

# **FORSYTH COUNTY EMPLOYEE HANDBOOK**

(For employees in positions other than  
full-time and part-time with benefits)



**Revised 5/15/2014**

# TABLE OF CONTENTS

	<b>PAGE</b>
Employee Handbook Receipt .....	3
Introduction.....	4
Mission Statement .....	4
Description of Forsyth County Government .....	4
News Media .....	5
Equal Employment Opportunity.....	5
Outside Employment .....	5
General Rules of Conduct.....	6
Computer and Phone Usage.....	7
Personal Phone Calls .....	7
Breaks .....	7
Attendance, Absenteeism, Tardiness .....	8
Grievance Procedure.....	8
Alcohol Policy .....	9
Drug Testing Policy .....	10
Workplace Harassment Policy.....	11
Workplace Violence Policy .....	13
Use of County Vehicle.....	14
Promotion .....	14
Pay Periods .....	14
Direct Deposit.....	15
Deductions from Pay .....	15
Fair Labor Standards Act.....	15
Overtime Compensation .....	16
Social Security .....	16
Workers' Compensation .....	16
Family and Medical Leave .....	18
Americans with Disability Act Policy .....	19
Life-threatening Communicable Disease .....	19
Political Activities .....	21
Disclosure of Confidential Information .....	21
Gifts and Favors.....	21
Solicitations .....	22
Conflict of Interest.....	22
Internal Investigations .....	22
Workplace Searches .....	23
Employment of Relatives .....	23
Inclement Weather.....	23
Emergency Management .....	24
Personnel Records .....	25
Veterans .....	25
Community Resources.....	25
End of Employment.....	26

## EMPLOYEE HANDBOOK RECEIPT\*

I have received my copy of the Forsyth County Employee Handbook (for employees in positions *other than* full-time and part-time with benefits), which serves as a guide to the County's rules, regulations, policies, and procedures, and I acknowledge that I am responsible for reading and understanding this handbook. I further acknowledge that the contents of the handbook are subject to change at the discretion of management. I agree to read and abide by any changes that are made available to me.

I understand that the most current version of this handbook can be found on the County's website at [www.forsyth.cc](http://www.forsyth.cc) or on the County's intranet at FCNet.

I acknowledge that I am an at-will employee and that this handbook is not and shall not be considered an employment contract, and does not guarantee my employment for any specific period of time. No person has the authority to grant any County employee any contractual rights of employment. The County reserves the right to make any changes in these guidelines, their application and/or my benefits as it deems appropriate. These changes may be made with or without notice to me. I acknowledge that my employment may end at the will of either myself or the County at any time for any reason or no reason.

I understand that if I have any questions about this handbook, I am encouraged to address them to my supervisor or the Human Resources department.

\_\_\_\_\_  
Employee's Signature

Date: \_\_\_\_\_

\* ORIGINAL SIGNED RECEIPT IS KEPT IN THE HUMAN RESOURCES DEPARTMENT  
***THIS IS A COPY FOR REFERENCE***

# **FORSYTH COUNTY EMPLOYEE HANDBOOK**

(For employees in positions other than  
full-time and part-time with benefits)

## **INTRODUCTION**

This Forsyth County Employee Handbook applies to employees who fall in categories *other than* full-time and part-time with benefits. These categories include temporary (even if full-time temporary), seasonal, and employees who work below an average of 20 hours a week. Employees in these categories are scheduled on an as-needed basis and therefore should have no expectation of a set number of hours per week, a specific duration of time they will work or continued employment. Time worked in a part-time position with no benefits does not count towards County service; however, it does count towards eligibility for benefits under the Family and Medical Leave Act (FMLA).

Employees working in a part-time, no benefit position do not receive any type of benefits, including annual performance evaluations and/or any associated pay increase. On rare occasion, a pay increase may be implemented if the market reference point for the position goes up and the employee needs to be brought up to the new minimum salary for the position.

This handbook summarizes the general rules, regulations, and policies of Forsyth County as they relate to those employees who are appointed by the Board of Commissioners and by the County Manager, as well as to those employees in the Public Health, Register of Deeds, Sheriff, Social Services and Tax Departments for whom and to the extent the Department Heads of said departments have adopted said rules, regulations and policies. Department Heads have the authority to establish rules, regulations, policies and expectations for their own department within the scope of those contained in this handbook. Examples include appropriate dress, attendance and scheduling. No supervisor has the authority to depart from the County's established policies or those of their department. This handbook supersedes any prior version or edition of the Forsyth County Employee Handbook for current use.

## **MISSION STATEMENT**

The mission of Forsyth County Government is to help create a community that is safe and healthy, convenient and pleasant to live in, with educational and economic opportunities for everyone. We cooperate with many other public agencies and community organizations in this mission.

We provide certain services and functions that are responsibilities of all county governments, and other services that the Board of Commissioners has determined to be necessary and appropriate. We are committed to providing quality services, efficiently and effectively, with courteous attention to the opinions and needs of individual citizens.

## **DESCRIPTION OF FORSYTH COUNTY GOVERNMENT**

The Forsyth County Board of Commissioners is composed of seven members elected by Forsyth County citizens for staggered four-year terms. At the first regular meeting in December each year, the Board elects a chair and vice-chair from among its members for a one-year term. Regular meetings are held at 6:00 p.m. on the second and fourth Mondays of the month. The Commissioners also meet for briefings at 2:00 p.m. on Thursday afternoons. The public is welcome to attend these meetings.

The Commissioners consider ordinances and resolutions that establish County policies and levy taxes. They also make appointments to boards, committees and commissions and set levels of service provided to Forsyth County residents. The County acts as a co-administrative unit with the State in the areas of public health, social services and education.

The Commissioners appoint a County Manager as the administrative head of Forsyth County Government. The County Manager supervises the day-to-day operations of all departments under the general direction of the Commissioners. Forsyth County Government has a broad scope of responsibilities and includes the departments of Animal Control, Interagency Communications, Emergency Services, Sheriff, Environmental Affairs, Public Health, Social Services, Youth Services, North Carolina Cooperative Extension Services, Public Library, Parks and Recreation, Housing, Budget and Management, Management Information Services, Finance, General Services, Human Resources, Attorney, Board of Elections, County Manager, Register of Deeds, and Tax.

## **NEWS MEDIA**

Forsyth County has a policy of cooperation with all branches of the news media as they strive to provide citizens with an accurate account of the activities of County government. To ensure the consistency of any statements to the media, you are asked to refer all requests for information to your Department Head.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Fair treatment to all persons seeking employment or currently employed is one of the guiding principles of Forsyth County. It is Forsyth County's policy to offer equal job opportunity for employment, training, and advancement to all qualified persons without regard to age, race, color, religion, sex, national origin, disability, or any other factor that is not reasonably related to job performance. All human resource actions such as compensation, benefits, promotions, transfers, dismissals and training are to be administered in a non-discriminatory manner.

If you feel that you have not been afforded equal employment opportunity, you should follow the established grievance procedure outlined in this handbook. (See Grievance Procedure section.)

## **OUTSIDE EMPLOYMENT**

The work of the County must have precedence over any other occupational interest of its employees. If you wish to hold outside employment for salary, wages or commission and/or any self-employment, you must request permission in writing and have it approved by your immediate supervisor and Department Head prior to beginning such employment. No time during County working hours may be used to promote or carry out outside employment, nor shall any County equipment, supplies or office space be used in conjunction with outside employment (except public safety uniforms when used in approved outside employment).

Conflicting outside employment shall be grounds for dismissal. Not disclosing outside employment is grounds for disciplinary action up to and including dismissal.

## **GENERAL RULES OF CONDUCT**

The proper conduct of all employees is necessary to ensure a safe, productive and pleasant working environment. As a County employee, you are expected to conduct yourself in accordance with the following guidelines:

- Know and observe all established County policies and procedures.
- Perform the job assigned to you as instructed by your supervisor.
- Be prompt in reporting to work and devote full attention to your work while on duty.
- Know and abide by the published safety rules of the County for your own protection, that of fellow employees and the public.
- Be fair, courteous and cooperative in dealing with the public and with fellow employees.

The following actions are not permitted. Any employee discovered committing any of the following offenses while on duty is subject to disciplinary action up to and including dismissal. This list is not all-inclusive.

- Displaying disrespect toward or refusing to carry out the instructions of a supervisor or other authorized person
- Repeatedly disappearing from the work area without permission or without an acceptable reason
- Allowing personal relations in the workplace to become disruptive
- Removing County property from the premises without permission from the proper authority
- Theft or misuse of County property or services (e.g., mailing personal things, personal use of a County car, extensive use of cell phone or office phone for personal calls, making personal long distance phone calls at the County's expense, personal use of tools or supplies, etc.)
- Intentionally falsifying County records
- Using internet access, e-mail, the telephone, a facsimile machine or any other means to view, generate, send or receive materials that could be construed as fraudulent, illegal, harassing, obscene, indecent, profane or intimidating
- Violating the drug and alcohol policies of Forsyth County (see Section IV. Drug Testing Policy and Alcohol Policy)
- Fighting or provoking a fight on County property; using abusive, obscene, profane or threatening language; or engaging in immoral conduct while on duty
- Engaging in workplace violence which includes, but is not limited to intimidation, threats, physical attack, domestic violence or property damage

- No County employee shall possess or carry, whether openly or concealed, any weapon, as described in G.S. 14-269(a) and G.S. 14-269(a1) of the NC General Statutes: in or on the grounds of real property or buildings owned by or leased to Forsyth County; in or upon County motor vehicles; or while on duty or when expected to perform services on behalf of the County. This section shall not apply to officers or employees of the County, charged with the execution of the laws of the state, when acting in the discharge of their official duties if authorized by law to carry weapons or full-time sworn law enforcement officers when so authorized by the sheriff as provided by law.
- Operating a County vehicle without a valid N.C. driver's license or otherwise in violation of policies regarding the use of County vehicles
- Unwelcome or unsolicited speech or conduct based on age, race, color, religion, sex, national origin, disability or any other factor that creates a hostile work environment.

## **COMPUTER AND PHONE USAGE**

Most employees of Forsyth County are provided with computers and telephones as tools to assist with their work. All of your work-related communications should contain only business-appropriate content. Employees may not include personal, political or religious content in voicemail greetings or email taglines. Your computer and phone and the data that is created, sent, received or stored in it are at all times the property of Forsyth County. Forsyth County reserves the right to retrieve and read any messages or documents with or without advance notice or employee consent.

Internet access, e-mail and voicemail are provided by Forsyth County as working tools but remain County property. You are expected to exercise good business judgment and comply with all County policies at all times when using these tools. Any abuse of the use of computers, the Internet, e-mail or phones is grounds for disciplinary action up to and including dismissal. Some examples of abuse are accessing Internet information that is inappropriate in the workplace, using County time to pursue personal interests either over the Internet or through e-mail, sending or forwarding e-mail that is considered offensive or harassing by others. These examples do not include all possible misuse of these tools.

The County's workplace harassment policy, as well as other policies, procedures and rules of conduct, applies with equal force to your use of the County's computer system, e-mail and telephones.

## **PERSONAL PHONE CALLS**

Forsyth County realizes we all have personal matters that need to be attended to from time to time. However, personal phone calls can be a disruption in the workplace and should always be kept short. Excessive time spent on personal phone calls can be grounds for discipline up to and including dismissal.

## **BREAKS**

Breaks during the average workday are not required by the Fair Labor Standards Act. However, the County recognizes that employees who constantly serve the public by phone or in person benefit from brief periods of relief from their responsibilities. These employees normally receive an approximate fifteen-minute break twice a day. If one of these breaks is missed for any reason, it is gone. Breaks may not be added to lunch time, taken at the end of the day or saved for another day.

## **ATTENDANCE, ABSENTEEISM, TARDINESS**

The quality of service provided to the public is a reflection of the consistent and dependable performance of County employees. Your unscheduled absence or tardiness places a burden on co-workers and hinders effective County operations. In situations where you must be tardy or absent, you must notify your immediate supervisor within the 30-minute period following your normal reporting time.

Excessive tardiness and absenteeism may result in disciplinary actions up to and including dismissal. Any absence of three consecutive workdays without prior approval from the County is deemed to be a voluntary resignation.

## **GRIEVANCE PROCEDURE**

Problems can arise in any job situation. It is Forsyth County's management philosophy that problems can best be resolved by free and open discussion. The County Grievance Procedure is designed to promote such discussion along with an orderly resolution to the problem. It is the County's desire to address employee grievances promptly and fairly.

Except as specified under the Exceptions to Grievance Procedure section, any employee who has a problem or complaint concerning his/her job, working conditions or County policies may utilize the following grievance procedure. You are expected to continue to perform your job as directed by your supervisor until the grievance is resolved.

For purposes of this Grievance Procedure, a mere disagreement or difference of opinion with your supervisor or other employee, is ordinarily not a grievable issue.

**Step 1.** You should first discuss the problem with your immediate supervisor. Many concerns can be resolved at this level.

**Step 2.** If a satisfactory solution is not reached in Step 1, you may request an appointment and meet with your Department Head to discuss the matter further. At the meeting with the Department Head, you should openly discuss the problem to seek a resolution. The decision of your Department Head is final.

### **Exceptions to the Grievance Procedure**

If you feel that your problem is of a highly sensitive nature (e.g., sexual harassment, discrimination, or an accommodation for a disability), you may submit a written description of the situation to the Human Resources Director. The Human Resources Director will notify you in writing of the appropriate procedure to follow.

Public Health and Social Services employees are subject to the State Personnel Act and therefore follow a different grievance procedure. Employees of these departments should consult their supervisors and/or Human Resources with any questions regarding their particular grievance procedure.

The Sheriff and the Register of Deeds are elected officials and, by law, have the sole right to hire and dismiss their employees, as does the Tax Assessor for certain employees. Any employee in one of these departments who has a grievance should follow the grievance procedure established by his/her department.

## **ALCOHOL POLICY**

Forsyth County has implemented an alcohol policy to promote and maintain a workplace environment that is free from the negative aspects of alcohol and to protect employees and the public by ensuring that County employees are at all times capable of performing their assigned duties. This section summarizes the alcohol policy.

Forsyth County is interested in providing appropriate assistance to employees who are experiencing alcohol-related problems. Under most circumstances, an employee who has a positive alcohol test result will be referred to the Employee Assistance Program. Employees will be expected to successfully complete all recommended treatment.

Department Heads who have reasonable suspicion that an employee has consumed or is under the influence of alcohol while working, can authorize alcohol testing. The employee will not be allowed to work until the results of the test are known. Anyone refusing to take a test will be recommended for dismissal. Refusing to sign a consent form or attempting to delay the test constitutes refusal to take the test.

Normally, a breath-alcohol test will be used to determine the presence of alcohol. Only laboratories that are properly certified and observe strict chain of custody procedures will be used. The employee will be notified in writing of a positive alcohol test result. Employees have the right to provide an explanation for their alcohol test results.

Employees who have successfully completed any recommended treatment will be subject to unannounced alcohol testing for 2 years after completing the treatment. Anyone failing such an unannounced test will be recommended for dismissal.

**Notification of Loss of License:** Any employee who drives a County vehicle must notify their supervisor when their driving privileges are suspended. An employee who drives a County vehicle without a valid N.C. driver's license will be recommended for dismissal.

**Notification of Conviction:** As a condition of continued employment, each County employee must notify their supervisor of their conviction of any alcohol-related offense not later than five days after such conviction. All County employees are prohibited from operating a County motor vehicle until they possess a valid, unrestricted N.C. driver's license. Loss of a driver's license could result in dismissal.

**Requirements for Employees Required to Have a Commercial Driver's License:** In compliance with Department of Transportation regulation 49 CFR part 382, employees who are required to have a Commercial Driver's License and who operate a vehicle over 26,001 pounds or a vehicle that was designed to carry 16 or more passengers are subject to alcohol testing in the following circumstances:

- Post-accident when there is a fatality or the driver receives a citation
- Reasonable suspicion as discussed above
- Random testing as required by law
- Return-to-duty and follow-up tests, after evaluation or any necessary rehabilitation.

## **DRUG TESTING POLICY**

Forsyth County has implemented a drug testing policy to promote and maintain a drug-free workplace in order to ensure the safety of employees and the public. A summary of the policy follows.

Department Heads who have reasonable suspicion that an employee is using or is under the influence of drugs are authorized to schedule a drug test and require the employee to cooperate fully with testing personnel. Anyone refusing to take the drug test will be recommended for dismissal.

Before the drug test is administered, the employee will be asked to sign a consent form authorizing the test and permitting the release of test results to County officials with a need to know. The consent form also explains the procedure for confirming an initial positive test result, the consequences of a positive test result, the employee's right to explain a positive test result, the appeal procedures available, and the consequences of refusing to undergo a drug test.

If a drug test result is positive, the Human Resources Director will notify the employee in writing, including the identity of the particular substance found. The employee will be subject to disciplinary action up to and including dismissal. The employee's work history, job assignment, length of employment, current job performance and past disciplinary actions will be factors in determining the disciplinary action taken. An employee permitted to continue employment and receive assistance under the Employee Assistance Program will be required to use accrued sick leave, annual leave, compensatory leave or leave without pay for all time away from work. The intent of this opportunity for assistance is to allow substance abusers to get the help they need and to restore their productivity.

Those employees satisfactorily completing a drug rehabilitation program will be subject to unannounced drug tests for 2 years after completion of the program. Upon a positive drug test result, the employee will be recommended for dismissal.

**Requirements for Employees Required to Have a Commercial Driver's License:** In compliance with Department of Transportation regulations 49 CFR part 382, employees who are required to have a Commercial Driver's License and who operate a vehicle over 26,001 pounds or a vehicle that was designed to carry 16 or more passengers are subject to drug testing in the following circumstances:

- Post-accident when there is a fatality or the driver receives a citation
- Reasonable suspicion as discussed above
- Random testing as required by law
- Return-to-duty and follow-up tests, after evaluation or any necessary rehabilitation.

**Additional Testing for Certain Employees:** Certain safety-sensitive positions may be subject to random drug testing through a separate policy adopted by their department.

## **WORKPLACE HARASSMENT POLICY**

Forsyth County Government strives to provide an environment where all employees are free to perform their job duties with respect and dignity. Therefore, Forsyth County will not tolerate or condone workplace harassment on the basis of race, sex, gender, religion, national origin, age, color, or disability in any department by co-workers, supervisors, or non-employees who conduct business with the County. Retaliation or interference, coercion, restraint or reprisal against any person complaining of, or participating in an investigation of, alleged harassment is also prohibited. The County has established a training program for all employees as a part of its prevention plan.

- **Workplace Harassment** is defined as unwelcome speech or conduct based upon race, sex, gender, religion, national origin, age, color, or disability or other protected status that creates a hostile work environment or constitutes quid pro quo harassment.
- **Hostile Work Environment** is defined as unwelcome speech or conduct that unreasonably interferes with job performance or creates an intimidating, hostile or offensive working environment. Whether a hostile work environment exists may depend upon, among other things, the following factors: (i) whether the harassment was verbal or physical or both; (ii) how frequently the harassment was repeated; (iii) how hostile and clearly offensive; (iv) the identity of the harasser (coworker or supervisor); (v) whether other people joined in the harassment; and (vi) whether the harassment was aimed at more than one person. In addition to actual verbal or physical behavior, some examples of things that could contribute to a hostile work environment include posted written materials and/or cartoons, radio or recorded audio played and computer images or websites that another person could find offensive based on one of the protected statuses listed above.
- **Quid Pro Quo** harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct when:
  - 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
  - 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

- **Retaliation** is defined as adverse treatment of an employee that occurs as a result of a report of, investigation of a report of, or opposition to workplace harassment.

## **I. Complaint Procedure:**

### **A. All Employees Other Than Employees of DSS and Public Health**

- 1) Any employee who believes he or she may have a complaint of workplace harassment must immediately file a complaint with the employee's immediate supervisor, the Human Resources Director ("HR Director"), or the County Manager only if the complaint is against the HR Director.
- 2) It is the employee's responsibility to complain in writing or to request an individual interview and be prepared to provide as much specific information as possible. Supervisors on notice of, or any employee who witnesses workplace harassment should also report the prohibited conduct to their supervisor or the HR Director.

### **B. DSS and Public Health Employees Only**

- 1) Any employee who believes he or she may have a complaint of workplace harassment must submit a written complaint pursuant to the department's internal grievance procedure within 30 calendar days of the alleged harassing action. If any step in the applicable department grievance procedure involves reporting harassment to the alleged harasser or it involves any action or decision by the alleged harasser, then the employee and the department shall bypass that step of the procedure and proceed with the next step of the department grievance procedure.
- 2) The department will take appropriate action, if any, as soon as possible, but no longer than within 60 calendar days.

## **II. Investigation:**

The confidentiality and privacy of County employees and others involved will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.

The parties and appropriate management officials will be advised of the outcome of investigations. Any employee found to be in violation of this policy will be subject to disciplinary procedures up to and including dismissal.

### **A. All Employees Other than DSS and Public Health**

Working very closely with department heads and other County administrators, the HR Director is responsible for managing all complaints of workplace harassment and for ensuring that complaints are investigated promptly, thoroughly and impartially.

### **B. DSS and Public Health Employees Only**

Working closely with the department staff and other agency management, the department head is responsible for managing all complaints of workplace harassment and for ensuring that complaints are investigated promptly, thoroughly and impartially.

### **III. Appeal — DSS and Public Health Employees Only**

An appeal to the State Personnel Commission must be filed with the Office of Administrative Hearings within 30 calendar days after the 60 calendar days allotted the department for consideration of the complaint.

NOTE: This policy is applicable to all County employees except the Sheriff's department which is subject to procedures set forth in its "Discrimination and Sexual Harassment," Section 35000.00 of the Standard Operating Procedures.

## **WORKPLACE VIOLENCE POLICY**

Forsyth County strives to provide a workplace free from violence. Therefore, all employees should know what will not be tolerated and the importance of reporting any behavior that may lead to violence. We will hold perpetrators of violence or threats of violence accountable and we will provide assistance and support to victims.

Prohibited workplace violence includes, but is not limited to, intimidation, threats, physical attack, domestic violence or property damage. It includes acts of violence committed by employees, clients, relatives, acquaintances or strangers against a County employee in the workplace.

Violent conduct while not at work may also be grounds for disciplinary action, up to and including dismissal if there is a potential adverse impact on a County employee's ability to perform their assigned duties and responsibilities.

When it is reasonable to suspect the potential for violence exists, an employee may be required to undergo an assessment coordinated by the Employee Assistance Program (EAP) to determine the risk of danger. Compliance with recommended treatment will be mandatory.

Employees who are victims of workplace violence will be offered all available security measures. Victims may want such things as an adjustment to work schedule, location or leave of absence for a period of time to enhance their safety. These requests will be accommodated whenever possible and appropriate. The County will work closely with the victims to ensure that both the needs of the victims and the County are addressed. All victims will be encouraged to use the services of the Employee Assistance Program.

It is important for all employees to be alert to the possibility of violence by employees, former employees, clients and strangers. Safety should be the highest concern. All acts and threats of violence must be reported immediately to your supervisor and the Department Head. If those people are not available, contact Human Resources, Risk Management or the Attorneys Office. Of course if the situation warrants it, 9-1-1 should be called immediately.

Any retaliation against an employee who, in good faith, reports the behavior described in this section will be strictly prohibited. Every effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence. Information will only be released on a need-to-know basis.

As part of the County's efforts to prevent workplace violence, searches may be performed as described in the Workplace Searches section.

## **USE OF COUNTY VEHICLE**

At various times your job may require travel. When the use of a vehicle is required, departmental policy and the availability of a County fleet vehicle will govern whether you drive your personal vehicle or a fleet vehicle. If use of a fleet vehicle is desired, you should reserve a vehicle from the County fleet at least 1 week in advance.

Use of a personal vehicle is appropriate if it is authorized by your Department Head and within budgeted funds. You will receive mileage reimbursement at the current effective rate if use of a personal vehicle is authorized.

Employees must have a valid N.C. driver's license to drive a County vehicle. Employees must let their supervisor know when they have temporarily lost their driving privileges. Driving a County vehicle without a valid driver's license will be considered misconduct and the employee will be recommended for dismissal. (See also Alcohol Policy and Drug Testing Policy sections.)

An employee whose job entails authorized use of a County vehicle for commuting to and from work should be aware that this usage is a taxable fringe benefit. More detailed information is available from the Finance Department.

## **PROMOTION**

**(Rev. 5/15/14)**

It is the County's policy to give current employees first consideration as applicants for promotional opportunities. An employee's capacity to assume greater responsibility through promotion is characterized by a willingness to learn and accept additional duties, a history of getting along with others, and working with exceptional efficiency. When an employee progresses and develops, the employee and the County benefits.

Internal candidates must meet the minimum job requirements and have substantially equivalent qualifications as external candidates. Employees under a written warning are not eligible for promotions or job transfers. In some situations, an employee may choose to apply for a position that would be a lateral transfer or demotion in order to pursue a different career path or enhance career potential. The best interests of the County and the employee are considered when reviewing these requests. A demotion will normally include a reduction in pay.

Promotions are job changes to positions with at least a 2.5% higher Market Reference Point. If an employee receives a promotion, he/she will normally receive a 5% increase in pay. Any additional increase will be based on factors such as the difference in Market Reference Points, how much training is necessary and the salaries and comparable knowledge, skills and abilities of other employees in the work unit and department. If an employee accepts a position that moves into the departments of Social Services or Public Health, he/she will be required to serve a new probationary period under the State Personnel Act.

## **PAY PERIODS**

County employees are paid every other Friday, 26 times a year. For most County employees, the pay period ends at midnight on the Friday preceding a payday. If a regular payday falls on a holiday, employees will receive their pay on the last working day prior to the holiday.

Each employee will complete a payroll time sheet to record hours worked and leave taken during each pay period. The time sheet must be reviewed for accuracy and signed by the employee's immediate supervisor. Time will be recorded in 15-minute increments and must be rounded up or down to the nearest 15 minutes. Specific instructions on completing the time sheet are available from your supervisor or the Finance Department.

## **DIRECT DEPOSIT**

Direct deposit is the method Forsyth County uses to pay employees. You have the option to deposit your pay into either a checking or savings account with most of the area financial institutions. The Human Resources Department staff will assist you with initial enrollment and with subsequent changes of banks or accounts. You will receive a confidential "Statement of Earnings & Deductions" each payday.

## **DEDUCTIONS FROM PAY**

The following standard deductions are authorized by law to be deducted from your pay:

- FICA (Social Security and Medicare)
- State Income Tax
- Federal Income Tax
- Garnishment/Wage Withholding

## **FAIR LABOR STANDARDS ACT**

It is the policy of Forsyth County to fully comply with the FLSA. All positions in the County are designated exempt or non-exempt under FLSA depending on whether they meet the requirements of the act. These designations have nothing to do with the importance of a position to the County.

Employees who are non-exempt must be paid overtime or granted compensatory time for hours over 40 worked each workweek. (See Overtime Compensation for more details). There are specific exceptions under the FLSA for law enforcement and fire fighting.

Employees who are exempt do not have to be paid overtime for hours over 40 worked each work week. Forsyth County, as a public employer with accountability to taxpayers, requires that exempt employees who have exhausted all leave not be paid for hours not worked. This will happen even when the time not worked is less than a day.

It is County policy to promptly investigate and correct any improper payroll deductions or other payroll practices that do not comply with the FLSA. If you believe that an improper payroll practice, such as an improper deduction from an exempt salary, has occurred, you are required to file a written complaint to the Human Resources Department. The report should provide the date the reduced paycheck was issued, the circumstance that led to the deduction. HR will see that the matter is appropriately reviewed. The employee will be reimbursed for the amount of any inappropriate deduction taken.

Nonexempt employees required to work when daylight savings time begins or ends will be paid for the hours actually worked. In the spring, employees will be paid one hour less when clocks are set forward one hour. Conversely, in the fall when clocks are set back one hour, employees will be paid for the extra hour. The extra hour is work time and included for purposes of calculating overtime.

## **OVERTIME COMPENSATION**

Employees of the County are either exempt or non-exempt under the Fair Labor Standards Act. Your supervisor can tell you whether your particular position is exempt or non-exempt.

Exempt employees are expected to work a minimum of 40 hours per week and may work more than 40 hours when it is necessary to get the job done. An exempt employee will normally not be paid overtime or accrue compensatory leave. In unusual cases where overtime is specifically authorized in advance, exempt employees will accrue compensatory leave on an hour-for-hour basis.

Non-exempt employees must be compensated for all hours worked. However, no overtime shall be worked by a non-exempt employee except as authorized by the County Manager or his designees. Therefore, non-exempt employees are not to work through their lunch, begin working early or continue working past their scheduled work time unless specifically authorized by their supervisor.

Overtime work for non-exempt employees, when properly and sufficiently authorized in advance by the County Manager, shall be compensated by monetary payment at approximately the rate of one and one-half times the regular rate of pay.

## **SOCIAL SECURITY**

Forsyth County participates in Social Security and matches your mandatory contributions. Social Security is the nation's basic method of assuring a continuing income for you and your family when earnings stop or are reduced due to retirement, disability or death. Social Security payments are not intended to replace all lost earnings and should be supplemented by retirement plans, deferred compensation plans, personal savings, investments and insurance. Forsyth County will take precautions to protect the privacy of your social security number and will only require that you provide it where there is a valid business need.

Further information can be obtained by visiting the [Social Security Website](#) or by calling Social Security at 1-800-772-1213.

## **WORKERS' COMPENSATION**

As required by the North Carolina Workers' Compensation Act, Forsyth County provides Workers' Compensation insurance for all employees. Forsyth County has a self-insured Workers' Compensation program that provides coverage for lost wages and medical costs defined as "reasonable and necessary" for work-related injuries and illnesses.

The schedule for wage replacement benefits is established annually by the North Carolina Industrial Commission. Employees receiving wage replacement benefits are not contributing to the North Carolina Local Governmental Employees Retirement System. Contact the Retirement System if you are interested in information about purchasing this lost time.

Work related claims should not be filed under the County's regular group health plan.

### **If you are injured at work or become ill as a result of your work, follow these procedures:**

- 1) Notify your supervisor immediately.
- 2) As soon as the supervisor is aware of a job-related injury, he/she shall notify Risk Management by calling 703-2067, 703-2058 or 703-2061.
- 3) Complete the Employee Injury/Illness Report form on the day of the incident or within 24-hours. If you cannot complete the form, your supervisor shall complete it for you.
- 4) Minor first aid may be provided in the workplace. Complete the Injury/Illness Report form even for minor injuries.
- 5) If medical assistance is necessary, you must go to an approved Primary Care Provider. If you fail to do so, you may not claim workers' compensation benefits. To view the list of approved Workers' Compensation providers, go to the Listing of Associated forms. Medical care by other than an approved provider will not be covered.
- 6) If the injury occurs after hours, you should go to Baptist Medical Center. In the case of serious or life threatening injury, you should go directly to the nearest emergency room.
- 7) The Primary Care Provider must authorize all additional medical treatment and all referrals to an approved specialist.

### **If you lose time from work as a result of an eligible work-related injury or illness you will receive a weekly benefit payment, based on your earnings, subject to the following:**

- 1) Worker's Compensation pays approximately 2/3 of an employee's lost wages if the injury or illness requires an absence of work for eight or more days. No compensation is allowed for the first seven days except the benefits provided for approved medical or surgical treatment.
- 2) The employee who is absent from work as authorized by the treating physician may use available sick or annual leave during the seven day waiting period.
- 3) The employee who is working and/or on restricted duty and is receiving medical care for a work related injury or illness must use sick or annual leave for time away from work for doctor visits or treatment appointments.

## Return to Work Program for Injured Employees

The County has an active Return to Work Program to benefit employees with a work-related injury resulting in a temporary disability. The Return to Work program is designed to provide temporary, transitional duty assignments, consistent with the Primary Care Provider's recommendations, to promote quick recovery, improve morale and allow the injured worker to earn their normal wage.

Return to work transitional duty assignments are coordinated by the Risk Manager and the employee's supervisor who strive, whenever possible, to have the employee returned to their normal work unit with appropriate modifications or place the employee in another temporary assignment.

## **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

FMLA requires employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for Forsyth County for at least 12 months and at least 1250 hours during the previous 12 months. **All leave taken for FMLA reasons will count toward the employee's annual FMLA leave entitlement.** In determining how much remaining FMLA leave an employee has, Forsyth County looks at your usage in the previous 26 pay periods.

Forsyth County has the right to ask questions of you when you are absent from work to identify if the leave is protected by the Family and Medical Leave Act of 1993 (FMLA). All leave that qualifies will be recorded as protected time. You will complete and sign FMLA leave time sheets as well as regular time sheets during your absence.

### **Reasons for Taking**

FMLA leave will be granted for any of the following reasons:

- To care for the employee's child after birth, or placement of a child with an employee for adoption or foster care (Sick leave can only be used for the period of disability designated by a doctor.)
- To care for the employee's spouse, son or daughter (up to age 18 unless disabled), or parent, who has a serious health condition
- A serious health condition that makes the employee unable to perform his/her job
- To care for the employee's spouse, son, daughter, parent or next of kin who is a covered service member recovering from a serious illness or injury sustained in the line of duty and while on active duty (up to a total of 26 workweeks of leave during a single 12-month period).

### **Advance Notice and Medical Certification**

The employee shall provide advance leave notice and medical certification. The leave request may be denied if the following requirements are not met:

- The employee shall provide 30 days advance notice to his/her Department Head when the need for leave is foreseeable. If unable to give 30 days notice, the employee shall provide notice as soon as practical.
- Forsyth County requires acceptable medical certification to support a request for leave because of a serious health condition or birth or adoption of a child. Medical recertification may be required

every 30 days. In certain cases, the County may require a second or third opinion of a health care provider at County expense.

- Forsyth County may require the employee to provide a fitness-for-duty certification to his/her Department Head prior to returning to work if the leave involves an employee's serious health condition.

### **Job Benefits and Protection**

- You will not be penalized for absences which are FMLA-qualified or for any decreases in productivity that result directly and solely from taking FMLA-qualified leave.
- With certain exceptions, upon return from FMLA leave, you will be restored to your original position or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment.
- The use of unpaid FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of FMLA leave.
- While on FMLA leave, you are required to contact your supervisor at least once per month and indicate your intention to return to work as scheduled.

### **End of FMLA Protected Leave**

If you exhaust all FMLA protected leave and are still unable to return to work, the last day of FMLA will be considered the last day of your employment and your separation will be considered a voluntary resignation.

## **AMERICANS WITH DISABILITIES ACT POLICY**

The Americans with Disabilities Act (ADA) prohibits employment discrimination against qualified persons with physical and mental disabilities. The ADA is complex legislation with many detailed definitions and requirements. The following is a general summary of the ADA; any questions about this law should be directed to your supervisor or the Human Resources Department.

ADA defines a person with a disability as an individual who meets one of the following criteria:

- 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 an impairment

A qualified person with a disability is someone with a disability who meets the necessary skill, work experience, education, training, licensing or certification, or other job-related requirements of a position. Forsyth County is committed to providing equal employment opportunities for qualified persons with disabilities. Forsyth County will accommodate persons protected by the ADA by making changes in the work environment or by changing certain practices and procedures so long as such changes are not unreasonable, would not pose an undue hardship on the County, alter the essential functions of a job or create a direct threat to health or safety. Persons with questions about ADA issues are encouraged to talk to their supervisor or the Human Resources Department.

## **LIFE-THREATENING COMMUNICABLE DISEASE POLICY**

This policy applies to those diseases which the Public Health Director has determined pose little reasonable risk of transmission in the workplace by normal contact, including the Human Immunodeficiency Virus (HIV) and other life-threatening communicable diseases. Employees with a life-threatening communicable disease will be treated with dignity and respect.

- Employees with such diseases will be allowed to perform their jobs as long as they are physically and mentally able to do so.
- Testing for HIV infection is not a condition for employment.
- All employees are expected to attend training sessions to receive accurate information pertaining to life-threatening communicable diseases. Employees who work in areas that pose increased risk of exposure may be required to attend additional training specific to their area of employment.
- All information regarding employees, prospective employees or clients with life-threatening communicable diseases is confidential. Access to this information is limited to persons who have a legal right to know.
- New employees will receive education in life-threatening communicable diseases as a part of their orientation session.
- All County employees will provide services and carry out their duties to the public and clients regardless of whether or not the person being served has a life-threatening communicable disease or is perceived to have such a disease to which this policy applies. All such people will be treated with dignity and respect.
- Center for Disease Control guidelines should be followed in the development of individual department procedures pertaining to the control of life-threatening communicable diseases. Employees are expected to follow the established procedures.
- All workplace accidents involving blood and body fluids must be promptly reported to the supervisor with all appropriate reports completed.
- Reasonable accommodations will be made to allow an employee with a life-threatening communicable disease to continue working as long as the employee is capable of continuing satisfactory performance on the job.
- Any employee whose life-threatening communicable disease has reached the stage where his/her symptoms are beginning to interfere with the satisfactory performance of the duties of the position should inform his/her supervisor, who should contact the Human Resources Director for assistance.
- An employee with such a disease can request that his/her private physician consult with the County Public Health Director and the Human Resources Director as needed.
- Employees working with another employee who has a life-threatening communicable disease, but with whom casual contact does not put a person at risk, are expected to continue to perform their duties.

## **POLITICAL ACTIVITIES**

Forsyth County encourages County employees to take their civic responsibility seriously and support good government. Employees may join, affiliate with and support the principles or policies of civic organizations of a political nature in accordance with the Constitution and laws of the United States of America and the State of North Carolina. However, no employee shall:

- Engage in any political activity while on duty or within any period of time during which he/she is expected to render services compensated by the County
- Be required, as a duty of his/her office or employment, or as a condition of employment, promotion or tenure of office, to contribute funds for political or partisan purposes
- Solicit, or act as custodian of, funds for political or partisan purposes while on duty as an employee of the County
- Coerce or compel contributions for political or partisan purposes from any other employee of the County
- Use any County supplies or equipment for political purposes

Any non-elected county official or employee who becomes a candidate for public office shall be required to take a leave of absence without pay or take annual leave, holiday or compensatory time 1 month preceding the primary, if the official or employee is a candidate in the primary. If successful in the primary, or not subject to the primary, the candidate must take a leave of absence without pay or take annual leave for 1 month preceding the general election.

All constitutional and elected officers are exempt from this entire section, but no such constitutional or elected officers are to use any County funds, goods, supplies or materials for partisan political purposes.

## **DISCLOSURE OF CONFIDENTIAL INFORMATION**

As a County employee, you are not permitted to disclose any confidential information obtained while working for the County without prior approval of your Department Head. Under no circumstances may you use such information to advance the financial or private interests of yourself or others. Violation of this rule constitutes grounds for dismissal.

## **GIFTS AND FAVORS**

No County employee is permitted to accept any valuable gift, whether in the form of entertainment, products, money, services, loans, or promise from any person, firm or corporation that has or anticipates a direct or indirect business interest with the County. No County employee is permitted, in the discharge of their duties to grant any improper favor, service, or gift.

## **SOLICITATIONS**

In order to protect employees from unwanted interruptions, it is the policy of Forsyth County that solicitation by outsiders for any reason is forbidden. Solicitation by co-workers should be done only with the prior approval of the Department Head.

Distribution of literature of any kind to employees without the prior approval of your Department Head is not permitted. This policy does not apply to County-sponsored drives such as the United Way, Arts Council and Blood Drives.

## **CONFLICT OF INTEREST**

Due to the County's fiscal responsibility to the public you are prohibited from working in any situation that may be perceived to be a conflict of interest. Examples of situations of this type include:

- Providing services to the County as an independent contractor
- Having close ties to a vendor or potential vendor in your department
- Performing consulting work that is closely related to your County role or that of your department
- Participating in an interview that involves a friend or relative
- Misusing your position in the County for personal gain

Whenever you are unsure whether a situation may be a conflict of interest, or whenever a potential conflict of interest arises, you are required to discuss it with your Department Head to make sure you are complying with this policy.

## **INTERNAL INVESTIGATIONS**

It is the responsibility of the County to investigate any serious matter brought to its attention. It is the responsibility of all County employees to report any activities that may need investigating and to cooperate with all investigations.

## **WORKPLACE SEARCHES**

Situations will arise where there is a legitimate, job-related concern that requires Forsyth County to conduct a search. All employees should assume that what they do while at work or on County premises is not private. A search is a part of an investigation process to determine the facts and does not constitute an accusation of wrongdoing. The reasons for such searches may include, but are not limited to the suspicion of using or possessing County property without permission or in an

unauthorized manner; use or possession of drugs, alcohol, weapons, stolen property or other illegal contraband; and harassment, violence or threats of violence.

A department, after consultation with the Human Resources Director, may search or inspect persons, vehicles, work spaces, desks, lockers, computers, telephones, packages or other items on County premises or on those premises where an employee is conducting business on behalf of the County. Employees refusing to allow or to properly cooperate in a search where there is reasonable suspicion will be subject to disciplinary action up to and including dismissal.

In addition, it is expected that in the normal course of work employees may enter your work areas in your absence to continue work related functions. Anything that is discovered in this process is subject to investigation.

## **EMPLOYMENT OF RELATIVES**

The employment of close relatives or immediate family members within the same department or unit will be avoided unless significant recruitment difficulties exist. This includes consideration of internal applicants for job changes in addition to external applicants for employment. If there are fewer than 3 other available and qualified applicants for a vacancy and it is necessary for close relatives or immediate family members to be considered for employment, or if 2 individuals already employed within the same department or unit marry each other, the following will apply:

Close relatives or members of an immediate family shall not be employed within the same department or unit of the department if such employment will result in one supervising a close relative or member of his/her immediate family, or where one member occupies a position which has influence over the other's employment, promotion, salary administration or other related management or personnel considerations. The County Manager may make exceptions in cases with extenuating circumstances.

The terms "close relatives" and "immediate family" mean wife, husband, mother, father, brother, sister, daughter, son, grandmother, grandfather, grandson, and granddaughter of the employee. Also included are the step, half and in-law relationships of the above. It may also include others living within the same household or otherwise closely identified with each other where potential difficulty may develop within the department or unit.

## **INCLEMENT WEATHER**

To fulfill Forsyth County's obligations to the public, it is each Department Head's responsibility to ensure that his/her department is open during recognized office hours. It is not County policy to delay opening, close early or close all day in the event of snow.

## **EMERGENCY MANAGEMENT**

During and after major emergencies and disasters (such as tornadoes, ice storms, hazardous material spills) the residents of Forsyth County will still expect the County to provide some level of service; therefore there is an expectation that you will be available to work. Emergency Management is a combined City/County Department that provides the following information for employees to follow in an emergency. You may:

- be assigned to staff a position in the Emergency Operations Center (EOC)
- be assigned to augment another department
- be expected to perform your normal duties.

### **If a disaster occurs during work hours:**

- Try to remain calm. Take whatever action is necessary to protect yourself and direct any citizens to do the same (e.g. Duck, Cover & Hold; find a safe area of refuge; exit the building; find high ground) until the danger has passed.
- Immediately after the danger has passed, check the condition of others in the area. If safe to do so, render assistance and call for help. If appropriate or directed, evacuate the building and proceed to the designated assembly area. (Always know your assigned assembly area.)
- As soon as the situation is under control, check in with your supervisor(s) to see if and where you should report. If you are not at your normal work location, try to make your way back to it, or to the nearest County facility.
- If you are assigned to an EOC team, ask your supervisor; call City Police Communications, 773-7700; or call the City Fire Department, 773-7900, to see if the EOC is being activated. If calls are not possible, make your way to the EOC location. If you are at work when a disaster occurs, you may not be able to make it home because of the extent of the devastation.

### **If you are home when a disaster occurs:**

- There is an expectation that you will be available to work once you have taken care of your family. Take whatever action is necessary to protect yourself and your family first.
- As soon as it is possible, contact your supervisor to find out if you are to report to work and what supplies/equipment you will need to bring.
- If you are assigned to an EOC team, contact City Police Communications, 773-7700, the City Fire Department, 773-7900, or the EOC, 661-6440. DO NOT DIAL 9-1-1 FOR THIS INFORMATION. If the telephone system is not operational, listen to the radio or TV for emergency information or listen to the directions of the Emergency Alert System.

## PERSONNEL RECORDS

Forsyth County takes utmost precautions to protect the confidentiality of your social security number. It is maintained in secured files for necessary business purposes only. While most of the information contained in your personnel file is confidential, the following information is a matter of public record under North Carolina law (G.S. §153A-98):

- Name
- Age
- Date of original employment
- Terms of any written or oral employment contract
- Current position title
- Current salary (including benefits, incentives, bonuses and deferred and all other forms of compensation)
- Date and amount of **each** increase or decrease in salary
- Date **and type of each** promotion, demotion, transfer, suspension, separation or other change in position classification
- **Date and general description of the reasons for each promotion**
- **Date and type of each dismissal, suspension, or demotion for disciplinary reasons**
- **For dismissals due to disciplinary reasons, a copy of the written notice of final decision setting forth the specific acts or omissions that are the basis for the dismissal**
- The office to which you are currently assigned

All requests for public records described above should be forwarded to your Department Manager or the Human Resources Director. All requests for references on present or past employees should be directed to Human Resources.

You may examine the information contained in your personnel file with the exception of references solicited prior to employment. It is important that you keep your personnel records up-to-date by notifying the Human Resources Department of any change in your:

- Address or phone number
- Legal name
- Marital status
- Beneficiary for life insurance, retirement, 401k or 457
- State or federal tax withholding
- Emergency notification information

## **VETERANS**

The re-employment of veterans who were employed by the County immediately prior to their entering the armed services shall be in accordance with the provisions of the Uniformed Services Employment and Re-employment Rights Act or its successor.

## **COMMUNITY RESOURCES**

FIRST Line, a program of the Forsyth County Public Library, provides a comprehensive information and referral database. If you have a question about where to go to obtain almost any kind of service in our community, give FIRST Line a call during regular business hours at 703-3000 or visit their website 24 hours a day at <http://www.firstline.ws>.

## **END OF EMPLOYMENT**

If you resign from your employment with the County, you are requested to submit a letter to your Department Head stating the effective date of your resignation. Two weeks notice is considered appropriate in most cases, but earlier notice is always appreciated.