute §373.052, to close all or part of Hubbard County's facilities.

B. NOTIFICATION: In the event of a county facility closure prior to the beginning of a regular work day, the closure will be announced over the local radio stations, KDKK/97.5 FM and KPRM/870 AM prior to 7:15 a.m.

1. In the event of a county facility closure during a regular work day, the Coordinator and/or the County Auditor/Treasurer will make the Inclement Weather Policy announcement upon direction of the County Board Chairman.

C. COMPENSATION: In the event of a county facility closure prior to the beginning of a regular work day all employees will be paid regular time for hours missed due to closure.

1. In the event of a county facility closure during a regular work day any employee currently at work will be paid regular time for hours missed due to closure.
2. In the event an employee chooses to remain at home due to inclement weather and the county facilities remain open, the employee will be required to use paid time off (union employee benefits are set forth in the applicable collective bargaining agreement) to remain in pay status.
3. If an employee has chosen to stay home due to inclement weather and during the course of the day the county facilities are closed, the employee will be paid regular time for those hours missed after the county facilities have closed.
4. Due to inclement weather conditions, employees may be advised to remain on the premises after working hours due to safety concerns. Such action would not entitle employees to overtime or compensatory compensation.

SECTION 24

COLLECTIVE BARGAINING PRINCIPLES

A. POLICY STATEMENT: It is the policy of Hubbard County to commit to sound collective bargaining principles and practices which will serve to resolve differences through negotiations to the mutual satisfaction of the parties and avert, to the greatest extent possible, work actions such as strikes.

B. DEPARTMENT HEAD RESPONSIBILITIES: The County Board also recognizes that work action is the ultimate exercise of bargaining power unions may employ as an economic sanction against the County in the event bargaining demands cannot be satisfied and recognizing that the County must take responsible precautions to ensure necessary public services will be provided in the event such action is employed, County Department Heads are hereby directed to make such preparations as will ensure continuation of necessary public services. Such preparations shall, among other things, provide that:

1. Priorities must be established for all services provided by affected departments from critical, which must not be interrupted; to the maximum level of service that can be performed.
2. Instruction is given supervisory personnel regarding their responsibility and conduct during a strike.
3. All employees are advised of their rights and obligations during a strike and the County's policy regarding striking employees.

C. CONDITIONS: The following conditions shall prevail:

1. Any county employee who is absent from any portion of his/her work assignment without permission of the appropriate department manager on the date or dates when a strike occurs will be presumed to have engaged in a strike on such date or dates and will be appropriately disciplined by the County Board.
2. No wages shall be paid to an employee engaging in a strike.
3. The County will continue the direct deposit of the amount of wages due a striking employee for work performed prior to the strike on the first regularly scheduled payday after the commencement of the strike.
4. The County will not continue contributions to group insurance coverage and other benefits for striking employees. Notice will be provided such employees on how they may continue to maintain group insurance coverage.
5. No striking employee shall be entitled to vacation pay while on strike.
6. No sick leave shall be granted to a striking employee while on strike.
7. No striking employee shall be eligible for any type of leave including attendance at conferences and conventions while on strike.
8. There shall be no benefit accrual (vacation leave, sick leave, etc.) during a strike period to any employee participating in such action including credit towards step increases.
9. No holiday pay will be granted to a striking employee (nor retroactive).
10. The County will implement provision of M.S. §179A.19 Subd. 2 which provides that an employee who strikes illegally may be terminated effective the date the violation first occurs. If the County should subsequently agree to reappoint or reemploy an illegal striker, M.S. §179A.19 Subd. 4 requires that such employee shall be on probation for two years with respect to such employment.
11. All leaves of absence for all employees will be automatically canceled unless re-authorized by the County Board upon input by the department manager. Any leaves of absence during a period when a strike is taking place may be granted only upon approval of the County Board.
12. All non-striking employees must be prepared to present medical certification of illness to be eligible for sick leave.
13. Any employee who may legally strike also has a right to continue working during a strike action. All employees not in the striking bargaining unit are required to be at work or on authorized leave.

D. DAMAGE REIMBURSEMENT: Non-striking employees of Hubbard County who might incur damage which is usually connected to strike activities shall be reimbursed by the County for such damages to the extent permitted by law, provided that said damage, at the time of the alleged incident, is not otherwise covered by insurance, and provided

SECTION 24

COLLECTIVE BARGAINING PRINCIPLES

further that the damaged employee has taken reasonable precautions under the circumstances to prevent such damage.

E. SPOKES PERSON: The Coordinator/Designee is authorized to speak publicly on behalf of the County in regard to such labor disputes and shall be the sole person authorized to speak publicly on behalf of the County during any period of strike action.

SECTION 25

SAFETY EYEGLASS POLICY

A. POLICY STATEMENT: It is the policy of Hubbard County to ensure the safety of its employees by providing ANSI Z-87 and OSHA approved safety eyeglasses for those in positions where they are required. Hubbard County will pay up to \$50.00 every two years towards the purchase of ANSI Z-87 and OSHA approved prescription safety eyeglasses.

B. ELIGIBILITY: To be eligible, the employee must be in a regular position in a job class listed below and require prescription lenses. Temporary or on-call employees are not eligible.

1. Eligible Job Classes:

Maintenance Superintendent	NR Manager	Engineer
Building & Grounds Maintenance Mgr	LIST Deputy County Surveyor	Signman
NR Mgr/Pks Supervisor/Ag Inspector	Land Commissioner	Survey Tech I
Solid Waste Officer	Maintenance Technician	
Transfer Station Certified Attendant	Engineering Specialist	Custodian
Assistant Shop Foreman	Assistant Engineer	Shop Foreman
Engineer Aide I, II, & III	Maintenance II	

or other job class as required by OSHA

2. If an employee's safety eyeglasses are damaged or destroyed during work, the county will pay the cost of repair or to replace with a comparable package.

C. PROCEDURE

1. The eligible employee will make an appointment with either Bruhn Optical, Park Rapids or Park Rapids Eye Clinic and indicate participation in Hubbard Counties safety eyeglass program. The employee is responsible to pay for the cost of the eye exam.
2. The employee or clinic will present the claims for their safety glasses to their Department Manager. The Department Manager will process appropriate payment through the Auditor/Treasurer's office.
3. Department Managers will be responsible to maintain records of the safety eyeglass program utilization for employees in their department.
4. If the employee chooses to select a safety eyeglass package which costs more than the amount the county will cover, the employee is responsible to pay the difference.

SECTION 26

FIREARMS POLICY

A. POLICY STATEMENT: It is the policy of Hubbard County that employees using county vehicles, shall not transport, carry or use firearms during normal work hours unless required to perform the employee's normal job functions.

1. No firearms shall be allowed within county owned structures.

B. DISCIPLINARY PROCEDURES: Any employee found not to be in compliance with this policy shall be subject to disciplinary action up to and including dismissal.

SECTION 27

ELECTRONIC MAIL & INTERNET ACCESS

ACCEPTABLE USE POLICY

PURPOSE

As computers used by employees are electronically connected, internal policies, standards and guidelines for use become essential. The purpose of this policy is to provide clear guidelines to all County employees regarding the sending and receiving of electronic mail (e-mail), and the accessing and downloading of Internet files along with acceptable use of County owned equipment.

SCOPE

Hubbard County has network technology and infrastructure which provides for County electronic data communications and access to network resources. As such, these tools are County-owned and publicly funded. The computer systems and the software and information contained on or conveyed through them, are County property. Access, and use of these resources, shall be governed by this Acceptable Use Policy established by the Technology Committee. The Technology Committee will have the responsibility to review and recommend updates to this policy to the County Board for approval.

HUBBARD COUNTY ELECTRONIC MAIL SYSTEM

The Hubbard County Electronic Mail System is designed to facilitate County business communication between County employees and other business partners for messages, memoranda, and the distribution of various electronic documentation and files.

All e-mail messages and attachments that are sent, received, or accessed by means of any County computer system, including any e-mail system, are County property and subject to federal and state laws, such as the Minnesota Government Data Practices Act (MS Chapter 13), which govern the collection, creation, storage, maintenance, dissemination, and access to data created or maintained by the County. All employees must exercise care in addressing messages to ensure they are sent to the proper addressee.

Transmission of confidential data should be limited. However; when necessary, it must be done using the County's encryption solution as not all of our e-mail messages are automatically encrypted. Encryption is vitally important to protect the data covered under HIPPA or the Data Privacy Act, but is unnecessary for the majority of our messages. It is up to the user to determine whether the information contained in his/her e-mail message should be encrypted or not.

Employees should consider all e-mail as public information which may be stored indefinitely anywhere and could potentially be discoverable in litigation. E-mail messages must never be considered confidential and all messages have the potential to be viewed by anyone. Employees are advised that an electronic form of e-mail always exists and can be traced.

INTERNET ACCESS, INTERNET E-MAIL AND OTHER NETWORK SYSTEMS

The Internet is a collection of computers, computer networks, communication protocols, information systems, and personal and organizational information retrieval systems connected together in a global community. As such, the Internet provides the County with significant access and distribution of information to individuals outside of Hubbard County.

Access to computer systems and networks owned or operated by Hubbard County impose certain responsibilities and obligations on County employees. Inappropriate use will result in disciplinary action. Department managers will deem what is inappropriate use.

SECTION 27

ELECTRONIC MAIL & INTERNET ACCESS

ACCEPTABLE USE POLICY, CONTINUED

In general, acceptable use of Internet resources is always ethical, reflects honesty, and shows restraint in the consumption of shared resources. County employees shall demonstrate respect for intellectual property, ownership of information, system security mechanisms, and their co-workers' right to privacy and freedom from intimidation, harassment, and unwarranted annoyance.

PERSONAL USE

The Hubbard County Electronic Mail System and Internet were designed to be utilized for the purpose of conducting County related business.

Limited personal usage of the County's computer, Internet and e-mail systems may be allowed if the followings guidelines are adhered to:

- a. Is done on the employee's personal time, not County time;
- b. Does not interfere with business usage;
- c. Does not interfere with the employee's job activities;
- d. Is not for political or religious purposes, personal financial profit, and does not result in excessive consumption of County resources;
- e. Does not result in incremental expense for the County;
- f. Does not disrupt network users, services or equipment. Disruptions include, but are not limited to, propagation of computer viruses;
- g. Does not make illegal copies of copyrighted software or other mediums;
- h. Does not contain or imply threatening, obscene or abusive content.

Limited personal use of the County computer systems, including Internet and e-mail, is a privilege. Employees who use any County computer system for personal use have no expectation of privacy in any information that is stored, processed, or transferred by any of the County's computer systems, including but not limited to, e-mail and information accessed on the Internet.

Excessive personal usage will be determined by the employee's department manager and/or supervisor and may subject the employee to disciplinary actions.

MONITORING

Hubbard County reserves the right to use any means available to access, inspect, review, and monitor its computer systems and computer systems data including, but not limited to, computer files, e-mails and Internet access information at any time and without further notice.

PASSWORDS/SECURITY

Although individual employee passwords are confidential, Hubbard County reserves the right to override passwords and codes at any time. If individual department managers, or their designee, request their employee's password(s), then the password(s) must be disclosed. When passwords are shared with the department manager, the department manager assumes responsibility for their privacy and setting up procedure for notification, revisions, and safeguarding any password updating.

SOCIAL MEDIA

Social media should not interfere with employees' responsibilities at Hubbard County. Business use of social media may be allowed at the discretion of the department manager. Personal use of social media networks is prohibited and could result in disciplinary action.

SECTION 28

LOBBYING & INTER GOVERNMENTAL RELATIONS POLICY

1. If you choose to lobby on a policy issue that would affect the operations of the county, you are expected to confine your efforts to the county's current legislative agenda.
2. Your participation should be immediately communicated to the county's legislative coordinator and the county administrator.
3. If the issue has not been addressed by the county's legislative agenda, a county board position should be sought prior to any lobbying effort on your part.
4. If you lobby in a professional capacity, either at the request of a legislator or a professional association, you must note in your testimony that you speak as a professional, not as a county representative. Then any testimony you give or any contacts that you make should be communicated to the legislative coordinator or county administrator.
5. The legislative coordinator, county administrator, or designated personnel will organize the county's efforts. Do not presume that you speak for the county board, unless you have perused their positions or have checked with them on specific issues.
6. When the county is paying the dues for membership in a professional association, employees shall not take a position with that professional association that is inconsistent with county board policy.
7. All employees and appointed representatives shall notify the county board of a pending appointment to an advisor board or task force initiated outside the scope of county board authority.

Your employment or appointment, by a public entity, has cast a responsibility upon you, you speak for the people, all the people.

SECTION 29

NURSING MOTHERS POLICY

I. Policy Statement

Hubbard County complies with state law requiring employers to make reasonable efforts to accommodate employees who wish to express milk for her infant child.

II. Policy Guidelines

1. Except as limited by Paragraph 2 of this Section, the County provides reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child.
2. The County is not required to provide the break time described in Paragraph 1 of this Section if doing so would unduly disrupt the operations of the County.
3. If possible, the break time described in Paragraph 1 of this Section must run concurrently with any break time already provided to the employee.
4. The County will make reasonable efforts to provide a room or other location, in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion from coworkers and the public and that includes access to an electrical outlet where employees can express breast milk in privacy. Room 114 has been designated for this purpose upon completion of the first floor Hubbard County Phase II construction project.
5. No County employee or officer shall retaliate against any employee for asserting the employee's rights provided by Minnesota Statutes, Section §181.939, including the rights under this policy.
6. Employees requesting unpaid break time under this policy must notify their supervisors and Human Resources to make arrangements regarding break times, recordkeeping and other related accommodations.
7. Employees must maintain an accurate record of all break time under this policy and ensure that such unpaid time is accurately recorded on all timecards.

SECTION 30

IDENTIFICATION BADGE

POLICY STATEMENT

Hubbard County recognizes its responsibility to provide a safe and secure environment for employees and citizens by the development of a clear and easily recognizable identification system for employees and independent contractors to use while acting in the performance of their duties for Hubbard County, and for all individuals authorized access to County buildings and facilities.

To meet this responsibility, this policy establishes an Identification Badge (ID Badge) system for all County employees, temporary services employees, interns, student workers, and/or persons with secured entry access to County buildings and facilities, and vendors and/or contractors.

Procedures

The following ID Badge procedures will be abided by:

- A. All County employees, temporary services employees, interns, student workers, and/or persons with secured entry access to County buildings and facilities
 1. The Identification Badge and Photo Request form (Attachment A) must be completed. If an individual does not consent to a photograph as part of the ID badge, the individual will be required to present a valid State issued photo ID upon entering into any secured areas, or when required to identify themselves as Hubbard County employees/contractors to clients, other government entities, vendors or service providers while acting in the course of their duties for Hubbard County.
 2. New employees will be issued an ID Badge as part of their Human Resources orientation. A copy of the completed Attachment A will be kept in the employee's personnel file.
 3. Temporary services employees, interns, student workers, and/or other persons will be issued a Temporary ID Badge upon assignment with a clearly identifiable expiration date. A copy of the completed Attachment A will be kept in the Human Resources office.
 4. Upon issuance of an ID Badge, an employee will be required to possess and display the County-designated ID Badge at all times while acting in the course of their duties as an employee of Hubbard County, unless the Department Manager exempts the individual for good cause based upon safety, security or other concerns. Employees receiving such an exemption shall be required to have the ID Badge in possession. A person with secured entry access to County buildings and facilities will be required to possess and display the County-designated ID Badge at all times while accessing County buildings and facilities.
 5. An employee's ID Badge will be reviewed at the time of an employee's annual performance evaluation to check for accuracy and condition.
 6. Upon separation of employment and/or services provided to the County, the ID Badge is to be collected and returned to Human Resources.
- B. Vendors and/or Contractors
 1. Outside vendors and/or contractors providing services within a County-owned/operated facility will be required to possess and display a temporary Hubbard County-designated Vendor and/or Contractor ID Badge.
 2. Departments who contract with outside vendors and/or contractors are required to obtain ID Badge(s) from Human Resources.
 3. The Department Manager and/or Supervisor is responsible to document the issuance and return of the ID Badge.
 4. If the work performed by the vendors and/or contractors needs to be accomplished after regular County business hours, the contracting department should provide appropriate supervision, or in the alternative, notify Maintenance.

SECTION 30

IDENTIFICATION BADGE

Management

- A. ID Badges are provided by Hubbard County and will be managed by Human Resources.
 - 1. ID Badges will display the Hubbard County name and logo, first and last name (as shown on their valid State issued photo ID), department name, photograph, and return information on the back side or the Hubbard County name and logo, Vendor/Contractor ID Badge, department, and return information on the back side. Information will be printed vertically.
 - 2. A break-away lanyard with sleeve will be provided. The ID Badge is to be worn separately from any security means used to access facilities.
 - 3. A replacement ID Badge will be provided (no charge) when an individual changes any of the required information listed on the ID Badge or for normal wear and tear. The ID Badge to be replaced will be collected and disposed of properly upon creation of the new ID Badge by the Human Resources office.
 - 4. A lost or misplaced ID Badge must be reported to the Department Manager and/or Supervisor immediately. Multiple instances of lost or misplaced ID badges may result in corrective action.
 - 5. Operating costs associated with ID Badges are budgeted in the Human Resources budget.
 - 6. Human Resources will be responsible for maintaining copies of the Tennessee Warnings and Consent forms in the employee personnel files. The Department Manager is responsible for documenting any exceptions to the requirement that employees display ID Badges.
- B. All persons working or representing Hubbard County or conducting business on Hubbard County property will adhere to the ID Badge Policy. The ID Badge is not to be shared with anyone other than the person issued the assigned ID Badge. Any violation of the policy may be subject to corrective action.

SECTION 30
IDENTIFICATION BADGE

IDENTIFICATION BADGE AND PHOTO REQUEST
(Attachment A)

County employees, temporary services employees, interns, student workers, and/or persons with secured entry access to County buildings and facilities.

First Name:	Last Name:
Department:	
Phone/Ext #:	Email:

Tennessee Warning:

Hubbard County has informed me that my photograph is being taken for identification and for use on a County ID Badge. I am not legally required to have a photograph taken. If I do not provide the photo, my access to certain County buildings, facilities or offices may be denied or restricted, and I may instead be required to use my valid State issued photo ID for purposes of identification to access secured areas, and for purposes of identification as may be necessary in the course and scope of performing my duties for Hubbard County. The photo may be released within the County to those individuals whose job duties reasonably require access and may be released to individuals outside the entity as authorized by law, or for my protection, or the protection of others to law enforcement.

Consent: I understand and agree that my photograph may be displayed on a County ID Badge along with my first and last name (as shown on my valid State issued photo ID), and the department in which I work. I understand and agree that members of the public as well as other employees, vendors and contractors may view the photograph and information on the ID Badge at any time that I am displaying it. I have reviewed Hubbard County's policy on Identification Badges and understand the circumstances under which the information on the ID Badge may be released. I also agree that if my ID Badge is lost or stolen I will immediately report that fact to my supervisor.

Signature:	Date:
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I understand that by not signing and consenting, as outlined above, to my photograph on a Hubbard County ID Badge, I agree I will produce a valid State issued photo ID upon request when entering County buildings and facilities requiring secured access and for purposes of identification as may be necessary in the course and scope of performing my duties for Hubbard County.

Signature:	Date:
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SECTION 31

WORKPLACE EMERGENCY PLAN

POLICY STATEMENT

Hubbard County recognizes the need for a Workplace Emergency Plan. Employee safety and the safety of others is dependent on the ability to respond appropriately to an emergency, should one arise.

PROCEDURES

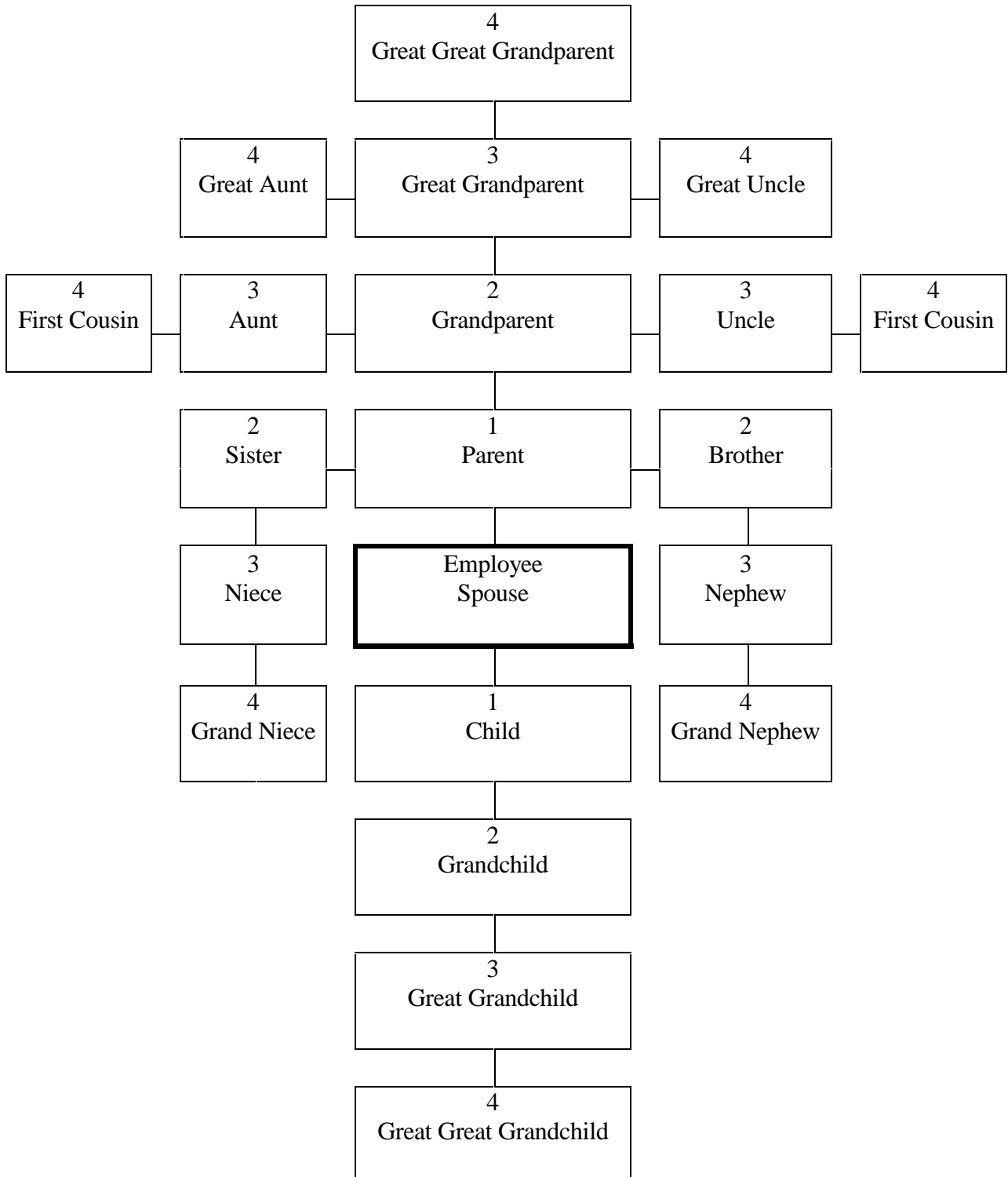
The County Sheriff or designee, acting as the responsible authority for Emergency Management duties, is responsible for the administration of a Workplace Emergency Plan. The Plan is a guide for employees, for persons providing services within County-owned/operated facilities, vendors and/or contractors, and customers to respond when immediate action is necessary.

- Emergency Response Guide(s) are on file with the County Sheriff and classified as non-public per M.S. 13.37, Subd. 2(a), as amended. Respective Emergency Response Guide(s) are to be distributed to employees and persons providing services within County-owned/operated facilities. Upon separation of employment and/or services provided to the County, the Emergency Response Guide is the property of Hubbard County and shall remain with the County.
- Training on the proper course of action and practice drills are to be conducted annually or as deemed necessary by the County Sheriff or designee.
- If County offices are closed due to emergency situations, M.S. 373.052, as amended, shall be followed.
- In the event of an emergency occurrence outside normal business hours, call 911 (or 8-732-3331).

MANAGEMENT

All persons working or representing Hubbard County or conducting business on Hubbard County property will adhere to the Workplace Emergency Plan. Any employee violation of this policy may be subject to corrective action.

ADDENDUM I
RELATIONSHIPS & DEGREES OF KINDRED
ACCORDING TO THE CIVIL LAW



ADDENDUM II

TENNESSEN WARNING FOR EMPLOYEES

In accordance with the Minnesota Government Data Practices Act, we are required to inform you of your rights as they pertain to the private information we collect from you. The information we collect from you is classified by law as either public (any one can see it), private (the public is not given access, but you are), or confidential (even you cannot see the information). As a public employee or an applicant for public employment, most of the data we maintain about you is public according to Minnesota Statutes, Section 13.43, Subdivisions 2 and 3.

The information we request from you may be used for one or more of the following purposes:

- ◆ To distinguish you from all other applicants or employees and identify you in our personnel files;
- ◆ To determine your eligibility for employment or promotion;
- ◆ To contact you or other significant persons in an emergency;
- ◆ To enroll you and your family members for health insurance;
- ◆ To enroll you for pension plans;
- ◆ To account for wages paid;
- ◆ To justify travel expense reimbursement;
- ◆ To account for other employer paid fringe benefits;
- ◆ To compile Equal Opportunity and Affirmative Action reports.

Information which you are asked to provide generally is not required by statute. However, it generally is to your benefit to provide it. Without the requested information, this agency may not be able to determine your eligibility for employment or promotion, compute your wages, or grant you other fringe benefits.

Federal law permits government agencies to require an individual to provide his/her social security number for the administration of any tax. Please be aware that when you are asked to give your social security number on Revenue forms, this collection is mandated by Section 1211 of the Tax Reform Act of 1976 and also Minnesota Statutes, Section 270.66. This information will be shared with the State Department of Revenue, the Internal Revenue Service, and the Federal Department of Health and Welfare for the purposes of administering the income tax and social security tax programs. In most other cases the disclosure of your social security number is voluntary. If it is required by law, we will inform you of the statute which requires collection.

If you are a minor, your parents or guardian will have access to the information in your personnel file unless you specifically request in writing that this information not be shown to your parents or guardian. You must explain why you wish this data withheld and what you expect the consequences of this activity will be. If the agency agrees that withholding the information from your parents or guardian is in your best interest, the information will not be shown to your parents or guardian.

The information you provide may be routinely shared with agency human resource office staff who require the information to do their jobs, agency accounting/payroll staff, insurance contractors, Minnesota Merit or Civil Service System, PERA or MSRS, IRS, and the State Departments of Revenue, Finance, Economic Security, Employee Relations, and Labor and Industry.

Information may also be shared with other agencies authorized by law to receive specific data relating to:

1. Absent/non-supporting parents;
2. Civil/human rights complaints;
3. Worker's Compensation;
4. Unemployment Compensation;
5. Labor contracts (to the extent specified in Minnesota Statutes, Chapter 179);
6. Employee assistance programs;
7. Child/vulnerable adult abuse.

If you have any questions about this notice, human resource office staff will explain it to you. The information on this form applies to your future contacts with this agency whether the contact is in person, by mail, or by phone.

ADDENDUM III
AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION
CODE OF ETHICS & IMPLEMENTATION GUIDELINES

Ä Demonstrate the highest standards of personal integrity; truthfulness, honesty and fortitude in all our public activities in order to inspire public confidence and trust in public institutions.

Perceptions of others are critical to the reputation of an individual or a public agency. Nothing is more important to public administrators than the public's opinion about their honesty, truthfulness, and personal integrity. It overshadows competence as the premier value sought by citizens in their public officials and employees. Any individual or collective compromise with respect to these character traits can damage the ability of an agency to perform its tasks or accomplish its mission. The reputation of the administrator may be tarnished. Effectiveness may be impaired. A career or careers may be destroyed. The best insurance against loss of public confidence is adherence to the highest standards of honesty, truthfulness and fortitude.

Public administrators are obliged to develop civic virtues because of the public responsibilities they have sought and obtained. Respect for the truth, for fairly dealing with others, for sensitivity to rights and responsibilities of citizens, and for the public good must be generated and carefully nurtured and matured.

If you are responsible for the performance of others, share with them the reasons for the importance of integrity. Hold them to high ethical standards and teach them the moral as well as the financial responsibility for public funds under their care.

If you are responsible only for your own performance, do not compromise your honesty and integrity for advancement, honors, or personal gain. Be discreet, respectful of proper authority and your appointed or elected superiors, sensitive to the expectations and the values of the public you serve. Practice the golden rule: doing to and for others what you would have done to and for you in similar circumstances. Be modest about your talents, letting your work speak for you. Be generous in your praise of the good work of your fellow workers. Guard the public purse as if it were your own.

Whether you are an official or an employee, by your own example give testimony to your regard for the rights of others. Acknowledge their legitimate responsibilities, and don't trespass upon them. Concede gracefully, quickly, and publicly when you have erred. Be fair and sensitive to those who have not fared well in their dealings with your agency and its applications of the law, regulations or administrative procedures.

Ä Serve in such a way that we do not realize undue personal gain from the performance of our official duties.

The only gains you should seek from public employment are salaries, fringe benefits, respect and recognition for your work. Your personal gains may also include the pleasure of doing a good job, helping the public and achieving your career goals. No elected or appointed public servant should borrow or accept gifts from staff of any corporation which buys services from or sells to, or is regulated by, his or her governmental agency. If your work brings you in frequent contact with contractors supplying the government, be sure you pay for your own expenses. Public property, funds and power should never be directed toward personal or political gain. Make it clear by your own actions that you will not tolerate any use of public funds to benefit yourself, your family or your friends.

Ä Avoid any interest or activity which is in conflict with the conduct or our official duties.

Public employees should not undertake any task which is in conflict or could be viewed as in conflict with job responsibilities.

This general statement addresses a fundamental principle that public employees are trustees for all the people. This means that the people have a right to expect public employees to act as surrogates for the entire people with fairness toward all the people and not a few or a limited group.

Actions or inactions which conflict with, injure or destroy this foundation of trust between the people and their surrogates must be avoided.

Ironically, experience indicates that conflict of interest and corruption often arise not from an external affront, but as a result of interaction between persons who know each other very well. To strengthen resistance to conflict of interest, public employees should avoid frequent social contact with persons who come under their regulation or persons who wish to sell products or services to their agency or institution.

Agencies with inspectional or investigative responsibilities have a special obligation to reduce vulnerability to conflict of interest. Periodic staff rotation may be helpful to these agencies.

Individuals holding a position recognized by law or regulation as an unclassified or political appointment (e.g. Cabinet level and Governor's appointment positions) have a special obligation to behave in ways which do not suggest that official acts are driven primarily or only by partisan political concerns.

ADDENDUM III
AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION
CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED

Public employees should remember that despite whatever preventive steps they might take, situations which hold the possibility for conflict of interest will always emerge. Consequently, the awareness of the potentiality of conflict of interest is important. Public employees, particularly professors in public administration, have a serious obligation to periodically stimulate discussion on conflicts of interest within organizations, schools and professional associations

Â Support, implement and promote merit employment and programs of affirmative action to assure equal employment opportunity by our recruitment, selection and advancement of qualified persons from all elements of society.

Oppose any discrimination because of race, color, religion, sex, national origin, political affiliation, physical handicaps, age, or marital status, in all aspects of personnel policy. Likewise, a persons lifestyle should not be the occasion for discrimination if it bears no reasonable relation to his or her ability to perform required tasks.

Review employment and personnel operations and statistics to identify the impact of organizational practices on "protected groups." Performance standards should apply equally to all workers. In the event of cutbacks of staff, managers should employ fair criteria for selection of employees for separation and humane strategies for administering the program.

Any kind of sexual, racial or religious harassment should not be allowed. Appropriate channels should be provided for harassed persons to state their problems to objective officials. In the event of a proven offense, appropriate action should be taken.

Â Eliminate all forms of illegal discrimination, fraud and mismanagement of public funds, and support colleagues if they are in difficulty because of responsible efforts to correct such discrimination, fraud, mismanagement or abuse.

If you are a supervisor, you should not only be alert that no illegal action issues from or is sponsored by your immediate office, you should inform your subordinates at regular intervals that you will tolerate no illegalities in their offices and discuss the reasons for the position with them. Public employees who have good reason to suspect illegal action in any public agency should seek assistance in how to channel information regarding the matter to appropriate authorities.

All public servants should support authorized investigative agencies, the General Accounting Office in the federal government, auditors in the state or large local governments, C.P.A. firms or federal or state auditors in many other cases. We should support the concept of independent auditors reporting to committees independent of management. Good fiscal and management controls and inspections are important protection for supervisors, staff and public interest.

In both government and business inadequate equipment, software, procedures, supervision and poor security controls made possible both intentional and unintentional misconduct. Managers have an ethical obligation to seek adequate equipment, software, procedures and controls to reduce the agency's vulnerability to misconduct. When an agency dispenses exemptions from regulations, or abatement of taxes or fees managers should assure periodic investigatory checks.

The "whistle blower" who appears to his/her immediate supervisors to be disloyal, may actually be loyal to the higher interests of the public. If so, the whistle blower deserves support. Local, state and federal governments should establish effective dissent channels to which whistle blowers may report their concerns without fear of identification.

Supervisors should inform their staff that constructive criticism may be brought to them without reprisal or may be carried to an ombudsman or other designated official. As a last resort, public employees have a right to make public their criticism but it is the personal and professional responsibility of the critic to advance only well founded criticism.

Â Serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is beyond service to oneself.

Be sure your answers to questions on public policy are complete, understandable and true. Try to develop in your staff a goal of courteous conduct with citizens. Devise a simple system to ensure that your staff gives helpful and pleasant service to the public. Wherever possible, show citizens how to avoid mistakes in their relations with government.

Each citizen's question should be answered as thoughtfully and as fully as possible. If you or your staff do not know the answer to a question, an effort should be made to get an answer or to help the citizen make direct contact with the appropriate office.

ADDENDUM III
AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION
CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED

Part of servicing the public responsively is to encourage citizen cooperation and to involve civic groups. Administrators have an ethical responsibility to bring citizens into work with the government as far as practical, both to secure citizen support of government, and for the economics or increased effectiveness which will result. Respect the right of the public (through the media) to know what is going on in your agency even though you know queries may be raised for partisan or other non-public purposes.

♦ **Strive for personal professional excellence and encourage the professional development of our associates and those seeking to enter the field of public administration.**

Staff members throughout their careers, should be encouraged to participate in professional activities and associations such as ASPA. They should also be reminded of the importance of doing a good job and their responsibility to improve the public service.

Administrators should make time to meet with students periodically and to provide a bridge between classroom studies and the realities of public jobs. Administrators should also lend their support to well planned internship programs.

Â **Approach our organization and operational duties with a positive attitude and constructively support open communication, creativity, dedication and compassion.**

Americans expect government to be compassionate, well organized and operating within the law. Public employees should understand the purpose of their agency and the role they play in achieving that purpose. Dedication and creativity of staff members will flow from a sense of purpose.

ASPA members should strive to create a work environment which supports positive and constructive attitudes among workers at all levels. This open environment should permit employees to comment on work activities without fear of reprisal. In addition, managers can strengthen this open environment by establishing procedures ensuring thoughtful and objective review of employee concerns.

Â **Respect and protect the privileged information to which we have access in the course of official duties.**

Much information in public offices is privileged for reasons of national security, or because of laws or ordinances. If you talk with colleagues about privileged matters, be sure they need the information and you enjoin them to secrecy. If the work is important enough to be classified, learn and follow the rules set by the security agency. Special care must be taken to secure access to confidential information stored on computers. Sometimes information needs to be withheld from the individual citizen or general public to prevent disturbances of the peace. It should be withheld only if there is a possibility of dangerous or illegal or unprofessional consequences of releasing information.

Where other governmental agencies have a legitimate public service need for information possessed by an agency, do all you can to cooperate, within the limits of statute law, administrative regulations and promises made to those who furnish the information.

Â **Exercise whatever discretionary authority we have under law to promote the public interest.**

If your work involves discretionary decisions you should first secure policy guidelines from your supervisor. You should then make sure that all staff who "Need to Know" are informed of these policies and have an opportunity to discuss the means of putting them into effect.

There are occasions when a law is unenforceable or has become obsolete; in such cases you should recommend to your superior or to the legislative body that the law be modernized. If an obsolete law remains in effect the manager or highest official should determine if the law is or is not to be enforced, after consultation with the agency's legal advisor.

There are occasions where a lower level employee must be given considerable discretion. Try to see that such employees are adequately trained for their difficult tasks.

Tell yourself and your staff quite frequently that every decision creates a precedent, so the first decisions on a point should be ethically sound; this is the best protection for staff as well as for the public.

Â **Accept as a personal duty the responsibility to keep up to date on emerging issues and to administer the public's business with professional competence, fairness, impartiality, efficiency and effectiveness.**

Administrators should attend professional meetings, read books and periodicals related to their field, and talk with specialists. The goal is to keep informed about the present and future issues and problems in their professional field and organization in order to take advantage of opportunities and avoid problems.

ADDENDUM III
AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION
CODE OF ETHICS & IMPLEMENTATION GUIDELINES - CONTINUED

Serious mistakes in public administration have been made by people who did their jobs conscientiously but failed to look ahead for emerging problems and issues. A long list of washed out dams, fatal mine accidents, fires in poorly inspected buildings, inadequate computer systems or economic disasters are results of not looking ahead. ASPA members should be catalysts to stimulate discussion and reflection about improving efficiency and effectiveness of public services.

Â **Respect, support, study and when necessary, work to improve Federal and State constitutions and other laws which define the relationships among public agencies, employees, clients and all citizens.**

Familiarize yourself with principles of American constitutional government. As a citizen work for legislation which is in the public interest.

Teach constitutional principles of equality and fairness.

Strive for clear division of functions between different levels of government, between different bureaus or departments and between government and its citizens. Cooperate as fully as possible with all agencies of government, especially those with overlapping responsibilities. Do not let parochial, agency or institutional loyalty drown out considerations of wider public policy.

ADDENDUM IV

EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY

Hubbard County is concerned with an employee's personal problems when they adversely affect job performance or reflect discredit on the organization. The Employee Assistance Program has been developed to provide assistance to employees with problems of a personal nature either on a voluntary basis or when referred by management.

The County of Hubbard recognizes that problems of a personal nature can have an adverse effect on an employee's job performance. It is also recognized that most personal problems can be dealt with successfully when identified early and referred to appropriate resources. The purpose of the Employee Assistance Program is to provide these services through special arrangements with an outside counseling resource. The program is designed to deal with a broad range of human problems such as alcohol and/or drug, emotional/behavioral, family and marital, financial, legal and other personal problems. The program provides problem assessment, short term counseling and referral. Costs for these services are covered by the Minnesota Counties Insurance Trust. If costs are incurred for other services that are not covered by MCIT, insurance or other benefits, that cost is the responsibility of the employee. The overall objective of the Employee Assistance Program is to maximize the employee's ability to function in personal matters and maximize job performance.

UTILIZATION OF THE PROGRAM IS GOVERNED BY THE FOLLOWING

- ◆ Hubbard County is concerned with an employee's personal problems when they adversely affect job performance or reflect discredit on the organization.
- ◆ The policy applies to all employees of the organization regardless of job title or responsibilities.
- ◆ The program is available to employees and their family on a self-referral basis since problems at home can affect the job. If employees or family members have personal problems that may benefit from assistance, they are encouraged to use this program.
- ◆ Participation in the program does not jeopardize an employee's job security, promotional opportunities or reputation, nor will it impair any rights of the employee or impede the organization in effecting disciplinary proceedings against any employee.
- ◆ All records and discussions will be treated as confidential information to the fullest extent allowed by the law. In cases referred by supervision or management, confidentiality requires that no information be revealed to supervisors or managers other than on a need to know basis for proper job functioning. All written records will be kept by the designated counseling resource and will not become a part of the employee's personnel file.
- ◆ When performance problems are not covered with normal supervisory attention, employees are encouraged to seek assistance to determine if personal problems are causing unsatisfactory performance. If performance problems persist, normal corrective procedures will be followed.
- ◆ Sick Leave and/or Family Medical Leave may be granted for treatment or rehabilitation on the basis as it is granted for other health problems pursuant to Hubbard County's leave policies. Consideration may also be given for the use of annual leave or leave without pay if requested.

PROGRAM

Through the Employee Assistance Program, Hubbard County employees and their immediate family members obtain free diagnostic screening, brief counseling and referral services.

ACCESS TO THE PROGRAM

If an employee determines that counseling is needed, the employee and/or family members should contact The Sand Creek Group, Ltd., 1-800-550 MCIT to access the program. In the event of a crisis, the individual can call the above number at any time.

COST

There is no cost to the employee for assessment and counseling sessions that the employee or family member may have with the Employee Assistance Program. Should the EAP participant require additional service beyond the EAP, the Employee Assistance Counselor will refer the participant to an appropriate resource in accordance with the employee's insurance benefits and ability to pay.

ADDENDUM IV
EMPLOYEE ASSISTANCE PROGRAM (EAP) POLICY - CONTINUED

CONFIDENTIALITY

No information about an individual using this EAP will be shared with others without the written consent of the person except in circumstances where disclosure is required by law. Those who seek assistance need only to identify themselves as employees or as family members of a Hubbard County employee.

Before your initial appointment begins, you will be assured of the purpose and intended use of the information you provide; whether you may refuse to supply information or whether supplying it is legally required; any and all potential consequences arising from supplying or not supplying the information; and the identity of any persons or entities authorized by state or federal law to receive such information, if any.

This policy is not intended to alter or replace existing administrative policy or contractual agreements, but serves to assist in their utilization.

ADDENDUM V

HUBBARD COUNTY EXEMPT POSITIONS

A. Exempt Positions:

Department	Position Title	Exemption
Assessor	Assessor	Executive
Coordinator	Coordinator	Administrative
County Attorney	Assistant County Attorney	Professional
Environmental Services	Environmental Services Officer	Executive
Finance	Auditor/Treasurer	Executive
Highway	Maintenance Superintendent Assistant County Highway Engineer County Highway Engineer	Administrative Administrative Professional
Human Resources	Human Resources Director	Administrative
Recorder	Recorder	Executive
Natural Resource Management	Land Commissioner	Executive
Facilities	Facilities Maintenance Manager	Executive
Sheriff	Chief Deputy Sheriff	Executive
Social Service	Fiscal Supervisor I Financial Assistance Supervisor I Social Service Supervisor I Director	Administrative Administrative Administrative Executive
Solid Waste	Solid Waste Administrator	Executive
Veteran Service	Veterans Service Veteran Services	Administrative

Exempt Status is determined from and based on the following:

https://www.dol.gov/whd/overtime/fs17a_overview.pdf

ADDENDUM VI
HUBBARD COUNTY REIMBURSEMENT SCHEDULE

The following reimbursement rates shall be established by the County Board in January of each year. See Section 17 for more information.

A. **Mileage Reimbursement:** The mileage reimbursement rate shall be the same as the Internal Revenue Service rate throughout the year.

B. **Meal Reimbursement:**

Meal	Amount	Time Requirement
Breakfast	Up to \$10.00	If an employee's direct attendance of the meeting/training requires them to leave their place of work prior to 6:00 a.m.
Lunch	Up to \$15.00	Normal lunch period between 11:00 a.m. – 2:00 p.m.
Dinner	Up to \$20.00	If an employee's direct return to their place of work results in arrival after 6:00 p.m.

ADDENDUM VII

HUBBARD COUNTY CAFETERIA CONTRIBUTION

CAFETERIA PLAN CONTRIBUTION: The following cafeteria contributions have been established by the County Board and will be provided for regular full time (40 hours/week) benefit eligible employees. Contributions are subject to change, with or without prior notice. The three categories of contributions are: single, single + children; and family.

The county contributions toward the cafeteria plan are as follows:

Single Contribution - \$847 per month
Single plus children Contribution - \$1070 per month
Family Contribution - \$1508 per month.

These amounts do not include monthly life insurance contribution for \$10,000 life insurance coverage.

ALTERNATE BENEFIT ELIGIBILITY: Hubbard County will contribute via the Cafeteria Plan, for health insurance, the minimum amount required to meet the requirements of the Affordable Care Act (ACA) for eligible regular part time employees, which shall be at least \$300/month for employees who meet the eligibility requirements of the ACA.

The Alternate Cafeteria Plan Contribution is based on the alternate benefit qualifying employee wage. The county will contribute toward employee health insurance such that the Out of Pocket (OOP) premium expense to the qualifying employee for the single coverage Minimum Value Plan will not exceed 9.66%, or such other percentage established by the Internal Revenue Service for purposes of determining compliance with the ACA, of their county annual wage and will be calculated upon determination of qualification.

ADDENDUM VIII

SEVERANCE RESERVE ESTABLISHMENT

HISTORY: Beginning January 1, 2012, Hubbard County implemented a Paid Time Off (PTO) benefit for all non-union employees hired by the county who qualified for accrued benefits.

Beginning August 1, 2012, Hubbard County provided all non-union employees hired prior to January 1, 2012, with a method of conversion to move from the benefits of Vacation, Sick and Personal Leave to PTO. The method of conversion included a Severance Reserve and an Extended Illness Bank (EIB) for those that qualified. The conversion method implemented was scheduled to sunset on December 1, 2013.

On June 4, 2013, the Hubbard County Board approved the mandatory transfer of all non-union employee benefits of Vacation, Sick and Personal Leave accruals that had not been transferred to PTO effective by the first pay date in 2014. All accrued vacation and personal leave was transferred to PTO with all sick accrued leave transferred to an Extended Illness Bank (EIB).

SEVERANCE RESERVE VALUE: The value of the Severance Reserve was determined for those employees with sick leave in excess of 240 hours, as follows:

- The Severance Reserve for employees with less than ten years of service at time of conversion qualified for 40% of the sick leave hours with a value to be determined by the employee's hourly wage at end of employment with the county.
- The Severance Reserve for those employees whose sick leave balance at time of conversion met or exceeded 1000 hours qualified for 50%, 60%, 70%, or 80% of the sick leave hours, determined by years of service with the county. The value of the Severance Reserve will be determined by the employee's hourly wage at end of employment with the county.
- Effective 04/16/13 the Severance Reserve for those employees having at least twenty-five (25) years of service, but less than the maximum 1000 hours at time of conversion shall receive 80% of their balance with a value to be determined by the employee's hourly wage at end of employment with the county. Exception: The value of the severance reserve for one employee that converted prior to 04/16/13 will be frozen at their rate of pay as noted on the conversion form completed and not at the end of employment wage authorized after 04/16/13.
- The Severance Reserve for those employees qualifying for 50%, 60% or 70% of their sick leave hours at time of conversion will be determined by the employee's hourly wage on December 31, 2013, when the conversion was implemented.

EXTENDED ILLNESS BANK (EIB): The remaining accrued sick hours for those employees that qualified for a Severance Reserve were deposited in an Extended Illness Bank (EIB). An EIB was created for those employees with less than 240 hours of accumulated sick leave, regardless of number of hours or length of time with the county.

The following Extended Illness Banks of record were established as outlined above on or before December 14, 2013. The following Severance Reserve balances were established as outlined above on or before December 14, 2013.

Employee	Hours of Severance Reserve	Rate used to determine Severance Value	Severance Reserve Value to be determined (TBD) by wage rate at time of satisfactory resignation of employment or retirement
Buitenwerf, Eric	305.60		TBD
Carter, Donna	800		TBD
Griess, Randall	523.05	20.2621	10,598.09
Harris, David	700		TBD
Lueth, Nicole	144.05	31.2600	4,503.00

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Effective 09/05/17

NOTICE: Employees and prospective employees are at will employees, and should be advised that the policies expressed herein do not create any rights of employment, nor do the policies constitute a contract of employment between the County and employee or officers thereof. This policy is not to be deemed as a contract between any employee or prospective employee and the County, and can be amended or eliminated at any time, without notice, at the discretion of the County Board.

ADDENDUM VIII
SEVERANCE RESERVE ESTABLISHMENT

Employee	Hours of Severance Reserve	Rate used to determine Severance Value	Severance Reserve Value to be determined (TBD) by wage rate at time of satisfactory resignation of employment or retirement
Mack, Henry	577.20		TBD
Mattson, Lorretta	800		TBD
McCormick, Herb	341.40	28.8887	9,862.60
Nordin, Jed	152.00		TBD
Olsonawski, David	700		TBD
Rittgers, Sandra	800		TBD
Stacey, Jeff	140.95		TBD
Thompson, Debbie	800		TBD
Walsh, Teresa	494.93		TBD

The value of the Severance Reserve shall be paid to the employee, by the county by 100% deposit to a Minnesota State Retirement System (MSRS) Health Care Savings Plan (HCSP).

ADDENDUM IX

HUBBARD COUNTY 2019 COMPENSATION SCHEDULE

1.0225 GENERAL WAGE INCREASE

Grade	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
	1	2	3	4	5	6	7	8	9	10
1	10.4349	10.7479	11.0703	11.4024	11.7445	12.0968	12.4597	12.8335	13.2185	13.6151
2	10.7479	11.0703	11.4024	11.7445	12.0968	12.4597	12.8335	13.2185	13.6151	14.0236
3	11.0703	11.4024	11.7445	12.0968	12.4597	12.8335	13.2185	13.6151	14.0236	14.4443
4	11.4024	11.7445	12.0968	12.4597	12.8335	13.2185	13.6151	14.0236	14.4443	14.8776
5	11.7445	12.0968	12.4597	12.8335	13.2185	13.6151	14.0236	14.4443	14.8776	15.3239
6	12.0968	12.4597	12.8335	13.2185	13.6151	14.0236	14.4443	14.8776	15.3239	15.7836
7	12.4597	12.8335	13.2185	13.6151	14.0236	14.4443	14.8776	15.3239	15.7836	16.2571
8	12.8335	13.2185	13.6151	14.0236	14.4443	14.8776	15.3239	15.7836	16.2571	16.7448
9	13.2185	13.6151	14.0236	14.4443	14.8776	15.3239	15.7836	16.2571	16.7448	17.2471
10	13.6151	14.0236	14.4443	14.8776	15.3239	15.7836	16.2571	16.7448	17.2471	17.7645
11	14.0236	14.4443	14.8776	15.3239	15.7836	16.2571	16.7448	17.2471	17.7645	18.2974
12	14.4443	14.8776	15.3239	15.7836	16.2571	16.7448	17.2471	17.7645	18.2974	18.8463
13	14.8776	15.3239	15.7836	16.2571	16.7448	17.2471	17.7645	18.2974	18.8463	19.4117
14	15.3239	15.7836	16.2571	16.7448	17.2471	17.7645	18.2974	18.8463	19.4117	19.9941
15	15.7836	16.2571	16.7448	17.2471	17.7645	18.2974	18.8463	19.4117	19.9941	20.5939
16	16.2571	16.7448	17.2471	17.7645	18.2974	18.8463	19.4117	19.9941	20.5939	21.2117
17	16.7448	17.2471	17.7645	18.2974	18.8463	19.4117	19.9941	20.5939	21.2117	21.8481
18	17.2471	17.7645	18.2974	18.8463	19.4117	19.9941	20.5939	21.2117	21.8481	22.5035
19	17.7645	18.2974	18.8463	19.4117	19.9941	20.5939	21.2117	21.8481	22.5035	23.1786
20	18.2974	18.8463	19.4117	19.9941	20.5939	21.2117	21.8481	22.5035	23.1786	23.8740
21	18.8463	19.4117	19.9941	20.5939	21.2117	21.8481	22.5035	23.1786	23.8740	24.5902
22	19.4117	19.9941	20.5939	21.2117	21.8481	22.5035	23.1786	23.8740	24.5902	25.3279
23	19.9941	20.5939	21.2117	21.8481	22.5035	23.1786	23.8740	24.5902	25.3279	26.0877
24	20.5939	21.2117	21.8481	22.5035	23.1786	23.8740	24.5902	25.3279	26.0877	26.8703
25	21.2117	21.8481	22.5035	23.1786	23.8740	24.5902	25.3279	26.0877	26.8703	27.6764
26	21.8481	22.5035	23.1786	23.8740	24.5902	25.3279	26.0877	26.8703	27.6764	28.5067
27	22.5035	23.1786	23.8740	24.5902	25.3279	26.0877	26.8703	27.6764	28.5067	29.3619
28	23.1786	23.8740	24.5902	25.3279	26.0877	26.8703	27.6764	28.5067	29.3619	30.2428
29	23.8740	24.5902	25.3279	26.0877	26.8703	27.6764	28.5067	29.3619	30.2428	31.1501
30	24.5902	25.3279	26.0877	26.8703	27.6764	28.5067	29.3619	30.2428	31.1501	32.0846
31	25.3279	26.0877	26.8703	27.6764	28.5067	29.3619	30.2428	31.1501	32.0846	33.0471
32	26.0877	26.8703	27.6764	28.5067	29.3619	30.2428	31.1501	32.0846	33.0471	34.0385
33	26.8703	27.6764	28.5067	29.3619	30.2428	31.1501	32.0846	33.0471	34.0385	35.0597
34	27.6764	28.5067	29.3619	30.2428	31.1501	32.0846	33.0471	34.0385	35.0597	36.1115
35	28.5067	29.3619	30.2428	31.1501	32.0846	33.0471	34.0385	35.0597	36.1115	37.1948
36	29.3619	30.2428	31.1501	32.0846	33.0471	34.0385	35.0597	36.1115	37.1948	38.3106
37	30.2428	31.1501	32.0846	33.0471	34.0385	35.0597	36.1115	37.1948	38.3106	39.4599
38	31.1501	32.0846	33.0471	34.0385	35.0597	36.1115	37.1948	38.3106	39.4599	40.6437
39	32.0846	33.0471	34.0385	35.0597	36.1115	37.1948	38.3106	39.4599	40.6437	41.8630
40	33.0471	34.0385	35.0597	36.1115	37.1948	38.3106	39.4599	40.6437	41.8630	43.1189
41	34.0385	35.0597	36.1115	37.1948	38.3106	39.4599	40.6437	41.8630	43.1189	44.4125
42	35.0597	36.1115	37.1948	38.3106	39.4599	40.6437	41.8630	43.1189	44.4125	45.7449
43	36.1115	37.1948	38.3106	39.4599	40.6437	41.8630	43.1189	44.4125	45.7449	47.1172
44	37.1948	38.3106	39.4599	40.6437	41.8630	43.1189	44.4125	45.7449	47.1172	48.5307
45	38.3106	39.4599	40.6437	41.8630	43.1189	44.4125	45.7449	47.1172	48.5307	49.9866
46	39.4599	40.6437	41.8630	43.1189	44.4125	45.7449	47.1172	48.5307	49.9866	51.4862
47	40.6437	41.8630	43.1189	44.4125	45.7449	47.1172	48.5307	49.9866	51.4862	53.0308
48	41.8630	43.1189	44.4125	45.7449	47.1172	48.5307	49.9866	51.4862	53.0308	54.6217
49	43.1189	44.4125	45.7449	47.1172	48.5307	49.9866	51.4862	53.0308	54.6217	56.2604
50	44.4125	45.7449	47.1172	48.5307	49.9866	51.4862	53.0308	54.6217	56.2604	57.9482

ADDENDUM IX

HUBBARD COUNTY 2019 COMPENSATION SCHEDULE

1.0225 GENERAL WAGE INCREASE

Grade	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step
	1	2	3	4	5	6	7	8	9	10
1	21,788.07	22,441.62	23,114.79	23,808.21	24,522.52	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33
2	22,441.62	23,114.79	23,808.21	24,522.52	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28
3	23,114.79	23,808.21	24,522.52	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70
4	23,808.21	24,522.52	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43
5	24,522.52	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30
6	25,258.12	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16
7	26,015.85	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82
8	26,796.35	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14
9	27,600.23	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94
10	28,428.33	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28
11	29,281.28	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97
12	30,159.70	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07
13	31,064.43	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63
14	31,996.30	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68
15	32,956.16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06
16	33,944.82	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03
17	34,963.14	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83
18	36,011.94	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31
19	37,092.28	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92
20	38,204.97	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91
21	39,351.07	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34
22	40,531.63	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66
23	41,747.68	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12
24	43,000.06	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19
25	44,290.03	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32
26	45,618.83	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99
27	46,987.31	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65
28	48,396.92	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97
29	49,848.91	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41
30	51,344.34	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64
31	52,884.66	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34
32	54,471.12	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39
33	56,105.19	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65
34	57,788.32	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81
35	59,521.99	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74
36	61,307.65	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53
37	63,146.97	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27
38	65,041.41	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05
39	66,992.64	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94
40	69,002.34	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26
41	71,072.39	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30
42	73,204.65	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35
43	75,400.81	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71
44	77,662.74	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10
45	79,992.53	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02
46	82,392.27	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02	107,503.19
47	84,864.05	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02	107,503.19	110,728.31
48	87,409.94	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02	107,503.19	110,728.31	114,050.11
49	90,032.26	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02	107,503.19	110,728.31	114,050.11	117,471.72
50	92,733.30	95,515.35	98,380.71	101,332.10	104,372.02	107,503.19	110,728.31	114,050.11	117,471.72	120,995.84