

# WALLACE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

## 3.0

### WALLACE COUNTY EMPLOYMENT STATUS

#### 3.1 Definition of Employment Status

- A. Full-Time Employee.** A full-time employee is one who works on a regular and continuing basis forty (40) or more hours a week on an average and yearly basis. All full-time employees will be eligible for all benefits and subject to all provisions as stated in these policies unless otherwise agreed to in writing.
- B. Part-Time Employee.** A part-time employee is one who works on a regular and continuing basis more than twenty (20) but less than forty (40) hours per week on an average and yearly basis. A part-time employee is subject to all provisions as stated in these policies. Part-time employees will be eligible for benefits only as stated in these policies unless otherwise agreed to in writing.
- C. Seasonal or Temporary Employee.** A seasonal or temporary employee is one who is used on an irregular and/or non-regular basis, which requires less than one thousand (1000) hours of work per fiscal year. The period of time served by a temporary or seasonal employee shall not be counted as part of the initial six (6) months of employment. Such employees are not eligible for any fringe benefits.
- D. Volunteer.** A volunteer is an individual who is not an employee or an independent contract unless he/she has been engaged as such. When acting as a volunteer, an individual is not an employee regardless of other county employment. A volunteer may render services to Wallace County and be paid on the basis of the occurrence of a specific event. When acting as a volunteer on behalf of Wallace County, an individual is not covered by this Handbook, but he/she may be covered by Wallace County's Workers Compensation Insurance program. A volunteer is not eligible for any other benefits offered by Wallace County to its employees.

#### 3.2 Introductory Training Period

New employees will enter into an introductory period for the first ninety (90) calendar days. The employee will be evaluated during the introductory period that can be extended at the discretion of the department head or the Board of County Commissioners for an additional ninety (90) days or less. Upon completion of the introductory period, employees may become eligible for certain additional benefits as offered by Wallace County, depending on their full time or part time status.

If, at any time during the introductory period, the department head, subject to the approval of the Board of County Commissioners, determines that the service of an employee has been unsatisfactory, the employee may be dismissed.

The introductory training period does not alter the employee's status as an at-will employee.

### **3.3 Hours of Work-Regular Employee**

The regular workweek for all full-time employees, shall be forty (40) hours consisting of five (5) eight (8) hour workdays.

#### **Hours of Work-Sheriff Employee**

The regular workweek for all full-time Sheriff employees, shall be Eighty-six (86) hours in a two (2) week pay period consisting of twelve (12) hour shifts.

### **3.4 Holidays, Overtime and Compensation**

**A. Holidays.** Official paid holidays for Wallace County Employees are as follows:

1. New Year's Day
2. Presidents' Day
3. Memorial Day
4. Independence Day
5. Labor Day
6. Veterans' Day
7. Thanksgiving Day
8. Day after Thanksgiving
9. Christmas Eve Day
10. Christmas Day

From time to time, on special occasions, the governing body may designate other days as special holidays. When any regular holiday shall fall on a Saturday or Sunday, the proceeding Friday or following Monday shall be declared a holiday.

All regular full-time and part-time employees will be paid for the designated holiday if it falls on the employees regular working day.

**Holidays.** Official paid holidays for Wallace County Sheriff's Office are as follows:

1. New Year's Day
2. Presidents' Day
3. Memorial Day
4. Independence Day
5. Labor Day

6. Veterans' Day
7. Thanksgiving Day
8. Day after Thanksgiving
9. Christmas Eve Day
10. Christmas Day

From time to time, on special occasions, the governing body may designate other days as special holidays. Regular holidays are recognized on the official day stated. Holiday pay will only be 8 hours.

Any Communications Deputy – Undersheriff – Deputy working a designated holiday will be paid actual hours worked plus eight (8) holiday hrs.

### **Overtime and Compensatory Time.**

Hourly employees may be required to work overtime hours during the course of employment.

1. **Non-exempt.** Employees considered non-exempt from certain categories of The Fair Labor Standards Act (FLSA) shall receive overtime compensation or compensatory time and such other benefits under such terms and conditions as may be specified in the Act. All hours worked over forty (40) in the workweek shall have prior approval by the employee's immediate supervisor.
2. **Exempt.** Employees considered exempt from the Fair Labor Standards Act (FLSA) will not be entitled to additional time off for occasional hours worked in excess of forty (40) hours per week. Compensatory time off may be granted, however, if any extraordinary number of additional hours is worked during any pay period, such compensatory time off will not be considered personal leave time or holiday time.
3. **Compensatory Time.** All accumulated compensatory time for the preceding fiscal year should be expended by December 31 of the year in which the employee has elected to take compensatory time in lieu of overtime pay.

### **Overtime Procedures Regular Employee**

1. In order for an hourly employee to be paid at the overtime rate (time and one-half) the employee must have actually worked more than forty (40) hours in the workweek. Only those hours actually worked that exceed the forty (40) hour per week requirement will be paid at the overtime rate. Sick leave hours, personal leave hours, vacation hours, and holiday hours do not count toward the forty (40) hour workweek. Overtime hours may be converted to compensatory time in lieu of overtime pay.
2. An hourly employee who is regularly scheduled to work on a day that is declared a holiday will not work but will be paid holiday hours for that day. An hourly employee who is not regularly scheduled to work on a day that is declared a holiday will not be paid holiday hours for that day.

3. An hourly employee who is required by his or her supervisor to work on a day that is declared a holiday will be paid holiday hours for that day and will be paid for the hours actually worked. The hours actually worked will count toward the forty (40) hour workweek and will be paid in accordance with paragraph 1 above.

### **Overtime Procedures Sheriff Employee**

1. A full-time Communications Deputy – Undersheriff - Deputy who works on a day that is declared a holiday in the Sheriff's office will be paid holiday hours for that day in addition to the hours actually worked. The hours ACTUALLY worked will count toward the eighty-six (86) hour two-week workweek.
2. A full-time Communications Deputy – Undersheriff - Deputy who does not work on a day that is declared a holiday in the Sheriff's office will not be paid holiday hours for that day.
3. A part-time Communications Deputy– Undersheriff - Deputy who works on a day that is declared a holiday in the Sheriff's office will be paid holiday hours for that day and will be paid for the hours actually worked. The hours actually worked will count toward the forty (40) hour workweek and will be paid in accordance with paragraph 1 above.
4. A part-time Communications Deputy – Undersheriff - Deputy who does not work on a day that is declared a holiday in the Sheriff's office will not be paid holiday hours for that day.

### **3.5 Pay Increases**

Wallace County recognizes that it is very important to provide quality services to our citizens and doing so requires highly skilled employees. In order to attract and retain proficient employees, it is necessary for the county to provide a competitive wage structure. Starting wages are set by the Board of County Commissioners and reviewed once a year. Non-standard pay increases are possible for existing employees, as well as negotiable starting wages for new employees, but these pay increases must be well-documented and well-justified. Pay increases shall not be routine or automatic, with the exception of longevity pay, and are subject to approval by the Board of County Commissioners. All requests for pay increases for an employee must be accompanied by a complete Employee Evaluation Report. This is an official Wallace County report consisting of:

1. Form WC-10 Employee Evaluation Report
2. Form WC-4 Employee Self-Evaluation
3. Form WC-5 Employee Evaluation
4. WC-8 Wage Increase Request

All forms that make up the Employee Evaluation Report can be obtained at the County Clerk's office.

### **3.6 Pay Records**

- A.** All employees shall use the designated time attendance program for the county and shall maintain accurate time sheets. Said time sheets shall be signed by the department head and county employee. It shall be the responsibility of the department head to make sure all time sheets are properly filled out and are accurate to the best of his/her knowledge. All time sheets shall be in the County Clerk's office by 12:00 pm, Monday of the payroll due date. If any discrepancy is found the department head shall immediately notify the Wallace County Clerk and the correction will be made on the next pay period.
- B.** The department head shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation and sick leave and accrued overtime. Such records shall be available at all reasonable times for inspection.

### **3.7 Longevity Pay**

In recognition of the level of skill, training, and experience employees gain each year, Wallace County has implemented a longevity plan to acknowledge and reward employee loyalty and the improved efficiency that comes with a proficient worker.

For all employees and elected officials of Wallace County, a 1% pay raise shall be applied each year at the start of the next pay period following the date of their employment anniversary.

Exempt employees and extra duties listed below are to be paid out as budgeted each year:

- County Attorney
- County Attorney Secretary
- County Election Officer
- Deputy County Election Officer
- Health Officer
- Health Night Call
- Emergency Preparedness Officer
- EMS Director

### **3.8 Wage Scale**

#### **A. Employees**

- 1. In order to offer fair and competitive wages for all hourly employees, Wallace County has adopted an official maximum wage scale which applies to all

employees across every department. This wage scale sets the maximum wage allowed for each hourly position based on years of experience. Each elected official has the authority and discretion to set wages for the employees under their management at a level equal to, or below, the maximum wage, at the same time following any federal and state wage requirements. No wages or raises shall be approved for any employee that is out of compliance with the official maximum wage scale, regardless of budgetary authority.

2. The Board of County Commissioners shall approve a maximum starting wage for each hourly position. The wage scale will then be created according to the current longevity pay policy, showing the appropriate increases for years of employment. The Board of County Commissioners can adjust and modify starting wages for each hourly position as deemed necessary based on current local economic demand. All positions can be reevaluated at the same time or on an individual basis.
3. Concurrent pay raises applied to all employees, such as a “cost of living allowance” or “annual raise”, shall also be automatically applied to the wage scale to prevent employees who may be at, or near, the maximum wage from exceeding the maximum wage for their position and years of employment.

## **B. Elected Officials**

1. In order to offer consistent salaries for elected officials, both in offering a competitive salary for newly elected officials and recognizing the years of experience of continuously serving officials, Wallace County has adopted a wage scale for each elected office. No wages or raises shall be approved for any elected official that are out of compliance with the wage scale, regardless of budgetary authority.
2. The Board of County Commissioners shall approve a starting wage for each elected office. The wage scale will then be created according to the current longevity pay policy, showing the appropriate increases for years of service. The Board of County Commissioners can adjust and modify starting wages for each elected office, and all positions can be reevaluated at the same time or on an individual basis.
3. Concurrent pay raises applied to all elected officials, such as a “cost of living allowance” or “annual raise”, shall also be automatically applied to the wage scale to appropriately adjust for all years of service.
4. The county attorney is the only elected official not included in the wage scale. Since the county attorney must be a licensed attorney as a prerequisite to serving in that office, it is determined that any elected attorney would already be qualified and experienced in the legal field. Therefore, the wage for county attorney shall be set at a rate deemed fair and equitable for a skilled and capable attorney,

regardless of years of experience. Concurrent pay raises applied to all elected officials shall also be applied to the county attorney wages.

### **3.9 Nepotism**

- A.** In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be employed in a department where the supervisor or department head is a member of their immediate family. "Immediate family" is defined to include only an employee's parents, stepparents, spouse, children, stepchildren, sister or brother, grandparents, grandchildren, mother or father-in-law and brothers-or sisters-in-law.
- B.** In addition to the above, no person shall be employed in a position in any department if that person is a member of the immediate family of another employee within that department. Members of immediate families may be employed within the same department as part-time or temporary employee not to exceed six (6) months in any twelve (12) consecutive month period.
- C.** If two (2) employees within the same department marry or otherwise obtain a relationship whereby they become members of each other's immediate family, one of the employees shall be transferred to another department, if possible, without loss of pay or other benefits. However, the establishment of such a relationship shall not be the basis for termination of employment.

### **3.10 Citizenship Verification**

All employees initially hired after November 7, 1986, for any position with the County, shall complete an employment eligibility verification statement in compliance with the Federal Immigration Reform and Control Act of 1986. Wallace County participates in the E-Verify process for employment eligibility.

### **3.11 Vacation**

Vacation leave shall be earned and accrued under the conditions hereinafter stated. No vacation leave shall be granted until an employee has gained regular employment status. No employee shall be permitted to use vacation time for any period spent on unauthorized leave or participating in any unlawful work stoppage.

#### **A. Full-Time Employees**

| Years of Continuous Employment | Accumulate         | Maximum Accumulation |
|--------------------------------|--------------------|----------------------|
| 0-2 Years                      | ½ Day per Month    | 6 Days per Year      |
| 3-10 Years                     | 1 Day per Month    | 12 Days per Year     |
| 11-Retirement                  | 1 ½ Days per Month | 18 Days per Year     |



**B. Part-Time Employees**

| Years of Continuous Employment | Accumulate       | Maximum Accumulation |
|--------------------------------|------------------|----------------------|
| 0-2 Years                      | ¼ Day per Month  | 3 Days per Year      |
| 3-10 Years                     | ½ Day per Month  | 6 Days per Year      |
| 11-Retirement                  | ¾ Days per Month | 9 Days per Year      |

**C. Introductory Training Period.** Employees on introductory status shall be credited with vacation leave for each month of employment but shall not be permitted to use any vacation credit until they have been granted regular status. Introductory employees terminated prior to attaining regular employment status shall not be paid for any accrued vacation leave. If time does not allow Introductory Employees to take off, arrangements can be made with department heads to accommodate as he/she sees fit. This policy does not alter the employee's status as an employee-at-will.

**D. Vacation Earned and Used.** Vacation leave will be taken in the calendar year (January 1 through December 31) after it is earned and will be subject to approval of the department head. No more than two (2) weeks of vacation is to be taken at one time unless approved by the department head.

Regular Employee- Vacation leave does not accumulate and if it is not taken during the calendar year after it is earned, it is lost and no compensation may be paid for lost vacation time.

Sheriff Employee- Vacation leave does not accumulate and if it is not taken during the calendar year after it is earned, it is lost and no compensation may be paid for lost vacation time. As long as the Office has a full staff, vacation leave will be used before the end of the year.

EXAMPLE 1: Joe Employee is hired on August 5, 2003. Joe earns vacation at the rate of ½ day/month for the months of August through December, 2003. Joe would have 2½ days of vacation to be used during the 2004 calendar year. During the 2004 calendar year, Joe will earn and accrue vacation at the rate of ½ day/month for a total of 6 days. The vacation earned and accrued in the calendar year 2004 will not be available for use until January 1 of the 2005 calendar year. During the 2005 calendar year, Joe will earn and accrue vacation at the rate of ½ day/month for the months of January through July. However, because Joe's two-year anniversary of employment occurs in August he will earn vacation at the rate of 1 day/month for the months of August through December. Therefore, Joe will have earned 8½ days of vacation (7 months at the rate of ½ day/month and 5 months at the rate of 1 day/month) to be used in the 2006 calendar year. This example assumes the hiring of a full-time employee. Part-time employees will earn and accrue vacation at the rate set forth in 3.11 B. above.

EXAMPLE 2: Sally Employee is hired on November 5, 2003. Sally earns vacation at the rate of ½ day/month for the months of November and December, 2003. Sally will



have earned 1 day of vacation to be used during the 2004 calendar year. However, because Sally will not gain regular employment status until she has completed her 90-day introductory period, she will not be able to use her vacation until after February 5, 2004. During the 2004 calendar year and subsequent years, Sally will earn and accrue vacation in a like manner as set forth in Example 1 above.

**E. Earned vacation.** Vacation begins accruing the first day of each month.

**F. Vacation Hours.** Usage of vacation hours will be subject to approval by the department head.

**G. Holiday during Vacation.** If a paid holiday occurs during an employee's vacation leave, that day shall not be counted as a day of vacation, but instead a holiday.

### 3.12 Leave

**A. Sick Leave.** A full time employee's accumulated paid leave is earned at the rate of two (2) hours per week or four (4) hours per two (2) full weeks of service. Part-time employee's accumulated paid leave is earned at the rate of one (1) hour per week or two (2) hours per two (2) full weeks of service. The maximum accumulation is ninety (90) days or seven hundred twenty (720) hours. No sick leave will be accumulated after the maximum seven hundred twenty (720) hours have been reached. Any employee who has accumulated the maximum allotment and who voluntarily leaves employment or is terminated shall not be paid sick leave upon termination of his/her employment with Wallace County.

Sick leave pay is in addition to any other compensation that may be due the employee. Employees will be eligible to receive sick leave pay only if absent from work because of illness or injury, including illness caused or contributed to by pregnancy and to care for a spouse, child or parent, or parent-in-law with a serious health condition. An employee who improperly claims sick leave shall be subject to disciplinary action, including the loss of pay or dismissal. The department head or Board of County Commissioners may request that the employee provide a return-to-work report from the employee's health care provider when the employee takes more than three (3) consecutive days of sick leave.

If additional time is needed for sick leave refer to Sec 4.6.

If an employee is on sick leave for more than 30 calendar days, he or she will not earn vacation days after the 31<sup>st</sup> day off on sick leave.

#### **B. Paid Personal Leave Days.**

**Current Full-time employee:** Each full-time employee shall be granted personal leave totaling twenty-four (24) hours per calendar year at the date of hire.

**New Full-time employees:** At the start of their first full year, full-time status positions shall be granted personal leave of forty (40) working hours to compensate for limited accrued vacation leave. This leave will be prorated according to the employee's start date. This time is not in addition to the regular twenty-four (24) working hours above. Any personal leave requested within the first ninety (90) days of employment shall be approved in writing by either the department head or the Board of County Commissioners.

At the start of the second full year, full-time status positions will receive the regular twenty-four (24) hours of personal leave.

**Current Part-time employees:** Each part-time employee shall be granted personal leave totaling twelve (12) working hours per calendar year.

**New Part-time employees:** At the start of their first full year, part-time status positions shall be granted personal leave of twenty (20) working hours to compensate for limited accrued vacation leave. This leave will be prorated according to the employee's start date. This time is not in addition to the regular twelve (12) working hours above. Any personal leave requested within the first ninety (90) days of employment shall be approved in writing by either the department head or the Board of County Commissioners.

At the start of the second full year, full-time status positions will receive the regular twelve (12) hours of personal leave.

Paid Personal Leave time shall be in addition to other forms of paid leave. Such time may be taken in one (1) hour increments and may be used for illness or death in an employee's family, children's activities, religious observances, military service, or any other personal or non-business reasons. Paid personal leave does not roll over from year to year.

- C. Jury Leave.** An employee shall be given necessary time off without loss of pay when performing jury duty, appearing in court as a witness in answer to a subpoena, in an official capacity in connection with the County or as an expert witness, either because of professional or observer in knowledge.

If an employee is involved in court in a personal case either as plaintiff or defendant in a suit not resulting from his duties with the County, he or she may be granted leave without pay unless the employee elects to utilize any available vacation or personal leave.

**D. Continuance Absence.**

IF AN EMPLOYEE IS ABSENT FROM WORK FOR SIX OR MORE CONSECUTIVE MONTHS FOR ANY REASON AND AT THE END OF THE CONSECUTIVE PERIOD IS UNABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF HIS/HER

POSITION WITH OR WITHOUT REASONABLE ACCOMMODATION, THE EMPLOYEE MAY BE TERMINATED.

#### **E. Military Leave**

1. **Military Training.** Any employee ordered to report for active duty as a member of a reserve component of the armed forces or National Guard will be granted leave in accordance with K.S.A. 48-222.
2. **Military Duty.** Military duty consists of training and service performed by an inductee or enlistee in the armed forces of the United States, including time spent in reporting for and returning from such training in service. It also includes active duty training in the reserves of the armed forces of the United States or as a member of the National Guard.
  - a. A period not to exceed fifteen (15) days within any calendar year will be treated as active work time. During such periods, the employee will receive his/her normal salary, accrued annual and sick leave, and be entitled to all benefits accruing under this system.
  - b. Military service in excess of fifteen (15) days entered into during time of war or other national emergency or as a result of conscription will be treated as leave without pay. The employee will not be entitled to salary, leave or benefits during this period; however, he/she is entitled to return to a similar position within thirty (30) days of release from the service.

#### **F. Bereavement Leave**

1. **Standard Leave.** In case of the death of an employee's immediate family, "Immediate family" is defined to include only an employee's parents, stepparents, spouse, children, stepchildren, sister or brother, grandparents, grandchildren, mother or father-in-law and brothers-or sisters-in-law, the employee may be granted bereavement leave, up to three (3) consecutive days\* for each occurrence. This leave time shall be in addition to, and not count against, any existing accrued vacation, sick or personal leave time, and must be approved by the employee's supervisor.
2. **Additional Leave.** Additional bereavement leave time may be granted under special circumstances but shall be deducted from the employee's available sick leave, personal leave, or vacation leave, at the discretion of the employee. If leave days are not available, the bereavement leave will be considered as unpaid approved leave. Additional leave time up to two (2) days\* must be approved by the employee's supervisor. Additional leave time in excess of two (2) days must be approved by the employee's supervisor and Board of County Commissioners.

\* Each leave day shall be defined as a maximum of eight (8) hours for a Full-time employee and a maximum of four (4) hours for a Part-time employee.

#### **G. Leave without Pay.**

If a full-time employee does not work the designated working hours, as defined in Wallace County Handbook 3.1 A "Full-Time Employee", the time deficiency will be taken from available compensatory, personal, or vacation time at the discretion of the employee. If there is no paid leave available, the employee must take the leave as unpaid. Full-time employees that take unpaid leave shall not earn vacation or sick leave benefits if the unpaid leave is over two (2) hours per pay period. Full-time employees that take unpaid leave shall be responsible for reimbursing the County for the portion of their health insurance during the period of unpaid leave. The only exception to the health insurance reimbursement requirement is if the employee has been approved for the Emergency Medical Leave Program.

### **3.13 Changes in Wages, Benefits and Policies**

Wallace County periodically reviews employee wages and the benefits, rules and policies set forth in this manual, and these may be changed by Wallace County from time to time.

### **3.14 Evaluation**

Wallace County reserves the right to initiate an evaluation of an employee at any time during his/her employment.

Each employee of Wallace County, regardless of his/her status, may have their performance evaluated by the employee's immediate supervisor. The evaluation must be done using Wallace County's standardized Employee Evaluation Report, and will become a part of the employee's personnel record.

The Wallace County Employee Evaluation Report consists of:

1. Form WC-10 Employee Evaluation Report
2. Form WC-4 Employee Self-Evaluation
3. Form WC-5 Employee Evaluation
4. Form WC-8 Wage Increase Request (when applicable)

Each employee will sign his/her evaluation documents. The employee's signature acknowledges that the evaluation has been reviewed with the employee. Evaluations will be confidential and cannot be viewed by anyone other than the employee, the employee's immediate supervisor, the personnel officer, and the Board of County Commissioners or its legal counsel who requests to see the evaluation.

### **3.15 Personnel Records**

The County Clerk and department heads will maintain personnel records and copies of personnel records, but such records are subject to review and modification by the Board of County Commissioners.

Employees may review personnel information subject to the approval of their department head or the Board of County Commissioners. However, the employee must make such a request in advance and may not remove the personnel information from the office.

### **3.16 Job Abandonment**

Any employee who is absent from his/her position with Wallace County for three (3) consecutive days without providing his/her supervisor, department head or County Clerk with notice of the absence and the reason for such an absence and did not get approval from his/her department head for such an absence, will be considered to have abandoned and quit his/her position.

### **3.17 Weather-Related Emergencies**

If the Courthouse is closed due to weather or another similar emergency and employees are prevented from working, the time off work will be considered as unpaid approved leave.

### **3.18 Retirement/Leaving Employment**

The employee must be present at his/her job on the last day of employment.

An employee who retires or leaves employment will be paid for vacation leave earned during the calendar year (January 1 through December 31) in which he/she retires or leaves employment.

Any elected official who has served a (1) full four (4) year term or a full-time or part time employee who has been employed by Wallace County for at least five (5) consecutive years and who leaves the county's employment while in good standing shall be presented a plaque in appreciation of his/her service to the county.

Any elected official who has served two (2) full consecutive four (4) year terms or a full-time or part time employee who has been employed by Wallace County for at least ten (10) consecutive years shall be presented a plaque and a gift of a gold watch, at a cost not to exceed \$300.00, in appreciation of his/her service to the county.

### **3.19 Garnishment of Wages**

Whenever the Wallace County payroll clerk is required to make a garnishment from an employee's wages, the administrative fee allowed by Kansas law KSA 60-734-d will be assessed.

### **3.20 Compensatory (COMP) Time Maximum Limits and Use**

The maximum accumulation at any time is three (3) days or twenty-four (24) hours. Such time shall be taken in four (4) hour increments. All time shall be approved by Department head before any use.