



SCHUYLER COUNTY

Policies and Procedures Manual

Employment Manual Version Control

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Note The content of a manual does not constitute, nor should it be construed as a promise of employment or as a contract between Schuyler County and any of its employees.

Schuyler County, at its option, may change, delete, suspend, or discontinue parts or the policy in its entirety, at any time without prior notice.

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1 INTRODUCTION

This document has been developed by the Human Resources Department in order to familiarize employees with Schuyler County and provide information about working conditions, key policies, procedures, and benefits affecting your employment with Schuyler County.

1.1 Mission Statement

The mission of Schuyler County is to provide quality services, direction, leadership, and specific initiatives to ensure the effective and efficient development and administration of County services, policies, and laws to all citizens in the most cost-effective manner.

1.2 Changes in Policy

This manual supersedes all previous Policy and Procedure manuals and memos.

County employment policies represent the personnel guidelines of the County. The County retains the absolute right to modify or alter these policies based upon professional and business concerns considered in the best interest of all involved, including management and employees, unless otherwise dictated by a bargaining agreement.

These policies are only guidelines. They do not represent an employment contract and employees should not treat them as such. They are designed to enhance County operations. No member of management has the authority to bind the County to any of the terms or provisions of these policies.

2 EMPLOYEE DEFINITION AND STATUS

An “employee” of Schuyler County is a person who regularly works for Schuyler County on a wage or salary basis.

2.1 Employment Classification

Employees of Schuyler County are classified as either “exempt” or “non-exempt.” This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek. In addition to the above overtime classifications, every employee is assigned an employment status classification: full-time, less than full-time, part-time, temporary (full-time or part-time), etc.; and a civil service classification: permanent, provisional, non-competitive, unclassified, etc.

2.2 Probationary Period for New Employees (Resolution No. 168-02)

The County recognizes two separate probationary conditions of employment.

The first is the Schuyler County six (6) month probationary period for new employees. This period is established to benefit both the employee and the County. It is a period of adjustment and adaptation, both personally and in terms of learning the job requirements and work rules. If at any time during this period, the employee is unable to adapt successfully to the requirements of the position, the department, or the County as a whole, can terminate employment immediately. The

employee's supervisor may offer advice and counseling when a problem becomes apparent but is not required to do so. Employees may be given advance notice, but that also is not required.

The second type is the Civil Service probationary period for classified employees upon permanent appointment. Employees serve not less than eight (8) weeks and not more than fifty-two (52) weeks on probation. Any time after the eight (8) weeks, but prior to the 52nd week of employment, the employee may be retained (taken off probation) for satisfactorily completing the probation period or may be terminated without a reason given.

In the case of a probationary employee, immediate removal may be made by the appointing authority upon written notification to the employee of his/her unsatisfactory performance, and that the employee shall receive one week's salary in lieu of being required to report for work.

2.3 Schuyler County Internship Program (Resolution No. 100-23)

A Department Administrator desirous of obtaining an intern shall submit a "Schuyler County Work-Study/Internship Program Request Form" to the County Administrator. The County Administrator's office shall coordinate the necessary approvals/reviews by the County Administrator and County Attorney and execution of the necessary documentation by the intern. Once approved, the County Administrator's office shall provide copies of the approval to the Department Administrator making the request. The County is under no obligation to offer full-time or part-time employment to the student prior to or after graduation. Likewise, the student is under no obligation to the County after completion of the prescribed work period(s) for an Internship.

Upon completion of the above, and once approval has been received, Departments shall be responsible for the onboarding of their interns. (see 3.8 below).

3 EMPLOYMENT POLICIES

3.1 Equal Employment Opportunity (Resolution No. 485-04)

Schuyler County provides treatment for all employees and applicants for employment without unlawful discrimination as to race, creed, color, religion, gender, sex, sexual orientation, gender identity and or expression thereof, national origin, citizenship status, age, disability, marital status, religion and military status in accordance with applicable federal, state and local laws governing nondiscrimination in employment in every location in which Schuyler County has facilities. In addition, Schuyler County complies with applicable state and local laws governing non-discrimination in employment in every location in which Schuyler County has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, recruitment, hiring, placement, promotion, upgrading, termination, demotion, downgrading, layoff, recall, transfer, leaves of absence, compensation, apprenticeship, training, and all other terms and conditions of employment.

Schuyler County will endeavor to provide all employees with a work environment free from discriminatory intimidation, including verbal or physical conduct by any employee or non-employee, which unreasonably disrupts or interferes with another employees work performance.

Schuyler County expressly prohibits any form of unlawful employee harassment based on race, creed, color, religion, gender, sex, sexual orientation, gender identity and or expression thereof, national origin, citizenship status, age, disability, marital status, and military status. Improper

interference with the ability of Schuyler County employees to perform their expected job duties is absolutely not tolerated.

3.2 Affirmative Action / Equal Opportunity (Resolution Nos. 116-18 and 114-21)

DEFINITION

Affirmative Action is the positive and active approach to ensure the employment of minorities and other groups traditionally hindered in the pursuit of employment in Schuyler County.

An Affirmative Action Plan is the establishment and implementation of a specific set of objectives and procedures designed to improve the attainment of the goal of equal opportunities for all, regardless of age, race, creed, color, national origin, gender, religion, sexual orientation, disability, military status, marital status, genetic predisposition or carrier status or political affiliation or belief.

GENERAL OBJECTIVES

Schuyler County government shall strive to increase the opportunities of employment for the economically disadvantaged, unemployed and under employed. The scope of equal employment opportunities shall also include the non-discrimination of physically and mentally disabled individuals.

Schuyler County government and its affiliated departments or agencies shall ensure equal opportunity for all qualified individuals. This policy shall apply equally to all job classifications, titles, types of appointment and elected positions within the jurisdiction of Schuyler County Civil Service, whether full-time or part-time.

Schuyler County government's goal is to eliminate all artificial barriers to employment and training opportunities including the selection, training and placement of employees. Also, Schuyler County's Affirmative Action and Equal Opportunity (AA/EO) policy is designed to assure equal employment opportunities in the hiring, career development, and promotion of County staff.

To ensure the effective administration of Schuyler County government's AA/EO policy, the County Legislature shall name an Affirmative Action Officer (AAO) with the responsibility of ensuring AA/EO program development and implementation of AA/EO activities.

The Personnel Officer, along with the Schuyler County's Affirmative Action Officer, will be responsible for the continuing review of all Affirmative Action Programs in Schuyler County departments.

Furthermore, Schuyler County complies with the New York State Department of Transportation Office of Civil Rights in relation to funding and Title VI. Therefore, Schuyler County has adopted the Title VI Policy Statement and Plan per Resolution No. 116-08 and designates the Personnel Officer to act as the Title VI Coordinator.

The Schuyler County Affirmative Action/Equal Opportunity Plan will be reviewed and updated whenever necessary to incorporate mandated changes in state and federal laws. The Affirmative Action Officer, in conjunction with the Personnel Officer, shall prepare a draft of the revised Plan to be presented to the County Administrator with reasonable time allowed for review and comment. The final revised Plan shall be adopted with due consideration given to any modifications suggested by the County Administrator and the County Legislature.

In accordance with the law, Schuyler County government has developed and adopted policies and procedures to assure against discrimination and to assure compliance with federal, state and local

equal opportunity requirements. The County's AA/EO policy includes, but is not restricted to, the objectives of the following legislation:

- Civil Rights Act of 1964, as amended
- Equal Pay Act of 1963, as amended
- Equal Employment Opportunities Act of 1972
- Education Act of 1972, Title IX, as amended
- Rehabilitation Act of 1973, Section 504
- Age Discrimination Act of 1975, as amended
- Americans with Disabilities Act of 1990
- Presidential Executive Orders 11246, 11478 and 11375
- Vietnam Veterans Readjustment Act
- New York State Human Rights Law
- Workforce Investment Act of 1998, Section 188 and with all applicable requirements imposed by and pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 37.

Targeted groups for affirmative action include, but are not limited to, those in the categories of:

- Minorities (Blacks, Hispanics, Asians, Native Americans)
- Women
- Disabled
- Vietnam Veterans
- Older Individuals (age 55 and over)

NOTIFICATION

Schuyler County government will take affirmative steps to inform job applicants, program participants and employees that they do not discriminate in admission, access, treatment or employment in Schuyler County government. Methods to be used for such notification include:

- Prominent posting of notices which state that Schuyler County operates programs subject to AA/EO laws;
- Notification of applicants of Schuyler County's AA/EO policy and methods for filing complaints;
- Dissemination of information regarding the AA/EO policy to sub-contractors;
- Publication of Schuyler County's AA/EO policy for the general public on Schuyler County's Web Site.

POLICY IMPLEMENTATION

The implementation of the Affirmative Action and Equal Opportunity Policy and the following objectives are a continuous process.

- Objective 1: The Human Resources Department shall issue memorandums of endorsement and support from the County Administrator and County Legislature to all employees, Department Administrators, vendors and general public.
- Objective 2: To establish the Human Resources Department as the administrative agency responsible for Equal Employment Opportunities. Provide advisory and supportive services and technical assistance to the various County agencies and departments.
- Objective 3: To encourage identification and utilization of the Civil Service Department as confidential resources for career counseling and advice.
- Objective 4: The Human Resources Department shall prepare annual reports of new hires, discharges, etc. as requested by the County Administrator and County Legislature.

A. RECRUITMENT

- Objective 1: The Civil Service Department shall be responsible for all recruitment and shall maintain active contacts with community, civic and educational organizations as potential recruitment resources.
- Objective 2: The Civil Service Department shall utilize its Web Page as a source of recruitment and continue to explore alternate formats for recruiting.

B. SELECTION – ASSIGNMENT

- Objective 1: The Civil Service Department shall re-design County application format whenever necessary to eliminate non-essential, potentially discriminatory information, increase useful information and effect changes necessary to comply with equal opportunity policy.

C. TRANSFER – PROMOTION

- Objective 1: All County Departments shall encourage the concept of lateral, departmental and inter-departmental mobility to afford a broader scope of promotional opportunities.

D. STAFF DEVELOPMENT

- Objective 1: All County Departments shall utilize the orientation program provided by the Human Resources Department.
- Objective 2: All County Departments shall encourage participation in county-provided professional development opportunities.

E. COMPLIANCE

- Objective 1: The County Attorney and all Department Administrators are to ensure that all contracts with Schuylers County government contain a clause requiring Affirmative Action/Equal Opportunity compliance by vendors and contractors.
- Objective 2: All Departments are to include discussions of Equal Employment Opportunity objectives as part of the customary departmental staff meetings, with responsibility of implementation resting within each department.

F. POLICY DISSEMINATION

- Objective 1: The Human Resources Department shall, in an effort to ensure greater employee awareness, review and update the Affirmative Action and Equal Opportunity Plan every five (5) years and post copies. All new employees will receive a copy of the plan and be made aware of their AA/EO rights.
- Objective 2: The Civil Service Department and Human Resources Department shall coordinate the dissemination of the Affirmative Action and Equal Opportunity Plan to all members of the Schuylers County Legislature, Department Administrators and civil divisions within the jurisdiction of Schuylers County Civil Service.
- Objective 3: The Civil Service Department shall provide adopted copies of the Affirmative Action and Equal Opportunity Plan to New York State Department of Civil Service and make available to the general public for inspection at the Schuylers County Civil Service Department.

3.3 Americans with Disabilities Act (ADA) (Resolution No. 328-17)

It is the policy of Schuylers County to abide by both the letter and spirit of the law in all aspects of the Americans with Disabilities Act (ADA). The Act prohibits discrimination in all employment

practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities.

Schuyler County prohibits all discrimination against “qualified individuals with disabilities.” This includes applicants for employment and current employees. An individual is considered to have a “disability” if he/she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. We also forbid discrimination against persons because they have a known association or relationship with an individual with a disability.

If an employee feels that he/she has been subjected to discrimination based on a disability by this County, a vendor, a customer, etc., the employee may file a complaint with the County’s Human Resources Department.

Schuyler County is dedicated to protecting the rights provided to individuals with disabilities by the ADA. Accordingly, no one in a position of responsibility will retaliate against anyone who asserts the rights provided by the ADA or any state human rights laws. All disability bias claims will be judged on a case-by-case basis. Additionally, in order to comply with and meet the requirement of the Community Development Block Grants (CDBG), Schuyler County will adopt a “Grievance Policy in Compliance with Section 504 of the Rehabilitation Act of 1973 and the American Disabilities Act (ADA) of 1990” on file in the County’s Human Resources Department.

Any requests for disability accommodation should be referred to the County’s Human Resources Department.

3.4 Employee Background Check

The County may conduct a background check to determine or verify background information, including criminal history. The purpose of the background check is to ensure that individuals who join the County are well-qualified, have a strong potential to successfully fulfill the requirements of the job, and have honestly presented their background and qualifications as outlined on their application.

In accordance with Chapter 575 of the Mental Hygiene Law, electronic finger imaging background checks will be conducted for prospective/current employees who provide mental health services and will have regular and substantial unsupervised or unrestricted contact with clients.

Having a criminal history or criminal conviction does not necessarily preclude employment. The nature of the offense and its relevance to the particular job are considered on a case-by-case basis or in accordance with Mental Hygiene Law. Considerations include the nature of the position involved and the implications for general safety and security.

Reference checks are an essential part of the background checking process. The County asks all references a series of questions about work experience, character, personal habits, educational background, and personality as they pertain to successful fulfillment of job requirements. Reference checks are to be conducted by the appointing authority, or by the Human Resources Department upon request.

To assure confidentiality of all applicant information obtained during a background check, Human Resources coordinates the background checking process with the respective Department Administrator and the County Sheriff.

Any applicant who intentionally provides misleading, erroneous, or deceptive information of material fact on the application form or in an interview could be immediately eliminated from further consideration for employment, and/or terminated if currently employed by the County.

3.5 County Motor Vehicle Use Policy (Resolution No. 59-08)

The goal of Schuyler County is to do everything reasonable to prevent injury and/or property damages as a result of auto accidents involving employees, visitors and/or residents of Schuyler County. The County recognizes that the safety and wellbeing of all County personnel is important for both humanitarian and economic reasons. Safe vehicle operation is the result of proactive safety planning, skill and action.

Schuyler County maintains a fleet of motor vehicles for the use by County employees. The employee shall comply with the requirements within this policy.

PROTOCOL

- Employees whose position requires driving a County owned or operated vehicle for County business will have a motor vehicle check completed prior to hiring.
- If a motor vehicle report indicates an employee does not have a valid driver's license and/or has violations deemed by the County Insurance Carrier to be uninsurable, said employee will have their driving responsibilities revoked. The employee's Department Head shall be notified by the County Administrator's Office.
- The employee's Department Head shall have the responsibility of informing his/her employee of the individual's license issues. Every opportunity will be given when possible to assist the employee in correcting driver license deficiencies when appropriate.
- The Department Head will have the responsibility of informing the employee his/her county driving responsibilities have been revoked until the employee meets the County's driving criteria.
- The Department Head will confirm an employee's revoked/suspended driver's license has been reinstated with the County Administrator's Office prior to any driving privileges being reinstated.

DRIVER QUALIFICATION STANDARDS

Any employee having access to a Schuyler County owned and/or operated vehicle will:

- Be at least 18 years of age.
- Have a **valid** New York State Driver's License. An employee's driver's license must be appropriate to the vehicle the Department is asking him/her to drive and must comply with the terms and conditions of any union contract in place pertaining to an employee's job functionality.
- Prior to any employee being given access to drive a County owned vehicle, a Motor Vehicle Report (MVR) will need to be done. Refer to Section 1.6 in the Administrative Manual.
- Have no restrictions on his/her driver's license that would prevent him/her from legally or safely operating the vehicle utilized for their work assignment.

At no time shall any employee be allowed access to a County owned, operated or maintained vehicle while operating under a conditional or restricted license in accordance with the New York State Motor Vehicle and Traffic Laws. In the event an employee is charged with any offense under any section of 1192 of the New York State Vehicle and Traffic Laws and/or any traffic related felony, County driving privileges shall be immediately suspended until such time as the court issues a disposition of the matter in accordance with New York State Law.

(Section 1192. Operating a motor vehicle while under the influence of alcohol or drugs.)

COUNTY MOTOR VEHICLE USE POLICY

All drivers must observe all New York State Vehicle and Traffic Laws. All employees having access to County owned vehicles shall abide by the County Motor Vehicle Use Policy as outlined below:

- All drivers and passengers in County vehicles must wear seat belts per New York State Vehicle and Traffic Laws.
- No person other than a County employee shall operate a County vehicle without permission from his/her Department Head/Supervisor. In an emergency situation, common sense and good judgment are to be used.
- County vehicles may not be driven home or driven for personal use unless give prior permission by their Department Head.
- Non-business use of County vehicles is prohibited without prior permission obtained by the employee's Department Head.
- Smoking and/or the use of alcoholic beverages are strictly prohibited in any County vehicle.
- Employees will use County owned or operated vehicles whenever possible for the performance of County business. Employees who must use their personal vehicle will be reimbursed at the mileage rate determined by the IRS. A voucher showing the mileage traveled along with an approved Travel Request Form must be submitted for reimbursement. An employee's mileage shall not be reimbursed for travel to or from the employee's residence to the employee's normal job site.
- The use of cell phones, alcohol, and drugs, as prescribed by NYS Law and Schuyler County policies, are prohibited while conducting County business. Refer to pages 40-41 of the Policies & Procedures Manual for more detail.

PRE-TRIP VEHICLE SAFETY INSPECTION

A pre-trip Vehicle Safety Inspection will be conducted for each County vehicle prior to its use based on standards set forth by the Highway Department. This inspection list is found in the Central Garage Policies and Procedures manual.

ACCIDENT REPORTING

Motor vehicle accidents are defined as any occurrence involving the operation of a County owned or leased vehicle, or any other vehicle being operated by a County employee while engaged in the performance of his/her duties, that results in death, physical injury or property damage, and shall include those occurrences involving parked vehicles owned or leased by the County.

All motor vehicle accidents must be reported to the Central Garage Division (if motor vehicle is from Central Garage), Department Head and the County Administrator's Office whether the loss is covered by insurance or not. Each County driver, as a representative of the County, is responsible for accident prevention and loss control after any accident or event involving the vehicle he/she is driving. An employee shall not make any unnecessary observations, comments or statements made to other drivers, witnesses, or bystanders.

The following Rules of the Road apply to any accident involving a County employee and the vehicle he/she is utilizing:

- An accident involving a County vehicle must be immediately reported to the Central Garage Division (if motor vehicle is from Central Garage), Department Head and the County Administrator's Office whether the loss is covered by insurance or not. The employee is responsible for having a Police Officer complete a NYS Motor Vehicle 104A Accident Report.
- A County Accident/Incident Report will be completed as soon as possible and submitted to the County Administrator's Office.
- The County Administrator's Office will submit appropriate documentation of the accident to the County's insurance carrier.
- Physical damage losses over which a County employee or operator has no control such as minor paint nicks, small dents and scratches from parking lot exposures and chipped windshields will NOT fall under the preceding definition of preventability.

Failure to comply with the County Motor Vehicle Use Policy may result in the loss of use of a County owned vehicle and/or disciplinary action up to and including termination. Refer to pages 40-44 50-51 of the Policies & Procedures Manual.

3.6 Substance Abuse Policy - Drug and Alcohol Testing Program (Resolution Nos. 254-06, 330-09, and 128-20)

Because of the particular importance of assuring that safety sensitive employees are free of the effects of drug and alcohol use, federal law requires that employers of persons who hold Commercial Driver's Licenses (CDL's) institute a policy requiring drug and alcohol testing of safety sensitive employees as well as education and training of employees and supervisors. It is the purpose of the County's Drug and Alcohol Testing Policy to comply with the United States Department of Transportation Federal Motor Carrier Safety Administration regulations (US DOT FMCSA) to assure a safe, efficient and healthy work environment. The County's Human Resources Department will be responsible for administration of the Drug and Alcohol Testing Policy and testing. The complete policy is available for review in the Human Resources Department.

In addition, it is the goal of the County and CSEA Highway Unit to have a drug-free work environment. Effective January 1, 2006, the applicable Bargaining Agreement expands the above-required policy to include all full-time, part-time, temporary & seasonal employees to be covered by the provisions of those regulations and County policy. To assure compliance with the US DOT FMCSA regulations, the County shall maintain separate lists for random testing between CDL employees and non-CDL employees. All consequences maintained in the regulations shall remain in effect for permanent fulltime or part-time non-CDL employees.

3.7 New Employee Orientation (Resolution Nos. 217-98 and 100-23)

Every new employee is required to be given new employee orientation by the County's Human Resources Department. Newly hired employees shall begin work in accordance with the orientation dates established each year by the Human Resources Department. Orientation is typically held the opposite Monday of the payroll processing Mondays of the month, unless said day is a holiday and then a newly hired employee shall begin on the following day. (This does not apply to incumbents who are transferred or promoted with no break in service). Requests for exceptions to the start date (orientation date) must be directed to the Personnel Officer.

3.8 Orientation and Exit for Independent Contractors, Volunteers or Interns (Resolution Nos. 80-06 and 100-23)

Department Heads, or designee, will be responsible for completing an orientation for their Department's independent contractors, volunteers, or interns. Any independent contractors, volunteers, or interns who will be using County IT services will need to be provided with the Schuyler County Information Security and Computing Policies. The document must be reviewed and signed within 7 days of start date. The Department Head, or designee, will ensure a copy of the signed IT policies agreement is retained in their internal records. There may be instances wherein independent contractors, volunteers or interns utilized by the County will need certain items such as ID badge, computer, key, etc. It will be the responsibility of the Department Head to determine the necessary items and request such items via the appropriate forms ie key card access form. Copies of such forms for independent contractors and interns will be submitted to the Human Resources Department to retain on file.

When an independent contractor or intern ends their service to the County, the Department Head, or designee, will notify the Human Resources Department. Additionally, ID badges will be collected and returned to Building and Grounds, IT will be notified if email had been assigned and is no longer needed, and any additional County items that had been assigned, will be collected and documented as such. When a volunteer ends their time of service with the County, the Department Head, or designee, will notify the County Administrator's office. ID badges will be collected and returned to Building and Grounds, and any additional County items that had been assigned, will be collected and documented as such.

3.9 Personnel Files (Resolution No. 100-23)

The County keeps certain records relating to an employee's employment in a personnel file in the Human Resources Department. The documents contained within that file are the property of the County and must be maintained for government and County record-keeping purposes.

There are three types of personnel files maintained for employees. There is the Personnel File which contains the following types of items:

- original offer letters;
- orientation documents
- records related to demotion;
- letters of recognition;
- exit interviews;
- termination records;
- disciplinary documents;
- confidentiality agreements or other departmental specific agreements;
- training records;

There is a Medical File which contains the following types of items:

- medical and/or financial records;
- equal employment opportunity documents identifying an individual's race and sex;
- immigration forms;

There is a Performance Appraisal File maintained strictly for management/confidential employees which contains the following types of items:

- performance evaluations;
- letters of recognition;
- training records;

All files connected with an employee are considered strictly confidential, and access will be limited only to those who have a job-related need to know the information and who have been authorized to see the file.

Any employee who wishes to review his/her personnel file should contact the County's Human Resources Department in writing to arrange for a mutually convenient time to review appropriate material.

Any employee who does not agree with the information in his/her personnel file has the right to challenge or appeal the information. The employee should submit a formal request in writing to the Human Resources Department. If the request is granted, the changes will be made by the Human Resources Department with the employee present. If the request is denied, employees may submit any statement of disagreement, said statement to be placed in their personnel file.

Items in the personnel file may be copied at the expense of the employee, up to \$.25 per copy.

The County will audit employees' personnel files annually and remove or correct irrelevant, outdated, misleading, or inaccurate information.

The County will retain all employee personnel files in accordance with Retention and Disposition Schedule for New York Local Government Records (LGS-1).

3.10 Change of Personal Data

Employee personal records and roster cards, as required by Civil Service Law and considered essential for the efficient operation of the County, are maintained in the Civil Service Department. Employees are requested to report promptly any changes in status as listed below to their Supervisor or Department Head:

Change of: Name
 Address
 Telephone Number

The Supervisor or Department Head is responsible for forwarding any of the above change information via a Report of Personnel Change (MSD 426-A / Pink Slip) to the Civil Service Department.

Other changes, as listed below, should be reported in writing and without delay directly to the Human Resources Department:

Person to notify in case of emergency
Marital status
Dependents
Insurance beneficiaries
Income tax withholding information (Federal & State)

3.11 Safety and Health (Resolution Nos. 112-14, 165-21, and 100-23)

Safety and health protection is a quality of work life issue which has a high priority in all of our business activities. The County's goal is to minimize human injury or illness and property loss or business interruption caused by accidents, fire, or other hazards. We believe this will be achieved to the degree that all County members accept and fulfill the safety and health responsibilities

inherent in each job. Individually, we must recognize hazards, anticipate possible exposures and risks, and then act to eliminate or control them.

The County expects that its workers will give their best efforts to the prevention of accidents and diseases. The County will provide the necessary direction and aid to accomplish this goal and will also reward or discipline employees according to their actions on behalf of safety or health concerns.

The County Personnel Officer is designated as the Safety Coordinator. The Safety Coordinator is responsible for the monitoring of the loss control program and the employee injuries that do occur. The Safety Coordinator Duties include, but are not limited to:

- Be an active member of the Risk Management Committee.
- Report to the Legislature the extent of employee injuries and progress on the loss control program.
- Maintain records of injuries and milestones in the implementation of the loss control program.
- Review reports provided by our insurance claims administration and loss control staff, meet with representatives as needed
- Work with Risk Management Committee and insurance loss control staff to develop training programs for supervisors and employees.

Employee safety and health are important to this County. All employees must adhere to all Occupational Safety and Health Administration (OSHA), federal, and state regulations and comply with the following general rules.

- All accidents or injuries must be reported immediately to the Department Head or supervisor, who will in turn submit the necessary Supervisor Report of Incident and a Worker's Compensation C-2 form to the Human Resources Department.
- Horseplay and practical jokes in work areas will not be tolerated.
- Smoking is prohibited on any County campus in accordance with the Clean Indoor Act 2 and the County's Smoking Policy (see 4.15).
- Employees are to be careful with their hands when operating any machinery and must see to it that others do not harm themselves on their machines.
- Operating shortcuts will not be tolerated and will result in immediate discipline.

Employees are responsible to themselves and to the County for reporting unsafe conditions or practices to management. It is then management's responsibility to act as conditions warrant.

The first priority of every employee is the safety of the public, other employees, and himself/herself. In case of a serious accident requiring the attention of a physician, call 911 for an ambulance and immediately notify the Human Resources Department.

No employee should ever perform a task or work with equipment that he/she considers to be unsafe.

BLOODBORNE PATHOGENS AND EXPOSURE CONTROL

Schuyler County is required to comply with United States Department of Labor Public Employee Safety & Health Bureau (PEOSH) with safety and health standards in the workplace. Therefore, in accordance with Resolution No. 165-21, an Exposure Control Plan (ECP) has been established to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29 CFR 1910.1030, "Occupational Exposure Bloodborne Pathogens."

The ECP is a key document to assist our organization in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes:

- Determination of employee exposure
- Implementation of various methods of exposure control, including:
 - Universal precautions
 - Engineering and work practice controls
 - Personal protective equipment
 - Housekeeping
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents

Implementation methods for these elements of the standard are on file in the Human Resources Department. Furthermore, the Human Resources Department shall arrange for the required training, education, and ongoing distribution of the Bloodborne Pathogens and Exposure Control Plan.

DISASTER PREPAREDNESS

It is the policy of this County to maintain a written and effective disaster preparedness plan and communicate this plan to all employees. We want this plan to provide clear guidance that will ensure employee safety and the continuation of key business operations in the event of a significant and disruptive disaster occurrence.

The plan will focus on the most likely disaster events that could occur and is not intended to cover every possible situation. These most likely events include workplace violence, long-term electrical outage, long-term phone service disruption, flooding, computer sabotage or failure, inclement weather, fire, earthquakes, civil disturbance, and pandemics.

In the event of any of these disturbances, the first priority of the disaster plan will be to ensure the safety and health of employees and any others within our facilities. The disaster preparedness plan will be reviewed and updated annually by appropriate County personnel.

FIRE PREVENTION

The County expects each employee to do everything possible to safeguard County facilities from damage by fire. Employees can help prevent such a disaster by keeping their work area clean and free of rubbish and by observing all rules regarding fire prevention. Our fire prevention policy is designed to ensure that all reasonable steps are taken to preserve life and property from exposure to fire hazards.

Fire drills are held at a minimum of three times a year to insure the prompt and safe exit of employees from all buildings in case of an actual fire. Prompt obedience to supervisors' and emergency personnel's instructions is required during these drills.

HAZARD COMMUNICATIONS

It is the policy of this County to provide a safe workplace for its employees based on guidelines established by Occupational Safety and Health Administration (OSHA) and other available recommendations. The County has developed this program to assure that each of its employees receives the information and training they need so they may work safely with hazardous chemicals found in the workplace.

The County complies with all federal and state "Right to Know" laws, which means employees will be made aware of any chemical hazards they may face at the workplace. Employees will also receive special training concerning the labeling, handling, and disposal of hazardous substances, and what steps should be taken in the event of a spill.

If employees have any questions about how hazardous waste should be handled or stored, they should see their supervisor immediately.

Employees have a right to access records concerning their exposure to chemicals in the workplace. The coordination, implementation and enforcement of Safety and Health regulations such as Fire and Building Codes, NYS Department of Labor Public Employee Safety and Health Bureau (PESH), Insurance Inspections, etc., will be done by the Schuyler County Highway Superintendent with support provided by the County Code Enforcement Officer. Examples of Safety and Health concerns are:

- Use and placement of power supply for electrical, telephone or computer equipment.
- Hallways and aisles maintained with clear access for traffic flow.
- Proper storage of flammable or chemical products.
- Proper installation of equipment, furniture, and files.
- Use of home appliances (coffee pots, microwave ovens, toaster ovens, refrigerator) will be forbidden unless installed in an approved area with proper electrical connection.

EMERGENCY BROADCAST SYSTEM

The Schuyler County Chief Executive, namely the Chairman of the Legislature, is authorized to request the Emergency Broadcast System in response to an actual or threatened local emergency by going through the proper channel, which is the County Control Center, located in the Sheriff's Department:

Designated Emergency Broadcast System:

- Routing Point: Schuyler County Control Center
Sheriff's Department
Tenth Street, County Jail Building
Watkins Glen, NY 14891
- Schuyler County's Chief Executive Officer:
Chairman of the Legislature
Phone: 535-8100 (O)
- Schuyler County's Director of Emergency Services
Phone: 535-8200 (O) 535-8201 (Fax)
- Schuyler County's Deputy Emergency Management Coordinator
Phone: 535-8200 (O) 535-8201 (Fax)

3.12 Building Security/Searches (Resolution No. 100-23)

It is our policy to protect the security of County property and records through the establishment of necessary controls and procedures.

Security problems and violations cannot be handled in a constructive manner unless County management knows about them. Our Security Policy, therefore, places a strong emphasis on reporting security-related incidents so that the proper action can be taken.

All visitors to the premises must enter through the main complex reception area and walk through the metal detection equipment. This rule applies to all persons entering the Schuyler County Courthouse Complex and the Human Services Complex.

In the event of theft, suspicious activity, or dangerous incident, employees should contact security immediately by dialing 8110 (Courthouse Security), 6837 (Human Services Complex Security) or 911.

In the interest of the health and safety of employees and the public, Department Heads have the authority to request that any employee open for inspection any package or other container brought onto, or taken from, County premises. The term "County premises" includes, but is not limited to, County offices, all work areas, desks, rest areas, parking lots, driveways, loading docks, and any vehicle owned or leased by the County.

Employees are expected to use designated entrances and exits.

All keys, access codes, County records, documents, and other property shall be collected at exit interviews.

All County employees are required to conspicuously display their employment Photo ID Card provided to them at all times during their respective working hours. This rule applies to all employees regardless of position or length of service. Photo ID Cards must not, under any circumstances, be loaned to others, altered, or mutilated. See Photo ID Policy under 3.15 below.

3.13 Building Temperature (Resolution Nos. 437-05 and 353-22)

In an effort to be cost conservative as well as recognizing the human element, when setting and controlling building temperatures, the following policy is set for all buildings heated and cooled with tax dollars.

Policy Back Ground

The American Society of Heating, Refrigerating, and Air-condition Engineers (ASHRAE) Standard 55-2004 titled, "Thermal Environmental Conditions for Human Occupancy", specifies the combinations of indoor space environment and personal factors that will produce thermal comfort conditions acceptable to 80% or more of the occupants within a space. The 1992 version of the standard recommended the following temperatures: 68 to 74° F degrees during the winter and 73-79° F degrees in the summer. The standard also recommends that relative humidity be maintained between 30 and 60 percent. When these guidelines are written into OGS (Office of General Services) leases, building owners are required to ensure these thermal parameters are met. Office of General Services has voluntarily adopted the 1992 standard for state owned buildings.

In addition, NYS Building Code section PM602.4 requires that indoor workspaces shall be supplied with heat from September 15th to May 31st and maintain a minimum temperature of 65° F when spaces are occupied.

Policy

- A. Each building will be set to maintain 70° F in the heating season and 76° F in the cooling season.
 - Some buildings have multiple heating/cooling zones which for their inherent mechanical differences may make some areas warmer or cooler than others, but all attempts will be made to be consistent.
 - When a majority of a building or zone runs at the set temperature any area that is in that building or zone with a + or - of 2° of the set temperature will be deemed to be an acceptable temperature.

- B. No electric space heaters are allowed, except when the following criteria have been met.
 - When a written complaint is filed about an area of a building being too cold or too hot, a designated representative from the Schuyler County Building and Grounds staff will monitor the area for one week to track the temperatures. If the parameters set in the above section "A" cannot be met by further

- adjustment to the heating/ cooling system, the Buildings and Grounds Department will provide an alternate heating/cooling source.
- When an electric heater is allowed, it will be provided by the Buildings and Grounds Department and will NOT be one personally owned by staff. The electric heater is not allowed to be under a desk or any other confined area. The electric heater must be kept in a position so as to not create a tripping hazard or where papers or other combustibles may fall on it. The electric heater must have automatic shut off if tipped over Any unauthorized electric heater will be removed by the Highway Superintendent and upon request of the owner, will be returned to be taken home.
- C. When a building has a fully automated heating/cooling system, windows are not allowed to be opened. Opening windows can cause an imbalance of the system causing it to overheat or over cool the zone.
- If a window is observed or reported open the Highway Superintendent will notify in writing the occupant of the room to keep the window closed.
 - If an occupant continues to open the window after notification the Highway Superintendent may turn that particular zone off to conserve energy and tax dollars.

3.14 Building Inspection

Inspection of county-owned buildings shall be conducted as follows:

1. Prior to inspection, compliance officer presents their credentials to the highest-ranking manager.
2. Senior management (Chairman of Legislature, County Administrator, Department Head, Director of Emergency Services, and Highway Superintendent) must be notified of compliance officer's presence. The Highway Superintendent or Deputy Building Maintenance Supervisor must accompany inspector whenever possible.
3. Compliance officer will conduct an opening conference with management to explain purpose and scope of inspection.
4. Inspection may involve:
 - a) Employee and management interviews
 - b) Physical inspection of workplace
 - c) Review of safety and health records
5. Compliance officer must explain reason for the inspection, i.e.
 - a) Work complaint
 - b) Workplace accident
 - c) Special program (hazards communication program)
 - d) Scheduled inspection
6. Violations noted during inspection should be corrected immediately.
7. All violations and findings should be documented by Schuyler County (a second person may be necessary to accompany the compliance officer and management for documentation purposes).
8. Use of cameras and camcorders may be used with guidance for documentation of violations and contesting of violations.
9. Before the compliance officer leaves, a closing meeting with management to discuss the compliance officer's results and proposed citations.

Any department supervisor receiving citations or inspection results shall immediately forward these to the Highway Superintendent. Any reported violations must be corrected on or before the required deadline.

3.15 Photo ID/Card Access Policy (Resolution Nos. 169-00, 337-02, 130-03, 463-07, and 100-23)

Schuyler County requires all employees, contractual workers, volunteers, interns and temporary employees to have a Photo ID Card which also serves as access to permitted areas of the buildings. Photo ID Cards are required to be conspicuously displayed at all times during respective business hours.

PHOTO ID / CARD

All new employees, contractual workers, volunteers, interns and temporary employees will be issued a County Photo ID Card with appropriate building access as soon as possible after their orientation appointment. Photo ID Cards will be processed by the Buildings and Grounds Department who will directly bill the respective Department, on a quarterly basis, for Photo ID Cards processed.

In instances where employees request replacement cards for such reasons as name change, departmental change, normal wear and tear, etc. the replacement cards will be paid for by the County Department in which the employee is working at the time of the request.

The fee for replacement ID cards due to negligence of the employee (loss of card, mutilation of card, etc.) will be the responsibility of the employee, payment due at Photo ID appointment. Photo ID / Card Fee: \$10.00.

All Photo ID Card replacement requests shall originate from the employee's Department Head and processed through the Human Resources Department.

DOOR KEYS

Door Key needs will be determined by the respective Department Head and processed by the Buildings and Grounds Department.

The fee for replacement door keys due to the negligence of the employee will be the responsibility of the employee; payment due upon request of replacement key. All key replacement requests must originate from the employee's Department Head to the Building and Grounds Department for reissuing and payment of fee. Door Key Fee: \$5.00.

ADMINISTRATION

It is the responsibility of each Department Head to enforce this policy.

- Department Heads will be responsible for designating building access for their respective employees. **Nonemployees (ie. volunteers, interns, etc) will not be allowed to enter County buildings before or after the building's designated hours of operation.
- Department Heads are to ensure that non-county workers with card access and keys are scheduled for an exit interview with Human Resources if appropriate. Otherwise, they are responsible for collecting access cards and keys to be returned to Human Resources.
- Lost access cards are to be reported immediately to the Building and Grounds Department for deactivation.

3.16 Personal Property

Schuyler County assumes no risk for any loss or damage to personal property and recommends that all employees have personal insurance policies covering the loss of personal property left at the office.

3.17 Nepotism (Resolution Nos. 320-86, 250-96, 294-98, and 100-23)

Schuyler County Department Heads and/or Departmental Supervisors shall not hire members of their immediate family to work in their respective departments and under their department supervision unless collective bargaining agreements allow hire/advancement via bidding. In such case, the Department Head and/or Department Supervisor must obtain approval from the County Administrator or delegate in the hiring process to insure impartiality. If the incumbent is hired, supervision of employee must be deferred to Deputy or equivalent. Such potential employees shall also not be precluded from hire in other departments of the County. Additionally, Schuyler County Department Heads and/or Departmental Supervisors shall be cognizant of hiring/promoting individuals who will be placed in supervisory roles over their own family member, unless collective bargaining agreements allow hire/advancement via bidding. Should such a situation occur, the family member in the supervisory position will have no involvement with discipline procedures, time card approval, or make any other decision as it relates to their identified family member; and will refer all matters to the Department Head or designee.

Immediate family shall be: spouse, children, parents, grandparents, sisters, brothers, aunts and uncles, mother or father-in-law, brother or sister-in-law, and daughter or son-in-law; any "step" relationship as above; and any first generation relationship to any of the above-noted categories of relationship.

Such family related employment circumstances presently in existence within the County of Schuyler (8/10/1998) shall not be affected by this policy but shall end with those affected employees leaving their County employment; this policy shall not preclude those employees from advancement from within the department in which they have been hired. It is not the intent of the Schuyler County Legislature to penalize any employee hired in such circumstances as existed prior to the enactment of this policy.

This policy will be enforced in accordance with all State and Federal laws including the restrictions placed upon limiting the discretion of elected officials under the Municipal Home Rule Law.

3.18 Protected Activity

The County recognizes employees' rights to join or not to join any social, political, labor, or religious organization. With that in mind, the County will not:

- interfere with employee rights to self-organization and bargaining collectively through freely chosen representatives;
- dominate labor organizations or contribute financially to them;
- discriminate against employees on account of union affiliation;
- retaliate against employees for filing unfair labor practice charges or giving testimony;
- refuse to bargain collectively, when applicable.

3.19 Weather-related and Emergency-related Closings (Resolution Nos. 61-02 and 100-23)

The Chairman of the Legislature is hereby authorized and empowered to close all County Offices, except those offices required to be kept open by law or by the necessity of having such office open on a twenty-four-hour basis, because of inclement weather or any emergency. Any such closings shall be announced on the County's Emergency Broadcast System, WFLR 95.9 FM.

A directed early departure does not require a charge to accruals. However, employees who leave work before a closing announcement is made, whether full day or partial day closing, or who took the day off, are required to charge accruals as usual.

Any employee who is absent from work because of weather conditions, when County Offices have not been closed by the Chairman of the Legislature, will be allowed to use personal leave or a vacation day to cover such absence.

3.20 Scented Items Policy (Resolution No. 143-09)

Due to the high risk of employees and visitors having sensitivity and/or allergic reactions to various scents and aromas, scented items are prohibited in County buildings and vehicles. This includes scented candles, potpourris, oils, air freshener strips or sprays or any other similar type of item not named above that is scented. Any employee with a concern about scents or odors should contact their Department Head or the Human Resources Department.

3.21 Dress Code Policy (Resolution No. 66-18)

All employees shall be dressed in clothing suitable for a professional business setting and the duties within the position held. The clothing standards in this policy do not extend to employees whose job duties require uniforms, OSHA safety clothing, clothing deemed necessary for the safety standards of the position, as well as those assigned to law enforcement investigations. Clothing shall be neat, clean, and in good repair. All business casual attire must be in good repair and condition. Leggings are permitted but must be worn with a top that reaches below the top of the inseam of the leggings. "Theme" clothing for special days, for example, holiday celebrations, sports days, are acceptable as approved by the Department Head. Dress shorts are permitted as long as such duties are not being performed in unsafe working conditions including but not limited to mowing grass, weed whacking etc.

The following are never permitted:

- See-through clothing
- Tops that expose the midriff
- Sweatpants/Track Suits/Athletic Shorts
- Sweatshirts/Hoodies (exception – Buildings and Grounds Maintenance, Cleaners, and Laborers; Mobile Work Crew Supervisor; Highway Union staff; and Employees while performing duties at a home/field visit.)
 - Ripped Clothing – either by manufacturer intent or through extreme wear
 - Crew neck/athletic T-shirts (exception – Buildings and Grounds Maintenance, Cleaners, and Laborers; Mobile Work Crew Supervisor; and Highway Union staff)
 - Hats (exception – Sheriff's Department uniforms; Buildings and Grounds Maintenance, Cleaners, and Laborers; Mobile Work Crew Supervisor; Highway Union staff; and Employees while performing duties at a home/field visit.)
 - Spaghetti strap or undershirt style Tank Tops/Halter tops (no undergarments showing)
 - Rubber flip flops
 - Inappropriate slogan or any message-based clothing.

All clothing called into question will be at the discretion of the Department Head or his/her authorized designee. The Department Head or his/her authorized designee is responsible for enforcing the dress code in their departments. This includes, but is not limited to, counseling employees whose appearance is inappropriate. Employees are expected to demonstrate good

judgment and professional taste. Employees should use courtesy towards coworkers and their professional image to the public as the factors to assess whether they are dressing in business attire that is appropriate.

4 STANDARDS OF CONDUCT

4.1 Code of Ethics (Resolution Nos. 253-85, 144-03, and 334-03)

All employees are provided with a copy of and are urged to become familiar with the Schuyler County's Code of Ethics. All employees are expected to follow these rules and standards faithfully in doing their own jobs and conducting the County's business.

4.2 Attendance and Punctuality

Every employee is expected to report for work regularly and on time. Good attendance is a most important job requirement and an essential duty of every position. Failure to meet this requirement and/or failure to report an absence properly can be grounds for disciplinary action, including dismissal. Excessive absence and lateness, even when reported, may also be grounds for discipline or dismissal.

See appropriate bargaining agreement booklet for information on and process for authorized absences.

4.3 Work Schedule and Alternative Work Arrangement Policy (Resolution No. 195-20)

Schuyler County recognizes that the use of alternative work arrangements assists in the ability to attract and retain a diverse and talented work force, reduces cost, and improves productivity among employees. The County supports alternative work arrangements and allows Department Heads to implement remote working arrangements and/or flexible scheduling, where appropriate, for eligible employees. The Personnel Officer and County Administrator support the Alternative Work Arrangement policy which will supersede all prior and/or existing Telecommute/Work-At-Home policies. The Alternative Work Arrangement policy will be made available to all employees via the All County folder and will be effective date of resolution (September 14, 2020).

See appropriate bargaining agreement booklet.

4.4 County Telephones (Resolution Nos. 570-91, 369-93, and 100-23)

All Departments are to coordinate all telephone equipment purchases and telephone line changes through the IT Department.

Because of the large volume of County business being transacted by telephone, the use of County telephones for personal matters is discouraged. However, the County recognizes that today when most adult members of the household work, there may occasionally be times when personal calls must be made or received during business hours.

Such calls must be held to a minimum, however, and must not interfere with the employee's work. Employees are encouraged to make such calls during their breaks or lunch time.

The County's voice mail system is for business use only. The County maintains the right to monitor all messages to ensure compliance with this policy.

Employees are expected to listen to and respond to their messages within an acceptable time frame. The County does not want the voice mail system to place a barrier between employees and the public.

4.5 County Cell Phones (Resolution No. 100-23)

Please refer to Schuylers County Information Security and Computing Policy located in the All County Drive (A:).

County Furniture
All furniture moves such as desks, file cabinets, etc. are to be approved by the Deputy Building Maintenance Supervisor and will be moved by the Buildings and Grounds department personnel. Buildings and Grounds staff have the equipment to move heavy furniture without damaging walls, floors, or the furniture. The rearrangement of furniture must be reviewed to make sure it meets occupational safety and health standards.

A few days' notice prior to the move is requested for scheduling. However, if there is an immediate need to have furniture moved, Buildings and Grounds will try to accommodate.

4.6 Records Retention (Resolution No. 264-98, 192-20, and 100-23)

Public Officers Law requires that each municipality maintain a list, by subject matter, of all records in the possession of the municipality. Therefore, the Schuylers County Legislature recognizes the Retention and Disposition Schedule for New York Local Government Records (LGS-1), as prepared by the NYS Education Department, as the official Subject Matter List of the County of Schuylers and all departments and agencies thereof.

4.7 Parking (Resolution Nos. 316-05 and 100-23)

Parking is available at the Schuylers County main office complex for County employees as set forth herein. No County employee will be permitted to occupy a parking space designated Visitor with either their personal vehicle or a County owned vehicle. This parking restriction applies to parking areas that are associated with an employee's assigned place of work, during such time that the employee is working. If the parking lot behind the Courthouse and office building is full or unavailable, the following areas at certain times will be available:

Watkins Glen State Park is available for parking during working hours within a specific time period. The Sheriff's Department is notified by the State Park when parking may begin and when it must cease (typically late May through September) and shares this information with employees.

If parking on Franklin Street, remember the time limit is two hours. Tickets will be issued by the Village of Watkins Glen.

There will be ***no overnight parking in the parking lot during the winter months.*** Parking in the lot overnight hinders snow removal. If there is no alternative, and **ONLY** as a last resort, if an employee will need to leave their car in the parking lot, a set of keys must be left with the deputy at the front desk and clearly marked with the type of car, license plate number, and owner of the vehicle. Any cars that we do not have keys for will be towed at the owner's expense.

4.8 Harassment Policy and Sexual Harassment Policy (Resolution Nos. 278-18, and 100-23)

The County prohibits all forms of illegal harassment of employees by managers, fellow employees, employees of outside vendors, or visitors. In addition, amendments to New York's Labor law (NY Labor Law §201G) need every employer in New York State to adopt the State's model sexual harassment prevention policy and training program (effective October 9, 2018). Therefore, Schuyler County has adopted aforesaid policy statement and plan effective October 9, 2018, and provides aforesaid policy to all new employees upon orientation and make available to all employees in the All County folder.

The County will not tolerate harassment of its employees. Any form of harassment related to an employee's race, color, sex, sexual orientation, religion, national origin, age, physical or mental disability, or marital or veteran status is a violation of this policy and will be treated as a disciplinary matter.

For these purposes, the term "harassment" includes, but is not necessarily limited to, slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, sex, religion, national origin, sexual orientation, age, physical or mental disability, or marital or veteran status.

Harassment also includes unwelcome sexual advances, sexual demands, requests for sexual favors, and other verbal, graphic, or physical conduct of a sexual nature. Harassment does not refer to occasional comments of a socially unacceptable nature. Harassment is a form of inappropriate conduct that undermines the employment relationship. Violation of this policy by an employee shall subject him/her to disciplinary action, up to and including discharge.

The County also prohibits retaliation against any employee who rejects, protests, or complains about harassment. A complaint procedure is available to employees to report all types of harassment.

If employees feel that they are being harassed by a supervisor, co-worker, vendor, or visitor because of their race, color, sex, sexual orientation, religion, national origin, age, physical or mental disability, or marital or veteran status, they should first let the harassing person know of their objections, if possible. If the employee finds it difficult to do so, or his/her first objections do not produce results, he/she should report the problem to his/her supervisor or, if appropriate, the Human Resources Department.

If the employee experiences or witnesses harassment in the workplace, he/she should report it immediately to his/her supervisor, or to the Human Resources Department. All allegations of harassment will be quickly investigated. To the extent possible, the employee's confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee will be informed of the outcome of that investigation.

The Personnel Officer will investigate every complaint of harassment, without bias or premature judgment. Such an investigation should include interviews with the complaining employee, the subject of the complaint, co-workers, and former employees who may have knowledge of the situation.

The investigation will include a thorough review of files and other tangible evidence. The investigator will make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused employees.

Information obtained during the course of an investigation of harassment will be maintained in confidence. It will be released only to individuals who have a need to know it, e.g., individuals who will enable the County to investigate the charges thoroughly.

Individuals who make false statements during the course of a harassment investigation may be subject to discipline, which may include discharge. All employees are expected to cooperate fully with such investigations. Failure to cooperate fully may lead to discipline, which may include discharge. Where investigations confirm the allegations, appropriate corrective action will be taken.

The County will provide all its employees, supervisors, and managers with comprehensive sexual harassment training, which explains prohibited conduct, outlines the County's complaint procedures, and details disciplinary and corrective actions.

4.9 Workplace Violence Prevention Program (Resolution Nos. 201-08, 302-08, 166-21, and 100-23)

POLICY STATEMENT

Schuyler County is committed to providing a safe and secure environment for all of its employees. We recognize that the potential for workplace violence represents a serious occupational safety hazard for workers. Therefore, Schuyler County has developed and shall implement the following Workplace Violence Prevention Program.

POLICY OBJECTIVE

Schuyler County prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from County property and employees may be subject to disciplinary action up to and including termination, consistent with County policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. The County, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on County property unless necessary to transact County-related business. This policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

SCOPE

All County employees, elected County Officials, vendors, contractors, consultants, and others, who do business with the County, whether in a County facility or where official County business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the County, such as former employees and visitors. When employees have complaints about other employees, they should contact their immediate supervisor. If the complaint involves their immediate supervisor they should contact their department head or the County's Human Resources Department.

DEFINITIONS

Workplace violence is any physical assault, threatening behavior, verbal abuse occurring where the public employee performs any work-related duty in the course of his or her employment.¹

Examples of workplace violence include, but are not limited to:

¹ 12 NYCRR Part 800.16

- Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
- Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
- Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interpret such behavior as constituting evidence of intent to cause harm to individuals or property.
- Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials shall be covered under County Policy 7.10.

REPORTING OF INCIDENTS

General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any County employee. Workplace violence should promptly be reported to supervisors verbally as well as completing the Incident Report Form, Appendix B. Additionally, County employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined in Section IV. It is important that all employees take this responsibility seriously to effectively maintain a safe working environment.

Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

Commitment of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

False Reports

Employees and elected officials who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to law enforcement authorities as appropriate.

RESPONSIBILITIES

Elected Officials and Department Heads

Elected Officials and Department Heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administrators and supervisors are aware of their responsibilities under this policy through internal communications and training.

Supervisors

Each employee designated with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonably believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint the supervisor should keep it

confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings.

Supervisors are required to call 911 immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

Employees

Employees must report workplace violence, as defined above, to their supervisor. Employees who are advised that a workplace violence incident has occurred or has been observed must report this to their supervisor immediately. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee's supervisor should be brought to the attention of the department head.

Employees who have obtained Orders of Protection are expected to notify their supervisor and provide a list of locations which are designated as protected areas.

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor. Confidentiality will be maintained to the fullest extent possible.

Upon hiring, and annually thereafter, employees will have copies of this policy made available to them. Additionally, the policy will be posted throughout County buildings and be placed on the County's web page, as appropriate.

County Risk Management Committee

The County Safety Officer is responsible to insure that new employees or transferred employees have a copy of the Workplace Violence Policy and Program made available to them and also insuring County employees receive appropriate training. The County Risk Management Committee will also be responsible for annually disseminating this policy to County personnel, as well as posting the policy appropriately throughout county buildings and other work sites.

The County Risk Management Committee will assist the County in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its sites; assessing the County's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This Committee will also develop workplace violence prevention tools (such as pamphlets, guidelines and handbooks) to further assist in recognizing and preventing workplace violence at County buildings and work sites.

EDUCATION

The County is responsible for the dissemination and enforcement of this policy as described herein, as well as providing opportunities for training in the prevention and awareness of workplace violence. The County Risk Management Committee, Department Heads and elected officials are responsible to assist in identifying available training opportunities, as well as other resources and tools, (such as reference materials detailing workplace violence warning signs) that can be incorporated into County prevention materials for dissemination to County employees.

CONFIDENTIALITY

The County shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The County will act on the basis of anonymous complaints where it has a

reasonable basis to believe that there has been a violation of this policy and that the safety and wellbeing of County employees would be served by such action.

RETALIATION

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination, and referral to law enforcement in aggravated circumstances.

4.10 Information Security and Computing Policy (Resolution Nos. 200-05, 247-19, and 248-19)

Every employee of Schuyler County will be provided with Schuyler County Information Security and Computing Policies and be required to sign a User Acknowledgement which will be kept in their personnel file in the Human Resources Department. The Schuyler County Information Security and Computing Polices are available to all employees in the All County drive.

Equally important, Schuyler County has established an Information Technology (IT)/Cyber Security Advisory Committee to address disaster recovery planning, in collaboration with County Continuity of Operations Planning (COOP). The IT Disaster Recovery Plan is to be used in the event of a significant disruption of critical IT services of Schuyler County Government. This plan can be accessed through the All County drive.

4.11 Citizen's Notification Policy (Resolution No. 328-07)

This policy is consistent with the State Technology Law, section 208 as added by Chapters 442 and 491 of the laws of 2005. This policy requires notification to impacted New York residents and non-residents. Schuyler County values the protection of *private information* of individuals. Schuyler County is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and this policy.

Schuyler County, after consulting with Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, shall notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of *private information* through unauthorized disclosure.

A compromise of *private information* shall mean the unauthorized acquisition of unencrypted computerized *data* with *private information*.

If encrypted *data* is compromised along with the corresponding encryption key, the *data* shall be considered unencrypted and thus fall under the notification requirements.

Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.

Schuyler County will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:

- written notice;

- electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification shall be kept by Schuyler County;
- telephone notification provided that a log of each such notification is kept by Schuyler County; or
- Substitute notice, if Schuyler County demonstrates to the state attorney general that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or Schuyler County does not have sufficient contact information. Substitute notice shall consist of all of the following:
 - e-mail notice when Schuyler County has an e-mail address for the subject persons;
 - conspicuous posting of the notice on Schuyler County's web site page; and
 - notification to major statewide media.

Schuyler County shall notify, CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.

Schuyler County shall notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.

Regardless of the method by which notice is provided, such notice shall include contact *information* for Schuyler County making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of *personal information* and *private information* were, or are reasonably believed to have been, so acquired.

This Policy also applies to *information* maintained on behalf of Schuyler County by a *third party*.

When more than five thousand New York residents are to be notified at one time, then Schuyler County shall notify the *consumer reporting agencies* as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

4.12 Health Insurance Portability and Accountability Act (HIPAA) (Resolution Nos. 42-04, 257-04, 146-07, and 320-12)

The County is responsible for the oversight of individually identifiable information obtained in the provision of health care services to County residents. Individually identifiable information is as described in 45 CFR Parts 160, 164, 142 and 162 – HIPAA of 1996. The County policy is to comply strictly with the letter and spirit of all laws and ethical standards applicable to the business of the County. County policy is to discipline employees found to have violated County policy covering security of protected health information according to established civil service law and union contractual obligations. The County has designated a Cyber Security Task Group (CSTG) and Administrative Policy to assist with compliance and training issues. Detailed information is available in the Human Resources Department.

4.13 Smoking Policy (Resolution Nos. 597-89, 514-94, 61-08,154-11, and 175-15)

Schuyler County has established regulations within the County Buildings in compliance with the Clean Indoor Air Act 2.

SCHUYLER COUNTY SMOKING POLICY

SECTION 1 – LEGISLATIVE INTENT AND PURPOSE

The Schuyler County Legislature hereby recognizes and determines that Schuyler County has a substantial interest in reducing the number of individuals of all ages who use all forms of tobacco/nicotine products including cigarettes, e-cigarettes, herbal cigarettes, and smokeless tobacco products. The Schuyler County Legislature recognizes:

- Studies show that nicotine actually changes the brain, particularly in adolescents making it difficult to stop using nicotine.
- Nicotine is a powerfully addictive substance.
- The regular use of tobacco is ultimately harmful to every user's health, directly causing cancer, respiratory and cardiovascular disease, adverse pregnancy outcomes and premature death.
- Second-hand smoke is a threat to the personal health of everyone, especially persons with asthma and other respiratory problems.
- An overwhelming majority of Americans who use tobacco products began use while they were adolescents and became addicted before reaching the age of eighteen (18).
- The Surgeon General of the United States has concluded that if young people don't start using tobacco by age 26, they most likely will never start.
- New, unregulated high-tech smoking devices, commonly referred to as electronic cigarettes or e-cigarettes, users inhale vaporized liquid nicotine created by heat through an electronic ignition system. The vapors are expelled through a cartridge that usually contains a concentration of pure nicotine. The cartridge and ignition system are housing in a device created to look like a traditional cigarette, cigar, or pipe. After inhaling, the user exhales the heated vapors producing a "cloud" of undetermined substances that is virtually indistinguishable from cigarettes, cigars, or pipes.
- Nicotine content of e-cigarettes can vary in doses and presents a significant risk of rapid and/or continual addiction.

SECTION 2 – DEFINITIONS

Whenever used herein, unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the following terms shall have the meanings hereinafter set forth:

- a. "County" shall mean Schuyler County;
- b. "County Building" means any enclosed structure in which County employees work and which is owned, leased, operated or controlled by Schuyler County;
- c. "Smoking" shall mean inhaling of, exhaling of, burning of, oral presence of, chewing of or carrying of any lighted cigar, cigarette, pipe, weed, hookah, smokeless tobacco (snuff, snus, dissolvables) or any other plant in any manner or any form (herbal cigarettes) and shall also including inhaling and exhaling of smoke/vapor from an electronic smoking device.
- d. "Electronic Smoking Devices" means an electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substance. Electronic Smoking Device includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, and electronic pipe, an electronic hookah, or any other product name or descriptor. "Electronic Smoking Device" does not include

- any product specifically approved by the United States Food and Drug Administration for use in the mitigation, treatment, or prevention of disease.
- e. "County Vehicle" shall mean any device owned, operated and/or leased by Schuyler County, powered by an internal combustion engine or an electric motor, capable of self-propulsion or being drawn by such self-propelled device.

SECTION 3– SMOKING PROHIBITION

Smoking and the use of Electronic Smoking Devices shall be absolutely prohibited in all County owned or leased buildings, grounds vehicles, County operated mass transportation and any other areas in which the use of tobacco is prohibited by fire codes or State law or regulation.

SECTION 4– ENFORCEMENT OF THIS POLICY

- a. Signage will be prominently posted upon the entrance of all parking lots and building entrances stating that Schuyler County Offices are Smoke Free. The Highway Superintendent shall be responsible for posting these signs.
- b. Department Heads will have the responsibility to enforce this policy in the county building areas their department uses. The Schuyler County Sheriff's Department shall have the responsibility for enforcing this policy in corridors, meeting places, public entrances, employee entrances and similar areas not directly used by any specific department.
- c. Any employee violations of this policy will lead to disciplinary action in accordance with personnel policies and bargaining unit agreements. Violations of this policy by someone from the public will result in appropriate actions as determined by the County Legislature.

SECTION 5– EFFECTIVE DATE

This policy shall take effect immediately. Department heads shall post a copy of this policy on departmental bulletin boards. The Highway Superintendent shall be responsible for posting copies of this policy at public entrances and employee entrances

4.14 Drug-Free Workplace Policy (Resolution Nos. 256-06 and 100-23)

Because Schuyler County (the "County") is a federal grant recipient within the meaning of the Drug-Free Workplace Act of 1988 (the "Act"), it is required to take certain steps toward maintaining, and to certify to granting federal agencies that it maintains, a drug-free workplace. In addition, the County recognizes drug and alcohol dependency as an illness and a major health problem for all employees. Accordingly, the County adopts the following policy.

POLICY

The County prohibits its employees from engaging in, the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances or intoxicants in the workplace. Any employee engaged in such prohibited conduct or convicted of a crime involving a workplace drug violation, shall be subject to discipline, up to and including discharge. The County will weigh all relevant facts and circumstances and will consider relevant legal constraints in reaching a decision as to discipline. Without regard to, and independent of, its decision to impose discipline, the County retains the right to require that a covered employee who engages in prohibited conduct participate in, and successfully complete, a drug abuse assistance or rehabilitation program. As a condition of continued employment under a federal grant, covered employees must report to their immediate Supervisor within five (5) days any criminal conviction for a workplace drug violation. In addition, any employee required to drive a licensed motor vehicle or operate motorized equipment as part of his/her employment, must report any alcohol or drug related convictions which restrict his/her driving

privileges, in any way whatsoever, whether such conviction occurred on or off County premises or while conducting County or personal business. The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of State, Federal or Local criminal drug or alcohol statutes.

With the enactment of the New York State Marijuana Regulation and Taxation Act (MRTA) on March 31, 2021, Schuylar County will act in accordance with the New York State Labor Law Section 201-D, subsection 4-a, which provides that employers may take employment action or prohibit employee conduct where:

- An employer is/was required to take such action by state or federal statute, regulation, or ordinance, or other state and federal government mandate.
- The employer would be in violation of federal law.
- The employer would lose a federal contract or federal funding.
- The employee, while working, manifest specific articulable symptoms of cannabis impairment that decrease or lesson the employee's performance of the employee's tasks or duties.
- The employee, while working, manifests articulable symptoms of cannabis impairment that interfere with the employer's obligation to provide a safe and healthy workplace as required by state and federal workplace safety laws.

Further information is on file in the Human Resources Department.

Nothing contained in this policy statement concerning covered employees shall be construed to limit, or in any way restrict, the County's treatment of drug/alcohol-related incidents involving any of its employees. The County will comply with the provisions of Section 75 of the Civil Service Law, when applicable.

The County will establish a drug/alcohol free awareness program to inform employees about the dangers of drug and alcohol abuse in the workplace and to review the County's commitment to maintenance of a drug/alcohol free workplace, within the meaning of the Act, as well as the penalties that may be imposed on employees for drug and alcohol abuse violations. In addition, the drug/alcohol free awareness program will apprise employees of the availability of drug and alcohol rehabilitation counseling through the Schuylar County Mental Health Clinic and other community agencies as may be appropriate and will review with employees relevant services available through the County's Employee Assistance Program (EAP).

Employees shall be provided with a copy of this policy statement and shall be required to acknowledge in writing to the County receipt of this policy, in addition, covered employees shall be required to acknowledge in writing attendance at the drug/alcohol free awareness program specified in paragraph 3, above.

It is the intent of the County that the following violations will be reported to law enforcement officials and penalties for violations of this policy shall be subject to the limitations of Section 75 of the Civil Service Law, if applicable:

- Unauthorized* possession or use of intoxicants or drugs (except with a doctor's prescription) on County property.
- Working under the influence of intoxicants or drugs (except with a doctor's prescription).
- Selling of drugs and/or intoxicants on County property.

Counseling services must be through a duly recognized Alcoholism or Substance Abuse Service Agency.

The County offers an Employee Assistance Program (EAP) that is totally confidential and available to all employees and their immediate families. The EAP provides professional services to employees

whose job performance is, or may be, adversely affected by alcoholism, emotional difficulties, drug dependence, family discord or other personal problems.

* - not otherwise authorized by law.

4.15 Complaint Procedure/Retaliation (Resolution No. 100-23)

Employees who have a job-related issue, question, or complaint should first discuss it with their immediate supervisor. If the issue cannot be resolved at this level, then the issue should be referred to the Department Head. Employees are encouraged to contact the Human Resources Department for issues, questions or complaints that cannot be resolved at the department level.

The County will not tolerate unlawful retaliation against any employee who files a complaint, supports a co-worker in a complaint, or speaks as a witness in the investigation of a complaint. It is also prohibited to discharge or in any manner illegally or unlawfully discriminate against an employee who gives information about an alleged employer violation, causes a proceeding to be instituted against an employer, or testifies in a proceeding concerning an employer violation.

Employees who experience retaliation in the workplace are encouraged to report it immediately to Human Resources. All allegations of retaliation will be investigated. When the investigation is completed, anyone found guilty of retaliatory conduct will be subject to discipline, up to and including discharge. All information including results of the investigations will be kept confidential and will be shared only on a need-to-know basis.

4.16 Separation from Employment and Exit Interviews (Resolution Nos. 97-96 and 288-95)

Employees leaving Schuyler County positions are to submit a letter of resignation/retirement to their Department Head, stating the last day of employment. Employees are expected to give at least two weeks advance notice. When possible, earlier notice will be helpful and appreciated.

Upon receiving notice, the Department Head is to complete an MSD 426-A form, attach the original letter of resignation/retirement to it and submit it to the Civil Service Department.

The Human Resources Department will conduct exit interviews with all employees leaving County employment to discuss the employee's reasons for leaving and any other impressions that the employee may have about Schuyler County. Records of exit interviews will be maintained as he/she deems necessary. All coverage rights will be explained at the exit interview. Also at that interview, the employee is to return the County Photo ID badge, parking permit, keys, cell phones, pagers, etc. issued to the employee by the County.

The effective date of termination on the Personnel Change form (MSD 426-A) is to be the employee's last actual day of continuous employment. The termination date is not to be moved back to allow for accrued leave. The only benefits paid after separation from County employment are compensation for unused, accumulated vacation time and compensatory time, where applicable. The number of hours to be paid upon separation is to be stated under "Remarks" on the MSD 426-A. However, the date of termination is not to be extended to reflect the amount of time for which the employee is to be compensated.

In the case of a probationary employee, immediate removal may be made by the appointing authority upon written notification to the employee of his/her unsatisfactory performance, and that the employee shall receive one week's salary in lieu of being required to report for work.

4.17 References

It is the policy of Schuyler County not to provide written or verbal recommendations or opinions upon the work performance of former employees. Any such requests for references will be promptly responded to in accordance with this policy.

4.18 Solicitation (Resolution No. 100-23)

Non-Employee

The County does not allow non-employee solicitation on its property. Salespersons will not be permitted to solicit employees on County property. Anyone who comes onto County property to solicit its employees, for any reason, will be asked to leave, and if necessary, escorted off the premises.

The same rule applies to persons who come onto County property to distribute flyers or other literature. Any employee who is approached by someone wanting to sell something or hand something out is asked to notify Human Resources immediately.

Employee

No employee may distribute literature or post notices on County premises without the written permission from the Human Resources department (i.e. – political literature, religious literature, potential controversial material, etc.) All requests for such activities will be in accordance with these standards:

- whether the activity would interfere with work performance or be offensive to other employees;
- whether the activity is governed or prohibited by law;
- the relevance of the activity to the workforce as a whole (e.g., a recreational program for employees would normally be approved; an announcement by an outside organization, such as professional team, might not);
- whether the activity would affect the impression received by clients or visitors.

In addition, distribution of flyers and literature must be done on employee non-work time, in areas where the employees will not disturb other people who are working and with the express written permission of Human Resources, therefore, the decision by management as to whether literature will be allowed to be distributed will be final.

Employees need not seek advance approval by management before soliciting co-workers or distributing literature as it relates to non-political, non-controversial type events/information (i.e. fundraisers, benefits, etc.) Within the bounds of good taste and good sense, employees are free to engage in these activities on their own initiative. The County, however, will not tolerate the distribution of obscene or offensively vulgar literature or material that is designed to malign co-workers.

All County email shall not be used for any solicitation purposes, unless approved by Human Resources. In such case, the County Administrator's office will send the approved email on behalf of the issuing department. Employees are prohibited from using County fax machines, computers, and other electronic communications systems for soliciting information that is not related to County business. Also, County equipment or supplies may not be used to reproduce or distribute literature.

Employees who violate this policy will be subject to discipline, up to and including discharge.

5 COMPENSATION AND BENEFITS

See appropriate bargaining agreement booklet or Management/Confidential handbook for information on wages, longevity, overtime, promotion, etc.

5.1 Timecard Policy (Resolution Nos. 57-95, 149-95, 334-96, 178-00, 99-07, and 100-23) –

All employees are responsible for submitting their time in the ADP payroll system **daily**. Daily submission is vital to minimize Department and County liability. Department Heads and Supervisors are responsible for ADP guidance to employees during onboarding process and thereafter. Supervisors are to review employee ADP timecards on a bi-weekly basis for approval or denial. If denied, the supervisor advises employee of corrections needed. The supervisor must approve all timecards no later than 10:00a.m. every other Monday ("payroll Monday). If there is a holiday on the Monday that timecards are to be approved, the timecards will be due no later than 10:00a.m. Tuesday.

The Department Head or designee is responsible for making sure timecards are properly completed in a timely manner including the correct payroll dates.

Employees who complete their own time in ADP should input their time and save for review on their last scheduled workday of the pay period prior to submission to their Department Head or designee. Employee's failure to submit timecards on time may result in disciplinary action. The employee's failure to submit timecards on time may also result in associated difficulties and delays in the accurate processing of pay for the relevant pay period. Timecards which are completed by an authorized individual other than the employee should be carefully checked for errors by the employee before submitting. Special care should be given to the classification of any leave or benefit time by both the employee and the Department Head or their designee. Timecards will stand as submitted. There will be NO changes to benefit or leave time after the payroll has been processed with the exception of reimbursements for disability or worker's compensation time previously listed as sick time.

TIMECARDS NOT SUBMITTED ON TIME WILL NOT BE PAID UNTIL THE FOLLOWING PAY PERIOD

Upon the hiring of a new employee, the Department Head will notify the HR Assistant-Payroll Coordinator who the designated Timecard Supervisor will be. If the Department Head is the Timecard Supervisor, a backup employee will be identified who can approve timecards in the absence of the Department Head. If the Department Head is not the Timecard Supervisor he/she will be assigned as the backup for timecard approval purposes.

Payroll questions or concerns should be presented only by Department Heads and/or their designees. Payroll and timecard records for all departments shall be stored in ADP payroll system.

5.2 Fair Labor Standards Act – Salary Basis Policy (Resolution No. 100-23)

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked, and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis that is designated per the FLSA. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department of Labor's regulations.

SALARY BASIS REQUIREMENT

To qualify for exemption, employees generally must be paid a minimum salary established within the guidelines in the FLSA. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees may be paid at least \$455 on a salary basis the minimum salary established within the guidelines in the FLSA or a minimum hourly rate as established by FLSA guidelines. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

CIRCUMSTANCES IN WHICH THE EMPLOYER MAY MAKE DEDUCTIONS FROM PAY

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions (see County Policy on penalties for workplace conduct rule infractions). Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

COUNTY POLICY

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the County does not allow deductions that violate the FLSA.

WHAT TO DO IF AN IMPROPER DEDUCTION OCCURS

If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor, or to the payroll division of the Human Resources Department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

ADDITIONAL INFORMATION

Additional information concerning the topics herein may be obtained from the Human Resources Department, the United States Department of Labor, or any other authoritative source chosen by the employee.

5.3 Reallocation Downward (Resolution No. 333-96)

It may, at times, become necessary to reallocate employees to different positions than they currently hold. In an effort to equitably calculate the salary of an employee reallocated to a lower grade, the Human Resources Department will take the difference between the employee's current salary and the base salary for the current grade and add that amount to the base salary of the grade of the position to which the employee is being transferred.

5.4 Service Award/Retirement Recognition Policy (Resolution Nos. 291-06, 159-08, and 100-23)

OBJECTIVE

It is the County's objective to enhance County pride and employee morale through a service award and retirement recognition program that formally recognizes employees' contributions to the efficient operation of County government as well as years of service.

SCOPE OF POLICY

This policy applies to all active county employees.

COORDINATION / CONTINUATION OF PROGRAM

There will be an Employee Recognition Committee which shall consist of the following:

- County Administrator's Office representative
- Human Resources Department representative
- Legislative Office representative
- Personnel Officer

The Committee will be responsible for coordinating the awards, reception, publicity, invitations, etc. within budgeted funds.

The Committee will be responsible to propose funding on an annual basis to support this Program to the Budget Officer.

SERVICE AWARD CRITERIA / AWARDS

The Human Resources Department will be responsible to present the years of service eligibility information to the Employee Recognition Committee. Awards will be given as follows:

- Five years of continuous service – Certificate
- Ten years of continuous service – Certificate and 10-year Service Pin
- Fifteen years of continuous service – Certificate and 15-year Service Pin
- Twenty years of continuous service – Certificate and 20-year Service Pin
- Twenty-Five years of continuous service – Certificate and 25-year Service Pin
- Thirty years of continuous service – Certificate/Gift
- Thirty-Five years of continuous service – Certificate/Gift

RETIREMENT RECOGNITION PROCEDURES

The Human Resources Department will be responsible to present the retiree eligibility to the Employee Recognition Program. Retirees shall receive a Certificate/Gift/Dedication in Legislature Proceedings Book.

RECORDS

Records pertaining to this program shall be kept on file in the Human Resources Office and retained in accordance with the records retention schedule.

6 GROUP HEALTH AND RELATED BENEFITS (Resolution 74-00)

See appropriate bargaining agreement booklet, or Management/Confidential handbook for information on employee contribution towards health insurance and prescription drug plan configuration.

6.1 Health Insurance (Resolution 377-06 and 145-07)

The County maintains a comprehensive insurance program which provides medical, dental and vision benefits for the protection of all eligible employees. Complete details of these insurance benefits are provided in the Human Resources Department. All full-time and less-than-full-time employees are eligible for this program. If hired on or before the 18th of the month – an eligible employee shall become a participant of the Plan on the 1st of the month following date of hire. If hired after the 18th of the month – an eligible employee shall become a participant in the Plan on the second 1st of the month following date of hire. No medical examination is required of any employee except Sheriff Department Deputies per Civil Service Law.

The County also offers a health insurance opt-out program to all eligible employees. Details on this program are available in the Human Resources Department.

6.2 Disability Insurance

The County provides disability insurance coverage to its employees. Disability benefits are payable for any non-work-related injury or illness (including disability due to pregnancy) beginning on the 8th consecutive day of disability. Benefits are payable for up to 26 weeks. A “day of disability” is one on which the employee was prevented from performing work because of disability and for which he/she has not received regular wages or remuneration.

To claim benefits, the employee should file with the County’s Human Resources Department within 30 days from the first day of disability. Any sick leave that the employee has accumulated prior to the disability leave must be used before he/she can be paid disability benefits. This shall include the sick leave bank, if applicable.

6.3 Worker’s Compensation Insurance (Resolution Nos. 197-14 and 100-23)

Workers’ Compensation insurance provides benefits for job-related injuries. All employees are covered including all elected and/or appointed officers, and the entire cost of this insurance is paid by the County. Coverage begins with the first day of employment. Our Workers’ Compensation insurance costs are based on the number of injuries the County suffers. The lower our injury rate,

the lower our costs, which means that more money can be put back in the County for the benefit of it and our employees.

One way to keep our Workers' Compensation costs under control is to work safely and follow all rules and regulations. The County will enforce all safety rules, and employees who violate them will be disciplined, up to and including termination.

Employees should report injuries immediately so that they can receive fast and effective treatment.

Regardless of the nature or severity, all injuries incurred while on the job must be reported to the Supervisor immediately. The Supervisor will complete a report of accident and a C-2 form to be filed with the Human Resources Department within ten (10) days of injury in order to trigger the employee's right to Workers' Compensation benefits. Forms for reporting injuries may be obtained in the Human Resources office. Any face or head injury must be reported on Workers' Compensation Board forms; the county is required to file with New York State.

Should any employee sustain a work-related injury, our Workers' Compensation insurance will provide medical coverage and income replacement for the period of the employee's disability, as required by law. An employee injured while on the job and sent home, will be paid for the remainder of the workday.

When an employee is on Workers' compensation and not receiving pay through the County payroll system, health benefits and insurance are not affected; the employee does not have to pay health insurance premiums. When an employee is out with a Worker's compensation related injury/illness, but remains on the County payroll, the employee is responsible for paying their health insurance premium.

There is a five working days waiting period during which no payments will be made. However, if the employee is off fourteen (14) working days or more, he/she will be paid from the first day of work loss. Employee may choose to use accrued sick time to cover the five working days.

When an employee is released by a medical provider to **transitional duty**, the Department Head, and Human Resources representative, will follow the Worker's Compensation Transitional Duty Policy on file in the Personnel Office.

6.4 Retiree Health Insurance (Resolution Nos. 126-96, 268-03, 259-09, and 100-23)

The County maintains a comprehensive insurance program which provides medical, dental and vision benefits for all eligible retirees. Contribution rates are negotiated in a collective bargaining agreement for union employees and set by the Management Confidential handbook for non-Union employees. To be eligible for retiree health insurance benefits, the employee must qualify for public employee pension under New York State and Local Employees' Retirement System.

Upon retirement, an employee who elects not to participate in the County's insurance program for retirees shall not be eligible to participate at a later date.

Employees who have retired are not yet eligible for Medicare benefits and then become eligible for Medicare benefits, due to Disability or attaining the age of 65 years, are responsible to notify the Human Resources Department that they are Medicare eligible. A copy of the Medicare card must be given to the Human Resources Department in a timely manner as coverage must change to the Medicare eligible group plan.

If the insured does not notify the Human Resources Department in a timely manner, the Medicare Credit will only be granted based on the health insurance carrier's rules for reimbursement.

In the case where an employee retires from the County, and then becomes an active employee eligible for county benefits, the employee must first continue to apply his retiree sick leave credits (See 7.12 below) against the active employee insurance plan. When the employee then ceases his employment, he shall revert back to the appropriate retiree health insurance group as offered upon retirement at the then current retiree premium rates/benefits.

The Employer will continue its practice of applying the Medicare Part B monthly premium credit (determined annually) for one (1) monthly premium only. In case of an employee or spouse becoming deceased, the Employer will continue to pay one (1) Medicare Part B monthly premium credit as applicable.

Full-Time Elected officials, who may or may not exercise their option to participate in the retirement system, shall be required to have ten years service in Schuyler County and to have attained the age of 55 to qualify for retiree health insurance benefits. Although Legislators are eligible for health insurance as stated above, they will not be eligible for Retiree Health Insurance.

6.5 Insurance - Late Payments (Resolution Nos. 63.96 and 151-98)

County policy allows cancellation and termination of eligibility to any employee, retiree, eligible spouse of a retiree, or former employee in the County's health insurance program, if they become 30 days delinquent in payment of their required premium.

Any employee, retiree, eligible spouse of a retiree, or former employee eligible for coverage per COBRA law who is required to pay the full premium for health insurance, or a portion thereof, must make insurance premium payments when due. A notice will be sent to each person who becomes delinquent in payment, 10 days after the due date, reminding them that payment is due immediately or their coverage will be canceled and eligibility for coverage terminated. Thereafter, if health insurance payments are 30 days delinquent, the health insurance coverage shall be canceled and eligibility for coverage terminated.

6.6 COBRA Notification

According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of your termination of employment with Schuyler County or loss of eligibility to remain covered under Schuyler County's group health insurance program, employees and their eligible dependents may have the right to continued coverage under Schuyler County's group health insurance program for a limited period of time at their own expense. Consult the Human Resources Department for information.

7 TIME-OFF BENEFITS

See appropriate bargaining agreement booklet, or Management/Confidential handbook, for information on county paid holidays, vacation time, sick time, bereavement leave and leaves of absence.

7.1 Medical Leave of Absence

All employees returning to work from any absence compensable by Workers' Compensation or Disability shall first report to the Human Resources Department. The original written doctor's statement indicating approval to return to the duties which the employee's position requires must be provided before being permitted to return to work. Any request to return with restricted duties or reduced schedules must have prior approval by the Department Head and the Human Resources Department before such adjustment will be allowed.

Department Heads shall report any absences from work in excess of five (5) consecutive workdays to the Human Resources Department.

7.2 Jury Duty/Subpoenas (Resolution No. 100-23)

The County does not discriminate against, penalize, threaten, or coerce employees who are on jury duty. Employees must give advance notice of the need for time off for jury duty. A copy of the summons should accompany the request.

The County pays employees for jury duty for each day served at their regular rate of pay. Upon receipt of a Jury Duty paycheck (paid by the courts) the employee must reimburse the County their jury duty pay portion. If the pay also includes travel pay only the jury duty pay is reimbursed to the County, not the travel pay portion. If the employee opts to use a Vacation/Comp/Personal day in lieu of receiving pay from the County at their regular rate, then they **do not** have to reimburse the County their jury duty pay or travel pay.

If employees are excused from duty early or are not required to be present in court, they are expected to be on the job. If their absence would result in a hardship to the County, we may petition the court to excuse them from jury duty.

Employees subpoenaed into court shall be granted a leave of absence with pay with no charge against leave credits, except when a party to the action, in accordance with N.Y. Comp. Codes R. & Regs. Tit. 4 § 28-1.9. In the event the employee receives payment for witness fees and mileage from the court or parties in connection with their official duties (CPLR 2303, 8001) the employee must reimburse the County their witness fee and mileage pay.

7.3 Voluntary Fire and Ambulance Duty (Resolution Nos. 109-91, 24-69, and 111-18)

Any officer or employee of the County of Schuylers, who is a member of a volunteer emergency response agency located within Schuylers County will be granted a leave of absence with pay for such period as he/she may be called from his/her job to render such service on an emergency basis. It is understood that employees will respond to only emergency situations when other agency resources/personnel are not sufficiently available and with approval from the Department Head. Absences must not jeopardize the business operations of the County, nor impact health and safety of employees or public. This policy applies to full-time employees only. Part-time employees will be allowed to leave for fire-calls/emergency-calls, if permission is granted by the Department Head, however, will not be compensated accordingly. To be eligible for the waiver of leave time usage and/or salary deduction, an employee must submit written verification from an officer of his/her organization documenting details of emergency-related absence on forms provide by the County (All County drive). Such form shall be submitted to the Department Head, who will provide

to the Human Resources Department, by 10:00am on the payroll processing day for the pay period during which the emergency occurred.

7.4 Military Reserves or National Guard Leaves of Absence (USERRA)

As an Equal Opportunity Employer, Schuyler County is committed to providing the basic employment and reemployment services and support as set forth in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

The County shall reemploy service members returning from a period of service in the uniformed services if the individual meets the following criteria:

- The employee gave as much advance verbal or written notice to the employer as possible, unless such notice was precluded by military necessity.
- The individual had five years or less of service in the uniformed services.
- Return to employment or application to return following service occurred as set forth in USERRA 38 U.S.C 4301-4334.
- The individual was not separated from service with a disqualifying discharge or under other than honorable conditions.

Service members and service applicants shall not be subject to discrimination and retaliation.

Service members are able, but not required, to use accrued vacation while performing military duty. An employee who leaves employment for uniformed service has the right to elect to continue health insurance, family or individual, for up to 24 months. Such election shall be made within 60 days from date of leave. For military service of less than 31 days, health care coverage is provided as if the service member had remained employed. Thereafter, the service member has the option to continue coverage at the full cost thereof. If they do not elect continuation coverage, the county shall reinstate the employee in the plan upon their reemployment, without waiting periods or exclusions.

All pension plans are protected by USERRA. A service member must have been employed by the county within six months prior to entering the military. If military service exceeds 180 days, the service member must have applied for reemployment with the same employer within 90 days from the discharge date. While an employee is on uniformed services leave of absence, the County's contributions to the employee's retirement plan will cease. Upon reemployment as provided in this policy, the County will make all contributions (the County's and any required but not made by the employee) that have accumulated in the interim. Employees will be given three (3) times the period of their leave, but not longer than five (5) years to make up contributions to the plan that they missed while on leave.

The returning service member shall be eligible for reemployment with length of service credited from date of hire for the purpose of determining benefits eligibility.

7.5 Military Spouses – Leave of Absence (Resolution No. 375-06)

In accordance with Section 202-I of the New York Labor Law, an employee who is married to a member of the armed forces of the United States, national guard, or reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations, shall be allowed up to ten (10) days of unpaid leave upon request. A "period of military conflict" is defined in the law to mean a period of war declared by the United States Congress, or in which a member

of a reserve component of the armed forces is ordered to active duty. The leave may only be used when the employee's spouse is on leave from the armed forces during a period of military conflict.

7.6 Family and Medical Leave Act (FMLA)

It is the policy of Schuyler County to allow its employees to apply for and be considered for leave time in accordance with the Family and Medical Leave Act (FMLA) of 1993. All requests for leaves of absence should be submitted in writing to management and the Human Resources Department in accordance with federal regulations.

Words and phrases used in this policy have the meanings established for them under the Law.

The FMLA permits the County to make implementation decisions in light of its own Policies and Procedures, Bargaining Units, and overall approach to employee benefits. Accordingly, this policy may be changed from time to time, without prior notice as the County may determine in its sole discretion, to the extent permitted by Law. Nothing contained in this policy may be construed as a contract, including but not limited to a contract of employment.

Eligibility for Leave. An employee is eligible to request available FMLA leave if:

- a). He/She has been employed by the County for at least 12 months and has worked at least 1250 hours during the 12-month period immediately preceding the leave, and
- b.) The County employs at least 50 employees within 75 miles of the employee's worksite.

Qualifying Circumstances for Leave. An eligible employee is entitled to take FMLA leave for one or more of the following:

New Child: Because of the birth of a son or daughter of the employee and in order to care for such son or daughter, or because of the placement of a son or daughter with the employee for adoption or foster care; or

Serious Health Condition of Family Member: In order to care for the employee's spouse, or a son, daughter or parent (but not parent "in-law") of the employee, if such family member has a "serious health condition"; or

Serious Health Condition of Employee: Because of a "serious health condition" that makes the employee unable to perform the functions of his or her position.

NOTE: "Serious health condition" has a special definition under the Law.

Care for Service member: An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member to care for the service member.

Leave for a "Qualifying Exigency": An eligible employee whose spouse, son, daughter or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.

Amount of Leave Available. Eligible employees are limited to a total of 12 workweeks of FMLA leave during any 12-month period, except for the care of a service member in which case entitlement is 26 weeks of leave. This is a "rolling" 12-month period which is measured backwards from the dates of any requested leave. For example, an employee who has taken 8 weeks of leave during the past 12 months is now limited to 4 more weeks of leave.

Leave for a new child cannot be taken later than 12 months after the birth or placement of the child. Additional FMLA leave is not available due to multiple births, such as twins. Placement for foster care must be by the State. Private placement of foster children does not qualify for FMLA leave. Leave because of a serious health condition can only be taken during such time as there is a serious health condition.

If a husband and wife are both eligible employees, they are limited to a combined total of 12 workweeks of leave during a 12-month period if the leave is taken for a new child or to care for a parent with a serious health condition. For an employee taking FMLA for care of a service member, along with FMLA for any other purpose (e.g. birth of a child), the combined total leave required during one 12 month period is 26 weeks.

Benefits While on FMLA Leave.

- (a). Health Benefits: The County will maintain an employee's health benefits during FMLA leave on the same terms and conditions as if the employee had not taken leave.

If the employee normally pays some or all of the benefit costs, he or she must continue making those payments during the leave. This may be done by payroll deduction; to the extent the employee is taking paid leave concurrently with the FMLA leave. Should FMLA leave and the employee's leave time expire, an employee may continue benefits under COBRA and will be responsible for the full cost thereof. In all other cases, the employee must make advance payment arrangements with the County and must fully comply with those arrangements throughout the leave or risk termination of the health benefits.

If FMLA leave expires and the employee does not return to work (normally for at least 30 calendar days) and does not have a valid excuse as defined by law, the County may recover any benefit payments it has made on the employee's behalf during the leave.

- (b). Pension or Retirement Vesting: FMLA leave will be treated as continuous service (i.e. no break in service) solely for purposes of vesting and eligibility to participate in any applicable pension or other retirement program.

No Other Benefits. Employees do not receive or accrue any other employment benefits while on unpaid FMLA leave, and accrue no seniority, unless this is specifically provided by a different County policy or Bargaining Unit. However, to the extent that an employee is taking paid leave concurrently with FMLA leave, any benefits or accruals which may be associated with that paid leave will be in effect for the duration of that paid leave.

Return To Work. It is a basic assumption of both the FMLA and this policy that employees request leave with the expectation of returning to work at the conclusion of the leave. An employee is not entitled to FMLA leave if it is their intention not to return to work, and all employees who request leave are deemed to be making an express representation to the County that this is not their intent. The County may periodically require employees who are on FMLA leave to report on their current status and plans for returning to work.

Upon returning from FMLA leave, employees will either be restored to their prior position, with the same pay and benefits, or, in the County's discretion, to an equivalent position which has equivalent benefits, pay, and other terms and conditions of employment. Exceptions may be made in the case of salaried

employees who are among the highest paid 10 percent of all County employees within 75 miles of that worksite. Job restoration may be denied to these employees to prevent substantial and grievous economic injury to the County's operations. If this decision is made, the County will notify the employee as soon as possible.

Advance Notice By Employees. When the need for leave is foreseeable, employees must give the County at least 30 days advance notice before taking the leave or the leave may be delayed. Shorter notice is allowed only to the extent necessary under the circumstances. Notice should be given to the Personnel Officer (or Designee), and it must include sufficient factual information for the County to decide whether there are qualifying circumstances. As soon as possible after receiving the notice, the County will provide information about the leave and the employee's obligations concerning the leave.

If leave is requested because of the serious health condition of a family member or the employee, and the leave is based on planned, foreseeable medical treatment, the employee must make a reasonable effort to schedule the treatment to avoid unreasonable disruption of Department operations, subject to the approval of the health care provider.

Intermittent or Reduced Work Schedule Leave. In most cases, employees will take FMLA leave in a single, continuous block of time. Leave for a new child may be taken on an intermittent or reduced work schedule basis only if this is agreed to by the County, in its sole discretion. Employees are entitled to take intermittent or reduced work schedule leave without County consent **only** if the leave is because of the serious health condition of a family member of the employee, and the intermittent or reduced leave schedule is medically necessary. For example, if an employee with cancer needs to receive chemotherapy for three hours every Wednesday afternoon but is able to work the rest of the week, an intermittent (recurring) schedule of three hours of FMLA leave each week may be appropriate.

If an employee has taken FMLA leave on an intermittent or reduced work schedule basis because of planned, foreseeable medical treatment, or, with the County's consent, for child rearing purposes during the first 12 months after the birth or placement of a child, the employee may be temporarily assigned to a different position which better accommodates the leave schedule and is equivalent to the employee's normal position under the circumstances.

Medical Certifications. Employees who request leave because of a serious health condition may be required to submit a supporting certification by the relevant health care provider. Among other things, the certification must establish that the employee or family member does in fact have a "serious health condition" and that this condition requires the employee's absence from work. If leave is being requested on an intermittent or reduced schedule, the certification must also establish the medical necessity for that schedule. The County may require subsequent recertification throughout the period of FMLA leave.

Certification forms will be supplied by the Personnel Officer (or Designee). The employee must make diligent efforts to submit the completed certification as soon as possible, no later than 15 calendar days after receiving the form unless strictly necessary under the circumstances. If the County disagrees with the certification submitted by the employee, it may obtain a second opinion. If the employee disagrees with the second opinion, the County and employee will mutually select a third health care provider to render an independent opinion at the County's expense, which opinion shall be binding.

Available Leaves Must Be Taken Concurrently. This section states the County's current rules for coordinating the unpaid FMLA leaves available under this policy with paid leaves that may be available to employees under any other County policies, practices or Bargaining Units. All other

County policies and Bargaining Units with regard to paid leaves, whether fully or partially paid, are hereby amended to the extent necessary to make them consistent with these rules.

- a). To the extent that an employee is entitled to take unpaid FMLA leave pursuant to this policy, and under the same circumstances is also entitled to take one or more kinds of paid leave pursuant to other County policies, practices or bargaining units, FMLA leave and paid leave must be taken concurrently.

- b). Unpaid FMLA leaves and paid leaves are available under the same circumstances as follows:
 - (1) If the employee is entitled to take FMLA leave for a new child or because of a serious health condition of a family member, and the employee is otherwise entitled to take some amount of paid vacation leave, personal leave or family leave, both the FMLA and paid leaves must be taken concurrently.
 - (2) If the employee is entitled to take FMLA leave because of a serious health condition of a family member or the employee, and the employee is otherwise entitled to take some amount of paid vacation leave, personal leave, medical leave, sick leave or disability leave because of the same health condition, both the FMLA and paid leaves must be taken concurrently.

- c). Taking leaves concurrently means that the leaves are used up simultaneously, with each leave continuing in full effect pursuant to the relevant County Policies and Procedures and Bargaining Units for so long as the employee continues to be away from work and entitled to take that particular leave.
If an employee is entitled to take more than one kind of paid leave under the same circumstances as unpaid FMLA leave (for example: If both paid vacation leave and paid personal leave are available to the employee under the circumstances of Rule B(1) above, the paid leaves must be used one at a time. The employee must use at least one available paid leave, for so long as at least one of them is still available, at all times when he or she is taking FMLA leave. Employees may decide the sequence in which paid leaves will be used unless this is determined by law or the relevant County policies, practices, or Bargaining Units. Employees entitled to more than one form of available paid leave should advise the County of these decisions when requesting leave by informing their Department Head so that a MSD 426-A (Pink Slip) can be prepared and submitted to the Civil Service Department for processing.

These rules apply regardless of whether the employee requests FMLA leave or available paid leave. In either case, the leaves must be taken concurrently in accordance with these rules. For example, if an employee requests paid disability leave during pregnancy and the disability period lasts eight (8) weeks, the employee must also take eight (8) weeks of unpaid, concurrent FMLA leave because of a serious health condition. If the employee thereafter requests additional FMLA leave under this policy for care of the newborn child, the remaining FMLA leave entitlement is now four (4) weeks. While taking the FMLA child rearing leave, the employee must also take any paid vacation or personal leave which may be otherwise available to them. If some paid vacation or personal leave is still left at the end of the four (4) weeks, the employee may continue taking such leave until it is used up subject to the requirements of the County Policies and Procedures, Bargaining Units that govern such leave.

7.7 Blood Donation Leave (Resolution Nos. 160-08 and 100-23)

In accordance with Chapter 578 of the Laws of 2007 as amended, Schuyler County will sponsor a minimum of two (2) blood drives annually. Employees will be provided paid leave to participate in county-sponsored blood drives, during work hours, without charging any accumulated leave credits. The County Administrator's Department will be responsible for this program and provide the payroll division verification of appointments from the American Red Cross.

7.8 Cancer Screening Leave (Resolution 112-18)

In accordance with Civil Service Law 159-b, effective March 18, 2018, the County shall provide cancer screening leave as follows:

Cancer Screening Leave Time Policy Guidelines

- Each January 1, any county employee is entitled for up to four (4) hours of Cancer Screen Leave time. The leave time is not accumulative and cannot be carried forward to the next year if unused
- This policy provides a maximum of four (4) hours paid leave annually to undergo cancer screenings. The paid leave may be used for screening any form of cancer, including but not limited to breast cancer, prostate cancer, cervical cancer, skin cancer, colon cancer, ovarian cancer, bladder cancer or lung cancer. Paid leave for cancer screening is not cumulative and expires at the close of business on the last day of the calendar year.
- Cancer screening may include physical exam, imaging, biopsy, Pap Smear, mammogram, blood test or surgical.
- This paid time off is in addition to existing negotiated paid leave provisions.
- The time allotted for cancer screening leave includes travel time to and from the appointment and any subsequent follow up consultation visits.
- Any time taken for this purpose above and beyond four (4) hours is chargeable to other leave credits.
- Time off shall be granted within regular working hours
- An employee should follow departmental procedure for requesting time off.
- Department Heads shall direct an employee to report to Human Resources with a doctor's statement, receipt issued by the clinic, etc. as proof that screening has occurred.
- Time off shall be reported on ADP timecards as "Administrative Leave." Department Heads will be responsible for ensuring time off is within the four (4) hour limit.
- Any medical documentation filed with the Human Resources Department shall be kept confidential.

7.9 Right of Nursing Mothers to Express Breast Milk (Resolution No. 100-23)

In accordance with NYS Labor Law 206-c, Schuyler County shall provide reasonable unpaid break time, or allow an employee to use paid break time, if provided, or mealtime each day to express breast milk for her nursing child for up to three years following the child birth. Schuyler County also provides for rooms in each county building where an employee can express milk in privacy. Schuyler County shall not discriminate in any way against an employee who chooses to express breast milk in the work place.

7.10 Sick Leave – Unused Leave Credits (Resolution No. 380-78)

The County has elected to provide the benefits of Section 41, sub-division-j of the Retirement and Social Security Law by granting allowance for unused sick leave for eligible employees. Unused sick leave may be added to credited service and used in the benefit calculation. Up to 165 days of unused, unpaid sick leave may be credited. The additional credit results in a small increase in the retirement benefit. The credit is calculated on a 30-day calendar month basis (165/30 days = 5.5 months - .46 years additional credit). The additional service cannot be used to meet eligibility requirements for retirement or for an improved benefit.

7.11 Retirement Credit for Elected or Appointed Officials (Resolution No. 100-23)

All elected or appointed officials who are claiming hours under Tiers 2 through 6 will have their time reported to the New York State Local Retirement System based on a seven-hour workday (35 hours week).

The Clerk of the Legislature is responsible for Regulation 315.4 of the New York Codes, Rules and Regulations (NYCRR) where all elected and appointed officials who are members of New York State Local Retirement System (NYSLRS) and do NOT participate in a time-keeping system, such as ADP, that either show hours worked or tracks accruals used and confirms that full hours were worked, are to complete a Record Of Activity (ROA). This regulation sets out specific time frames for completing requirements for an official's record of activities, and it establishes the employer's role in determining whether activities listed on an ROA are actually official duties of the position.

The Clerk of the Legislature is responsible for collecting the ROA from each individual and will provide the average number of days worked per month listed on a Resolution to the individual(s) responsible, the Personnel Officer, for reporting days worked to NYSLRS on the employer's behalf.

Additional information can be found on the New York State Comptroller's web page.

8 EXPENSES

8.1 Travel Requests / Central Garage /Expense Reimbursement (Resolution Nos. 344-03, 68-07, 163-15,137-17, 21-21, 37-23, and 100-23)

All Schuylar County employees must submit a travel request form for permission for all travel on county business, including out of state travel, whether reimbursement is requested or not. It is County policy to have travel approved prior to any expenses (such as registration, etc) being charged or paid for, with the understanding that rare circumstances may occur when prior approval can not take place. In those instances the Department Head, or designee, will coordinate directly with the County Administrator. Employees participating in remote training that has a cost associated with it must submit a travel request form for permission even though no travel is involved. Any Client and/or Citizen travel that has a cost, other than mileage, associated with travel must submit a travel request for approval. A copy of the documentation describing the travel, as well as any costs involved, shall be attached to the request form. Travel requests forms are provided and approved by the County Administrator's Office. Timeframe for submission is expected at least two weeks prior to travel unless there are extenuating circumstances (i.e. emergency transport of Client).

All Schuylar County Legislators must submit a request to the Clerk of the Legislature to complete a travel request form for permission for all travel on county business, including out of state travel,

whether reimbursement is requested or not. A copy of the documentation describing the travel, as well as any costs involved, shall be attached to the request form. Travel requests forms are provided and approved by the Chairman of the Legislature. Mileage, meals and other expenses shall be paid for per the current County Policy. Should a travel request be denied, submitter may appeal the decision to the Management & Finance Committee.

Mileage

Schuyler County has established a Central Garage Division in the County Highway Department which provides county-owned vehicles to be used by employees for county business. Employees using Central Garage vehicles are responsible to comply with the Central Garage Policies and Procedures, manual available in the All County folder, Highway or Human Resources Department.

The first option for travel reimbursement must include a request to use any available Central Garage vehicle before any personal vehicle will be eligible for reimbursement. In the event a Central Garage vehicle is not available to be reserved at the time the travel request submission is made, or becomes unavailable through no fault of the employee (i.e. reservation canceled due to car repairs needed), an employee shall be reimbursed mileage for use of their own personal vehicle. If a travel request is approved with travel mileage reimbursement (i.e. Central Garage vehicle is not available at time of travel request), the employee is required to contact Central Garage 24 hours in advance of their trip to see whether a Central Garage vehicle became available. If so, employee would need to take the Central Garage vehicle or decide to use vehicle without reimbursement. In the event a vehicle is available, and the employee chooses to utilize it, an amendment to the travel request will need to occur. If an employee is approved to take their personal vehicle mileage reimbursement will occur as set forth in the applicable bargaining agreement (Resolution No. 68-07 set mileage reimbursement for all county employees at the established IRS prevailing rate effective February 19, 2007), upon presentation of a properly executed voucher including odometer readings. In the event an employee chooses to use their personal vehicle without any reimbursement, whether a Central Garage car is available or not, as designated at the time the travel request is submitted, and indicates as such on the travel request, no mileage will be reimbursed regardless of a change in car availability status at a later date. Mileage will not be reimbursed for in-county travel, unless client related services such as client transportation, client visitation, inspection services, meal deliveries, etc.

No mileage reimbursement shall be paid to any employee for travel from his or her home to their normal place of business. Additionally, no mileage reimbursement shall be paid for any travel between various county offices unless required by law, or specifically client related services such as client transportation, visitation, inspection services or meal deliveries.

Meals and Other Expenses

County employees may be reimbursed for expenses, such as meals, parking, tolls, registration, lodging, etc. upon presentation of properly documented vouchers with original receipts and approved travel requests.

Meal expenditures shall be reimbursed with the following limits:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

The aforementioned amounts are the maximum amounts that will be paid for any one given meal and include tax and gratuity, except under one of the following circumstances:

1. You are required to purchase all three of your meals for a given day and have been authorized the maximum amount of \$50.00, you may divide the cost any way you wish so long as the total meal allowance for the day does not exceed \$50.00, however, you must have original receipts and approved travel request attached to your reimbursement voucher or reimbursement will be denied.

Additionally, it should be noted that when outside reimbursement is available and occurs, said reimbursement to any employee will be deducted from the meal allowance. The above daily allowance or daily maximum amount will not be increased to reflect outside reimbursement.

2. You are attending a conference, breakfast, lunch, dinner meeting or banquet outside the County for which there is a pre-established price and/or meal that you must attend and for which you have no control over or must purchase a ticket at the price offered and eat whatever is served. Under the aforementioned circumstances there will be no set limit for meal reimbursement, however, you must still attach to your reimbursement voucher either your original conference receipt or meal receipt and approved travel request or reimbursement will be denied.
3. You are traveling to a large city (as defined by a population of 500,000 or more) or its surrounding area where the cost has the potential to be significantly higher than the established reimbursement limits. Under the aforementioned circumstances, if actual expenses incurred are in excess of the allowance, a full justification will be required by the County Administrator and an amendment to the travel request will be required prior to approval of payment or reimbursement.

Anything not addressed above should be coordinated with and approved by the County Administrator.

The following are the time frames for allowable meal reimbursement while traveling outside the County to and from a conference.

- Breakfast: Departure from home or office prior to 7:00 a.m.
- Lunch: Departure from home or office prior to 11:00 a.m.
- Dinner: Departure from home or office prior to 5:00pm or out of the County after 5:00 p.m.

The cost of meals should be appropriate to the time and place of the meal as follows:

- Breakfast: Between 6:00 a.m – 10:00 a.m.
- Lunch: Between 11:00 a.m. – 2:00 p.m.
- Dinner: Between 4:00 p.m. – 8:00 p.m.

The following will not be paid or reimbursed:

- Alcoholic beverages
- Maid, Laundry, or Valet services or tips
- Theft, loss, or damage to personal property
- Personal Entertainment
- Personal Car services (unless flying and a County or personal vehicle was not used)
- Fines for parking or traffic violations

Employees will be required to reimburse the County for any unauthorized or unapproved expenses.

Other expenses such as parking, tolls, registration, lodging, etc. shall be reimbursed upon presentation of a properly documented voucher with original receipts and approved travel requests.

County-Owned Vehicles

Certain County employees are provided a county owned vehicle to perform these services. Such vehicle being used by an employee shall not be used for personal business. All such County vehicles are to have the County seal prominently displayed on the vehicle.

Additionally, anyone driving a County vehicle will abide by the following safe driving standards:

- Safe, defensive driving at all times.
- Maintenance of a valid driver's license.
- Always use a seat belt and advise passengers accordingly.
- Never drive under the influence of drugs or alcohol or use tobacco in the vehicle.
- Never drive while using a cellular phone in accordance with the County Cell Phone Policy in 4.5 above.
- Inspect vehicle prior to driving and report any mechanical problems or body damage immediately.
- Report any on-the-job accidents or moving violations, regardless of when they occur, to the supervisor immediately and cooperate fully with insurance claim investigation.
- Report any medical conditions and/or doctor prescribed medications that may impact ability to operate a vehicle.

It is understood that the County's administration may check anyone's driving record, if using a county-owned vehicle, at any time they deem appropriate. Failure to comply with the above described standards may result in loss of use of a county-owned vehicle and disciplinary action up to and including termination.

It should be noted that many travel and reimbursement expenses are paid for through tax dollars, and as such, County employees must be fiscally prudent when provided with the opportunity to travel for training, conferences, etc. and when spending public funds.

8.2 Purchasing/Fixed Assets (Resolution Nos. 376-22 and 9-23)

Every County employee is to follow the guidelines for purchases and fixed assets as set forth in the County's Purchasing Policies and Procedures Manual and in the Fixed Assets Policies and Procedures. A copy may be located in the All County Drive (A:) - Manuals-Policies folder.

8.3 Expense Reimbursement for Volunteers (Resolution No. 82-06)

A Department Head must submit a travel request form to the County Administrator for permission to reimburse a volunteer for certain county-related travel expenses. Approved requests shall follow the mileage and meal reimbursement guidelines and requirements as established by the County Legislature outlined in the original policy.

8.4 Notary Public Fees (Resolution Nos. 127-82, 338-93, and 100-23)

The County recognizes that there will be a change in personnel in the various offices from time to time and that it becomes necessary to have some staff certified as Notary Publics. Schuyler County will provide one (1) initial payment of the required fee, travel to and from the place of examination, the required filing fees and renewal fee with the County Clerk, and a Notary stamp.

8.5 Uniforms

See appropriate bargaining agreement booklet for information on uniform allowance.

Any employee entitled to a clothing allowance may use the employer's vendors to purchase clothing and have the vendor bill the employer through the Purchasing Department. If an employee chooses not to use the employer's Purchasing Department, then all clothing purchases will be subject to taxes and the taxes shall not be reimbursed by the employer.

8.6 Credit Card

Please refer to Purchasing Department Policies and Procedures Manual located in the All County Drive (A:) for credit card procedures.

9 ACKNOWLEDGMENT

I acknowledge that I have received a copy of the Schuyler County Policies and Procedures Manual, and I do commit to read and follow these policies.

I am aware that if, at any time, I have questions regarding Schuyler County policies I should direct them to my supervisor or the Human Resources Department.

I understand and acknowledge that Schuyler County policies and other related documents do not form a contract of employment and are not a guarantee by Schuyler County of the conditions and benefits that are described within them. Nevertheless, the provisions of such Schuyler County policies are incorporated into the acknowledgment, and I agree that I shall abide by its provisions.

I also am aware that Schuyler County, at any time, may on reasonable notice, change, add to, or delete from the provisions of the County policies.

Employee's Printed Name

Position

Employee's Signature

Date