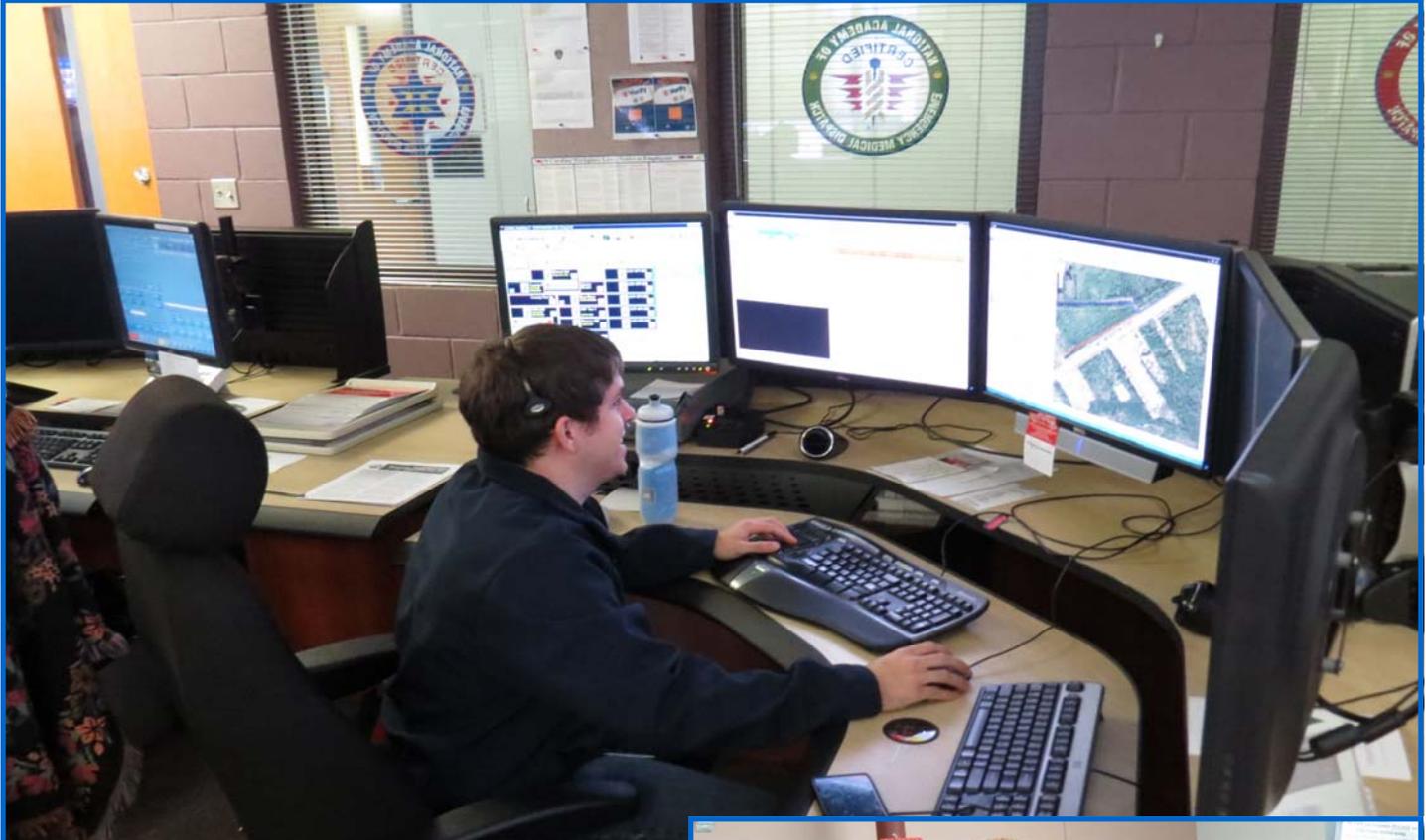


Onslow County Employee Personnel Policies Manual



Onslow County Mission: Onslow County government will provide residents, visitors, and the business community with the highest quality public service in an efficient, courteous manner and enhance the quality of life, work and play through vision-ary support and leadership.



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Onslow County Personnel Policy

Preface

Section: Welcome Message



The Onslow County Board of Commissioners is responsible for establishing the personnel policy for county employees. This manual is designed to help employees understand how to successfully navigate employment with Onslow County. Whether you are a new employee or have been an Onslow County employee for many years, we believe you will find the information contained in the Employee Personnel Policies useful in understanding your responsibilities as an Onslow County employee and helpful guide to explaining the benefits available to you.

The Onslow County Employee Personnel Policies provide the County with a framework to promote consistent human resource management practices and procedures throughout all County departments. We believe these policies promote a work environment that helps employees perform their duties to the best of their abilities in service to the citizens of Onslow County.

Employees are responsible for becoming familiar and complying with the content of these policies. If you have questions about any of the policies and how they apply to you, you are encouraged to contact your supervisor or Human Resources for more information.

The Employee Personnel Policies do not constitute a guarantee or contract of employment and the County reserves the right to change, revoke, interpret, or add to any of these policies at any time at its sole discretion without prior notice. The County is an “at-will” employer and retains the right to terminate employment at any time and for any reason not prohibited by law.

The policies and procedures in the Onslow County Employee Personnel Policies cannot cover every possible situation that may arise. There may be amendments to the policies over time. As policies are amended, employees will be supplied with a copy of the new or updated policy. The Employee Personnel Policies can also be found on the County’s Intranet.

Onslow County Personnel Policy

Preface

Section: Onslow County Employee Personnel Policy Acknowledgement



By signing below, I acknowledge that I have received, read, and understand Onslow County’s Employee Personnel Policies. I understand that the Onslow County Employee Personnel Policies are provided to me for general guidance and are not an exhaustive statement of County policies or procedures.

In addition, I understand that the Onslow County Employee Personnel Policies do not constitute a contract of employment and that the County may change, revoke, interpret, or add to any of these policies at any time at its sole discretion without prior notice. I understand that the County is an at-will employer and retains the right to terminate my employment at any time for any reason not prohibited by law.

Finally, I understand that any amendment of the Employee Personnel Policies will always govern and supersede any prior version. I also understand that if I have questions or concerns regarding my terms of employment or working conditions with the County, I should contact my supervisor or Human Resources.

Employee Signature: _____

Date: _____



GUIDING PRINCIPLES

- ❖ We will work for the benefit of all citizens, regardless of ethnicity, race, gender, political beliefs or socioeconomic status.
- ❖ We will maintain the trust of our citizens through prudent management of public funds.
- ❖ We will employ and support a workforce that possesses the skills, knowledge and professionalism necessary to serve our citizens in an efficient and effective manner.
- ❖ We will foster innovation, which leads to continuous improvement of county services.
- ❖ We will create a work environment where innovation, creativity and initiative are encouraged and fostered.
- ❖ We will encourage economic growth consistent with the preservation of our natural, cultural and historical resources.
- ❖ We will be committed to the provision of services to promote the health, welfare and safety of our citizens.

Adopted this 10th day of June, 2013

ONSLow COUNTY
BOARD OF COMMISSIONERS

FEDERAL MERIT PERSONNEL STANDARDS

The Onslow County personnel policy manual has been written in compliance with the Standards for a Merit System of Personnel Administration (42 USC 4728, 4763). Title 5, Subpart F – Code of Federal Regulations. A copy of these Federal Merit Standards is located in Appendix B.

Onslow County Personnel Policy

Preface

Section: About Onslow County



Attracted by the waterways and longleaf pine forests, the first European and English settlers arrived here in 1713 in what was originally part of the colonial precincts of Carteret and New Hanover. Onslow County was formed in 1734 and was named for the Honorable Arthur Onslow, Speaker of the British House of Commons. After a lethal 1752 hurricane, the county courthouse was relocated from Town Point to Wantland Ferry; this settlement was eventually incorporated in 1842 and named Jacksonville after President Andrew Jackson. Largely a collection of sparsely populated agrarian and maritime communities, Onslow County dramatically changed in the early 1940s with the establishment of the Army Camp Davis near Holly Ridge (now closed), and the creation of Camp Lejeune in 1941.

Onslow County has flat, gently rolling terrain that covers 767 square miles and is located in the southeastern coastal plain of North Carolina, approximately 120 miles east of Raleigh, and 50 miles north of Wilmington. The city of Jacksonville is the county seat, and the areas surrounding the city constitute the major population centers and growth areas in the county. The county is home to more than 150,000 people and includes the incorporated towns of Holly Ridge, Richlands, Swansboro, North Topsail Beach, part of Surf City, and unincorporated Sneads Ferry. Approximately 156,000 acres comprise the U.S. Marine Corps Base, Camp Lejeune and more than 43,000 marines and sailors are stationed there.

The structure of local government in Onslow County was established in the late 19th century and consists of a five-member Board of Commissioners, elected at large for four-year terms. The Board establishes policies and ordinances implemented by the County Manager and his staff.

Onslow County offers the ultimate in outdoor coastal recreation and sports with over 30 miles of beautiful beaches, rivers and ocean teeming with an abundance of marine life, and forests filled with diverse wildlife. The scenic 40 mile long, New River is the only large river in the continental United States with headwaters and mouth in the same county. Onslow County also remains an important agricultural force, its rich farmland still yielding bountiful crops. Today the abundance and beauty found in scenic terrain, shoreline, and seascape continue to define Onslow County, attracting industry, tourism, and families to our distinctive community.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



GENERAL PURPOSE AND SCOPE

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104	Definitions
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106	Responsibilities of Elected Officials
107	Responsibilities of the County Manager
108	Responsibilities of the Human Resources Director

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 1 - Purpose

Date of Board of Commissioner Adoption: June 10, 2013



Purpose

The policies contained in the Employee Personnel Policies have been adopted by the Onslow County Board of Commissioners to establish a human resources system that provides for the recruitment, selection, and continuous development of an effective workforce, responsive to the needs of Onslow County residents. The policies are adopted pursuant to the State of North Carolina General Statutes Chapter 153A and 126 (as applicable).

The Onslow County Board of Commissioners recognizes that periodic updates and revisions of these personnel policies will be necessary. Changes in personnel policies adopted by the Onslow County Board of Commissioners will be communicated promptly to all employees.

Nothing in these policies shall change the "at-will" employment status of employees of Onslow County nor create a vested right of employment or a property right in continued employment with the county.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 2 -Coverage

Date of Board of Commissioner Adoption: June 10, 2013



Coverage

All employees in the County's service are subject to these policies **except** as specified below:

- Board of Commissioners
- County Attorney and County Manager, except as specified in a contract, agreement, or Memorandum of Understanding; or otherwise required by federal or state laws and regulations.
- Elected Officials
- Employees subject to the State Personnel Act (specific employees of Emergency Services and Soil and Water Conservation) are subject to the Onslow County Employee Personnel Policies except for policies pertaining to recruitment, classification, qualification, and disciplinary action, unless these policies have been deemed a "substantially equivalent" personnel system.
- Members of advisory boards and commissions and special boards, task forces, and committees.
- Employees of the Board of Elections, except as specified in the Memorandum of Understanding dated July 24, 2006.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 3 –Employee Classifications

Date of Board of Commissioner Adoption: June 10, 2013



Employee Classifications

- Full-time Employee. An employee, either regular or temporary, who is regularly scheduled to work forty (40) hours per week as defined under the Fair Labor Standards Act.
- Part-time Employee. An employee, either regular or temporary, who is regularly scheduled less than forty (40) hours per week as defined under the Fair Labor Standards Act.
- Probationary Employee. A person appointed to a budgeted position who has not yet completed the probationary period.
- Regular Employee. An employee that has successfully completed the prescribed probationary period. All County positions are subject to budget review and approval each year by the County Board of Commissioners, and all employees' work and conduct must meet standards of performance and behavior. Therefore, any reference to "regular" employees is not to be construed as a contract or right to perpetual funding or employment, and does not affect the "at-will" status of the employment relationship.
- Temporary Employee. A person appointed to serve in a position for a definite period not to exceed 364 calendar days from the employee's hire date.
- Seasonal Employee. A temporary employee who works at one or more County-owned recreational programs which are operated for not more than seven months in any calendar year and who is exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 4 - Definitions

Date of Board of Commissioner Adoption: June 10, 2013



Definitions

- **Benefit – Earning Status:** Regular employees who are regularly scheduled to work a minimum of forty (40) hours per week are eligible for at least a pro-rated portion of employer provided benefits. Regular part-time employees who are regularly scheduled to work less than thirty (30) hours per week may be eligible for a pro-rated portion of employer provided benefits depending on their standard hour's classification. Details of the pro-rated employer provided benefits will be explained to the employee at the time of hire or transfer. Temporary and seasonal employees are not eligible to receive County benefits.
- **Demotion:** Movement of an employee from one job class to another within the County, where the pay grade for the new position is lower than that of the former position. Generally, a demotion is a result of disciplinary action due to unacceptable personal conduct, unacceptable job performance, or grossly inefficient job performance. It can also be the result of a Reduction in Force (*See Policy 902: Reduction in Force*)
- **Exempt Employee:** An employee specifically exempt from the overtime compensation provisions of applicable Fair Labor Standards Act (FLSA) as defined and limited by administrative rules and regulations; these employees generally have as their primary duty management administration, or work of a professional nature.
- **FLSA:** Fair Labor Standards Act is a federal statute defining minimum wage and overtime compensation, and classifying positions as exempt or non-exempt.
- **Immediate family:** Unless otherwise specified, immediate family means spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named.
- **Non-Exempt Employee:** An employee who is entitled to minimum wage and overtime compensation pursuant to the Fair Labor Standards Act.
- **Overtime:** Work performed at the express authorization of the County in excess of forty (40) hours per week as defined by the Fair Labor Standards Act.
- **Pay grade:** A level within a salary schedule into which job classes with similar job evaluation factors are placed for compensation purposes. Pay grades have a minimum rate, a midpoint rate, and a maximum rate and define what an employer is willing to pay for a particular job
- **Promotion:** Movement of an employee from one job class to another within the County, where the pay grade for the new position is higher than that of the former position.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 4 - Definitions

Date of Board of Commissioner Adoption: June 10, 2013



- **Reclassification:** A change in an employee’s classification due to a change in pay grade or change/modification of the employee’s classification or job description.
- **State Personnel Act:** North Carolina General Statute 126, which governs employees covered by State personnel policies. Only specific employees in Emergency Management and Soil and Water Conservation are subject to the State Personnel Act and Onslow County will follow all required procedures for those employees. In the event that Onslow County’s Employee Personnel Policies conflict with state personnel policies for employees subject to the State Personnel Act, state personnel policies established under the State Personnel Act will prevail.
- **Time Limited Appointment:** A full or part-time appointment which is approved for a specific period of time not to exceed 2 years. Time-limited appointments are made, but are not limited to, filling vacancies due to an incumbent’s leave of absence, in response to unusual workload demands, vacancies in the workforce, or specific to position funding such as grants which expire after a specified time.
- **Transfer:** Movement of an employee from a new job class to another within the County where the pay grade remains the same as the former position.
- **Voluntary Reassignment:** A voluntary reassignment is a change in employment to a position in a lower or in the same pay grade that is mutually agreed to by the employee and the employer.
- **Trainee:** An employee designated as such, appointed to a position in any class for which the Department Head and/or Director of Human Resources has authorized “trainee” appointments. An individual may not be appointed as a trainee if he/she possesses the acceptable training and experience for the regular class, and must be appointed to the regular class when he/she gains the acceptable training and experience.
- **Work-against appointments:** When qualified applicants are unavailable, and there is no training provision for the classification of the vacancy, the appointing authority may appoint an employee to a pay grade that is below the pay grade of the regular classification in a work-against appointment. A work-against appointment allows the employee to gain the qualifications needed for the full regular job class through on-the-job experience. To advance to the regular job class, the appointee must meet the minimum education and experience standard of the class.

Onslow County Personnel Policy

Chapter: I– General Purpose and Scope

Section: 5 – Responsibilities of the Board of Commissioners

Date of Board of Commissioner Adoption: June 10, 2013



Responsibilities of the Board of Commissioners

Pursuant to North Carolina General Statutes, the Onslow County Board of Commissioners is responsible for:

- Adopting personnel policies and amending them as necessary;
- Adopting the classification and pay plan and amending the plan as necessary to maintain a plan that is fair and equitable;
- Confirming appointments as required by law; and
- Fulfilling other responsibilities that may be established by state statute.

Onslow County Personnel Policy

Chapter: I – General Purpose and Scope

Section: 6 – Responsibilities of Elected Officials

Date of Board of Commissioner Adoption: June 10, 2013



Responsibilities of Elected Officials

Pursuant to North Carolina General Statute 153A-103, the Sheriff and the Register of Deeds have the exclusive authority to hire, discharge, and supervise the employees of their respective departments. These policies apply to the employees of the Sheriff and Register of Deeds to the extent they do not conflict or usurp the authority granted under N.C.G.S. 153A-103.

Onslow County Personnel Policy

Chapter: I– General Purpose and Scope

Section: 7 – Responsibilities of the County Manager

Date of Board of Commissioner Adoption: June 10, 2013



Responsibilities of the County Manager

Pursuant to North Carolina General Statutes 153A, the County Manager is responsible to the Board of County Commissioners for the administration of the County's personnel system. The County Manager is authorized to appoint, discipline, suspend, and remove all County officers and employees, except those officers who are elected by the people, employees whose appointment is otherwise provided for by law, employees who serve at the pleasure of a governing board, or employees of the Office of the County Attorney.

The County Manager is also authorized to:

- Promote a positive work environment
- Recommend staffing levels needed to support County operations within the fiscal parameters established by the Board of Commissioners
- Establish performance standards and employee expectations
- Recommend revisions and updates of the personnel policies to the Board of Commissioners
- Recommend revisions and updates to the Classification Plan
- Administer, maintain, and recommend revisions to the Pay Plan
- Assign employee salaries within the ranges established by the Pay Plan and Classification Plan
- Establish and adjust work schedules
- Perform other duties as needed to provide for the administration and maintenance of a fair and equitable human resources system

Onslow County Personnel Policy

Chapter: I– General Purpose and Scope

Section: 8 – Responsibilities of the Human Resources Director

Date of Board of Commissioner Adoption: June 10, 2013



Responsibilities of the Human Resources Director

The Human Resources Director, as directed by the County Manager, is authorized to:

- Establish and maintain a record of all persons employed by the County, including job class title, salary, date of appointment, and other data necessary to promote a fair and equitable human resources system
- Review and evaluate staffing levels in consultation with the County Manager and department directors
- Establish and administer a recruitment and selection process and the County's equal opportunity and affirmative action programs
- Maintain a classification plan including all County positions and recommend revisions as needed
- Designate those employees who are exempt from the overtime provisions of the Fair Labor Standards Act
- Establish, maintain, and administer compensation and benefit programs
- Develop and administer a performance review program
- Review and evaluate training, development, and educational programs for County employees
- Review and evaluate the County's worker's compensation program
- Maintain consistent implementation of the County's personnel policies
- Report annually to the County Manager on the operations of the County's personnel system.
- Serve as the County's EEO Officer and report any EEOC claim or potential claim to the County Manager immediately upon notification.
- Coordinate personnel action processes
- Facilitate and document appropriate grievance processes to ensure the County provides adequate consideration in resolving personnel actions
- Direct the County's Safety Program and activities

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Employment

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Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 1 – Statement of Equal Opportunity and Affirmative Action

Date of Board of Commissioner Adoption: June 10, 2013



Statement of Equal Employment Opportunity and Affirmative Action

It is the policy of the County to provide equal employment opportunity for all employees and applicants seeking County employment. All employment policies and practices will be nondiscriminatory in compliance with federal laws, state statutes, and local ordinances.

Onslow County will take affirmative action to ensure that all employment practices are administered without regard to race, religion, color, creed, national origin, sex, age, political affiliation, handicapping condition or any other protected category under local, state, or federal law. These employment practices include but are not limited to recruitment, selection, compensation, transfer, promotion, demotion, layoff, recall, benefits, training, and dismissal. The County's policy is to ensure that all employment decisions, including promotions, are based solely on individual qualifications and suitability for the job.

The Human Resources Director serves as the Equal Opportunity Officer and is responsible for carrying out the Equal Employment Opportunity policy. Employees and applicants can bring grievances or complaints, ask questions, and raise concerns without fear of reprisal as described in Policy 1004 (*Procedure*). The County will not tolerate retaliation, harassment, intimidation, threats, coercion or discrimination against anyone who files a grievance or complaint, exercises a right, opposes improper conduct or assists in an investigation.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 2 – Reasonable Accommodations under the Americans with Disabilities Act (ADA)

Date of Board of Commissioner Adoption: June 10, 2013



Reasonable Accommodations under the Americans with Disabilities Act (ADA)

The County will not discriminate against a qualified individual because of disability with regard to job application procedures, selection, promotion, compensation, job training, employee benefits, discharge of employees, and other terms or conditions of employment. Disability means having a physical or mental impairment that substantially limits one or more of the major life activities of such individuals, having a record of such impairment or being regarded as having such impairment.

Reasonable accommodations, which do not present an undue hardship to the County, will be provided for testing and job placement upon request from an applicant. The County will provide reasonable accommodations, which do not present an undue hardship to the County, for the continued employment of individuals who become disabled while employed by the County, provided that employees notify the Human Resources Director in writing of their need for an accommodation as soon as possible, but not more than 180 days after the employee knew or should have known the accommodation was needed. Examples of reasonable accommodations to be considered by the County include reassigning non-essential duties, modifying work schedules, acquisition or modification of assistive equipment or devices; and/or other similar actions, unless it can be demonstrated that a particular adjustment or alteration would impose an undue hardship on the County. The Human Resources Director serves as the County's ADA Coordinator.

Onslow County Personnel Policy

Chapter: 2– Employment

Section: 3 – “At-Will” Employment

Date of Board of Commissioner Adoption: June 10, 2013



“At-Will” Employment

Employment with Onslow County is “at-will”, which means that continued employment and the conditions of employment are solely at the County’s discretion, consistent with the terms of any applicable employment agreement.

Employment is “at-will” and either the employee or the County may choose to terminate the employment relationship at any time and for any reason not prohibited by law.

Certain employees in Emergency Services and Soil and Water Conservation are exempt from the “at-will” classification upon completion of their prescribed probationary period.

Onslow County Personnel Policy

Chapter: 2– Employment

Section: 4 – Recruitment

Date of Board of Commissioner Adoption: June 10, 2013



Recruitment

Recruitment practices are conducted solely on the basis of ability, merit, qualifications and competence without regard to race, religion, color, creed, national origin, sex, age, political affiliation, handicapping condition or any other protected category under local, state, or federal law. All advertisements for employment must include an assurance that the County is an equal opportunity employer and will comply with federal and state statutes regarding discrimination in employment matters.

When a position becomes vacant, and prior to the posting or advertisement of any position, the department head must prepare and submit a request to fill the position to the Human Resources Director. The request to advertise the position must explain the continuing need for this position and suggest any revisions to the position that should be made prior to posting or advertisement of the position. A position will not be posted or advertised if it has not been previously budgeted and authorized by the Board of County Commissioners.

Onslow County Personnel Policy

Chapter: 2– Employment

Section: 5 – Job Advertisements

Date of Board of Commissioner Adoption: June 10, 2013



Job Advertisements

Employment opportunities with the County will be advertised publicly. Job postings will be posted on the County website from the date that the position is advertised until the established closing date for accepting applications. The County reserves the right to advertise positions internally only when qualified applicants are already employed with County government.

Job postings may be advertised with the Employment Security Commission, with other local, state or national organizations, and in newspapers and professional publications and on websites as deemed appropriate by the Human Resources Director. In general, it is the County's practice to post vacant positions for at least five (5) business days for internal advertisements and ten (10) business days for external, or open, advertisements.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 6 – Application for Employment

Date of Board of Commissioner Adoption: June 10, 2013



Application for Employment

All qualified persons expressing interest in a County position, including current employees, will be given the opportunity to file an application for employment when the County is advertising to fill such positions. All applicants for a position must complete the County's official employment application through its online application system for each position for which they are applying.

Applicants may be required to submit certificates from educational and training institutions, proof of licensure, and other documentation requested by the County which provides reasonable proof of any statement made on the application. Any false statements within the application may be cause for rejection of the application or disciplinary action up to and including dismissal. Applicants who are not employed with the County and not selected for positions have no appeal rights unless they are alleging that their rights to Equal Employment Opportunity have been violated.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 7 – Minimum Qualifications Standards

Date of Board of Commissioner Adoption: June 10, 2013



Minimum Qualification Standards

The minimum qualification standards for applicants seeking County employment and for current County employees seeking a promotion or transfer must be consistent with the established job class requirements and with any specialized requirements for specific positions. Minimum qualification standards include the specified education, experience, physical capabilities, and other knowledge, skills, and abilities defined for the job class as established by the department head in consultation with the Human Resources Director.

Applicants who do not meet the minimum education and experience requirements may be hired as “trainees” or in a “work against” status.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 8 – Selection

Date of Board of Commissioner Adoption: June 10, 2013



Selection

The County will select the best qualified person for each available position from among the applicants who meet the minimum qualifications established for the position. Evaluation of qualifications is based upon job-related criteria and without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability or any other protected category under local, state, or federal law.

It is the responsibility of the Human Resources Director to manage the selection process to ensure compliance with state and federal laws and consistency with the County's employment practices.

Selection procedures used to determine the qualifications of applicants for any position may include but are not limited to

- An evaluation of the employment application and other submitted materials;
- Structured interviews;
- Reference checks;
- Driver's license checks;
- Academic verifications;
- Criminal background and credit checks; and
- Controlled substance testing.

The County reserves the right to condition an offer of employment on the results of a medical examination or screening. The purpose of a medical examination and/or screening is to determine if a candidate is physically able to perform the essential functions of the position and to ensure that an individual's physical condition will not endanger the health, safety, or well-being of other employees or the public.

All written offers of employment will be approved by the Human Resources Director, or his/her designee.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 9 – Probationary Period of Employment

Date of Board of Commissioner Adoption: June 10, 2013



Probationary Period of Employment

Onslow County requires all employees who are appointed to full-time or part-time employment to serve a probationary period. When a new employee is appointed to a position the probationary period is regarded as an integral part of the selection process. It affords the employee an opportunity to become acquainted with the new position and provides the County with a period of time during which the employee's work will be closely evaluated. The County may dismiss any employee with or without cause at any time during the probationary period. Employees dismissed during their probationary period have no appeals rights.

The probationary period is twelve (12) months from the employee's date of hire.

Employees who are initially appointed to a law enforcement or paramedic position are subject to a twelve (12) month probationary period to complete minimum training requirements.

Prior to the completion of the probationary period, the employee's supervisor and the department head must review the performance of the probationary employee and make a decision to retain or dismiss the employee.

Upon the successful completion of a probationary period, the employee's classification will be changed to regular employee.

Promotions, Demotions as a result of a Reduction in Force, or Transfer

Existing employees who are promoted will serve a six (6) month probationary period in the new position. After the probationary period is done, the employee will be classified as a regular employee.

Existing employees who are demoted as a result of a Reduction in Force (RIF) will serve a six (6) month probationary period in the new position. After the probationary period is done, the employee will be classified as a regular employee (*Reference Policy 902: Reduction in Force*).

Existing employees who are transferred for any reason including reorganization, Reduction in Force, or reclassification, will serve a six (6) month probationary period in the new position. After the probationary period is done, the employee will be classified as a regular employee.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 10 – Promotions and Transfers

Date of Board of Commissioner Adoption: June 10, 2013



Promotions and Transfers

Employees are encouraged to apply for vacant County positions for which they are qualified. Promotions and transfers are competitive. Reclassifications that result in a promotion or transfer are not considered competitive. The County has the right to make the final selection decision based on qualifications, abilities, experience, and County requirements and does not make a guarantee of a promotion or transfer to existing employees. Promotion and transfer decisions will be made based on job-related criteria and without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability or any other protected category under local, state, or federal law. The County Manager reserves the right to effect promotions or transfers without regard to the recruitment process, if it is determined by the County Manager to be in the best interest of the County.

This policy does not limit the County's right to transfer employees to another position within the same job class taking into account the needs of the County and the employee.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 11 – Demotion

Date of Board of Commissioner Adoption: June 10, 2013



Demotion

A demotion is an adverse personnel action resulting in a change in employment to a lower grade and/or pay rate. Generally, a demotion is a result of disciplinary action due to unacceptable personal conduct, unacceptable job performance, or grossly inefficient job performance.

A demotion that occurs as a result of a Reduction in Force will be handled in accordance with that policy (*Reference Policy 902: Reduction in Force*).

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 12 – Interim Appointment

Date of Board of Commissioner Adoption: June 10, 2013



Interim Appointment

The County Manager may designate a County employee to serve in an acting capacity when a department head or supervisory position is vacant due to a resignation or due to an approved leave of absence of more than four weeks, or as deemed appropriate. Employees serving in an acting capacity may be compensated to reflect the increased duties they have assumed (*in accordance with Policy 508 Pay Rates for Pay Rates for Promotions, Demotions, Voluntary Reassignments, Reclassifications and Interim Appointments*), until an appointment to the position has been made a leave of absence has been completed, duties are reassigned, or another personnel action is taken which no longer requires an employee to serve in an acting capacity.

If an employee is appointed to an interim position due to a vacancy, the salary for that interim service will be based on their education, special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions. If the employee is selected for the vacancy at the completion of recruitment for that position, the salary established while serving in the interim capacity will continue and no additional salary increase will occur. If the employee is not appointed as a result of the recruitment, the salary will revert to the previous salary in force prior to the interim appointment.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 13 – Voluntary Reassignment

Date of Board of Commissioner Adoption: June 10, 2013



Voluntary Reassignment

A voluntary reassignment is a change in employment resulting from assignment to a position in a lower or like pay grade. This change is the result of a mutual agreement between the employee and the employer, or it may be the result of an employee applying for and being selected for a position at the same or a lower grade. If the reassignment is to a lower grade, a Request for Voluntary Reassignment must be completed by the employee and forwarded to Human Resources.

Onslow County Personnel Policy

Chapter: 2 – Employment

Section: 14 – Re-employment

Date of Board of Commissioner Adoption: June 10, 2013



Re-employment

Onslow County will consider former employees for re-employment. Employees who are dismissed or who resign in lieu of dismissal for unacceptable personal conduct or for grossly inefficient job performance will not be eligible for rehire. In addition, employees who fail to give a standard two-week notice will not be eligible for rehire. Employees leaving the County for any other reason, including performance reasons or position elimination, are eligible to apply for rehire. If an employee reapplies, the County will review performance and employment history, as well current qualifications.

As with all applicants for employment with Onslow County, a review of the requirements for the open position and a determination whether to proceed with the interview process will be conducted based on qualifications and position requirements.

Rehired former employees will be subject to serving a probationary period as outlined in Policy 209 (*Probationary Period*).

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Employee Responsibilities

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Chapter: 3 – Employee Responsibilities

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Chapter: 3 – Employee Responsibilities

Section: 1 – Work Schedules

Date of Board of Commissioner Adoption: June 10, 2013



Work Schedules

The County Manager is authorized to establish standard hours of operation for County departments. The County Manager is also authorized to make adjustments to standard hours of operation and department work schedules as needed to meet services and operational needs.

Onslow County Personnel Policy

Chapter 3 – Employee Responsibilities

Section: 2 – Modified Work Schedules

Date of Board of Commissioner Adoption: June 10, 2013



Modified Work Schedules

Authorization of temporary modified work schedules for individual employees is at the discretion of the department head as long as there is no interruption of departmental functions and efficient service is provided to the citizens of Onslow County. Department heads may not change their own work schedules without the expressed written consent of the County Manager.

The County Manager has the final authority to approve permanent modified work schedules. Once the modification is approved, it is the department head's responsibility to inform the Finance Department in writing of such changes.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 3 – Breaks

Date of Board of Commissioner Adoption: June 10, 2013



Breaks

The Board of County Commissioners recognizes that certain breaks in the daily schedule promote employee health and productivity. Employees may take one fifteen (15) minute break for every four (4) hours worked. All breaks must be arranged so that they do not interfere with County business or continuous service to the public. Employees may also take a sixty (60) minute unpaid meal-break. Meal-breaks must be scheduled with the approval of the employee's department head and/or supervisor. The scheduling of meal-breaks may vary depending on department workload.

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Chapter: 3 – Employee Responsibilities

Section: 4 – Gifts and Favors

Date of Board of Commissioner Adoption: June 10, 2013



Gifts and Favors

Public employees are to serve all persons fairly and equitably without regard to personal or financial benefit. Therefore, all County employees are prohibited from accepting a non-monetary gift that exceeds a nominal value (\$25). Non-monetary gifts may include: advertising items or souvenirs, honoraria for participating in meetings, and meals at banquets. Non-monetary free meals not provided at banquets are prohibited from being accepted by County employees. Any non-monetary gift received by a County employee must be reported to their respective department head. All County employees are strictly prohibited from accepting any type of direct or implied cash or monetary payment, gift or reward. All County employees are strictly prohibited from soliciting or receiving any gift, reward, promise of reward, or anything of value, directly or indirectly, in exchange of, or consideration for, some action to be taken or not taken in the performance of the employee's duties. All County employees are strictly prohibited from disclosing confidential information concerning the property, government, or affairs of the County or using such information to advance the financial or other private interest of themselves or others.

Nominal gifts that are provided to a department or group of County employees, such as fruit baskets, cookie tins, candy assortments, etc., may be accepted provided they are approved by the department head and made available to all the employees in the department or group.

Monetary gifts to the County or a County Department not in excess of \$100 may be accepted by the County Manager on behalf of the County. Monetary gifts to the County or a County Department in excess of \$100 must be approved by the Board of Commissioners. All such monetary gifts must be forwarded to the County Finance Office for deposit. If the monetary gift was made to a specific County department, the Department Head may apply to the County Manager for disbursement of the funds so deposited for appropriate welfare or morale activities benefiting the department as a whole.

No County employee who is involved in making or administering a contract on behalf of the County may receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award.

Any County employee who violates this policy is subject to disciplinary action up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 5 – Political Activity Restricted

Date of Board of Commissioner Adoption: June 10, 2013



Political Activity Restricted

Each County employee has a civic responsibility to support good government by every available means and in every appropriate manner. The public has the right to expect excellent service from all County employees on an equal basis without regard to political affiliation. Further, the public should be free from the appearance that support, or non-support, of a person's candidacy for political office may have an effect on the excellent services provided by County employees. Therefore, County employees may only seek political office as authorized in this Section. County employees are not restricted from affiliating with organizations of political or partisan nature. While off-duty, County employees may attend political meetings, support and advocate political policies and positions, make financial contributions to a political organization and support candidates of their choice in accordance with the U.S. Constitution and the laws of the State of North Carolina.

However, all County employees are prohibited from:

- a. Engaging in any political or partisan activity while on duty;
- b. Using official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- c. Coercing, soliciting or compelling contributions for political or partisan purposes by another employee of the County;
- d. Using County time, supplies, equipment, or County uniforms for political or partisan purposes;
- e. Participating in activities as a candidate for a political office in any local, state, or federal partisan election while actively at work. This Section will not apply to individuals holding elected office as a result of partisan elections such as the Sheriff, the Register of Deeds, the Clerk of Court, and the members of the Board of Commissioners.

No employee can be required to contribute funds for political or partisan purposes as a duty or condition of employment, promotion, or tenure of office.

Any employee who violates this policy is subject to disciplinary action up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 6 – Outside or Secondary Employment

Date of Board of Commissioner Adoption: June 10, 2013



Outside or Secondary Employment

The work of the County will take precedence over other occupational interests of employees. All outside or secondary employment for salaries, wages, or other compensation and all self-employment must be reported using the Outside/Secondary Employment form provided by the Department of Human Resources with signatures indicating approval by the employee's department head, the Human Resources Director, and County Manager. Approval of outside or secondary employment (from the employee's department head, the Human Resources Director, and County Manager) must be renewed annually using the same Outside/Secondary Employment form.

Outside or secondary employment that creates or is perceived to be a conflict of interest is prohibited. The County Manager shall be responsible for final interpretation. Conflicting outside or secondary employment will be grounds for disciplinary action up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 7 – Employment of Relatives

Date of Board of Commissioner Adoption: June 10, 2013



Employment of Relatives

For purposes of this policy, immediate family is defined as spouse, mother, father, guardian, children, sister, uncle, aunt, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named.

The following provisions are applicable to all employees:

- a. Members of an immediate family may be employed in the same department, provided that an employee is not supervised by a member of his/her immediate family.
- b. Members of an immediate family may not fall under any aspect of a supervisor's scope of responsibility. This restriction includes involvement of family members in writing or reviewing employee performance evaluations.
- c. Department directors may not hire members of their immediate family to work in departments under their scope of responsibility.

Sheriff or Register of Deeds

The Board of Commissioners must approve, prior to any appointment by the Sheriff or by the Register of Deeds, of a relative by blood or marriage of the nearer kinship than first cousin, as required by North Carolina General Statute.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 8 – Unlawful Workplace Harassment

Date of Board of Commissioner Adoption: June 10, 2013



Unlawful Workplace Harassment

The purpose of this policy is to prohibit any form of unlawful workplace harassment of employees, and to attempt to ensure that County work sites are free of unlawful workplace harassment. This policy also prohibits retaliation against employees who file complaints, act as witnesses to unlawful workplace harassment, and provide evidence in relation to harassment complaints. Retaliation is adverse treatment which occurs because of an employee's opposition to unlawful workplace harassment.

All employees are guaranteed the right to work in an environment free from unlawful workplace harassment and retaliation. The desired standard of employee behavior is one of cooperation and respect for each other despite any differences.

All employees, including appointed and elected full-time and part-time employees and temporary and seasonal employees are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related settings outside the workplace, such as during business trips, business meetings and business-related social events.

Unlawful Workplace Harassment defined

For the purposes of this policy, "unlawful workplace harassment" is defined as unsolicited and unwelcome speech or conduct based upon race, sex, creed, religion, national origin, age, color, or disability that creates a hostile work environment or constitutes sexual harassment.

Conduct that may rise to the level of creating a hostile work environment includes verbal, nonverbal, or physical behaviors that a reasonable person would find hostile or abusive and one that the person, who is the object of the harassment, perceives to be hostile or abusive. Hostile work environment is determined by looking at all circumstances or incidents, including frequency of alleged harassing behavior, severity, and whether it unreasonably interferes with an employee's performance or adversely affects the employee's employment opportunities.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, written or physical conduct of a sexual nature. It includes, but is not limited to situations where:

1. The employee is told or threatened, expressed or implied, that submission to the conduct will influence any personnel decision (employment, wages, advancement, assigned duties, shifts, or any other condition of employment or career development);
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Some types of prohibited sexual advancement include, but are not limited to:

1. Verbal propositions or innuendos; lewd or sexually offensive comments; humor, jokes or teasing about sex or gender – specific traits; rumors about other employees, verbal abuse, and insults;
2. Nonverbal sexually oriented gestures, signs, cartoons, pictures, cards, books, magazines, graffiti, or paraphernalia; whistling; email, internet, or other computer transmissions;

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Chapter: 3 – Employee Responsibilities

Section: 8 – Unlawful Workplace Harassment

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3. Physical behaviors, specifically any unwelcome touching, such as rubbing, patting, pinching, or brushing the body.

Role of Department Heads and Supervisors

Department heads and supervisors are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy. They shall establish and maintain a climate in the work unit which encourages employees to communicate questions or concerns regarding this policy; recognize incidents of unlawful workplace harassment; they must take immediate corrective action to stop such behavior when they become aware of it; and notify Human Resources. Any supervisor who observes, is confronted with, or becomes aware of situation involving unlawful workplace harassment must advise the offending individual(s) to stop the harassing behavior and report the situation immediately to the department head or directly to Human Resources. The department head or Human Resources is responsible for investigating the grievance in accordance with Chapter 10 Grievance Process. Disciplinary action, up to and including termination, may result against supervisors and managers who fail to respond immediately and appropriately to perceived unlawful workplace harassment.

Complaints Procedure for Unlawful Workplace Harassment

Any employee who feels he/she is being subjected to unlawful workplace harassment should immediately contact: his/her, department head, or a member of Human Resources . This procedure does not require reports to be made to the department head or to anyone else the employee believes to be participating in the unlawful workplace harassment. Employees are encouraged to speak with whomever they feel the most comfortable from those listed above. The department head or Human Resources will prepare a written statement documenting the complaint. Complaints of unlawful workplace harassment will be kept as confidential as possible while the matter is thoroughly investigated and promptly dealt with as appropriate. Under no circumstances will the investigation be conducted by or under the direction of the person(s) reported to have engaged in the unlawful workplace harassment.

The employee who is accused of unlawful workplace harassment may be placed on investigation leave while fact-finding is conducted. A finding of facts regarding the complaint will be completed as confidentially as possible, and a written report shall be completed by the designee in accordance with Chapter 10 Grievance Process. The investigator will determine whether the conduct constitutes unlawful workplace harassment. In making that determination, the investigator will review the report as a whole and the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred, and the conduct of the person accused of unlawful workplace harassment.

If it is determined that the complaint of unlawful workplace harassment is founded, immediate and appropriate disciplinary action shall be taken consistent with applicable laws and policies. The disciplinary action shall be consistent with the nature and severity of the offense, the rank of the employee and any other factors deemed appropriate.

Retaliation against employees or job applicants who report, or file complaints or charges due to perceived unlawful workplace harassment, or who participate in investigations or proceedings as

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Section: 8 – Unlawful Workplace Harassment

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witnesses, or in other capacities is prohibited and will not be tolerated and should be reported immediately according to the reporting procedure outlined in Chapter 10 Grievance Process.

Unlawful Workplace Harassment by Non-Employees

When reports of unlawful workplace harassment against an employee in the workplace involve a non-employee, the County will support appropriate steps to address the unlawful workplace harassment.

Employee Responsibilities

Any employee who observes unlawful workplace harassment shall report this observation immediately to his/her supervisor. Employees are obligated to cooperate in any investigation of unlawful workplace harassment. Employees are also obligated to refrain from filing fraudulent or “bad faith” complaints of unlawful workplace harassment.

Disciplinary action up to and including dismissal may also be taken against any employee who fails to report instances of unlawful workplace harassment, who fails or refuses to cooperate in the investigation into a complaint of unlawful workplace harassment or who files a complaint of unlawful workplace harassment in bad faith.

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Chapter 3 – Employee Responsibilities

Section: 9 – Safety and Health

Date of Board of Commissioner Adoption: June 10, 2013



Safety and Health

Onslow County is committed to providing a safe and healthy working environment for all employees. It is our policy to ensure that every reasonable precaution is taken to prevent the incidence of accidents, injuries, and illnesses for all employees. We feel there is no job or task that cannot be performed safely and we expect each employee to follow safe working procedures and use good common safety sense when at work. The Onslow County Safety and Health Policy and Procedures has been prepared and adopted as the County's safety guidelines and all employees are expected to comply with this policy and its procedures. Employees can access the County's Safety Policy and Procedures at the County's Intranet website, or by requesting it from their supervisor.

Employees must report unsafe conditions or practices to their supervisor immediately. If a work-related accident, injury, or illness occurs, employees must report it to their supervisor immediately. If the employee requires medical attention as a result of a work-related accident, injury, or illness, they are required to follow the procedures set forth in the Onslow County Safety and Health Policy and Procedures. Onslow County has adopted a proactive return to work policy that requires all employees in a modified or restricted duty status to return to work and perform their duties consistent with their physical restriction set by their treating physician. If an employee has any questions regarding the County's Safety and Health Policy and Procedures they are encouraged to contact their supervisor or the County's Safety Officer.

Communicable Diseases

Onslow County's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. Onslow County may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC) and any state regulations.

Onslow County will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. Onslow County reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

If a supervisor has reason to believe that an employee is ill under this policy, the supervisor may send the employee home until he is medically certified as able to return to work. Any time used for purposes

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Chapter 3 – Employee Responsibilities

Section: 9 – Safety and Health

Date of Board of Commissioner Adoption: June 10, 2013



of this policy may fall under the use of FMLA leave (compensatory, sick, annual and unpaid), in accordance with federal and state law.

Onslow County will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 10 – Workplace Violence

Date of Board of Commissioner Revision: July 13, 2015



Workplace Violence

It is Onslow County's intent to provide a safe workplace that is free from violence for all employees. Violent acts against employees, whether committed while on-duty or off-duty, have the potential to impact an employee's ability to perform assigned duties.

Prohibited Conduct

The County will not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging County property or property of another employee;
- Possession of a weapon while on County property or while on County business, unless permitted and authorized to do so in the performance of assigned duties and responsibilities;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

All workplace violence events or potentially dangerous situations must be reported immediately to a supervisor or the Human Resources Department. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. Retaliation against any employee who, in good faith, reports a violation of this policy is prohibited. Every effort will be made to protect the safety and confidentiality of anyone who comes forward with concerns about a threat or act of violence. All parties involved in a situation will be counseled and the results of investigations will be discussed with them to the fullest extent allowed without breaching any confidentiality restrictions. The County will actively intervene at any indication of a possibly hostile or violent situation.

Risk Reduction Measures

Hiring: The County takes reasonable measures to conduct background investigations to review candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

Safety: The County conducts inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

Individual Situations: While there is no expectation that employees be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:

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Section: 10 – Workplace Violence

Date of Board of Commissioner Revision: July 13, 2015



- Bringing or threatening to bring weapons to the workplace (unless permitted and authorized to do so in the performance of assigned duties and responsibilities);
- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

Dangerous/Emergency Situations

Employees who witness the presence of an armed or dangerous person should notify a supervisor immediately, as long as doing so can be safely done without endangering the safety of the employee or others. If notification cannot be done immediately, it should be done as soon as is practical once safety of the employee and/or others is secured.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts, while functioning in the course and scope of employment as well as when off-duty violent conduct has a potential adverse impact on the employee's ability or the ability of another employee to perform assigned duties and responsibilities, will be subject to disciplinary action, up to and including dismissal. Non-employees engaged in violent acts on or off County property will be reported to the proper authorities and fully prosecuted.

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Chapter: 3 – Employee Responsibilities

Section: 11 – Drug-Free Workplace and Drug and Alcohol Testing

Date of Board of Commissioner Adoption: June 10, 2013



Drug-Free Workplace and Drug and Alcohol Testing

Alcohol and Drug Policy

Onslow County is firmly committed to maintaining an efficient and effective workforce and to providing a safe and productive work environment that is free from the effects of alcohol and illegal drugs for its employees.

Alcohol and Illegal Drugs in the Workplace

The unlawful manufacture, distribution, dispensation, sale, possession or use of illegal drugs or alcohol, or the consumption of alcohol in the workplace, and/or during work time is strictly prohibited on County premises. In addition, Onslow County prohibits the off-premise abuse, possession, use, distribution, manufacture or sale of illegal drugs, when such activities adversely affect job performance, safety, or may be inconsistent with public service or detrimental to County operations. The off premise use and/or abuse of alcohol is prohibited when it affects job performance or safety. Use of alcohol or drugs before or during operation of a County vehicle will be presumed to affect safety and will be grounds for immediate disciplinary action.

- Any employee involved in illegal drug activity or determined to be using or possessing, or to be impaired by, illegal drugs or alcohol on County premises and/or during work time shall be subject to immediate disciplinary action up to and including dismissal. Violations of criminal drug statutes occurring in the workplace will be reported to the appropriate law enforcement authority.
- Any employee convicted of a criminal drug statute violation occurring in the workplace must notify his supervisor no later than five (5) calendar days after such conviction. Failure to provide notification will result in automatic dismissal. Management is responsible for notifying the Human Resources Director of any employee convicted of any drug related violations on County premises immediately upon receipt of such notice from the employee.
- Any employee convicted of a criminal drug statute violation in the workplace shall be subject to disciplinary action up to and including dismissal. The appropriate personnel action will be taken against any employee convicted of a workplace drug violation within thirty (30) days of management's receipt of notice of conviction.
- Any employee who drives on County business and who is convicted of a violation for driving while impaired must report the conviction to his supervisor no later than the next working day after conviction. Further requirements are detailed in the Onslow County Driver's Licensing Program. Failure to notify the supervisor shall be cause for disciplinary action up to and including dismissal.

Drug Testing

All applicants for, and all employees in, positions subject to the provisions of the North Carolina Criminal Justice Training and Standards Council, The Omnibus Transportation Employee Testing Act of 1991, or any federal or state mandated alcohol and/or controlled substance testing program, will be subject to the random mandatory alcohol and/or controlled substances drug testing policies and procedures as appropriate.

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Date of Board of Commissioner Adoption: June 10, 2013



- The County may condition an employee's continued employment on his/her submission to drug or alcohol testing where there is reasonable cause to believe that the employee may have violated this Drug and Alcohol Policy. Reasonable cause determinations must be based upon objective or observable criteria or circumstances, including but not limited to: slurred speech, impaired physical coordination, inability to concentrate, incoherence, the smell of alcohol on breath, involvement in an accident that results or could result personal injury or death or which involves a motorized vehicle or heavy equipment, or when imposed as a reasonable condition of return to duty.
- Applicants for employment will be subject to pre-employment drug and alcohol screening in compliance with Federal Law.
- Employees involved in any work-related accident or injury will be tested for the presence of drugs and alcohol as permitted by state and federal law.

Responsibilities

All Onslow County employees are subject to the provisions of this policy. It is the responsibility of each employee to become familiar with the policy and, as a condition of employment, to abide by its provisions. It is the responsibility of any employee who is experiencing an alcohol or drug problem to voluntarily seek help before it must be addressed at the workplace or otherwise results in unsatisfactory conduct, work performance, or work habits.

It is the responsibility of management to assure that operations within the County are run safely and efficiently. Departmental management shares in the responsibility for ensuring that all supervisors and employees are informed of this policy. Supervisors are expected to enforce the provisions of this policy and to address unsatisfactory conduct, work performance, or work habits. Any supervisor who violates or fails to enforce this policy may be subject to disciplinary action.

NOTE: In accordance with the Federal Drug-Free Workplace Act, departments which are direct recipients of federal grant money are required to inform the granting agency within ten (10) days after receiving notification of an employee's criminal drug statute conviction for a violation occurring in the workplace.

Human Resources will coordinate efforts to inform employees of this policy and the availability of counseling through the Employee Assistance Program.

Definitions

- **Illegal Drugs:** For the purpose of the policy, the term "illegal drugs" includes substances designated by state or federal law to be illegal, including but not limited to heroin, morphine and other narcotics, marijuana, cocaine, PCP, LSD, and "crack". The term also includes "legal" drugs which are obtained or used without a prescription.
- **Conviction** means finding of guilt (including a plea of "no contest") by any judicial body charged with the responsibility to determine violations of Federal or State criminal law.
- **Disciplinary Actions** mean written warnings, transfers, demotions in classification and/or pay, suspensions, and dismissals.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 11 – Drug-Free Workplace and Drug and Alcohol Testing

Date of Board of Commissioner Adoption: June 10, 2013



- **Impaired** means such demonstrated performance and/or behavior as would indicate to a reasonable person that the employee's ability to handle job assignments safely and/or efficiently is compromised.
- **Management** includes supervisors, managers, department, and division heads.
- **Worksite** or **Workplace** means any office building, property, or vehicle that is owned or operated by the County or other location where an employee performs work for the County.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 12 – Maintaining County Security

Date of Board of Commissioner Adoption: June 10, 2013



Maintaining County Security

Keys and employee identification badges are issued to County employees to promote the security of County buildings, offices, equipment and supplies, and records and to protect the County from theft or damage to these assets.

Keys

County employees will be given only those keys necessary for work-related purposes. Approval of the issuance of keys must be given by the appropriate department head. Keys to County buildings and other County facilities and equipment are the property of Onslow County and must be returned immediately upon request by the County or separation from County employment. An employee who loses or misplaces a County-provided key must report this situation immediately to his or her supervisor.

Employees will be responsible for maintaining their County-provided keys in a safe manner. Unauthorized copying of keys is prohibited. If additional keys are needed, a request must be made through the employee's department head. Keys shall not be issued to persons who are not County employees, unless approved by the County's designated risk manager.

Employee identification badges

Employee identification badges are issued to all employees, volunteers, and interns. All of these persons listed herein are required to wear an employee identification badge at all times when conducting County business at County facilities or in the field. The only exception to the requirement to wear County identification badges is when the wearing of the badge constitutes a potential safety hazard or seriously impedes upon the satisfactory performance of duties or when a potential breach of confidentiality of a patient, consumer, or client exists in the performance of official duties by an employee. Anyone who loses or misplaces his or her County-issued employee identification badge must report this situation immediately to his or her supervisor and arrange for reissue.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 13 – Use of County Vehicles or Motorized Equipment

Date of Board of Commissioner Adoption: June 10, 2013



Use of County Vehicles or Motorized Equipment

Employees authorized to operate County vehicles or motorized equipment must use these strictly for County business. County vehicles or motorized equipment must be kept on the County's grounds or in its facilities when not in use. The County may require certain employees to commute to and from work in County vehicles that are covered by certain IRS regulations. In accordance with federal and state law, an employee may not use a County-owned vehicle for personal use other than commuting. Under these conditions the County will account for commuting use as required in IRS regulations.

Any employee operating or riding in a County vehicle or other motorized equipment must:

- operate the vehicle or equipment in accordance with the County's safety policy;
- wear seat belts;
- when driving, comply with the County's cell phone policy; and
- refrain from smoking at all times.

Failure to operate County vehicles or motorized equipment as prescribed by policies, procedures, work rules, or federal and state law, may result in disciplinary action up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 14 – Driver’s License Requirements and Driving Record

Date of Board of Commissioner Adoption: June 10, 2013



Driver’s License Requirements and Driving Record

Employees who operate County vehicles or privately owned vehicles while conducting official County business as part of the essential duties of their position are required to meet the minimum standards set by the County and have possession of an appropriate driver’s license valid in the State of North Carolina, except where preempted by military involvement, and proof of coverage as an insured driver. Any employee whose license is revoked, suspended, or lost, or whose insurance coverage is terminated, must notify his/her department head immediately. The employee will be unable to resume operating a County vehicle or utilize his/her privately owned vehicle for County business until providing proof of a valid driver’s license and insurance coverage to the department head.

Employees or job applicants will not be permitted to operate a vehicle if their driving record contains more than 5 points within the last three years. Any employee or applicant who has been convicted of a DWI or DUI within the last five years will not be authorized to operate a vehicle. Employees who are not able to perform essential job duties due to the suspension or revocation of their driver’s license, or DWI or DUI conviction, may be reassigned to a non-driving position or dismissed.

Volunteers and/or interns are not authorized to drive County vehicles.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 15 – Failure to Obtain or Maintain Required Licenses, Registrations, or Certifications

Date of Board of Commissioner Adoption: June 10, 2013



Failure to Obtain or Maintain Required Licenses, Registrations, or Certifications

Employees who fail to obtain or maintain any license, registration, or certification required by relevant law, rule, or provision when the duties of the position require that license, registration, or certification may result in dismissal. Employees are required to obtain or maintain current, valid credentials as required by law, rule, regulation, and occupational boards.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 16 – Smoking and Tobacco Use

Date of Board of Commissioner Adoption: June 10, 2013



Smoking and Tobacco Use

Employees are permitted to smoke or use tobacco in designated smoking areas only. Employees are prohibited from smoking or using tobacco in non-smoking areas. This includes the use of electronic cigarettes.

All employees are expected to abide by the provisions of this policy and are subject to disciplinary action in accordance with disciplinary procedures.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 17 – Information Technology Use

Date of Board of Commissioner Adoption: June 10, 2013



Information Technology Use

This policy covers the use of all technology resources belonging to Onslow County, whether individually controlled or shared, stand-alone or networked. It includes, but is not limited to pagers, radios, all computer systems of any size and function and their attached peripherals, telephones, cellular phones, copiers, scanners, fax machines, voice mail systems, e-mail systems, network resources and Internet resources. All technology resources owned by Onslow County are in place to enable the County to provide its services in a timely and efficient manner. This is the primary function of these resources and any activity or action that interferes with this purpose is prohibited. Ethical and legal standards that apply to information technology resources derive directly from standards of common sense and common courtesy that apply to the use of any shared resource. Because technology systems are constantly evolving, Onslow County requires its employees to use a common sense approach to the rules set forth below, complying not only with the letter, but also the spirit, of this policy.

Information Access and Ownership

All technology resources and all information transmitted by, received from, or stored on Onslow County systems are the property of Onslow County and are subject to inspection by County officials. Employees do not have an expectation or right to privacy with respect to any electronic correspondence, files, documents, images, created, stored, displayed, received or sent on the County's technology systems. The County reserves the right to review, monitor, and inspect use of its technology resources without advance notice. If Onslow County determines that an employee has used technology resources in a manner that violates this policy or other County policies, the County will take appropriate disciplinary action up to and including dismissal.

Personal Use

Personal use of a County-owned technology resource by County employees is allowed with the following restrictions:

1. Employees should be aware that personal use of a County-owned technology resource is subject to all of the rules in this policy including inspection and monitoring.
2. There must be no cost to the County.
3. Use must be conducted on an employee's own time and at the discretion of the employee's supervisor. However, personal telephone calls on non-cellular phones or personal use of e-mail on an occasional basis may be permitted providing that they do not interfere with a County employee's obligation to carry out County duties in a timely and effective manner.
4. Use must not interfere with other employees performing their jobs or undermine the use of County resources for official purposes.
5. Use of the County's technology resources for operating a personal business of any kind is prohibited.
6. Some technology resources such as cellular phones are billed from the first minute of use (both local and long distance). Charges for personal use are to be reimbursed to the County in accordance with the County Cellular Phone Policy.
7. Individuals who are not employees of Onslow County (including an employee's family or friends) are not allowed to use the County's technology resources other than public access stations.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 17 – Information Technology Use

Date of Board of Commissioner Adoption: June 10, 2013



8. Personal use of County resources by an employee neither expresses nor implies sponsorship or endorsement by Onslow County.

Security

Each employee is responsible for all actions taken while using his/her user profile, password, or access code. Therefore, these should be kept confidential and only shared when authorized by supervisory personnel to meet the needs of a department. This should be the exception and not the rule.

Examples: A computer shared by more than one employee or the ITS department that needs to share administrative passwords to perform their job.

Any file, program, or document received on media (diskettes, CD-ROM. Tapes, or portable memory storage devices), through the Internet (including e-mail) or through file transfer must be virus-checked immediately. You should be cautious when you receive an e-mail message you were not expecting containing an attachment. Employees can assist the County in preventing viruses from infecting the County's network by not opening any questionable communication from an unknown sender or any attachment with a questionable title or extension. Each individual employee is responsible for the prevention of the spread of viruses.

Employees are not authorized to install or download any software without the express approval of the Onslow County Information Technology Services Department. This policy includes but is not limited to shareware, freeware, personal software or Internet distributed programs. Applicable software copyright laws must be followed.

Appropriate Use

When employees use Onslow County technology resources, they are representing the County and are obligated to use good judgment in how they conduct and express themselves. Employees are expected to use the County's technology resources in a responsible and professional manner. They must not use these resources in an illegal, malicious, inappropriate or obscene manner. Each workstation with Internet access will be configured to allow the screening and review of sites visited on the Internet.

E-mail

E-mail and calendar functions are provided to expedite and improve communications among network users. Employees must clearly and accurately identify themselves when sending or forwarding e-mail, either internally or externally, . Anonymous or pseudonymous posting is expressly forbidden. Sending unsolicited junk e-mail or chain letters ("spam") to any user is prohibited. Sending any material that contains viruses, Trojan horses, worms or any other harmful program is prohibited. Electronic mail is a public record when sent or received in normal business process according to North Carolina General Statutes.

Internet Access

Internet access is provided to network users to assist them in performing the duties and responsibilities associated with their positions. Personal use of the internet should be limited to approved sites during approved break times.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 17 – Information Technology Use

Date of Board of Commissioner Adoption: June 10, 2013



Web pages

It is the desire of the County to maintain a consistent and quality presence on the Internet. Information published on the Internet should be written in a clear and concise manner and presented in a graphically appealing format. Once information is published, it is the ongoing responsibility of the corresponding department to ensure the timeliness and accuracy of the content of its Web pages. Links to other websites will be at the discretion of Onslow County.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 18 – County Property

Date of Board of Commissioner Adoption: June 10, 2013



County Property

Employees may be issued or have access to County property in the course and scope of employment. Employees are expected to maintain County property in proper and safe working condition and report any loss or damage to their supervisor immediately. Employees may be held responsible for assigned County property that is lost or damaged due to negligence, misuse or abuse. Employees are expected to return any County property that is assigned or otherwise in their possession upon termination of their employment. The employee's supervisor or the Department Head will decide if the employee is responsible for replacement or repair cost, and this cost may be deducted from the employee's pay.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 19 - Confidentiality of Records and Information

Date of Board of Commissioner Adoption: June 10, 2013



Confidentiality of Records and Information

All employees of Onslow County are reminded that certain personnel information gathered by the County in any form, relating to any employee, by way of illustration and not limitation, applications for employment, selection or non-selection for employment, and performance and certain other personnel actions, are confidential pursuant to GS Section 153A-98. Confidential personnel information includes information about applicants as well as former employees. Failure to keep such information confidential is a Class 3 misdemeanor may subject an individual to criminal penalties. Employees who fail to comply with known work rules, including the privacy of personnel and health information pursuant to applicable state and federal laws, are subject to discipline up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 20 – Social Media

Date of Board of Commissioner Adoption:



SOCIAL MEDIA

Onslow County understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. The use of social media also carries with it certain responsibilities and presents certain risks. To assist you in making responsible decisions about your use of social media, we have established this policy for the appropriate use of social media.

This policy applies to all employees of Onslow County government who are subject to the Personnel Policy.

Definition

In the rapidly expanding world of electronic communication, *social media* can mean many things. For the purposes of this policy, *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, photo-sharing sites whether or not associated or affiliated with Onslow County, as well as any other form of electronic communication. The same principles and guidelines found in Onslow County policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Be aware that anything you post on the internet is not considered a private communication. Before creating online content, be mindful that any posting that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects citizens, clients, vendors, or County contractors or Onslow County's legitimate business interests is grounds for disciplinary action up to and including dismissal.

Related Policies

Carefully read and understand this policy. In addition, ensure that any information that you post on social media sites is in compliance with The Guiding Principles Section of the Policy Manual as well as all other Onslow County policies, including but not limited to:

- 308: Unlawful Workplace Harassment
- 310: Workplace Violence
- 312: Maintaining County Security
- 317: Information Technology Use

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including dismissal.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 20 – Social Media

Date of Board of Commissioner Adoption:



Accurate Content

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, be advised that even deleted postings can be searched. Never post any information or rumors that you know to be false about Onslow County, fellow employees, citizens, clients, vendors or people working on behalf of Onslow County.

Post only appropriate and respectful content

- Maintain the confidentiality of Onslow County private or confidential information (specifically information related to confidential personnel information or confidential health information protected by HIPAA).
- Do not disclose information that you gain as a result of your trusted position as an employee of Onslow County government that you would not have access to otherwise.
- Do not create a link from your blog, website or other social networking site to an Onslow County website without identifying yourself as an Onslow County employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for Onslow County. If Onslow County is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of Onslow County, fellow employees, citizens, clients, vendors or people working on behalf of Onslow County. If you do publish a blog or post online related to the work you do or subjects associated with Onslow County, make it clear that you are not speaking on behalf of Onslow County. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Onslow County.”

Respect

Always be fair and courteous in social media posts about or to fellow employees, citizens, clients, vendors or people who work on behalf of Onslow County. Work related complaints should be resolved by speaking directly with co-workers or supervisors rather than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, do not use statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating; that disparage or discourage use of County services; that denigrate citizens, clients, or vendors; or that might be construed as harassment or bullying. Examples of such conduct include offensive posts that may harm someone’s reputation, or posts that may contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or County policy, or posts that may undermine the efficient operation of the County or a department of County Government.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 20 – Social Media

Date of Board of Commissioner Adoption:



Social Media at Work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor consistent with Policy 317 (*Information Technology Use*). You may use your personal equipment to access social media sites during authorized breaks. Do not use Onslow County email addresses to register on social networks, blogs or other online tools utilized for personal use.

Retaliation Prohibited

Onslow County prohibits taking negative action against any employee for reporting a possible violation of this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including dismissal.

Media contacts

Employees should not speak to the media on Onslow County's behalf without first contacting the Public Information Officer. All media inquiries should be directed to the Public Information Officer or the County Manager.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 21 – Workforce Certifications

Date of Board of Commissioner Adoption: April 20, 2015



REQUIRED WORKFORCE CERTIFICATIONS

Onslow County is committed to finding the highest qualified candidates for advertised positions. However, it is also understood that high quality candidates may not have the required credentials upon entering a position for which he/she is hired. As a result, there are times when Onslow County will provide the funding for required credentials to ensure the highest possible service to citizens and to reflect the industry, state, and federal credentials and requirements for positions in Onslow County government. In order to ensure that the investment that Onslow County makes in providing the resources to fund the acquisition of these required certifications and credentials, Onslow County must ask for a commitment of service in order to bear the cost of this professional growth and competitive advantage for the employee.

Required Certifications

For the purposes of this policy, “required certifications” refers to those certifications without which an employee would not be legally allowed to perform the duties of their position. A list of required certifications that fall under this policy will be maintained in the administrative guidelines for this policy and will be subject to update based on legislative or policy action.

Required Service

Employees who do not fulfill their service requirement will be required to repay the County all or a portion of the following charges as applicable:

- Any wages earned if the employee is taking the course full time and is not able to conduct other duties of their position,
- Cost of registration for the certification course,
- Cost of any applicable certification tests, and
- Any related travel (to include per diem meals, hotel, and mileage) to take the course and/or test.

An employee who has one of these required certifications paid for by Onslow County will be required to provide two (2) years of service in exchange for the payment of the certification. In the event that an employee separates from employment before the two year time-frame expires, the following schedule of repayment is adopted:

Time Frame	% Repayment
0-6 months of employment	100%
6 months, 1 day – 12 months of employment	75%
12 months, 1 day – 18 months of employment	50%
18 months, 1 day – 24 months of employment	25%
24, months and 1 day of employment	0%

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 21 –Workforce Certifications

Date of Board of Commissioner Adoption: April 20, 2015



The timeline for repayment of the cost of the certification as indicated above begins on the first date that the certification becomes effective and is a requirement of the position.

Application

This policy will apply to all applicable employees effective January 1, 2015. Employees hired before this date will not be subject to this policy unless they 1) begin a new certification course or 2) take a new position with a required industry or workplace certification.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 22 –Employee Dress

Date of Board of Commissioner Adoption: February 19, 2018



Employee Dress

Onslow County requires employees to maintain a professional appearance that is appropriate and safe for the workplace setting and for the work being performed.

Procedure

Onslow County Department Heads and Supervisors may exercise reasonable discretion to interpret and enforce this policy. The appearance of an employee should project a commitment to professional duties and safety. Employees who do not meet these expectations will be asked to become compliant with this policy and required to use compensation time or annual leave for time away from work.

General Guidelines for Professional and Safe Attire

- All clothing shall be in good repair (free from rips, tears, and stains), in keeping with the nature of the employee's duties.
- If uniforms are issued, employees should wear the uniform in accordance with the department's policy and procedure.
- Athletic attire that provides workplace-appropriate coverage is acceptable during County-sponsored fitness classes.
- Jewelry shall be safe for both clients and the employee. Body piercings and facial piercings should not be visible.
- Tattoos pertaining to sex, drugs, gangs, profanity, or illegal behavior should not be visible.
- County-issued picture identification badges shall be worn at all times, unless the Department Head and Safety Officer have determined that the identification badge creates a safety issue. If a safety issue is confirmed, Department Heads will consult with the Safety Officer to establish an alternate identification.
- County Administration may provide specific exceptions to this policy for official County-sponsored events or in other limited circumstances.

General Guidelines for Office Personnel

- Employees who are not required to wear a uniform should wear business attire such as:
 - Collared shirts such as a polo-style shirt or a button-down shirt
 - Blouses with a sleeve or a strap that is at least two inches wide
 - Suits
 - Dresses or skirts that are no shorter than two inches above the top of the knees when standing
 - Sweaters
 - Slacks and Capri pants that come to mid-calf length and are not made of denim
 - Solid-color leggings covered by a dress or a skirt that is no shorter than two inches above the top of the knees when standing
 - Pantyhose, stockings, or tights that are a solid-color with no visible pattern

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 22 –Employee Dress

Date of Board of Commissioner Adoption: February 19, 2018



- Shoes must be worn at all times. All footwear should be appropriate for job task responsibilities and safety.
- Examples of clothing not permitted include, but are not limited to:
 - Jeans except during fundraisers or other events that have been sanctioned by County Administration
 - Athletic wear such as t-shirts, shorts, tank tops, sweat suits, jogging suits, yoga pants, etc.
 - Dresses or skirts that are shorter than two inches above the top of the knees when standing or have slits that are above mid-thigh.
 - Clothing that is sheer, or exposes a bare midriff
 - Cold-shoulder dresses or blouses with cut-out areas for shoulders
 - Camouflage attire
 - Clothing that exposes undergarments, or undergarments worn as outer-garments
 - Any clothing, including hats or caps containing emblems, printing, lettering, or pictures pertaining to sex, drugs, gangs, profanity, alcohol, tobacco, politics, or illegal behavior.
 - Sneakers or athletic shoes, flip-flops or sport sandals (Tevas or Rainbows), bedroom shoes or slippers, plastic or rubber shoes (Crocs), or shoes with a heel higher than four inches are not allowed.

General Guidelines for Recreation, Permitting, and Inspection Field Personnel and 911 Operators

- As directed and permitted by their Department Heads, employees who work in a physically demanding role outdoors, at a construction site, or work inside the 911 Call Center, and do not have assigned uniforms may wear:
 - Pants, jeans, shorts that are no shorter than two inches above the top of the knee when standing, or Capri pants that come to mid-calf length and are solid colors (blue, black, or khaki).
 - Pullover, polo-style, or button-down shirts; clothing with the county logo is encouraged
 - Shoes that are appropriate to the assignment must be worn at all times. Shoes are required to have closed toes and closed heels for outdoor field employees. Sneakers or athletic shoes are permitted.
 - Baseball caps in solid colors that otherwise comply with this policy.
- Examples of clothing not permitted include, but are not limited to:
 - Leggings, yoga pants, sweatpants, and any snug spandex or other form-fitting pants.
 - Tank tops, and cold-shoulder dresses or blouses
 - Dresses or skirts that are shorter than two inches above the top of the knees when standing or have slits that are above mid-thigh.
 - Clothing that is sheer, or exposes a bare midriff
 - Cold-shoulder dresses or blouses with cut-out areas for shoulders
 - Camouflage attire
 - Clothing that exposes undergarments, or undergarments worn as outer-garments

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 22 –Employee Dress

Date of Board of Commissioner Adoption: February 19, 2018



- Any clothing, including hats or caps containing emblems, printing, lettering, or pictures pertaining to sex, drugs, gangs, profanity, alcohol, tobacco, politics, or illegal behavior.
- Flip-flops or sport sandals (Texas or Rainbows), bedroom shoes or slippers, plastic or rubber shoes (Crocs), or shoes with a heel higher than four inches are not allowed.

General Guidelines for Grooming

- Employees are expected to adhere to good personal hygiene and grooming habits.
- Employees should not have an offensive odor, including heavy use of fragrance.
- Hair should be safe for the assigned job duties. Non-traditional and exotic hair colors are not permitted.
- Nails should be safe for the assigned job duties.

Onslow County Personnel Policy

Chapter: 3 – Employee Responsibilities

Section: 23 – Local Tax and Fee Delinquency

Date of Board of Commissioner Adoption: February 19, 2018



LOCAL TAX AND FEE DELINQUENCY

All employees of Onslow County Government must remain current on all County fees, local property taxes, and local personal property taxes. If an employee becomes delinquent, he/she must satisfy that debt within thirty (30) days of being notified, or disciplinary action, up to and including termination, will be taken.

Onslow County Personnel Policy

Chapter: 4 – Classification Plan

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Classification Plan

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- 403 Classification of New Positions
- 404 Amendment of the Position Classification Plan

Onslow County Personnel Policy

Chapter: 4 – Classification Plan

Section: 1 – Adoption

Date of Board of Commissioner Adoption: June 10, 2013



Adoption

The County Board of Commissioners is responsible for adopting a classification plan that assigns all County positions to a series of job classes based on the results of a job evaluation system.

Definition of the Classification Plan

The classification plan is the official/approved system of grouping positions into appropriate classes. The classification plan encompasses all positions available for employment in Onslow County.

Onslow County Personnel Policy

Chapter: 4 – Classification Plan

Section: 2 – Maintenance of the Classification Plan

Date of Board of Commissioner Adoption: June 10, 2013



Maintenance of the Classification Plan

The Human Resources Director, as directed by the County Manager, is responsible for maintaining the classification plan to ensure that it accurately reflects the duties performed by employees in the job classes to which their positions are assigned. Department directors are responsible for providing the Director of Human Resources with documentation of substantive changes in the nature of duties, responsibilities, working conditions or other factors that could affect the classification of any existing position under their supervision.

When the Human Resources Director determines through job audit and/or job evaluation that substantial change has occurred in the nature or level of duties and responsibilities of an existing position, a recommendation is prepared for the County Manager to revise or reassign the existing position to the appropriate job class within the existing classification plan, to amend the classification plan by establishing a new job class to which the position may be assigned, or to take other action as needed.

The Human Resources Department maintains all official class descriptions for all County positions as well as a record of all budgeted and authorized positions.

Onslow County Personnel Policy

Chapter: 4 – Classification Plan

Section: 3 – Classification of New Positions

Date of Board of Commissioner Adoption: June 10, 2013



Classification of New Positions

The Director of Human Resources, as directed by the County Manager, is responsible for reviewing and making recommendations to assign a new position to an existing job class or to a newly created job class. The recommendation must consider documentation furnished by the department head outlining the duties, responsibilities, typical tasks, and qualifications proposed for the position and the results of a job audit and job evaluation to be conducted by the Director of Human Resources or a designee.

Onslow County Personnel Policy

Chapter: 4 – Classification Plan

Section: 4 – Amendment of the Position Classification Plan

Date of Board of Commissioner Adoption: June 10, 2013



Amendment of the Position Classification Plan

The County Manager will recommend amendments to the classification plan to the County Board of Commissioners as needed.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



The Pay Plan

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Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 1 – Adoption

Date of Board of Commissioner Adoption: June 10, 2013



Adoption

The pay plan refers to the schedule of pay ranges established for all job classes within the County's classification plan. Each pay range consists of a minimum, midpoint, and maximum rate of pay. The pay range defines the lower and upper limits that the County is willing to pay for positions assigned to the pay range. Each pay range is assigned a pay grade number that is unique to the County's pay plan. The pay plan is designed to promote employee progression through the pay range, so long as the employee's performance is consistently satisfactory or better. The County Board of Commissioners is responsible for adopting the pay plan.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 2 – Maintenance of the Pay Plan

Date of Board of Commissioner Adoption: June 10, 2013



Maintenance of the Pay Plan

The Human Resources Director, as directed by the County Manager, is responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the rates of pay for comparable positions in private and public employment in the area, changes in the cost of living, the financial conditions of the County, and other factors. The County Manager is authorized to make comparative studies of all factors affecting the pay plan and to recommend annual pay plan adjustments to the County Board of Commissioners.

When the Human Resources Director determines through periodic market analysis and/or salary surveys that a reasonable change has occurred in the pay level of an existing position, a recommendation may be prepared for the County Manager to revise or reassign the respective position to the appropriate pay range within the existing pay range table, or to take other action as needed.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 3 – Starting Salaries

Date of Board of Commissioner Adoption: June 10, 2013



Starting Salaries

Starting salaries will be established using the guidelines of the compensation plan. The starting salary recommendation for internal and external candidates may consider factors including but not limited to employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions. Prior to making an offer of employment, the Human Resources Director, in consultation with the hiring department head, will submit a recommended starting salary to the County Manager for approval. Appointment of an employee at a salary rate above the midpoint rate established for the job class must be approved by the County Manager. When making recommendations for starting salaries above the midpoint, documentation of the current or prospective employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions will be provided as documentation supporting the salary recommendation.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 4 – Salary of Trainee

Date of Board of Commissioner Adoption: June 10, 2013



Salary of Trainee

An applicant hired or an employee promoted to a position in a higher class, who does not meet all the established requirements of the position, may be appointed at a rate in the pay plan below the minimum pay grade established for the position. In such cases, a plan for training, including a time schedule, will be prepared, and submitted to Human Resources Office for retention in the employee's official personnel file. An individual may not be appointed as a trainee if they possess the acceptable training and experience for the regular class. The trainee must be appointed to the regular class when they gain the acceptable amount of experience.

Trainee salaries may be five (5) percent below the minimum salary established for the position for which the person is being trained. The training salary will remain in effect until the department head determines that the trainee is qualified to assume the full responsibilities of the position. The department head will develop a training plan for each trainee and will review the trainee's progress monthly, or more frequently as necessary, to determine when the trainee is qualified to assume the full responsibilities of the position. In no event will an employee remain in a trainee status for longer than one (1) year, unless preempted by the specific approved job specification. All reviews will be forwarded to the Human Resources Office for retention in the employee's official personnel file.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 5 – Work-Against Appointments

Date of Board of Commissioner Adoption: June 10, 2013



Work-Against Appointments

When fully qualified applicants are unavailable and there is no trainee progression for the classification of the vacancy, the appointing authority can appoint an employee in a work-against status. Salary will be commensurate with qualifications and may be below the pay grade for the regular classification of the position. A work-against appointment is for the purpose of allowing an employee to gain the qualifications needed to be full class through on-the-job experience. The appointee must meet the minimum education and experience standard of the class to which initially appointed. Work-against appointments shall not be made when qualified applicants are available who meet the education and experience requirements for the full class for the position. Procedures used to determine the qualifications of applicants may include, but are not limited to, an evaluation of the employment application and other submitted materials; structured interviews; reference checks; driver's license checks; academic verifications; and criminal background and credit checks.

The position classifications of sworn law enforcement officers in the Airport or in the Sheriff's Department as well as Detention Officer classifications are required to achieve specific certification(s) (Basic Law Enforcement Training (BLET) and/or Detention Officer Certification) in order to maintain his/her employment, as defined in the job description and Policy 315 (*Failure to Obtain or Maintain Required Licenses, Registrations, or Certifications*). Employees of the above referenced classifications shall receive a salary increase of 4% upon documentation of completed certification(s) presented upon hire or attained after June 1, 2008 and approval of the County Manager, to be effective during the next pay period.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 6 – Annual Pay Rate Adjustments

Date of Board of Commissioner Adoption: June 10, 2013



Annual Pay Rate Adjustments

The County Board of Commissioners may make adjustments to employee salaries at their discretion. The salary scale will be reviewed annually by the Human Resources Department. Recommended adjustments will be presented to the leadership team during the budget cycle and then forwarded to the County Manager for review and consideration of the Board of Commissioners. It shall be the policy of Onslow County to annually address the compensation of its elected officials (Sheriff, Register of Deeds, and County Commissioners) by adjusting the base salary of each official by the combination of the amount of the annual Cost of Living adjustment budgeted annually by the County Commissioners for all other County employees and the established annual target pay for performance adjustment (*See Policy 507 – Pay for Performance*) for all County employees as authorized by the County Commissioners in its annual budget approval process. The intent of this action is to assure the compensation for all the County's elected officials remains consistent with those of other government jurisdictions of comparable size and structure.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 7 – Pay for Performance

Date of Board of Commissioner Adoption: June 10, 2013



Pay for Performance

Onslow County's compensation plan will be approved annually by the Board of County Commissioners and will dictate an overall amount to be designated as the pay for performance budget. As with all budgetary items, this will be established within the County's fiscal limitations and, for this reason, the amount available to fund performance increases may vary from year to year. Performance increases will be dictated annually in the compensation plan based on established funding and employee ratings. These increases will be based on individual achievement in the previous fiscal year and will consider in-grade and vertical career ladder progressions.

The Human Resources Director, as directed by the County Manager, is responsible for the administration and maintenance of the pay for performance plan. A standardized performance appraisal system will be used and the employee will receive an evaluation based on their anniversary date in current position. All employees, except seasonal and temporary employees, will be eligible for pay for performance appraisals.

Employees who receive an unsatisfactory or needs improvement rating will not receive any pay for performance increase for that review period unless they successfully complete a Performance Improvement Plan and receive a satisfactory or better performance rating prior to the beginning of the next fiscal year. Successful completion of a Performance Improvement Plan will not result in the employee receiving a pay for performance adjustment for the prior evaluation period.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 8 – Pay Rates for Promotions, Demotions, Voluntary Reassignments, Reclassifications and Interim Appointments

Date of Board of Commissioner Adoption: June 10, 2013



Pay Rates for Promotions, Demotions, Voluntary Reassignments, Reclassifications and Interim Appointments

The pay rate of an employee may be adjusted when the employee is promoted, demoted, reassigned, or reclassified as set forth below. Pay rates will always be established without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability or any other protected category under local, state, or federal law. Proposed pay rates for all actions below will be reviewed by the department head in consultation with the Director of Human Resources to ensure equity and compliance with all local, state, and federal laws.

Promotion

The starting salary recommendation for internal candidates accepting a promotion must consider such factors including, but not limited to, employee's education and special certifications, relevant experience, and the salaries and relative compensation of current staff in comparable positions to maintain equity. Promotion pay increases that exceed the midpoint of the new pay range must be approved by the County Manager and will only be approved if written documentation is provided to justify the increase by the Department. The burden of providing written documentation to support starting salary is the responsibility of the department head (hiring manager).

Demotion

The pay of an employee who is demoted shall fall within the range of the new position. The salary will be set by the county manager upon recommendation by the Human Resources Director in consultation with the department head.

Voluntary Reassignment

An employee voluntarily transferring from a position in one class to a position in another class assigned to the same pay range will continue to receive the same salary. When an employee is temporarily transferred from a position in one class to a position assigned to a higher class, the employee may be paid at a higher rate as long as the temporary transfer is in effect. The rate of pay for an employee who requests a voluntarily demotion to a job class assigned to a lower pay range will be set at the equivalent rate in the new pay range. For example, if the employee was paid at midpoint of the previous pay range, the new pay rate will be at the midpoint of the new pay range.

If an employee requests a voluntary reassignment to the same vacant position as held previously the salary request must consider such factors including but not limited to the employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 8 – Pay Rates for Promotions, Demotions, Voluntary Reassignments,
Reclassifications and Interim Appointments

Date of Board of Commissioner Adoption: June 10, 2013



Reclassification

An employee whose position is reclassified to a class having a higher pay range will be assigned a salary that must consider such factors including, but not limited to, the employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions. If the position is reclassified to a lower pay range and the employee is receiving a salary above the maximum rate established for the new class, the employee's pay will be reduced to the maximum rate established for the new class and maintained at that level until such time as the pay range to which the employee's job class is assigned increases.

Interim Appointments

Employees serving in an interim or acting capacity will be assigned a salary that must consider such factors including, but not limited to, the employee's education and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions. Any increase received by an employee for functioning in an interim or acting capacity will cease when the employee no longer functions in that capacity (*See Policy 212: Interim Appointment*).

Any deviation from the pay practices detailed in this section must be requested in writing by the respective Department Head and approved by the Human Resources Director and County Manager.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 9 – Pay for Part-Time Work

Date of Board of Commissioner Adoption: June 10, 2013



Pay for Part-Time Work

The pay plan established by this policy is for full-time service. An employee appointed for less than full-time service will be paid using the same pay plan; however, it will be converted to an hourly rate of pay.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 10 – Overtime Pay and Compensatory Time

Date of Board of Commissioner Adoption: June 10, 2013



Overtime Pay and Compensatory Time

Overtime Pay

It is Onslow County's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and to prohibit improper deductions from pay, whether for lack of work or for any other reason.

The Director of Human Resources is assigned responsibility to designate each County job class as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act (FLSA).

- Employees in an exempt job class will not be paid for hours worked over 40 hours in a work week.
- Employees in a nonexempt job class who work more than 40 hours in a work week will be compensated at an overtime rate of one and one-half hours for every hour worked, except for nonexempt law enforcement employees. Law enforcement employees in a nonexempt job class are eligible to receive overtime pay when in excess of 86 hours worked in a 14 day cycle.

All overtime must be authorized in advance by the employee's department head or a supervisor who has been designated by the department head to make such decisions.

Paid holidays or hours on which an employee does not physically work including paid vacation and sick leave, will not be counted as hours worked in computing overtime. Non-exempt employees who work overtime will be paid for all overtime incurred during the pay period in which the overtime was worked, unless permission to convert to compensatory time is requested and granted.

The County has the right to adjust work schedules to stay within the budget constraints.

Compensatory Time

Compensatory time may be granted in lieu of overtime pay if requested by the employee and approved by the department head in advance. Non-exempt employees will be credited at the rate of $1\frac{1}{2}$ times the "amount of hours worked" over their respective overtime thresholds in their respective pay cycle. Exempt employees will be credited at the rate of **1** times the "amount of hours worked" over 40 hours in a workweek. Sick leave, annual vacation, holidays, or any other time off in a work period will not count toward computing compensatory time. In no event shall the amount of compensatory time exceed the maximum accumulation listed below except that in emergency situations, the County Manager may approve additional compensatory time over and above the maximum allowed. When, in the judgment of the County Manager, a need to the county exists to approve additional accrual of compensatory time, the manager has the authority to authorize additional accrual or approve additional compensatory time for certain functions. Maximum accumulation of compensatory time shall be set as follows:

Non-Exempt Sworn Law Enforcement Officers, Jailers, Firemen, Paramedics, Telecommunicators	180 hours (120 Actual hours worked)
All Other Non-Exempt Employees	120 hours

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 10 – Overtime Pay and Compensatory Time

Date of Board of Commissioner Adoption: June 10, 2013



	(80 Actual hours worked)
All Other Exempt Employees	80 hours (80 Actual hours worked)

Non-exempt employee’s accumulated compensatory time will be paid in full, reducing the balance to “zero”, at the employee’s current rate of pay in the first payroll of each calendar year (reflecting the balance at the end of the previous calendar year). Exempt employee’s accumulated compensatory time balances will be reduced to “zero” at the end of each calendar year without payment. Upon separation from County service, a non-exempt employee who has accumulated compensatory time shall be paid not less than the average regular rate received by the employee during the last 3 years of employment, or the final regular rate received by the employee at the time of employment separation, whichever is greater. No accumulated compensatory time will be paid for exempt employees upon separation from County service. Accumulated compensatory time shall not be converted to any other form of paid leave, or donated as shared leave.

Employees may request and use compensatory leave time off in the same manner as other leave requests. However, compensatory time must be exhausted before any other type of paid leave can be used. Employees shall be permitted to use such time off within a “reasonable period” if use of the compensatory time off does not “unduly disrupt” the operations of the department. Department heads will be responsible for administering the compensatory policy by allowing employees to take accrued compensatory time in a timely manner so that compensatory time will not accrue to excessive levels. All compensatory time shall be marked as such on official timesheets, both when it is earned and when it is taken. The employee will be responsible for providing an accurate accounting of compensatory time earned and taken, and the department head, or their designee, will sign off on all timesheets with compensatory time entries. The Finance Office maintains compensatory time records.

Onslow County Personnel Policy

Chapter 5 – The Pay Plan

Section: 11 – Payroll Deductions

Date of Board of Commissioner Adoption: June 10, 2013



Payroll Deductions

Only payroll deductions specifically mandated or authorized by applicable federal and state laws and regulations or approved by the County Board of Commissioners may be deducted from employee pay each pay period. All voluntary deductions must be authorized by the employee.

In the event that the County becomes aware of a deduction which may have been made improperly, the County will fully investigate the situation and reimburse any employees who have had improper deductions from their pay and take actions to prevent continued improper deductions of this kind.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 12 – Time Records

Date of Board of Commissioner Adoption: June 10, 2013



Time Records

Time records must be submitted on a timely basis for each respective pay period. It is the employee's responsibility to provide a true and accurate time record for each pay period. It is the responsibility of the employee's supervisor to verify and approve time records for each pay period. Falsification or misrepresentation of time records may result in disciplinary action, up to and including termination of employment.

Errors noted on timesheets may only be corrected by the employee. Timesheet errors, whether clerical, mathematical or in conflict with policy, shall be brought to the attention of the employee and the employee's supervisor, who shall initial and date any changes to the time sheet, which shall indicate the employee's acknowledgement and verification of the change. Timesheet errors identified during processing by the finance or human resources departments shall be brought to the attention of the employee for acknowledgement and verification in accordance with this Section.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 13 – Pay Periods and Pay Process

Date of Board of Commissioner Adoption: June 10, 2013



Pay Periods and Pay Process

Employees are paid on a two week pay period. Each employee will receive pay notification at their designated report station or work area every other Friday. All employees are paid for the previous pay period. Pay notification is provided through the County's Human Resources secure web portal (HR Portal). Employees that have discrepancies in their pay are to report the discrepancy to their supervisor immediately.

Direct Deposit

The County requires all employees to receive payment in electronic format or direct deposit. Onslow County administers payroll fund distribution through a direct deposit system that allows employees to directly deposit payments to savings or checking accounts.

Direct deposit enrollment is maintained by each employee via the HR Portal and participation is required for all active employees. The direct deposit process also covers employee reimbursements made by accounts payable.

Each employee may select the accounts for direct deposit of payments through the HR Portal and is responsible for maintaining accurate, up to date, direct deposit information. Any erroneously deposited funds resulting from the failure of the employee to communicate updated information to the County may cause a delay in payment while the erroneously deposited funds are recovered from the incorrect financial institution.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 14 – On-Call

Date of Board of Commissioner Adoption: June 10, 2013



On-Call

In order to ensure appropriate staffing to meet emergency situations, certain employees are assigned to work on an on-call basis. This section does not apply to vehicle maintenance personnel.

To be eligible for on-call, the need must be established and evaluated by the Human Resources Director and approved by the County Manager. The employee on-call must provide services or support in response to an urgent, emergency situation outside of standard hours that can't be deferred to normal hours of operation. The County has two (2) classes of employees that respond to these situations.

A primary (non-exempt/exempt) non-supervisory on-call person approved by the County Manager will receive a stipend of \$15.00 per day as compensation for being on-call.

Non-Exempt/hourly employees

Non-Exempt/hourly employees who are on-call during normal off-duty hours are also entitled to compensation for time they actually perform work in response to a call-in according to Policy 510 (*Overtime Pay and Compensatory Time*) of this policy.

Exempt/salaried non-supervisory employees

Exempt/salaried non-supervisory employees who are scheduled to work on-call either week nights or weekends on a rotation basis will also be compensated as follows:

The primary non-supervisory exempt on-call person will receive \$35 for each call received that cannot be resolved by phone. Exempt employees are paid the above established amount and will not be paid for hours worked or earn compensatory time for on-call duty.

Stand-in On-Call

If the primary on-call person cannot be contacted within 30 minutes of the first attempt, the \$15 on-call daily stipend will be forfeited, and the employee may be subject to disciplinary action. If the primary on-call person does not respond or is unable to perform on-call duties, the back-up on-call person will stand-in as the primary on-call person and will be paid the above established amounts.

Back-up On-Call

If it is determined that a problem is too serious for one individual to deal with or the caseload is unmanageable for one person, a back-up on-call employee may be called.

The back-up on-call employee may be called in an emergency but would not receive the \$15 per day on-call pay. Instead the employee may be compensated under Policy 510 (*Overtime Pay and Compensatory Time*) of this policy.

The primary (non-exempt/exempt) non-supervisory on-call person is expected to adhere to the following:

1. Remain within Onslow County and carry the assigned primary pager or cell phone at all times.

Onslow County Personnel Policy

Chapter: 5 – The Pay Plan

Section: 14 – On-Call

Date of Board of Commissioner Adoption: June 10, 2013



2. When called, the on-call employee must respond within a reasonable length of time. (30 minutes or less as defined by each applicable department)
3. Employee cannot engage in activities that would affect their physical or mental alertness such as drink alcohol or be on medication that promotes drowsiness.
4. If unable to work the on-call schedule, arrange for a replacement with the Supervisor.
5. Employee is obligated to immediately notify their Supervisor in writing about any concern relative to the employee's on-call time and pay.
6. The employee's biweekly time sheets shall reflect the period the employee is on call and the number of calls, the length of time per call and description of the call. An On-Call log must be completed and attached to the time sheet for compensation.

The Department that offers on-call rotation must provide the employee:

1. A copy of the On-Call policy with the employee's signature of understanding and date of receipt. Original must be forwarded to HR to be placed in employee's personnel file.
2. An advance on-call schedule to notify employees of daily on-call duty.
3. On-Call time sheets and log for completion to receive compensation.

The County Manager may make exceptions to this policy when deemed necessary for the continuity of County services.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Employee Benefits

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Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 1 – Health, Dental, and Retirement Benefits

Date of Board of Commissioner Adoption: June 19, 2017



Health, Dental, and Retirement Benefits

The County will provide individual health care and dental insurance to all regular full-time and retired employees. The County also provides retirement benefits as determined by the North Carolina Local Governmental Employees' Retirement System.

Retiree Health Insurance

For all employees hired prior to July 1, 2009, the County will provide individual health insurance to retired employees and their dependents that meet the criteria below:

- The retired employee must be less than sixty-five (65) years of age.
- The retired employee must be eligible to receive any type of retirement from the NC Local Governmental Employees Retirement System.
- The retired employee must have at least ten (10) years of continuous employment with Onslow County Government immediately preceding the retirement, of which, twelve months may be represented by accumulated sick leave as calculated by the North Carolina Retirement System.

This benefit is provided subject to the following limits:

- Once the retired employee turns age sixty-five (65), this benefit will cease.
- Any group coverage obtained because of the employee's post-retirement employment will be considered primary and the County's health care policy will be secondary.
- No employee who is terminated involuntarily (other than reduction in force) will be eligible for this benefit.
- The retired employee's coverage premium is paid fully or partially by the County, depending upon the level of coverage elected. Premiums for dependent health care insurance are paid 100% by the retired employee.

These benefits are not provided to employees hired on or after July 1, 2009.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 2 – Vacation, Sick Leave and Holidays

Date of Board of Commissioner Adoption: June 10, 2013



Vacation, Sick Leave and Holidays

See Chapter 7 – Leave of Absence Policies:

- 701
- 702
- 703

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 3 – Workers' Compensation Insurance

Date of Board of Commissioner Adoption: June 10, 2013



Workers' Compensation Insurance

Onslow County strives to provide and maintain safe and healthful working conditions, and to follow operating practices that will result in safe working conditions and efficient operations. We expect all of our employees to be safety-conscious and to assist in finding conditions in our facility which might cause an accident. If a condition exists in your area that might cause harm to you or a co-worker, you have a duty to report it immediately to your supervisor. Never take chances. Never conduct yourself in any activity that is not within your job description or specifically allowed by your supervisor. Keep in mind that the safe way is the most efficient way.

Work-Related Injuries

In the event you are injured at work or become ill due to a workplace condition, you must immediately report this to your supervisor.

The Workers' Compensation Program is administered by the North Carolina Industrial Commission in accordance with state law. Workers' Compensation generally covers employees for sickness and injuries that are deemed job-related under the specific guidelines of Chapter 97 of the North Carolina General Statutes. The Workers Compensation Act provides medical care benefits and management, provisions for disability rating and pay, and death benefits when appropriate. Onslow County pays the total cost of this program for its employees.

Employees are responsible for:

- Immediately reporting any work-related injury or illness to their supervisor regardless of whether or not medical treatment is needed (Failure to report a work-related injury or illness in a timely manner could result in the denial of the workers' compensation claim under the Workers' Compensation Act).
- Seeking medical treatment with the County's authorized medical provider during normal office hours or with the nearest hospital emergency room if the injury or illness is life threatening or occurs outside normal office hours. If a doctor other than the County's authorized medical provider or the nearest hospital emergency room is seen without prior approval, the County may not assume responsibility for the medical cost of those claims.
- Immediately providing written documentation of any work restrictions, time away from work and/or changes in their restrictions or work status to their supervisor and Human Resources. The written documentation can be submitted to the supervisor in person, by fax, or by any other means that ensure the supervisor will receive the documentation promptly.
- Reporting back to work after receiving medical treatment, if seen during normal working hours, unless otherwise instructed and documented by the physician. If seen after normal working hours, the employee is expected to return to work at their regular starting time the following day unless documented as unable to return to work by the authorized treating physician. Failure to report to work promptly after receiving medical treatment may result in disciplinary action, up to and including dismissal.
- Following the physical restrictions imposed by the authorized treating physician during non-working hours as well as working hours.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 3 – Workers' Compensation Insurance

Date of Board of Commissioner Adoption: June 10, 2013



- Completing time sheets for any hours worked and any time away from work while receiving workers' compensation benefits and submitting them to their supervisor. Employees should note "Workers' Comp." on their timesheet for any time missed due to their work-related injury or illness. Employees should note "Workers' Comp. Medical Appt." on their timesheet for any time missed due to a workers' compensation medical appointment.

Employees involved in any work-related accident or injury will be tested for the presence of drugs and alcohol in accordance with Policy 311 Drug-Free Workplace and Drug and Alcohol Testing.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 4 – Voluntary Shared Leave

Date of Board of Commissioner Adoption: June 10, 2013



Voluntary Shared Leave

Purpose

There are occurrences brought about by prolonged medical conditions that cause employees to exhaust all available leave and therefore be placed on leave-without-pay. It is recognized that such employees could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to donate some of their vacation leave voluntarily so as to provide assistance to fellow employees. This policy provides an opportunity for employees to assist another affected by a medical condition that requires absence from duty for a prolonged period of time resulting in possible loss of income.

Policy

In those cases of prolonged medical condition, an employee may apply for or be nominated to become a recipient of leave transferred from the vacation leave account of one or more employees. For purposes of this policy, medical condition means medical condition of an employee, an employee's spouse, or an employee's legally dependent children. The medical condition must be non-work related.

Procedure

The request for transfer and use of vacation leave from one individual to another shall be presented in writing to the Human Resources Director by the appropriate department head.

1. To be eligible for consideration to receive donated leave, the employee:
 - Must have been employed at least one (1) year in a regular fulltime position with the County, that is eligible to earn leave benefits;
 - Will exhaust all sick, vacation and compensatory leave prior to returning to work;
 - Will use donated leave for the sickness of the employee, the employee's spouse, or the employee's legally dependent children only;
 - Should not have a history or pattern of sick leave absences that are not supported by suitable explanations
2. Vacation leave donated by employees will be converted to sick leave.
3. Only vacation leave may be donated, but after donation, the donating employee must still have a minimum balance of forty (40) hours of vacation leave and forty (40) hours of sick leave. Donors shall complete an authorization form designating the number of hours being donated and to whom it is being donated. The employee must sign the form to authorize the transfer.
4. The employee receiving donated time will be given information on the amount of time donated, but will not receive information such as the names of donating employees. Leave time will be donated to the employee anonymously.
5. Leave sharing shall only be considered for extreme hardship situations or catastrophic situations.
6. An employee may not file a grievance, or an employee appeal, if their request to receive leave or donate leave is denied. The County Manager will render a final decision based upon the merits and circumstances of each request.
7. Leave sharing shall not be available to employees who are receiving Worker's Compensation.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 4 – Voluntary Shared Leave

Date of Board of Commissioner Adoption: June 10, 2013



8. Any donation of leave must be done strictly on a voluntary basis. Solicitation by any employees, department heads or supervisors is not permitted.
9. In the event that the beneficiary should die prior to exhausting all of the donated leave, the unused balance of the leave will be forfeited.
10. The maximum amount of shared leave an employee may receive in a 12-month period is 1,040 hours, either continuously, or if for the same condition, on a recurring basis. The County designates the 12-month period measured backward from each date an employee's shared leave begins (rolling 12-month period).

NOTE: Any donated leave may be taxable to the recipient. The dollar amount of any donated leave will be added to the recipient's W-2 as income and taxed appropriately.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 5 – Benefits - Other

Date of Board of Commissioner Adoption: June 10, 2013



Benefits - Other

Onslow County provides the following additional benefits to employees

1. Section 401(k) Plan. Provides an automatic employer contribution into a supplemental retirement income plan (employee deferral is optional). A discretionary employer match on employee deferral may be provided if funded in the budget.
2. Deferred Compensation Plan. Provides supplemental long-term retirement income as authorized by Section 457 of the Internal Revenue Code (employee contributions are optional).
3. Miscellaneous supplemental insurance benefits (employee contributions are optional).
4. Cafeteria Plan, authorized by Section 125 of the Internal Revenue Code, provides employees the option of paying for qualified benefits with pre-tax wages. Also, employees are eligible to participate in a Flexible Spending Account (FSA) that allows them to set aside pre-tax wages for reimbursement of qualified medical and dependent care.
5. Training and Development. Onslow County encourages participation in personnel training and development programs, which enhance employees' skills, assure high quality performance, and promote effective public service. Attendance at training and development programs will be provided for all employees, without regard to race, religion, color, creed, national origin, sex, age, political affiliation, disability or any other protected category under local, state, or federal law.
6. Service awards.

Full details of any of these employee benefits are available from human resources.

Onslow County Personnel Policy

Chapter: 6 – Employee Benefits

Section: 6 – Employee Assistance Program (EAP)

Date of Board of Commissioner Adoption: June 10, 2013



Employee Assistance Program (EAP)

The County recognizes that a wide range of personal, family and work-related problems may impair an employee's work performance and may also impact fellow employees. The County also realizes that with early intervention and proper support, employees can be assisted with overcoming their problem and becoming able to fully function at work and at home. As a result, Onslow County has established an Employee Assistance Program (EAP) for its employees.

The EAP is a voluntary and confidential program that benefits all regular full-time employees, their families and the County and is designed to assist with problems including, but not limited to, depression, substance abuse, emotional distress, coping with major life events, healthcare concerns, financial or legal concerns, personal or work-related relationship issues, concerns about aging parents.

Eligibility

All regular full-time employees, spouses and dependents are eligible to participate in the EAP.

Self-Referral to the EAP

Employees and their eligible family members are encouraged to call the EAP directly and arrange an appointment with a counselor. Time off and sick leave for EAP consultation and treatment may be granted in accordance Policy 703, Sick Leave as it relates to doctors appointments.

Management Referral to the EAP

Employees may be referred to the EAP by their supervisor, department head or Human Resources if a decline in job performance or conduct seems to be affected by job-related problems. It is the employee's responsibility to cooperate in any designated treatment or rehabilitation plan. However, participation on the part of the employee is strictly voluntary.

Confidentiality

Services will be provided off-site and appointments will be scheduled by the provider to ensure anonymity. All communications between the employee and the EAP will be strictly confidential and will not be released without an employee's written consent unless otherwise specified by law. In the event of a management referral, information other than whether the employee attended the appointment and whether the employee accepted the assistance that was offered will not be released without the employee's written permission.

Disclaimer: Voluntary participation in the EAP does not affect an employee's job security or career advancement with the County nor does it prevent employee disciplinary actions, including dismissal.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

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Date of Board of Commissioner Adoption: June 10, 2013



Leave of Absence

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Onslow County Personnel Policy

Chapter 7 – Leave of Absence

Section: 1 – Holidays

Date of Board of Commissioner Adoption: June 10, 2013



Holidays

This section shall apply to all Permanent Full-Time Employees, Permanent Part-Time Employees, Probationary Employees, and Regular Employees as defined in Policy 103 (*Employee Classifications*). Temporary, Seasonal, and Part-Time Employees that work less than 20 hours a week do not receive compensation for holidays.

The Board of County Commissioners hereby grants certain classes of employees of Onslow County Government paid holidays as an additional benefit of employment. No later than June 30th of each year the Board of County Commissioners shall adopt a holiday schedule for the upcoming fiscal year. The holidays adopted by the Board shall generally follow the holidays observed by the State of North Carolina. However, the Board of Commissioners reserves discretion to modify the holidays that are to be observed in a given fiscal year.

Most county departments shall be closed on the days holidays are observed. Employees whose departments are closed do not report to work on observed days and receive holiday pay at their current hourly rate.

Due to the nature of their work, certain departments are unable to close on all observed holidays. In addition, under some circumstances, employees of departments that are closed for the holiday may be required to report to work. The following applies to county employees who work on an observed holiday:

Compensation shall be granted to non-exempt employees that are required to work on an observed holiday (observed holiday as approved by the Board of Commissioners).

Employees that are required to work on an observed holiday shall be paid one hour of regular pay and one hour of holiday pay for every hour worked on that holiday. No other compensation shall be granted. Department Heads are required to minimize the number of employees working on an observed holiday to that required to serve the public in an adequate fashion.

The County Manager may change the day on which a holiday is observed by a department if the change is required to serve the needs of the citizens of Onslow County. The County Manager may reduce or reschedule hours of operation for departments whose functions regularly require extended hours of operation. Employees of departments whose observed days or hours of operation are changed shall be responsible for full work week(s) and shall gain no additional benefit not granted to other county employees. Those employees who cannot be rescheduled must use approved compensatory or annual leave to complete their work week(s). Affected employees without compensatory or annual leave balances shall utilize leave without pay.

Regular holidays that occur during a vacation, sick or other paid leave period of an employee will not be charged to the employee as vacation, sick or other paid leave. In order to be compensated for a holiday an employee must be an employee of record on the last scheduled work day before and the first scheduled work day after the holiday.

Onslow County Personnel Policy

Chapter: 7– Leave of Absence

Section: 2 – Vacation Leave

Date of Board of Commissioner Revision: April 20, 2015



Vacation Leave

Vacation leave is a benefit granted by the Board of County Commissioners to eligible employees. Vacation leave is earned by regular and permanent full-time and part-time employees that work 20 hours or more per week working each pay period based on years of service to the County. Full-time employees begin accruing vacation leave on the employee's hire date; however, the employee must be employed at least one (1) month before the employee is eligible to take paid vacation leave. Any employee that separates from the County prior to completing six (6) months of employment will forfeit any unpaid accrued vacation leave. The County Manager may award employees with previous experience in other North Carolina jurisdictions with up to ten years of experience as the basis for earning vacation leave. The county manager may also award vacation leave as part of a compensation package to new hires. The following chart provides the rate at which full-time employees earn vacation leave each pay period and annually.

Years of Continuous Service	Hours Earned Each Pay Period	Hours of Full-time Annual Vacation Earned
Less than 5 years	4.154	108
5 years, but less than 10 years	5.0776	132
10 years, but less than 15 years	6.000	156
15 years through 20 years	6.462	168
20 years and over	6.923	180

Part-time employees that work 20 hours or more per week accrue vacation on a pro-rata basis. Vacation leave will begin accruing at the appropriate pro-rated amount on the employee's hire date; however, the employee must be employed six (6) months before the employee is eligible to take paid vacation leave. Any part-time employee that separates from the County prior to completing six (6) months of employment will forfeit any unpaid accrued vacation leave. Temporary and seasonal employees are not eligible for vacation benefits.

- a. **Taking Vacation Leave:** Vacation leave may be taken as earned by regular employees subject to eligibility and the approval of the supervisor. Each department is responsible for scheduling employee vacation leave without undue disruption of department operations. Leave requests shall be submitted as early as possible, or at the direction of the department head.
- b. **Maximum Accumulation:** The maximum accumulation of accrued vacation leave for regular fulltime and part-time employees that work 20 hours or more per week is 240 hours in any County fiscal year. If an employee has accrued vacation leave in excess of the allowed maximum accumulation amount as of the last pay period of the County's fiscal year, the employee's excess vacation leave will be converted to sick leave on an hour for hour basis. The converted sick leave must be used in the same manner as accrued sick leave (*Reference Policy 703 Sick Leave*).
- c. **Pay out of Accumulated Vacation Leave:** An eligible employee who is separated for reasons other than failure in performance of duties or personal conduct shall be paid for vacation leave

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Section: 2 – Vacation Leave

Date of Board of Commissioner Revision: April 20, 2015



accrued to the date of separation not to exceed a maximum of 240 hours, provided the employee has been employed with the County for six (6) months. Employees that separate as a result of failure in performance of duties, personal conduct, or who resign by failing to appear to work for three consecutive days (Policy 901: *Separation from Employment: Types of Separation*) shall forfeit all unpaid accrued vacation leave.

- The estate of an eligible employee who deceases while employed by the County shall be entitled to payment for all the unpaid accrued vacation leave, not to exceed a maximum of 240 hours, at the time of death, provided the deceased employee had been employed with the County for six (6) months.
- Under this subsection, all accrued vacation leave in excess of 240 hours is forfeited resulting in a zero balance for any terminated employee or deceased employee.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 3 – Sick Leave

Date of Board of Commissioner Adoption: June 10, 2013



Sick Leave

Sick leave is a benefit granted by the Board of County Commissioners to eligible employees. Regular full-time employees accumulate sick leave at a rate of 3.692 hours for each pay period worked up to a maximum of ninety-six (96) hours per year. Part-time employees that work 20 hours or more per week earn sick leave on a pro-rata basis. Full-time and part-time employees begin accruing sick leave on the employee's hire date. Temporary and seasonal employees do not earn sick leave benefits. The county manager may award sick leave as part of a compensation package to new hires.

Sick leave will be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, required physical or dental examination or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others. Sick leave may be used when an employee must care for a member of the immediate family, but may not exceed five (5) days for any one occurrence. Immediate family for the purposes of this policy means; spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named.

Employees who have a death in their immediate family may take up to three (3) days of sick leave for any one occurrence. Immediate family for the purposes of this policy means; spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named.

Employees are asked to submit requests for sick leave to their supervisor prior to the leave, when possible, or not later than one-half (½) hour after the beginning of a scheduled work day. Employees must have unpaid accrued sick leave to be eligible to be paid sick leave.

Payment for all unpaid accrued sick leave is forfeited upon separation of employment with the County.

Sick Leave - Physician's Certificate

The employee's supervisor or department head may require a physician's certificate concerning the nature of the illness and the employee's physical capacity to resume duties for each occasion on which an employee uses sick leave in excess of three (3) days. Any restrictions of duty must be prescribed (in detail) by the employee's physician and submitted on the treating physician's letterhead. The supervisor or department head may also require a physician's certificate for less than three (3) days if they suspect abuse of sick leave privileges. Supervisors and department heads will submit all physician certificates and other medical data pertaining to an employee to Human Resources for filing.

Sick Leave - Retirement Credit for Accumulated Sick Leave

One (1) month of retirement credit is allowed for each twenty (20) days accrued in an employee's sick leave account at time of retirement to employees who are members of the North Carolina Local Governmental Employees Retirement System. Sick leave shall accumulate with no maximum accumulation, and may be used as credit for service under the North Carolina Local Governmental Employees Retirement System, in accordance with all rules and regulations.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 3 – Sick Leave

Date of Board of Commissioner Adoption: June 10, 2013



Sick Leave – Transfer

Employees hired by the County, whose immediate past employer within the last 90 days was the State of North Carolina, any of its political subdivisions, any local government entity or authority, or municipality in North Carolina, may transfer to the County any unused sick leave, provided the employee has not requested, or is receiving, retirement benefits from the North Carolina Retirement System. The employee must request this transfer within 90 days of the beginning of employment with Onslow County, and it is the responsibility of the employee to provide bona-fide documentation of the amount of unused sick leave from the immediate past employer. Upon verification of the unused sick leave by Human Resources, the employee will be credited with the transferred sick leave.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 4 – Family and Medical Leave Act

Date of Board of Commissioner Adoption: June 10, 2013



Family and Medical Leave Act

Onslow County is a qualified employer subject to the provisions of the federal Family and Medical Leave Act of 1993 (FMLA). In light of the complexity of the FMLA's eligibility and benefits provisions, employees are encouraged to schedule an appointment with a Human Resources Office Benefits Specialist for detailed information regarding the FMLA. In addition, supervisors who become aware of a potential need for Family and Medical Leave Act for any reasons outlined in the section "Qualifying for Leave for the Employee's Own Serious Health Condition," should refer the employee to Human Resources. This section is provided for informational purposes only and is not intended to grant any benefits greater than those provided by federal statute. Any conflict between the language contained in this Section and the FMLA will be resolved in favor of the FMLA.

It is the policy of Onslow County not to discharge or discriminate against any employee exercising his/her rights under the Family and Medical Leave Act. Any employee that feels he/she has been treated unfairly should follow the Grievance Procedure detailed in Chapter 10 of this policy manual.

Eligibility

To be eligible for FMLA, an employee must have worked for the County a minimum of one (1) year and have worked 1250 hours or more during the 12 months prior to requesting leave. With the exception of Military Caregiver Leave, the County has designated that eligibility for FMLA leave shall be determined using a "rolling" 12-month period measured backward from each date an employee uses FMLA leave to calculate the 12 months.

Notification

The employee must provide the County 30 days written notice of the need for FMLA leave, or if emergency conditions prevent such notice, the employee must notify the County as soon as is practicable.

Entitlement to FMLA Leave

In general, the FMLA provides an employee up to 12 weeks of unpaid leave within any 12 month period for:

- the birth or adoption of a child (An employee must conclude leave for the birth or placement of a child or adoption or foster care within 12 months after the event. FMLA leave may begin prior to birth or placement, as circumstances dictate.),
- to provide physical or psychological care for a child, spouse (husband or wife), or parent with a serious health condition (A child, for the purposes of FMLA leave, is either under the age of 18 or is over the age of 18 but incapable of self-care due to a physical or mental disability that substantially limits one or more major life functions),
- to care for the employee's own serious health condition, or
- for qualifying military exigencies arising from the fact that the employee's spouse, son, daughter or parent is on active duty or has been notified of an impending call to active duty as a member of the Armed Forces (including the National Guard or Reserves) in support of a contingency operation as defined in Section 101(a) (13) of Title 10, United States Code.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 4 – Family and Medical Leave Act

Date of Board of Commissioner Adoption: June 10, 2013



Qualifying for Leave for the Employee's Own Serious Health Condition

To qualify for medical leave, the employee must have a serious health condition that involves:

- Inpatient care in a medical-care facility, including any period of incapacity or inability to work or perform other regular daily activities, or subsequent treatment in connection with such inpatient care,
- Continuing treatment by a healthcare provider which includes:
 - a period of incapacity lasting more than three full consecutive calendar days and any treatment relating to this condition that includes treatment two or more times by a healthcare provider (in-person visits beginning within 7 days and concluding within 30 days of the first day of incapacity) or one treatment by a healthcare provider with a continuing regimen of treatment such as prescription medication or physical therapy,
 - periods of incapacity related to pregnancy or for prenatal care,
 - periods of incapacity or treatment for a chronic condition which continues over an extended period of time that requires visits at least twice per year to a healthcare provider (employees should provide documentation related to these visits to Human Resources),
 - periods of incapacity that are permanent or long-term due to a condition for which treatment is not effective but is under the supervision of a healthcare provider,
 - absences to receive multiple treatments for restorative surgery or for a condition that may result in a period of incapacity of more than three days if not treated, or

Certification

Certification of the need for leave to care for the employee's illness or injury or that of a family member is required. The employee must complete required FMLA requests and provide requested information as required by the Human Resources department within 15 calendar days from the date of their request for leave.

If no certification is provided, based on the information at hand, the County may not designate leave as qualifying as FMLA leave. If the County designates leave as qualifying as FMLA leave, the employee will be provided with a written notification of such designation.

Human Resources reserves the right to contact the employee's health care provider to verify the authenticity of any certification that is received.

Medical Dispute Resolution

Except in cases of Military Caregiver or Qualifying Military Exigency Leave, if there is a dispute about the medical option provided by the employee's physician, the County may require a second opinion by a physician of the County's choice, at the County's expense. If a third opinion is necessary, a third physician may be selected, also at the County's expense. The third physician must be agreed upon by both the employee and the County, and the physician may not be employed on a regular basis by the County.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 4 – Family and Medical Leave Act

Date of Board of Commissioner Adoption: June 10, 2013



Release to Return to Work

A physician's release is required for the employee to return from leave when the employee is taking FMLA due to his or her own personal illness. Failure to provide a medical certificate of fitness for duty may result in a denial of job reinstatement until medical certificate release is provided and approved by the Human Resources Department.

MILITARY CAREGIVER LEAVE

The FMLA Act provides an eligible employee with up to 26 weeks of unpaid leave within a "single 12 month period" to care for the serious injury or illness of a spouse, child, parent or next of kin who is a member of the Armed Forces, including the National Guard or Reserves.

A serious injury or illness is defined as an injury or illness that the service member incurred in the line of duty, while on active duty, that renders them medically unfit to perform the duties of their office, grade, rank or rating.

The "single 12 month period" for Military Caregiver Leave begins on the first day the employee takes leave for this reason and ends 12 months later and not the "rolling" 12-month period that is used for other types of FMLA leave.

Qualifying Military Exigencies

Qualifying Military Exigencies include but are not limited to:

- a short notice deployment (seven or less days of notice prior to deployment),
- military events and related activities (before and during deployment including family assistance programs and informational briefings),
- childcare and school activities such as arranging for alternative daycare, enrolling or transferring a child in a new school or day care facility, and attending meetings at a school or day care facility,
- making financial and legal arrangements (such as to prepare and execute powers of attorney, prepare a will, or enroll in military health care),
- attending counseling for the employee, the covered service member, or a child,
- taking up to five days of leave to spend time with a covered service member who is on short-term rest and recuperation leave during deployment,
- post-deployment activities (such as attending ceremonies and briefings for a period of 90 days following the termination of the covered service member's active duty status or addressing issues arising from the service member's death), or
- any other event that the employee and the County agree is a qualifying military exigency.

Intermittent or Reduced Leave

The employee may take leave intermittently or on a reduced work schedule as necessary in accordance with the law. However, it is in the discretion of Onslow County to permit or deny intermittent or reduced work schedules.

Use of Paid Time-Off Benefits

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 4 – Family and Medical Leave Act

Date of Board of Commissioner Adoption: June 10, 2013



The employee is required to use paid benefits (sick leave first and then vacation leave until all leave is exhausted). Use of paid benefits will run concurrently with FMLA leave and will not add to or increase the total length of the FMLA leave time. In accordance with the policy on leave (*Reference Policy 510 Overtime Pay and Compensatory Time*) "compensatory time must be exhausted before any other type of paid leave can be used" and in the case of FMLA, will count toward the FMLA leave maximums.

Leave Provisions for Spouses Both Working for the County

If leave is taken for the adoption or birth of a healthy child, or care of a sick parent, the maximum combined leave for both spouses is 12 weeks (or 26 weeks if leave is taken for the care of a sick or injured covered service member). If leave is taken to care for an ill child or spouse, each spouse is entitled to 12 total weeks of leave.

Job Restoration

Most employees granted leave will be returned to the same position held prior to the FMLA leave or one that is equivalent in pay, benefits, and other terms and conditions of employment. Certain highly compensated salaried employees (key employees) are eligible for leave, but are not guaranteed restoration to their position if they choose to take leave.

Employee Benefits

Employee benefits will continue to accrue during FMLA leave. Both the County and the employee will continue to pay their customary portions of the monthly premiums. The Human Resources department will advise the employee of their respective premium amount and due date. Failure of the employee to pay their share of the premium will result in the suspension of coverage for health care benefits of their dependents and the termination of coverage for any non-health care benefits for the period of non-payment. If the employee chooses not to return from leave, under certain circumstances, the employee may be required to repay the County's portion of the premium payment as provided by statute.

If the FMLA leave is unpaid, service and paid leave earnings cease (401K Match, retirement, vacation and sick leave accrual, etc.), as do non-health insurance contributions and deductions. Employees on unpaid FMLA leave are not treated as having a break in service for purposes of vesting or eligibility to participate in benefit programs.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 5 – Leave Without Pay

Date of Board of Commissioner Adoption: June 10, 2013



Leave Without Pay

Regular full-time and part-time employees, working at least 1,040 hours annually, may request a leave of absence without pay for absence from work not covered by any other type of eligible paid leave or if other paid leave balances are exhausted.

Requests for leave without pay must be submitted in writing to the employee's supervisor or Department Head. If the leave is approved by the Department Head, then the request will be forwarded to the Human Resources Director and the County Manager for approval. The following requirements apply:

- Leave may be granted to an employee for a period of up to three (3) months upon the approval of the County Manager.
- Accrued leave must be exhausted prior to taking any leave without pay. If the leave without pay request does not follow the guidelines under Policy 703 (*Sick Leave*), accrued sick leave does not apply and does not have to be exhausted prior to leave without pay.
- An employee's vacation and sick leave accrual are suspended during the period of unpaid leave until the employee returns to work.
- Holiday pay is also suspended during the period of unpaid leave until the employee returns to work.
- Leave without pay will run concurrent with any eligible Family and Medical Leave.
- An employee that fails to report promptly at the end of the unpaid leave, unless otherwise prohibited by law or regulation, is presumed to have resigned.
- While out on leave without pay, the employee is not earning compensation, therefore the County is unable to contribute or match contributions for the employee's NC401K account. The Local Government Retirement System deductions will also not be withheld during a period of leave without pay. If the employee was on leave without pay for worker's compensation or military leave, when the employee returns to work, the employee may choose to purchase retirement credit from the Local Government Retirement System and would need to speak to the County Benefit's Specialist to learn of the process.

Employees granted leave without pay are responsible for paying all benefit plan premiums, including the employee's health and dental insurance costs that the County typically pays as a benefit to the employee. Failure of the employee to pay any required benefit plan premium timely will result in termination of the benefit due to non-payment of premium.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 6 – Maximum Leave of Absence

Date of Board of Commissioner Adoption: June 10, 2013



Maximum Leave of Absence

All employees will be subject to a maximum leave of absence (paid or unpaid) up to twelve (12) weeks for qualifying FMLA leave and up to 26 weeks for military caregiver FMLA leave. Leave may be extended up to a maximum of twelve (12) consecutive months at the discretion of the County Manager unless preempted by State or Federal regulations. Employee's leave status will be reviewed periodically; however, once an employee has been on leave for six (6) consecutive months, the employee's status will be reviewed in detail to determine if the employee is to be separated from employment with the County.

With the exception of FMLA leave, an employee must request a leave of absence in writing from the employee's Department Head. All requests for non-FMLA leave of absence require the affirmative recommendation of the department head and the approval of the County Manager.

During any period of leave exceeding twelve (12) weeks for FMLA (twenty-six (26) weeks for military caregiver FMLA leave), the County reserves the right to fill, change or eliminate a vacant position if required by the needs of the County.

If the employee fails to return to work on the agreed date, the continued absence will be viewed as a voluntary resignation

If the leave of absence is unpaid, please refer to Policy 705: Leave Without Pay.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 7 – Military Leave

Date of Board of Commissioner Adoption: June 10, 2013



Military Leave

Employees who are members of the National Guard or Armed Forces Reserve will be allowed two (2) calendar weeks for a total of fourteen (14) days of military training leave annually. If the employee's military pay is less than the employee's regular pay, the county will pay the difference, provided the employee provides proof of compensation from the respective military branch. Otherwise, this leave is without pay. Employees may elect to use vacation leave to cover part or all of the military leave in lieu of receiving the difference in pay.

Employees who are required to attend inactive duty training (weekend duty) may be granted accrued vacation leave or unpaid leave for assignments requiring their absence from their County position on Friday afternoon. If such military duty is required beyond the two (2) calendar week annual training period, the regular employee will be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave with partial pay or without pay, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the County during this period.

Employees who are Guardspersons and Reservists have all job rights specified in the Veterans Readjustment Assistance Act and The Uniformed Services Employment and Reemployment Act (USERRA).

Employees who leave the service of the County for active military duty, may use accrued vacation leave or may be placed on military leave without pay. The employee shall be entitled to restoration to the position vacated, or to a position of similar rank or status and pay, provided application is made to the Human Resources Director in accordance with federal law.

The County may request that the employee provide copies of official orders for all periods of active duty training. The employee may also be asked to provide a memorandum from the unit commander for periods of inactive duty training (weekend duty).

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 8– Civil Leave

Date of Board of Commissioner Adoption: June 10, 2013



Civil Leave

Civil leave will be granted to regular employees who are summoned to attend court as a juror or witness, except when involved in personal litigation. A County employee called for jury duty or as a court witness for the federal or state governments or a subdivision thereof, shall receive leave with pay for such duty during the required absence without using accumulated vacation or sick leave provided that the employee returns to work immediately upon release from court. Any court fees paid to the employee for jury duty are allowed to be retained by the employee.

An employee required to serve as a witness as a result of his or her official duties must remit to the County any witness fees paid by the court.

While on civil leave, benefits and leave shall accrue as though on regular duty.

Employees who are on Jury Duty and are scheduled for work on night shifts the same workday shall be protected from loss of pay for the entire twenty-four (24) hour period.

Employees who are subpoenaed for court appearance as witnesses because of their official duties with the County shall not suffer loss of pay for compliance with the subpoena. The employee must notify the supervisor of the date and time of the appearance, provide a copy of the subpoena, and return to work immediately after release from court and submit proof of appearance to the supervisor upon request.

Onslow County Personnel Policy

Chapter 7 – Leave of Absence

Section: 9– Parent Involvement in Schools

Date of Board of Commissioner Adoption: June 10, 2013



Parent Involvement in Schools

County employees who are parents, guardians, or persons “standing in loco parentis” of a school-aged child will be granted four (4) hours per year of unpaid leave to attend or otherwise be involved at their child’s school. Leave for Parent Involvement in Schools is subject to the following conditions:

- The leave shall be at a mutually agreed upon time between the supervisor and the employee;
- A written request must be submitted to the supervisor for the leave at least forty-eight (48) hours before the time desired for the leave;
- Written verification from the child’s school that the employee attended or was otherwise involved at the school during the time of the leave.

For the purposes of this section, “school” means any public school, private church school, church of religious charter, non-public school, preschool and child daycare facilities.

Onslow County Personnel Policy

Chapter: 7 – Leave of Absence

Section: 10– Emergency Office Closures

Date of Board of Commissioner Adoption: June 10, 2013



Emergency Office Closures

It is Onslow County's policy to remain open for business whenever possible during regularly scheduled hours of operation, to the maximum extent allowable by weather conditions. The County Manager may at his discretion close government offices to the community for the safety of the employees and the public. The Department Head will assess the situation and may allow all or a select group of employees to work after government offices are closed.

Whether Onslow County government offices are open or closed, employees are encouraged to use their judgment in determining their safety needs during severe weather and to act accordingly. Employees who are not able to report due to weather conditions are required to notify their supervisor and to report to work when safety permits. Employees must also notify their supervisors prior to leaving work during severe weather.

Non-exempt employees (those eligible for overtime) will be paid only for those hours actually worked. Hours not worked due to inclement weather or emergencies may be compensated with one of the following:

- Accrued compensatory time
- Accrued vacation leave
- Working additional hours within the same work week to make up for lost time, provided work is available, subject to prior approval of the supervisor

If none of the above options are available to the employee, the hours not worked will be classified as leave without pay and the employee will not receive compensation for those hours.

Exempt employees who are not eligible for overtime and who do not report to work will be allowed the same options noted above for non-exempt employees.

Probationary Employees & Inclement Weather/Emergencies

According to Policy 702: Vacation Leave, "Full-time employees begin accruing vacation leave on the employee's hire date; however, the employee must be employed one (1) months before the employee is eligible to take paid vacation leave." An employee employed less than one (1) months may use their vacation leave to compensate for hours not worked due to inclement weather or emergencies.

Sick Leave as Compensation for Inclement Weather/Emergencies

If an employee is unable to work due to the guidelines of Policy 703 (Sick Leave), the hours not worked will be applied to sick leave. A physician's note must be submitted if sick leave is taken during inclement weather or emergencies unless the employee has previously been approved for the use of sick leave for the day or days of inclement weather (such as a scheduled physician appointment or extended illness) or was in the midst of an illness prior to the onset of inclement weather.

Onslow County Personnel Policy

Chapter: 8 – Disciplinary Actions

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Date of Board of Commissioner Adoption: June 10, 2013



Disciplinary Actions

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Onslow County Personnel Policy

Chapter: 8 – Disciplinary Actions

Section: 1– Just Cause For Disciplinary Action

Date of Board of Commissioner Adoption: June 10, 2013



Just Cause for Disciplinary Action

Department Heads and supervisors are responsible for maintaining the proper conduct and performance standards of employees under their supervision. When a supervisor or department head determines that an employee's performance or conduct is unacceptable, (s)he may impose appropriate disciplinary action in order to secure the employee's job performance or behavioral improvement. Onslow County uses progressive disciplinary measures except in cases where an employee demonstrates grossly inappropriate conduct or severely and grossly inefficient job performance warranting immediate dismissal. The severity of the disciplinary action will depend upon the circumstances that give rise to it.

All employees are at will and serve at the pleasure of the county, except those whose employment contract with Onslow County provides otherwise. Temporary and probationary employees may be dismissed without notice or cause and without any hearing or right of appeal, except when the employee alleges unlawful employment discrimination on the basis of race, age, color, gender, national origin, religion, or disability.

- A. Any employee, regardless of occupation, position, or profession may be warned, demoted, suspended or dismissed by the County Manager or his designee. The degree and type of action taken shall be based upon the sound and considered judgment of the County Manager or his designee in accordance with the provisions of this policy. The disciplinary actions available under this Chapter are:
1. Written warning;
 2. Disciplinary suspension without pay;
 3. Demotion; and
 4. Dismissal.
- B. The following are the basis for discipline or dismissal of employees:
1. Unsatisfactory job performance (Unsatisfactory Performance of Duties), violations of work rules, or grossly inefficient job performance.
 2. Unacceptable personal conduct.
 3. Failure to obtain or maintain legally or job-required credentials.
 4. Falsification of information on a County job application.

These bases are not mutually exclusive, as certain actions by employees may fall into multiple categories, depending upon the facts of each case. No disciplinary action shall be invalid solely because the disciplinary action is labeled incorrectly.

- c. To ensure equity and consistency during the disciplinary process with all employees, the disciplining supervisor or department head should employ a corrective action plan except when addressing inappropriate conduct or gross inefficiency so severe that immediate dismissal is warranted. However, a supervisor's failure to comply with all procedural requirements of this section will not invalidate a disciplinary action unless the failure to comply harms the employee or his/her rights under this section.

Onslow County Personnel Policy

Chapter: 8 – Disciplinary Actions

Section: 1– Just Cause For Disciplinary Action

Date of Board of Commissioner Adoption: June 10, 2013



Corrective Action

When the supervisor first observes or learns of unsatisfactory conduct and/or job performance deficiencies, or if an employee is rated overall marginal or unsatisfactory on their annual performance appraisal, the supervisor will meet with the employee to discuss the situation and County expectations. The focus of this initial meeting is to make the employee aware of the problem and of the County's expectations and to identify what corrective action the employee must take. The supervisor documents this meeting.

If problems of unsatisfactory conduct and/or job performance continue, the supervisor develops a Performance Improvement Plan, which outlines a method to help improve conduct or performance that is less than acceptable and provides special direction intended to help an employee achieve and sustain satisfactory conduct and/or performance.

A Performance Improvement Plan, which normally covers a sixty (60) day period, must state the process and timetable that will be used to determine if less than satisfactory conduct and/or performance have improved. Performance Improvement Plans must be signed by the employee, supervisor and/or department head, dated and filed with the Department of Human Resources. A copy of the Performance Improvement Plan must be given to the employee.

If the employee successfully fulfills the conditions of the Performance Improvement Plan, the supervisor will submit written documentation to the department head and the Human Resources Director.

The supervisor will also provide written documentation to the department head and the Human Resources Director if the employee does not meet the requirements outlined in the Performance Improvement Plan in the specified time period or if conduct and/or performance deteriorate while the Performance Improvement Plan is in effect. When these situations occur, supervisors may proceed with disciplinary action as outlined in this Chapter.

Exemptions

The **Sheriff**, the **Register of Deeds**, **County Attorney**, and the **Director of Elections** have authority to demote or dismiss all employees in their respective departments. Employees within these departments should consult with their department's management on any disciplinary procedures.

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Types of Disciplinary Actions

Prior to taking any formal disciplinary action, the supervisor shall conduct a fact-finding inquiry to gather any and all pertinent details regarding the situation. The supervisor will then discuss the facts of the case with the department head. In order to provide consistency in the application of disciplinary actions, the department head shall then discuss the facts of the case with the Human Resources Director (or his/her designee). After consulting with Human Resources, the department head will pursue disciplinary actions deemed appropriate based on the information gathered during the fact-finding inquiry.

Written Warning

A written warning is a formal disciplinary action given to the employee by his supervisor in a private conference and describes the way in which the employee's performance or conduct has failed to meet expectations. The supervisor will:

- Advise the employee that this is a written warning and a step in the disciplinary process;
- Specify the unsatisfactory performance or personal conduct, making note of any other recent job performance or personal conduct warnings;
- Advise the employee of specific actions he must take within a designated time frame to remedy performance deficiencies; and, inform the employee that the consequences for failing to make the necessary improvement within the specified time frame will lead to further disciplinary action, up to and including dismissal. Absent a specified time frame, 60 days is presumed to be the period of time allowed for completing required performance improvements or demonstrating compliance with a corrective action plan. Immediate corrective action is required for grossly inefficient job performance or unacceptable personal conduct.
- Advise employees of grievance rights, as appropriate.

A copy of each written warning will be given to the employee and a copy will be made part of the employee's personnel record. The written warning itself should include a statement that this is a written warning, the specific job performance problem or personal conduct that needs to be corrected by a certain time; any action plan that has been developed to assist the employee in accomplishing the required corrective action; and the consequences for not making necessary improvements in accordance with the written reprimand.

Disciplinary Demotion

A disciplinary demotion is the reassignment of an employee to a position in a lower pay band. It is a disciplinary action, which may be imposed only as provided in Sections 803, Disciplinary Actions for Unsatisfactory Performance of Duties, Section 804, Grossly Inefficient Job Performance, and Section 805, Disciplinary Actions for Unacceptable Personal Conduct, of this manual. Demotion for unsatisfactory job performance may be made only after the employee has received at least one (1) prior written warning regarding his job performance. Discipline for unacceptable personal conduct or grossly inefficient job performance may be imposed at any time without prior warning to the employee.

Before a regular employee may be demoted for disciplinary reasons, the following steps must be taken:

- A pre-demotion conference must be held with the employee. The employee should be given

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advance written notice of the date and time for the pre-demotion conference and the reasons for the proposed demotion. The amount of advance notice should be as much as is practical under the circumstances. The purpose of this conference is to consider any new information the employee may present which might affect the demotion decision. No attorney shall represent either side at this conference.

- In matters of unsatisfactory job performance, ensure that the employee has received at least one prior disciplinary action(s). In matters of grossly inefficient job performance or unacceptable personal conduct, there is no requirement for previous disciplinary action, so an employee may be demoted for a current incident of grossly inefficient job performance or unacceptable personal conduct without any prior disciplinary action.
- In the conference, the supervisor will inform the employee of his recommendation for demotion and summarize the reasons for his recommendation. The employee will then have the opportunity to respond to the recommendation and to provide additional information in his favor.
- After the conference, management will review and consider any new information presented in the conference and will make a decision regarding the recommended demotion.
- If the supervisor decides to demote the employee, he/she will give the employee written notice of the specific reasons for the demotion, the effective date of the demotion, how and to what extent the demotion will affect the employee's salary rate or pay grade, and a statement of the employee's appeal rights. A copy of this written notice will be made part of the employee's personnel record.

Please refer to Section 508 (*Pay Rate for Promotions, Demotions, Voluntary Reassignments, Reclassifications, and Interim Appointments*), for information on any changes in pay that may occur as a result of the demotion.

Disciplinary Suspension

A disciplinary suspension is the temporary removal of an employee from duty for disciplinary reasons and is always without pay. Such severe disciplinary action may be used as specified in Policy 803, Disciplinary Actions For Unsatisfactory Performance of Duties, Policy 804, Disciplinary Actions for Grossly Inefficient Job Performance, and Policy 805, Disciplinary Actions For Unacceptable Personal Conduct, of this Chapter.

NOTE: According to FLSA requirements, an exempt status employee may not be suspended without pay, except for safety reasons, for less than one full workday. Prior to placing an employee on disciplinary suspension, the following steps must be taken:

- In matters of unsatisfactory job performance, ensure that the employee has received at least one prior disciplinary action(s). In matters of grossly inefficient job performance or unacceptable personal conduct no prior disciplinary actions are required, so an employee may be suspended without pay for a current incident of grossly inefficient job performance or unacceptable personal conduct.
- The supervisor or department head must conduct a pre-suspension conference with the employee to advise the employee of the reasons for disciplinary suspension and to consider any

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new information the employee may present. The employee must be given advance written notice of the date and time as well as the reasons for the pre-suspension conference.

- In the conference, the supervisor will inform the employee of his recommendation for the disciplinary suspension and the reasons supporting that recommendation. The employee will then have the opportunity to respond and to add any additional information in his favor. No attorney shall represent either side at the conference.
- After the conference, management will review and consider any new information presented in the conference and will make a decision regarding the recommended disciplinary suspension.
- If the decision is to suspend the employee, management will give the employee written notice of the specific reasons for the disciplinary suspension, the effective dates of the suspension, and a statement of the employee's appeal rights. A copy of the written notice will be made part of the employee's personnel record.

Dismissal

Dismissal is the removal of an employee from duty, thereby ending his/her employment with the County. This is the most severe disciplinary action which may be imposed by management and requires approval by the department head or his designee. Prior to deciding to dismiss a regular employee, the following steps must be taken:

- The supervisor and/or department director recommending dismissal shall discuss the recommendation with the Human Resources Director and/or the Deputy County Manager before any action is taken.
- The supervisor must attempt to hold a pre-dismissal conference with a regular employee. Advance written notice of the pre-disciplinary conference must be given to the employee of the time, location, and the issue for which dismissal has been recommended. The amount of advance notice should be as much as is practical under the circumstances. The purpose of this conference is to receive and consider any new information the employee may present. If an employee fails to or refuses to attend the pre-dismissal conference, the employee may be dismissed. The supervisor shall notify the employee of the disciplinary conference in writing to include the reasons for the disciplinary conference.
- The pre-dismissal conference will be conducted by the supervisor limiting attendance to the employee, the employee's supervisor, the Human Resources Director (or his/her designee), and the department director. If the person conducting the conference chooses, security may be present. No attorney shall represent either side at the conference.
- In the conference, the supervisor will inform the employee orally and in writing of his/her recommendation for dismissal and summarize the reasons supporting his/her recommendation. The employee will then have the opportunity to respond to the facts presented and to add any additional information in his/her favor.
- After the conference, management will review and consider any new information presented in the conference and will make a decision regarding the recommended dismissal.
- If the decision is to dismiss the employee, the supervisor will give the employee written notice of the dismissal and the reasons for the dismissal, the effective date of the dismissal, and the employee's appeal rights. A copy of this written notice will be made part of the employee's personnel record. To minimize the risk of dismissal upon erroneous information, and to allow

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time following the conference for management to review all necessary information, the decision to dismiss should not be communicated to the employee in accordance with this subparagraph prior to the beginning of the next business day following the conclusion of the pre-disciplinary conference or after the end of the second business day following the completion of the pre-disciplinary conference.

In the supervisor's discretion, the effective date for the dismissal of a regular employee for **unsatisfactory job performance** may be up to two (2) weeks from the date of notice of dismissal. The effective date of the dismissal may not be earlier than the date of the letter of dismissal or it may not be later than fourteen (14) calendar days after the date of the letter of dismissal.

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Chapter: 8 – Disciplinary Actions

Section: 3 –Unsatisfactory Performance of Duties

Date of Board of Commissioner Adoption: June 10, 2013



Unsatisfactory Performance of Duties

Disciplinary actions for unsatisfactory job performance are intended to address performance deficiencies by notifying the employee of the problems and allowing him an opportunity to improve his performance. Disciplinary actions for unsatisfactory job performance do not require prior warnings for the same type of performance problem. Written warnings are given with the intention of permanently improving job performance; however, if the improvement later deteriorates or if other unsatisfactory job performance occurs, the supervisor may proceed to the next level of discipline. An employee must have at least one (1) written warning before a disciplinary demotion, a disciplinary suspension, or a dismissal may be issued for unsatisfactory job performance. There is no maximum number of warnings required (*Reference Policy 802, Types of Disciplinary Actions, for detailed information regarding types of action*).

Unsatisfactory Job Performance may include, but is not limited to, work performance deficiencies such as:

- Inattention to or negligence of the duties of one's position
- Failure to meet production or accuracy standards
- Failure to follow work rules
- Poor work habits
- Excessive tardiness and absenteeism
- Failure to follow instructions, directions, or procedures
- Poor work quality and quantity
- Timeliness in the performance of work related analysis, decisions, or judgment

Written warnings, disciplinary demotions, disciplinary suspensions, or dismissals under this section require that the employee be notified in writing of the action taking place, the specific reasons for the action, and whether the employee has the right to appeal the disciplinary action.

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Chapter: 8 – Disciplinary Actions

Section: 4 –Grossly Inefficient Job Performance

Date of Board of Commissioner Adoption: June 10, 2013



Grossly Inefficient Job Performance

Gross inefficiency (Grossly Inefficient Job Performance) occurs in instances in which the employee fails to perform job requirements satisfactorily as specified in the job description, work plans, or as directed by the management of the work unit or the County and that failure results in:

1. The creation of the potential for death or serious harm to a client(s), an employee(s), members of the public or to a person(s) over whom the employee has responsibility;
2. The loss of or damage to any County property or funds that result in a serious impact on the County and/or work unit; or
3. Substantial increase in potential liability or loss of credentials or revenue for the organization

Disciplinary actions under this section include written warning; demotion, suspension, and dismissal from employment (Please see Section 802, Types of Disciplinary Actions, for a description of each of these actions). As with disciplinary action for unsatisfactory job performance, written warnings may be given for unacceptable personal conduct or gross inefficiency; however, there is no requirement to give a specific number of warnings or to give any prior warnings at all. Disciplinary action up to and including dismissal for unacceptable personal conduct or gross inefficiency may be imposed without previous warnings to the employee.

Disciplinary demotions, disciplinary suspensions, or dismissals under this section require that the employee be notified in writing of the action taking place, the specific reasons for the action, and the employee's right to appeal (*Reference Chapter 8 Disciplinary Actions*).

Prior to the disciplinary demotion, disciplinary suspension, or dismissal of a regular employee, a pre-demotion, pre-suspension, or pre-dismissal conference must be held with the employee. (Please read thoroughly Chapter 8: Disciplinary Actions regarding disciplinary demotion, disciplinary suspension, and dismissal, prior to taking action.)

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Chapter: 8 – Disciplinary Actions

Section: 5 – Personal Conduct

Date of Board of Commissioner Adoption: June 10, 2013



Personal Conduct

Disciplinary actions for unacceptable personal conduct are intended to be imposed for those types of actions for which no reasonable person should expect to receive prior warnings. These include, but are not limited to:

- Conduct for which no reasonable person should expect to receive prior warning such as
 - Job related conduct which constitutes a violation of state or federal law;
 - Conviction of a felony or an offense involving moral turpitude that is detrimental to or impacts the employee's service to the County;
- The willful violation of known or written work rules or policies;
- Conduct unbecoming an employee that is detrimental to the County's service;
- The abuse of client(s), patient(s), student(s) or a person(s) over whom the employee has charge or to whom the employee has a responsibility, or of an animal owned or in the custody of the County;
- Falsification of an employment application or other employment documentation;
- Insubordination which is the willful failure or refusal to carry out a reasonable order from an authorized supervisor. Insubordination is considered unacceptable personal conduct for which any level of discipline, including dismissal, may be imposed without prior warning;
- Absence from work after all authorized leave credits and benefits have been exhausted.

As with disciplinary actions for gross inefficiency (Section 804), disciplinary actions under this section include written warning, disciplinary demotion, disciplinary suspension, and dismissal. Written warnings may be given for unacceptable personal conduct; however, there is no requirement to give a specific number of warnings or to give any prior warnings at all. Disciplinary action up to and including dismissal for unacceptable personal conduct or gross inefficiency may be imposed without previous warnings to the employee. Prior to the disciplinary demotion, disciplinary suspension, or dismissal of a non-probationary County employee on the basis of unacceptable personal conduct, there shall be a pre-disciplinary conference between the employee and department head.

Dismissals for unacceptable personal conduct require written notification to the employee. Such notification must include specific reasons for the dismissal and notice of the employee's right of appeal.

Time limits for filing a grievance do not start until the employee receives written notice of any applicable appeal rights.

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Chapter: 8 – Disciplinary Actions

Section: 6 – Failure to Obtain and Maintain Required Credentials or Certifications

Date of Board of Commissioner Adoption: June 10, 2013



Failure to Obtain and Maintain Required Credentials or Certifications

Employees are responsible for obtaining and maintaining current, valid credentials required by law, rule, regulation, or policy. Failure to obtain or maintain the legally required credentials may result in immediate dismissal without prior warning, in accordance with procedures for dismissal for unacceptable personal conduct.

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Chapter: 8 – Disciplinary Actions

Section: 7 – Use of Employee Assistance Program in the Disciplinary Process

Date of Board of Commissioner Adoption:



Use of Employee Assistance Program in the Disciplinary Process

The Employee Assistance Program (EAP) provides the supervisor and employee with an additional tool to use in addressing and correcting performance inadequacies. It is designed to deal with personal problems which may cause performance problems at work. It does not address lack of competence or ability.

At some point in the disciplinary process, the supervisor may decide that the use of Employee Assistance may enable the employee to improve performance or behavior. If that is the case, the supervisor will inform the Human Resources Department of this need and seek the assistance of the Human Resources department in making this suggestion to the employee. This will enable the use and the duration of Employee Assistance by the employee to remain confidential.

Participation on the part of the employee is strictly voluntary. Employees who are formally referred by their supervisor will be granted up to two hours of work time for the first visit to the EAP office. Sick or annual leave, as appropriate, must be taken for all subsequent sessions and for all informal referrals made to an employee by his supervisor.

The EAP, and the employee's use of it, is independent of the disciplinary process and does not stop the progress of the disciplinary action.

The EAP is confidential. Upon written consent of the employee, his supervisor will be informed that he has met with an EAP consultant and whether or not he is following through with the recommended plan. Case history information will not be released.

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Chapter: 9 – Separation from Employment

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Date of Board of Commissioner Adoption: June 10, 2013



Separation from Employment

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Chapter: 9 – Separation from Employment

Section: 1 – Types of Separation

Date of Board of Commissioner Revision: April 20, 2015



Types of Separation

Separation from County service occurs when the employee leaves the payroll for reasons listed below. The employee's separation (termination) date should be the actual last day worked; it may not be on a County holiday, unless the holiday is an actual work day for the employee.

Resignation

A minimum of a two (2) week written notice is expected of all resigning employees. Such notice should be given to the employee's immediate supervisor, to be forwarded to the department head. In the case of department heads, the resignation should be given to the County Manager.

Voluntary Resignation without Notice

An employee who is absent from work and does not contact the employer for three (3) consecutive scheduled workdays may be separated from employment as a voluntary resignation. This provision also applies when the employee is absent for at least three (3) consecutive scheduled workdays, has been instructed verbally or in writing of a specific manner of reporting by management, and does not report to the appropriate supervisory personnel on a regular basis satisfactory to the appropriate supervisory personnel. Employees separated from employment with Onslow County in this manner will not be entitled to a payout of accumulated vacation leave (Policy Reference: 702: *Leave of Absence: Vacation Leave*)

Separation Due to Unavailability

An employee may be separated on the basis of unavailability when the employee becomes or remains unavailable for work after all applicable leave credits have been exhausted and the County does not grant or extend leave without pay.

Retirement

An employee may retire when he or she is eligible and applies for retirement benefits from the North Carolina Local Government Employees Retirement System or Law Enforcement Officers Retirement System.

Reduction-in-Force

(Reference Policy 902: *Reduction in Force for more detailed process regarding a Reduction in Force*). An employee may be reduced in force and separated from County service for reasons of a shortage of funds or work, elimination of a position, reorganization, or other changes in duties. Retention of employees in classes affected shall be based on systematic consideration of job performance, type of employment, and length of service. Employees who are separated from the County because of a reduction-in-force will be given at least two (2) weeks written notice of the anticipated separation. No regular employee will be separated while there are temporary, probationary, or trainee employees serving in the same job class in the County, unless the regular employee is not willing to transfer to the position held by such employees, or the regular employee does not have the knowledge, credentials or skills required to perform the

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work of the alternate position, or cannot obtain the knowledge, credentials or skills within a reasonable period of orientation and training.

Furlough

(Reference Policy 903: Furlough for more detailed process regarding furlough). A furlough is an unpaid leave of absence from work for a specified period of time. Employees subject to furlough are those whose salary is paid through funds other than local funds (i.e., federal or state). Employees are not permitted to work when furloughed. Employees may not use accrued paid leave during periods of furlough.

Dismissal

Dismissal is an involuntary separation for cause in accordance with Chapter 8 (*Disciplinary Actions*). Employees who are involuntarily separated will be paid through their separation date.

Death

Payment for unpaid salary and reimbursement for travel or other County expenses will be made, upon establishment of a valid claim, to the deceased employee's administrator or executor.

Involuntary separations may be grieved or appealed in accordance with the Grievance Policy (*Reference Chapter 10 Grievance Process, Policy 1001 Policy and Purpose*).

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Chapter: 9 – Separation from Employment

Section: 2 – Reduction in Force (RIF)

Date of Board of Commissioner Adoption: June 10, 2013



Reduction in Force (Layoff)

Reduction in force (RIF) is the involuntary separation of an employee that may result from changes in programs, abolishment of a position, cutbacks in funding, reorganization or decreased workload. Affected employees may be considered for continued employment in other areas of county government or, for state employees, in compliance with state law. No substantive or procedural due process rights will accrue to employees by implementation of this policy or a RIF plan.

Separation of employees through reduction in force should not occur until management has considered available alternatives to avoid such action. The County Manager, Department Head, and Human Resources Director, in anticipation of a reduction in force (RIF), may work in concert with regard to all RIF actions.

A reduction in force requires a thorough evaluation of the accomplishments of specific programs and the need for particular positions so that the County can provide the highest level of service possible with a reduced work force.

The guidelines for a reduction in force plan should include (not necessarily in order of priority):

- 1) Client service requirements
- 2) Legal mandates for programs
- 3) Impact on overall program objectives
- 4) Possible redistribution of available resources
- 5) Organization structure
- 6) Funding sources and budget guidelines
- 7) Composition of the work force
- 8) Economy and efficiency in service
- 9) Determination of the number of positions which must be eliminated to meet the established goal.
- 10) The feasibility of eliminating entire programs or parts of programs.
- 11) Identification of areas where the number of positions must be reduced or eliminated.
- 12) Identification of the classification of positions to be eliminated to determine whether personnel can be placed in other work areas.
- 13) Before reduction, attention should be given to using vacant positions to utilize employees who qualify for those positions who would otherwise be separated.

The area of RIF may include all or any part of County government; a department, a division, or any organizational or program sub-unit of a department or division [including a current County position classification title(s) within these organizational units].

The plan should include the name, classification title, years of service and a skills/education/work history inventory of all affected employees in the area of the RIF. The plan should also include any positions which, on the effective date of the RIF, are not filled or being advertised within the same class or department which is affected by the reduction in force. The plan may also include a description of:

- Options for placement within the Department

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- Options to be explored with Human Resources for placement with the County organization
- Options for placement with an outside agency or firm

All non-status employees (i.e., temporary/probationary/trainee) in the area of RIF may be separated from County employment prior to the effective date of the RIF; these employees are not part of the reduction in force.

The separation of an employee under the terms of a time-limited appointment is not a RIF separation.

Procedural irregularities will not invalidate a RIF.

Employees under the North Carolina employment system who are the subject of RIF will be processed in accordance with state law. For such employees where state law conflicts with any provisions of this policy, state law will control.

Alternate County Employment Outside the Area of the RIF

Although the County cannot guarantee placement for employees whose positions are affected by a RIF, the County will attempt to locate alternate County employment for affected employees who file a written request for alternate County employment with their department head or designee within five (5) working days of receipt of the notification of RIF. Under those circumstances, the County will attempt to locate an alternate position for the employee within the same department. If no alternate position is available in the same department, the County will attempt to locate an alternate position in other departments of County government for a period not to exceed thirty days from the date of the RIF.

When a vacant position exists in the same salary grade or a lower salary grade as the position from which the employee is being laid off and the employee meets the minimum training, education and experience, certification and licensure requirements for that position, that employee may be considered for placement into that position at the discretion of the County.

The County reserves the right to request that the employee compete against all other eligible applicants for the position. Employees who accept alternate employment rather than layoff under the RIF will not be eligible for any severance option offered as part of the RIF. (*Reference Policy 508: Pay Rates for Promotions, Demotions, Voluntary Reassignments, Reclassifications and Interim Appointments*).

Employees who accept alternate County employment in lieu of layoff will be required to serve a six (6) month probationary period (*Reference Policy 209: Probationary Period of Employment*). If alternate County employment is not offered to an employee within thirty (30) calendar days of the RIF notification, the employee will be laid off and will then be eligible for any severance option offered as part of the RIF.

Salary and Salary Grade Retention

A reduction-in-force applicant who:

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- Accepts a position at the **same salary grade** (or equivalency) shall be paid at the same salary rate as that paid at the time of notification of separation by reduction-in-force;
- Accepts a position at a **lower salary grade** (or equivalency) than that held at the time of notification shall be paid at the same rate as the rate paid to the employee at the time of notification unless the salary rate exceeds the maximum of the new grade. When the salary rate exceeds the maximum of the lower salary grade, the employee's new salary rate shall be reduced to the maximum of the new lower salary grade.

Issuing Notice to Employees Affected by the Layoff

Each employee identified for RIF shall, at least two weeks prior to the effective date of the action, be given a written notice of the date of the RIF, the reason(s) for the RIF, and options regarding alternate employment. In lieu of two weeks' notice, the employee may receive two (2) weeks pay at the discretion of the County Manager.

An employee on leave with pay or leave without pay shall be separated on the effective date of the reduction in force, the same as other employees. This includes employees who are on leave without pay, FMLA, military leave in accordance with USERRA, or receiving workers' compensation.

If the employee falls under the State Personnel Act, each employee must receive a minimum of thirty (30) calendar day's official written notification. For State Personnel employees desiring priority consideration, an application must be filed to the Office of State Personnel requesting priority consideration. If the employee does not want assistance in finding another State job, the Department Head shall get a written statement to this effect and share a copy with the Office of State Personnel.

Reduction-In-Force Appeal

Appeal rights for employees under the State Employment System will be processed in accordance with state law. No appeal rights shall apply with regard to non-state employees, unless they are alleging their rights to Equal Employment Opportunity have been violated. (*Reference Policy 1003*)

Severance Pay Option

A regular, salaried employee with a full-time equivalency of .50 or greater who has lost his/her position with the County as a result of a reduction in force will be eligible for the severance pay option. An eligible employee who elects to receive severance pay under this option:

- Must agree to not bring, continue or maintain any grievances, administrative appeals, or legal proceedings relating to his/her employment against Onslow County Government or the State of North Carolina, its officers, and employees;
- Will not be eligible for re-employment with Onslow County Government for the number of weeks calculated in the severance payout, unless repayment is made in advance of re-employment for any severance received in excess of the period of actual separation from the County.

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An eligible employee who agrees to the terms and conditions of the severance pay option will receive a lump sum payment equal to 60 hours for every full year of salaried service with Onslow County as of the date of separation, up to a maximum payment equal to 480 hours. No employee shall receive less than 160 hours of severance.

Additionally, all employees who are laid off under the provisions of a RIF should meet with a Human Resources Benefits Specialist to discuss COBRA and other benefits.

Note: The following employees will not be eligible for severance:

- Any employee who declines an offer of comparable employment by the County prior to his/her date of separation.
- Any employee for whom the County has arranged comparable employment with a non-County agency.
- Any employee who is in a time-limited/grant-funded/contract position.
- Temporary or probationary employee

Severance salary is not subject to employee/employer retirement contributions.

An employee receiving severance salary may not be entitled to receive unemployment compensation for the equivalent period of time upon which his/her severance pay was calculated. Once this period of time has expired, the employee may be eligible for unemployment insurance as provided by law.

Retiring Employees

An employee who after receiving official written notice of impending reduction in force, retires or applies for retirement prior to the separation date waives the right to severance salary.

Recall/Reinstatement from a Reduction-in-Force (RIF) (Employees Under the State Employment System)

Recall-Reinstatement of employees under the State Employment System will be processed in accordance with state law.

The County Manager shall have final, immediate, and continuing authority to implement the Reduction in Force Plan.

This policy shall control over and supersede any policy in the Onslow County Employee Personnel Policies – 2013 inconsistent herewith.

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Chapter: 9 – Separation from Employment

Section: 3 – Furlough

Date of Board of Commissioner Adoption: December 2, 2013



Furlough

A furlough is an unpaid leave of absence from work for a specified period of time due to the loss of state or federal pass through funds used to pay employee salaries and benefits.

Employees Subject to Furlough

Any regular county employee paid through state or federal funds may be subject to furlough.

Responsibility for Fiscal Management

Department Heads are responsible for managing their respective budgets. As a result, it is the obligation of the Department Head to notify the County Manager if circumstances with state or federal budgets and/or programs indicate that a significant operating budget deficit may have developed or is developing because of temporary or permanent loss of state or federal funding. In the event of a loss of funding which will affect the employment of staff, the affected Department Head will work with the Human Resources Director and consult with the County Manager regarding the need for a furlough plan. The plan should provide options to the County Manager for consideration and recommendation to the Board of County Commissioners.

The Furlough Plan

In accordance with this policy, the County Manager will implement furlough plans upon direction of the County Commissioners.

- Furlough plans may set the number of furlough days (if that can be estimated based on the event creating the need for a furlough), the period of time within which occasional furlough days must be taken (periodic furlough), and/or the length of time a continuous furlough will occur.
- The County Commissioners may extend, modify, or cancel a furlough plan at any time that conditions for the furlough change or end.
- Furlough days must be taken on days that an employee is normally scheduled to work.
- Employees may not use accrued paid leave during periods of furlough.

Notice

The County Manager will give as much notice as is reasonably possible to employees subject to a furlough, determined by conditions or factors creating the need to furlough employees.

Grievance

A furlough plan adopted pursuant to this policy may not be grieved under any other county policy.

Benefits during a Furlough Period

Benefits for furloughed employees will be paid contingent upon payment or reinstatement of state or federal funds or as otherwise required by applicable law.

Onslow County Personnel Policy

Chapter: 9 – Separation from Employment

Section: 3 – Furlough

Date of Board of Commissioner Adoption: December 2, 2013



Recall/Reinstatement from Furlough

Recall or reinstatement of employees under furlough will be contingent upon reinstatement of the state or federal funds which created the basis for the furlough.

If state or federal funds are restored retroactively, Employees returning to work after a furlough may be required to work modified schedules as necessary.

This policy shall control over and supersede any conflicting policy in the Onslow County Employee Personnel Policies – 2013.

This policy shall become effective upon adoption by the Onslow County Board of Commissioners.

Onslow County Personnel Policy

Chapter: 10 – The Grievance Process

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



The Grievance Process

Table of Contents

- 1001 Policy and Purpose
- 1002 Definition
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- 1004 Procedure
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Onslow County Personnel Policy

Chapter 10 – Grievance Process

Section: 1 – Policy and Purpose

Date of Board of Commissioner Adoption: June 10, 2013



Policy and Purpose

It is the policy of Onslow County to provide a process to discuss and resolve problems and differences that may arise between employees and supervisors. Every employee has the right to present grievances in accordance with policy 1003 (*Coverage*), free from interference, coercion, restraint, discrimination or reprisal.

All supervisors are responsible for promptly considering and taking fair and appropriate action on a grievance brought by any County employee. In adopting this policy, the County sets forth the following objectives:

- a. Provide employees with a procedure to address problems or complaints promptly, fairly and without fear of reprisal;
- b. Encourage employees to express their opinions about conditions of employment that affect them as employees;
- c. Develop a better understanding of policies, practices and procedures and promote their consistent application throughout the County;
- d. Give supervisors a greater sense of responsibility in their dealings with employees.

Onslow County Personnel Policy

Chapter: 10 – Grievance Process

Section: 2 – Definition

Date of Board of Commissioner Adoption: June 10, 2013



Definition

A grievance is a dispute concerning the terms and conditions of certain adverse personnel actions, harassment as described in policy 308 (*Unlawful Workplace Harassment*), policy 201 (*Statement of Equal Employment Opportunity and Affirmative Action*), or policy 310 (*Workplace Violence*).

A complaint is a dispute concerning terms and conditions of employment arising from any administrative decision which the employee claims is in violation of rights under, or failure to apply, established county personnel policies or practices, or which results from a misinterpretation or misapplication of county personnel policies or practices.

Onslow County Personnel Policy

Chapter 10 – Grievance Process

Section: 3 – Coverage

Date of Board of Commissioner Adoption: June 10, 2013



Coverage

A grievance may be filed by an employee for the reasons noted in the Section below.

Employees who have attained regular status with the County may file a grievance for:

- Disciplinary suspensions;
- Disciplinary demotions;
- Dismissals; or
- Reduction in Force (RIF)

Any employee (regular, temporary, probationary employee, employee covered by the State Personnel Act, or applicant for employment) may file a grievance for any management action that has occurred and which the employee alleges as the basis of unlawful employment discrimination or harassment (*See Section 308, Unlawful Workplace Harassment, and Section 201, Statement of Equal Employment Opportunity and Affirmative Action, for the specifics of discrimination*).

Certain management decisions are not grievable. These decisions involve management discretion and are therefore not subject to the grievance process. While employees cannot bring grievances on issues not listed in Policy 1003 (*Coverage*), they are encouraged to express any concerns that they have concerning actions taken related to conditions of employment.

Exemptions:

The **Sheriff**, the **Register of Deeds**, **County Attorney**, and the **Director of Elections** have authority to discipline and/or dismiss employees in their respective departments and are not subject to the grievance procedures outlined in this chapter. Employees in these departments should consult with management within the department.

For information regarding appeals for Reduction in Force, reference Policy 902, Reduction in Force (Layoff).

Onslow County Personnel Policy

Chapter: 10 – Grievance Process

Section: 4 – Procedure

Date of Board of Commissioner Adoption: June 10, 2013



Procedure

Unless specifically provided for in another part of the personnel policies, this grievance procedure will be used for any disputes arising from these policies. When an employee has a grievance or complaint concerning employment with the County, the successive steps described below are to be taken toward resolution of the matter. For employees of the Sheriff's Department, Register of Deeds Office, or Office of the County Attorney, there shall be no appeal beyond the decision of the Sheriff, Register of Deeds, or County Attorney.

The number of days indicated at each step of the grievance procedure should be considered as the maximum number of working days allowed for presentation of and response to the grievance at that level. However, when mutually agreed upon, time limits given below may be extended by those concerned. Failure on the part of the employee to satisfy the time limitations provided in this Chapter shall cause the grievance to be denied or dismissed.

Employees who use this procedure will be free from discrimination, coercion, restraint or reprisal.

Employees may file grievances or appeal decisions using the procedures listed below.

Grievance or Complaint Type	Procedure
Demotion, Suspension, Dismissal, or Reduction in Force	APPEAL TO COUNTY MANAGER <ul style="list-style-type: none">• County employees who have been demoted, suspended, dismissed or reassigned due to a reduction in force, or dismissed shall have 15 calendar days from the date of receipt of written notice of such action to file an appeal with the County Manager. New or reinstated employees serving probation shall have no right to appeal except in a case involving alleged discrimination.• The county manager shall have 10 working days to respond to the grievance.
Unlawful Workplace Harassment or Sexual Harassment or Discriminatory Actions (2 Options)	INITIAL GRIEVANCE FILED WITH THE DEPARTMENT HEAD <ul style="list-style-type: none">• An employee who alleges discriminatory actions or unlawful workplace harassment shall have 15 calendar days from the date of occurrence to file a grievance. The department head shall have 10 working days to respond to the grievance. Depending on the nature of the alleged act, the department head has the discretion to seek the assistance of human resources in conducting the initial investigation. FINAL DECISION BY DEPUTY HUMAN RESOURCES DIRECTOR <ul style="list-style-type: none">• If the employee is not satisfied with the department head's final decision or is unable to obtain a final decision within a reasonable length of time, he/she may file their written grievance with the Deputy Human Resources Director not later than ten (10) days after receipt of the department head's decision. The Deputy Human Resources Director will issue a final decision to the grievant within 10 working days of receipt.

Onslow County Personnel Policy

Chapter: 10 – Grievance Process

Section: 4 – Procedure

Date of Board of Commissioner Adoption: June 10, 2013



Grievance or Complaint Type	Procedure
	<p>APPEAL TO COUNTY MANAGER</p> <ul style="list-style-type: none">• If the employee is not satisfied with the final decision of human resources or is unable to obtain a final decision within a reasonable length of time, he/she may file her/his written grievance with the County Manager not later than 10 working days after receipt of the final decision. The County Manager will issue a final decision to the grievant within 10 working days of receipt. <p style="text-align: center;">OR</p> <p>INITIAL GRIEVANCE FILED WITH HUMAN RESOURCES</p> <ul style="list-style-type: none">• An employee, or applicant for employment, who alleges discriminatory actions may also lodge their initial grievance to human resources. The employee shall have 15 calendar days from the date of the occurrence to file a grievance. Human Resources Director will issue a final decision to the grievant within 10 working days of receipt. <p>APPEAL TO COUNTY MANAGER</p> <ul style="list-style-type: none">• If the employee, or applicant for employment, is not satisfied with the final decision of human resources or is unable to obtain a final decision within a reasonable length of time, he/she may file their written grievance with the County Manager not later than 10 working days after receipt of the final decision. The County Manager will issue a final decision to the grievant within 10 working days of receipt.
General Complaint	<p>IMMEDIATE SUPERVISOR</p> <ul style="list-style-type: none">• Each employee is encouraged to discuss problems or complaints with their immediate supervisor. If the concern is not resolved within five (5) working days, the employee may request a conference to discuss the problem or complaint with the division manager. If no division head level exists, proceed to Department Head. <p>DIVISION HEAD</p> <ul style="list-style-type: none">• If the problem or complaint is not resolved within five (5) working days after the conference, the employee may request a conference with the department head. <p>DEPARTMENT HEAD</p> <ul style="list-style-type: none">• The department head shall hear the problem or complaint, gather necessary information, evaluate the problem or complaint and alternate solutions and render a decision no later than five (5) working days after the conference.

Onslow County Personnel Policy

Chapter: 10 – Grievance Process

Section: 4 – Procedure

Date of Board of Commissioner Adoption: June 10, 2013



Note that in the case of General Complaints, the Department Head's decision is final. For all other Grievances, the County Manager's decision is final.

A grievance may be canceled or abandoned in any of the following circumstances:

- By termination of the employee's employment with the County unless the personal relief sought by the employee may be granted after termination of employment;
- Upon the death of the employee unless the grievance involved a question of pay;
- By the employee's failure to proceed timely with the advancement of his grievance; or,
- By the employee making a formal written request to withdraw his grievance.

The Human Resources Director will file a document stating the reason for cancellation or abandonment in the employee's personnel file and will forward a copy to the employee or his representative.

In all cases and at all stages of the grievance process, a written copy of each decision will be transmitted to the employee and a copy will be placed in the human resources file.

Onslow County Personnel Policy

Chapter: 10 – Grievance Process

Section: 5 – Employees Subject to State Personnel Act

Date of Board of Commissioner Adoption: June 10, 2013



Employees Subject to State Personnel Act

Grievances Not Alleging Unlawful Employment Discrimination

In cases of disciplinary suspension, disciplinary demotion, or dismissal, a regular employee subject to the State Personnel Act has the right to file a petition for a contested case with the North Carolina Office of Administrative Hearings (OAH), within 30 calendar days from the date of the disciplinary action. The petition shall be submitted in writing to the Chief Hearing Clerk at the Office of Administrative Hearings located at 424 North Blount Street, Raleigh. The mailing address is:

Chief Hearing Clerk
Office of Administrative Hearings
P. O. Drawer 27447
Raleigh, North Carolina 27611-7447

The recommendation of the OAH will be forwarded to the State Personnel Commission (SPC). The recommendation of the SPC in cases not involving discrimination is advisory only. This recommendation may be appealed within (30) calendar days to the Superior Court.

Grievances Alleging Unlawful Employment Discrimination

An employee subject to the State Personnel Act may file a petition for a contested case in writing directly with the OAH when alleging any violation of his Equal Employment Opportunity, with the exception of cases involving sexual or racial harassment. Any grievance alleging sexual or racial harassment should be filed first with the Onslow County Human Resources Director (See Section 903, Coverage and 904, Procedure, for further information regarding grievances alleging sexual or racial harassment).

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Employee Records and Reports

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- 1101 Employee Records Maintenance
- 1102 Access to Employee Records
- 1103 Confidential Information
- 1104 Records of Former Employees
- 1105 Records of Applicants
- 1106 Remedies of Employees Objecting to Material in File
- 1107 References

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 1 – Employee Records Maintenance

Date of Board of Commissioner Adoption: June 10, 2013



Employee Records Maintenance

The County Human Resources Department maintains the official records for each employee. These records provide information needed to administer employee payroll and benefits; to comply with federal, state, and local laws and regulations; and to document employee performance.

The following information on each County employee is public information:

- a. Name;
- b. Age;
- c. Date of original employment or appointment to County service;
- d. Current position title;
- e. Current salary and date and amount of most recent change in salary;
- f. Date of most recent promotion, reassignment, demotion, suspension, separation, or other change in position classification;
- g. Office to which employee is currently assigned;
- h. The terms of any contract by which an employee is employed whether written or oral, past and current, to the extent that the County has the written contract or a record of the oral contract in its possession.
- i. A copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis of a dismissal.

The County Human Resources Department will maintain employee files in accordance with North Carolina General Statute 121-5, which governs the retention of public records.

Employees are responsible for supplying the Onslow County Human Resources Department with up-to-date information including home address, telephone number, change in marital status, change in the status of dependents, change in visa or citizenship status, and change in military reserve status.

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 2 – Access to Employee Records

Date of Board of Commissioner Adoption: June 10, 2013



Access to Employee Records

Access to employee records is governed by North Carolina General Statutes 153A-98, which allows any person to have access to the information listed in Policy 1101 (*Employee Records Maintenance*) for the purpose of inspection, examination, and copying during the County's regular business hours, subject only to such rules and regulations for the safekeeping of public records as the County Board of Commissioners may adopt. Access to such information shall be made by written application and is governed by the following provisions:

- a. Except for all authorized County officials requiring access to employment files to process personnel actions, all disclosures of records will be accounted for by keeping a written record of the following information: name of employee; information disclosed; date information was requested; name and address of the person to whom the disclosure is made; and purpose for which information is requested. This information must be retained for a period of two years.
- b. The record of disclosure will be made available upon request to the employee to whom such record pertains.
- c. Any individual examining a personnel record may obtain copies of the information identified above.

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 3 – Confidential Information

Date of Board of Commissioner Adoption: June 10, 2013



Confidential Information

All information contained in the County employee's personnel file, other than the information listed in Policy 1101 (*Employee Records Maintenance*) will be maintained as confidential in accordance with the requirements of North Carolina General Statutes 153A-98 and will be open to inspection only in the following instances:

- a. The employee or his duly authorized agent may examine all portions of his personnel file, except (1) letters of reference solicited prior to employment; and, (2) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- b. A licensed physician designated in writing by the employee may examine the employee's medical record.
- c. A County employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- d. By order of a court of competent jurisdiction, any person may examine such portion of the employee's personnel file as may be ordered by the court.
- e. An official of an agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of the personnel records to be necessary and essential to the pursuit of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability. However, such official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- f. An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- g. The County Manager, with concurrence of the County Board of Commissioners, may inform any person of the employment or non-employment, promotion, reassignment, demotion, suspension, or other disciplinary reasons for that personnel action. Before releasing the information, the County Manager will determine in writing that the release complies with applicable laws and is essential to maintaining the public trust and confidence in the administration of services or to maintain the level and quality of County services. This written determination shall be retained in the office of the clerk, and is a record available for public inspection and will become part of the employee's personnel file.

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 4 – Records of Former Employees

Date of Board of Commissioner Adoption: June 10, 2013



Records of Former Employees

The provisions for access to records are applicable to both current and former employees (*Reference Policies 1101 Employee Records Maintenance, 1102 Access to Employee Records, and 1103 Confidential Information.*

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 5 – Records of Applicants

Date of Board of Commissioner Adoption: June 10, 2013



Records of Applicants

Applications and other information gathered with respect to an applicant will be kept confidential in accordance with North Carolina General Statutes G.S. 153A-98. The County will not release this information without written permission from the applicant.

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 6– Remedies of Employees Objecting to Material in File

Date of Board of Commissioner Adoption: June 10, 2013



Remedies of Employees Objecting to Material in File

An employee who objects to material in his or her file may place in the file a statement relating to the material considered being inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures as described in Policy 1004 (*Procedure*).

Onslow County Personnel Policy

Chapter: 11 – Employee Records and Reports

Section: 7– References

Date of Board of Commissioner Adoption: June 10, 2013



References

It will be the policy of Onslow County to check references on all candidates for employment, re-employment, and promotion. Likewise Onslow County will provide references on current and former employees.

References will be provided in the following manner:

- Only true and accurate documented information will be provided;
- All references should be referred to someone with direct knowledge of the employee's performance and conduct;
- All candidates will be asked to sign a release that allows Onslow County to obtain information from all past and present supervisors, or others in their chain of command; and
- Former and current employees will be asked to sign a release that allows Onslow County to serve as a professional reference.

Onslow County Personnel Policy

Chapter: 12 – Implementation of Policies

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



Implementation of Policies

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- 1201 Conflicting Policies Superseded
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- 1203 Adoption by Resolution and Effective Date
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Onslow County Personnel Policy

Chapter: 12 – Implementation of Policies

Section: 1 – Conflicting Policies Superseded

Date of Board of Commissioner Adoption: June 10, 2013



Conflicting Policies Superseded

In the event of a conflict, between the positions of this personnel policy and any other personnel policies in effect in Onslow County, on the date of adoption, the provisions of this personnel policy shall control.

Onslow County Personnel Policy

Chapter: 12 – Implementation of Policies

Section: 2 – Severability

Date of Board of Commissioner Adoption: June 10, 2012



Severability

If any provision of these policies or application of such provision, to any person is held invalid by any court of competent jurisdiction, the remaining provisions of these policies and the application of such remaining provisions will remain in effect and will not be affected thereby.

Onslow County Personnel Policy

Chapter: 12 – Implementation of Policies

Section: 3 – Adoption by Resolution and Effective Date

Date of Board of Commissioner Adoption: June 10, 2013



Adoption by Resolution and Effective Date

These policies have been adopted by resolution by the Onslow County Board of Commissioners. The effective date of these policies is specified in the adopted resolution located in the appendix of this policy manual.

Onslow County Personnel Policy

Chapter: 12 – Implementation of Policies

Section: 4 – Administrative Modifications to Comply with Federal or State Changes in Labor and Employment Laws and Regulations

Date of Board of Commissioner Adoption: June 10, 2013



Administrative Modifications to Comply with Federal or State Changes in Labor and Employment Laws and Regulations

The County Manager may amend provisions of the Onslow County Employee Personnel Policies manual where modification is necessary to remain in compliance with federal or state laws and regulations. All other amendments and modifications shall be made by resolution of the Onslow County Board of Commissioners. These policies are not intended to create vested rights of employment and may be amended without prior notice to employees.

Onslow County Personnel Policy

Appendix

Section: Table of Contents

Date of Board of Commissioner Adoption: June 10, 2013



APPENDIX

Table of Contents

Section A: Resolution to Approve Onslow County Personnel Policies

Section B: Federal Merit Standards

**RESOLUTION 13-011
TO APPROVE
ONSLow COUNTY EMPLOYEE PERSONNEL POLICIES**

WHEREAS, the Onslow County Board of Commissioners has developed personnel policies that promote consistent human resource management practices and procedures throughout all County departments; and

WHEREAS, the Onslow County Board of Commissioners previously adopted on August 20, 2007, a “Resolution to Approve Onslow County Personnel Policies”, which has been amended from time to time; and

WHEREAS, the Onslow County Board of Commissioners desires to make employee personnel policies compliant with the standards of a merit system of personnel administration as described in the federal regulations available to all employees for their use and application; and

WHEREAS, the personnel policies will enhance the County’s efforts to provide efficient, responsive and responsible service to the citizens of Onslow County; and

WHEREAS, it is in the best interest of the citizens and employees of Onslow County to adopt these personnel policies and preserve the County’s ability and flexibility to adjust and change the policies as may be necessary in the future.

NOW, THEREFORE BE IT RESOLVED:

1. That the “Resolution to Approve Employee Personnel Policies” dated August 20, 2007, is hereby rescinded.
2. All previous versions of the Onslow County Employee Personnel Policies adopted therewith and any subsequent amendments thereto are hereby superseded.
3. This Resolution, dated June 10, 2013, is effective upon its adoption, and the Onslow County Employee Personnel Policies adopted as a result of this resolution are effective on the date of this Resolution.

ADOPTED:

This the 10th day of June 2013.



**Onslow County
Board of Commissioners**



Paul Buchanan, Chairman

ATTEST:



Julie S. Wand, Clerk to the Board



Code of Federal Regulations Title 5 - Administrative Personnel Volume: 2 Date: 2012-01-01 Original Date: 2012-01-01 Title: Subpart F - Standards for a Merit System of Personnel Administration Context:

Title 5 - Administrative Personnel. CHAPTER I - OFFICE OF PERSONNEL MANAGEMENT (CONTINUED). SUBCHAPTER B - CIVIL SERVICE REGULATIONS (CONTINUED). PART 900 - INTERGOVERNMENTAL PERSONNEL ACT PROGRAMS.

Subpart F—Standards for a Merit System of Personnel Administration Authority: 42 U.S.C. 4728, 4763; E.O. 11589, 3 CFR part 557 (1971-1975 Compilation). Source: 48 FR 9210, Mar. 4, 1983, unless otherwise noted.

§ 900.601 Purpose.

(a) The purpose of these regulations is to implement provisions of title II of the Intergovernmental Personnel Act of 1970, as amended, relating to Federally required merit personnel systems in State and local agencies, in a manner that recognizes fully the rights, powers, and responsibilities of State and local governments and encourages innovation and allows for diversity among State and local governments in the design, execution, and management of their systems of personnel administration, as provided by that Act.

(b) Certain Federal grant programs require, as a condition of eligibility, that State and local agencies that receive grants establish merit personnel systems for their personnel engaged in administration of the grant-aided program. These merit personnel systems are in some cases required by specific Federal grant statutes and in other cases are required by regulations of the Federal grantor agencies. Title II of the Act gives the U.S. Office of Personnel Management authority to prescribe standards for these Federally required merit personnel systems.

§ 900.602 Applicability.

(a) Sections 900.603-604 apply to those State and local governments that are required to operate merit personnel systems as a condition of eligibility for Federal assistance or participation in an intergovernmental program. Merit personnel systems are required for State and local personnel engaged in the administration of assistance and other intergovernmental programs, irrespective of the source of funds for their salaries, where Federal laws or regulations require the establishment and maintenance of such systems. A reasonable number of positions, however, may be exempted from merit personnel system coverage.

(b) Section 900.605 applies to Federal agencies that operate Federal assistance or intergovernmental programs.

§ 900.603 Standards for a merit system of personnel administration.

The quality of public service can be improved by the development of systems of personnel administration consistent with such merit principles as—



(a) Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

(b) Providing equitable and adequate compensation.

(c) Training employees, as needed, to assure high quality performance.

(d) Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected.

(e) Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age or handicap and with proper regard for their privacy and constitutional rights as citizens. This "fair treatment" principle includes compliance with the Federal equal employment opportunity and nondiscrimination laws.

(f) Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

§ 900.604 Compliance.

(a) Certification by Chief Executives. (1) Certification of agreement by a chief executive of a State or local jurisdiction to maintain a system of personnel administration in conformance with these Standards satisfies any applicable Federal merit personnel requirements of the Federal assistance or other programs to which personnel standards on a merit basis are applicable.

(2) Chief executives will maintain these certifications and make them available to the Office of Personnel Management.

(3) In the absence of certification by the chief executive, compliance with the Standards may be certified by the heads of those State and local agencies that are required to have merit personnel systems as a condition of Federal assistance or other intergovernmental programs.

(b) Resolution of Compliance Issues. (1) Chief executives of State and local jurisdictions operating covered programs are responsible for supervising compliance by personnel systems in their jurisdictions with the Standards. They shall resolve all questions regarding compliance by personnel systems in their jurisdictions with the Standards. Findings and supporting documentation with regard to specific compliance issues shall be maintained by the chief executive, or a personal designee, and shall be forwarded, on request, to the Office of Personnel Management.

(2) The merit principles apply to systems of personnel administration. The Intergovernmental Personnel Act does not authorize OPM to exercise any authority, direction or control over the selection,

Onslow County Personnel Policy

Appendix

Section: B: Federal Merit Personnel Standards



assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee.

(3) When a chief executive requests the assistance of the Office of Personnel Management, the Office will provide consultation and technical advice to aid the State or local government in complying with the Standards.

(4) The Office of Personnel Management will advise Federal agencies on application of the Standards in resolving compliance issues and will recommend actions to carry out the purposes of the Intergovernmental Personnel Act. Questions regarding interpretation of the Standards will be referred to the Office of Personnel Management.

[48 FR 9210, Mar. 4, 1983; 48 FR 10801, Mar. 15, 1983, as amended at 62 FR 33971, June 24, 1997; 62 FR 53223, Oct. 14, 1997]

§ 900.605 Establishing a merit requirement.

Federal agencies may adopt regulations that require the establishment of a merit personnel system as a condition for receiving Federal assistance or otherwise participating in an intergovernmental program only with the prior approval of the Office of Personnel Management. All existing regulations will be submitted to the Office of Personnel Management for review.

Pt. 900, Subpt. F, App. A Appendix A to Subpart F of Part 900—Standards for a Merit System of Personnel Administration

Part I: The following programs have a statutory requirement for the establishment and maintenance of personnel standards on a merit basis.

Food Stamp, Food Stamp Act of 1977, as amended; 7 U.S.C. 2020(e)(6)(B).; Employment Security (Unemployment Insurance and Employment Services), Social Security Act (Title III), as amended by the Social Security Act Amendments of 1939, Section 301, on August 10, 1939, and the Wagner-Peyser Act, as amended by Pub. L. 81-775, section 2, on September 8, 1950; 42 U.S.C. 503(a)(1) and 29 U.S.C. 49d(b); Grants to States for Old-Age Assistance for the Aged (Title I of the Social Security Act); 42 U.S.C. 302(a)(5)(A).1 ; Aid to Families with Dependent Children, (Title IV-A of the Social Security Act); 42 U.S.C. 602(a)(5); Grants to States for Aid to the Blind, (Title X of the Social Security Act); 42 U.S.C. 1202(a)(5)(A). 1; Grants to States for Aid to the Permanently and Totally Disabled, (Title XIV of the Social Security Act); 42 U.S.C. 1352(a)(5)(A). 1; Grants to States for Aid to the Aged, Blind or Disabled. (Title XVI of the Social Security Act); 42 U.S.C. 1382(a)(5)(A). 1; Medical Assistance (Medicaid), Social Security Act (Title XIX), as amended, section 1902 (a)(4)(A); 42 U.S.C. 1396(a)(4)(A); State and Community Programs on Aging (Older Americans), Older Americans Act of 1965 (Title III), as amended by the Comprehensive Older Americans Act Amendments of 1976, section 307 on October 18, 1978; 42 U.S.C. 3027(a)(4). Federal Payments for Foster Care and Adoption Assistance, (Title IV-E of the Social Security Act); 42 U.S.C. 671(a)(5).

Onslow County Personnel Policy

Appendix

Section: B: Federal Merit Personnel Standards



Part II: The following programs have a regulatory requirement for the establishment and maintenance of personnel standards on a merit basis: Occupational Safety and Health Standards, Williams-Steiger Occupational Safety and Health Act of 1970; Occupational Safety and Health State Plans for the Development and Enforcement of State Standards; Department of Labor, 29 CFR 1902.3(h). Occupational Safety and Health Statistics, Williams-Steiger Occupational Safety and Health Act of 1970; BLS Grant Application Kit, May 1, 1973, Supplemental Assurance No. 15A.; Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5196b), as amended; 44 CFR 302.4. [62 FR 33971, June 24, 1997]