



CANYON COUNTY EMPLOYEE HANDBOOK

WELCOME

Welcome to employment with Canyon County! We are excited you have chosen to work here and thank you for joining our team. At Canyon County our goal is to provide efficient and professional services to the citizens of our community. This is only accomplished by recruiting and retaining individuals skilled and experienced in their chosen line of work; who are motivated to succeed; promote a positive and welcoming work environment; and hold the highest level of integrity and ethical values.


We created this Handbook to provide guidelines and practices that reflect the values and principles we expect from all County employees. This Handbook is not intended to replace direct, regular communication. It is intended to be a readily available reference on matters concerning your employment and we trust you will find it useful.

Every day we see reasons to be proud of our accomplishments here and are particularly proud of the employees who have chosen to serve the citizens of Canyon County. We hope you find as much joy as we do in your career with Canyon County.

If you have questions, concerns, or believe yourself unable to comply with any provision of this handbook, please contact your supervisor or the Human Resource Director (HRD).



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1.0 INTRODUCTION AND PURPOSE

1.01 Introduction

The Board of County Commissioners (BOCC) believes in promoting an atmosphere of open communication and cooperation among our staff. This Employee Handbook reflects that philosophy and provides employees with an overview of current plans, policies, procedures and benefits. No handbook can be a complete or all-inclusive policy statement. Therefore, this Handbook should be considered a policy guide.

This Handbook supersedes and replaces in all respects any prior personnel manual, personnel rules, policy manual, benefits or practices of the County, except where Elected Officials (EOs) have adopted other written policy manuals or statements. If an EO has adopted a policy manual, this Handbook serves as a supplement to the EO's manual. Any conflict between an EO's policy manual or statement and the Canyon County Employee Handbook shall be resolved by the EO with the assistance of the Prosecuting Attorney (PA) and HRD.

The County and its EOs, at their sole discretion, expressly reserve the right to unilaterally and without notice amend, supplement, modify or eliminate one or more of the benefits, work rules or policies described in this handbook, at any time and for any reason, pursuant to Canyon County Ordinance No. 13-015, codified at Chapter 1, Article 5 of the Canyon County Code of Ordinances.

This Handbook does not constitute an expressed or implied contract of employment or warranty of any benefits. Unless expressly noted, nothing in this Handbook guarantees an individual's employment for a specified period of time or should be otherwise understood to limit authority of the County to terminate employment pursuant to the at-will doctrine.

1.02 Terminology

For purposes of this handbook, the following terms are defined:

The term “at will” refers to a legal relationship between an employer and employee where the employment is for an indefinite period of time and may be terminated by either party at any time with or without prior notice.

The term “employee” is any person who works in one or more Department or Office of Canyon County, and receives payroll compensation from the County.

The terms “supervisor” and “manager” refers to any employee who has official supervisory duties over one or more employees, including the authority to influence employment status of those employees.

The term “Department Administrator” (DA), refers to those non-elected, but appointed officials that work directly under the BOCC, and who have direct oversight of a Canyon County Department. The term “district court employees” refers to employees for whom supervisory authority and legal responsibility are vested in the State of Idaho and/or Idaho’s Third Judicial District and/or the Clerk of the Court acting as a judicial officer. The hourly wage or salary and benefits for district court employees are paid through County process at the direction of the Third Judicial District as a ministerial and administrative matter. Application of this Handbook to district court staff is at the discretion of the supervising entity.

The term “Elected Official” (EO), refers to those individuals elected into County office by popular vote. Pursuant to Idaho law, EOs include the three members of the BOCC, the Assessor, Clerk/Auditor/Recorder, Coroner, Prosecuting Attorney, Sheriff, and Treasurer. Employees and taxpayers expect that Elected Officials to conduct business in an ethical manner that meets or exceeds this employee handbook.

Departments are creations of the BOCC and exist as manifestations of statutory or constitutional authority of the BOCC to conduct County business. Offices are constitutionally

created organizations led by an EO. The terms “office” and “department” may be used interchangeably throughout this Handbook for grammatical convenience and should not be understood as referring to different types of legal entities.

1.03 At-Will Employment.

Unless expressly documented in a mutually signed contract or other writing authorized by the BOCC, all County employees are employed on an at-will basis. This means that the employee may voluntarily terminate employment with the County for any or no reason at any time, with or without notice, and the responsible EO or Department Administrator (DA) may terminate the employee’s employment for any lawful reason, with or without cause.

Nothing in this Handbook guarantees employment for a specified period of time or should be otherwise understood to limit the authority of the County to terminate employment pursuant to the at-will doctrine. No EO or DA or other supervising authority may, without express written approval of the BOCC, offer or imply to any employee a benefit or advantage that changes in any material respect the fundamental at-will nature of the employment relationship between the employee and Canyon County. Any statement or writing that would appear to modify the at-will nature of employment with the county that does not include an express written approval of the BOCC is void.

1.04 Benefits Entitlements.

PERSI: Canyon County is a participating employer in the Public Employee Retirement System of Idaho (PERSI). Eligibility for PERSI benefits is governed by state law and is not governed by the Canyon County Employee Handbook. Consult with PERSI for more information.

<https://www.persi.idaho.gov/>. Part-time employees who work between 20 and 29 hours per week may be eligible for PERSI benefits on a pro-rata basis.

Vacation-Sick-Benefits: County DA's and regular full-time employees are eligible for vacation, sick leave, medical/dental/vision insurance, and retirement benefits. EOs receive insurance and retirement benefits but do not receive vacation and sick leave.

1.04.01 Look Back Measurement Method.

Full-time status of an employee during a future period (referred to as the “stability period”), is based on the hours of service of the employee in a prior period (referred to as the “measurement period.”). Under this method the County looks back over the measurement period to determine if the employee averaged at least 30 hours per week. This option is available only when it cannot be determined that the employee will be employed on average at least 30 hours per week; an employer may not use the look-back method for employees who are hired to work full time and who are reasonably expected to work full time (30 or more hours per week).

Per guidelines in the Affordable Care Act (ACA), temporary and seasonal employees working an average of 30 hours per week in any given month may be eligible for health care benefits as defined by the County's “Look Back Period” but will not receive fringe benefits such as vacation or sick leave.

Please contact HR for answers to specific questions about this section.

1.05 Excluded Employees

The following persons and employees, in consideration of their elected, appointed, exempt, or unpaid status; nature of duties; or, hours allowed to work, are excluded from application of certain policies contained in this handbook. Such exemptions are noted within the applicable policies.

1. Elected Officials (EOs).
2. Chief Deputies appointed by EOs.
3. Department Administrators (DAs) appointed by the BOCC.

4. Part-time employees (less than 30 hours per week) and temporary and seasonal employees.
5. Deputy Prosecuting Attorneys and Deputy Public Defenders.

1.06 Mission

It is important for the County, its employees, appointees, and EOs to embrace the highest ideals of ethical behavior. We are proud that these policies identify the values and ethical provisions we believe necessary to maintain and enhance the public trust. Trust is integral to our mission of public service; that is, trust with the public we serve, trust between EOs and the employees who work here, and trust between each of the employees as we carry out our daily responsibilities. Each day, we must all strive to meet the values of honesty, integrity, respect, responsibility, and good citizenship.

1.07 Vision/Objectives

Canyon County believes that its interests and the interests of the employees are bound closely together. We believe in dealing with people honestly and in an atmosphere of mutual trust and respect. Inherent in this philosophy are certain shared responsibilities. Among these is humane and consistent treatment of employees where similar circumstances exist, regular work attendance, a strong work ethic, a safe work environment, maintaining public trust, high quality services and office integrity. The effort, ideas, and enthusiasm that spring from people working together are the surest way to build a sound organization with greater personal benefits for everyone. These policies are designed to provide the framework within which each employee is encouraged to attain their full potential.

1.08 Values/Ethics

All employees and EOs are representatives of Canyon County. As such, all individuals are held to the highest ethical standards. Every position in Canyon County employment is service-oriented and the community we serve expects employees and officials to make ethical decisions.

The following core values have been adopted by the Board of County Commissioners and provide a framework for good government and sound decision making as it relates to Canyon County and its residents.

1. **Transparency** is open governance and clear communication, embracing honesty, accountability, and integrity.
2. **Respect** is recognition of each individual's value, experiences, and opinion.
3. **Unify** is a dynamic, dignified process of coming together that seeks best possible outcomes with gratitude for each contributor.
4. **Service** is excellence in government through service-oriented leadership that benefits the community.
5. **Teamwork** is commitment to involve individuals or groups to achieve a shared goal and to cultivate positive experiences.

1.09 Applicability and Scope

The policies contained in this Handbook have been voluntarily adopted by all of the County EOs. This Handbook governs applicable County employees except as the policies may be superseded by any agreement the County has entered into with a third party or by the policies created by an EO governing his or her Office. All employees, except those specifically excluded, are subject to the policies contained within this policy handbook.

1.10 Office or Department Handbooks

Any EO may issue operational guidelines for his or her Office in the form of department handbooks or standard operating procedures. Any conflict between this County Handbook and the Office Handbook shall be resolved by the EO in accordance with state and federal law after consulting the PA and HRD. Any policy or Handbook that grants or implies a financial or legal obligation against the County must be approved in writing by the BOCC to have effect. No EO or DA or other supervising official can offer, whether expressed or implied, any employee a benefit or advantage that changes, in any material respect, the fundamental at-will nature of the employment relationship between the employee and Canyon County.

1.11 Administrative Responsibilities

The general management of operations for the County is the responsibility of the EOs. Each EO has the right and the responsibility to:

1. Direct employees within their Office.
2. Hire, promote, coach, reassign, and retain employees in positions within their Office and act as necessary to suspend, demote, discharge or take other disciplinary action against employees within their Office.
3. Lay-off employees for any of the reasons set forth in Section 11.04.
4. Maintain the efficiency of the government operations legally entrusted to or required of the Office.
5. Determine the methods and staff by which such governmental operations are to be conducted subject to the budgetary limitations set by the BOCC.
6. Take the necessary actions to carry out the lawful assignments of the Office.

1.12 Human Resource Director

The BOCC shall appoint a Human Resource Director (HRD). The HRD shall assist the EOs and DAs in the administration of the employee system. The HRD shall also perform those duties and technical activities as required by County policy, the BOCC, and state and federal laws.

All employment decisions are the responsibility of the relevant EO, subject to review by the PA for legality. The EOs and appointed DAs shall be assisted by the HRD. The HRD shall coordinate the Human Resource (HR) management system which shall include, but not be limited to:

1. A system of employee performance evaluation management.
2. Notification of vacancies, recruitment and selection processes.
3. Employee training and discipline procedures.
4. Maintenance of all HR records.
5. Maintenance of employment documents dealing with promotions, demotions, suspensions and terminations consistent with established policy and procedure guidelines.
6. Assist in developing and recommending policies, procedures, rules and regulations.
7. Employee benefits plans and programs and disclosure of information concerning benefits to employees.
8. Review all new job descriptions or modifications of current job descriptions.
9. Review all salary requests, new hires, promotions, and increases to ensure compliance with the County compensation plan.
10. Other actions as prescribed or intended by County policies, regulations, policies and procedures.

1.13 Legal Advisor

The PA is the legal advisor for the County and the EOs. The PA shall provide legal guidance upon EO request, including advice to DAs at BOCC direction, concerning the operation of the employment system in order to ensure compliance with state and federal law.

1.14 Severability and Savings Clause

If any provision of these policies and procedures or the application thereof is found to be in conflict with any state or federal law, the conflicting part is hereby declared inoperative to the extent of the conflict, but such conflict shall not affect the operation of the remainder of these policies and procedures or any of their application.

1.15 Distribution of Handbook

The Canyon County Employee Handbook is available on the County Employee Portal <https://portal.canyonco.org/home/> and physical copy may be accessed in the HR's department. County employees are strongly encouraged to access this Handbook through electronic means, thereby ensuring all individuals have access to the most current and complete version, as well as conserving resources. The original Handbook is maintained and stored in HR, under the direction of the BOCC. Employees should consult and rely only upon these digital copies of the Handbook maintained by HR.

1.16 Changes to the Handbook

Changes to the Handbook are required occasionally, as necessitated by state or federal law, or as mandated by the BOCC. Notice of Handbook changes will be sent to all employees electronically via email and postings on the County Intranet and Internet sites. The County has the right to unilaterally change the Handbook at any time or for any reason.

2.0 RELEVANT EMPLOYMENT LAWS

It is Canyon County's policy to comply with all applicable federal, state, and local laws. This includes, but may not be limited to, the following relevant employment laws and principles.

2.01 Equal Employment Opportunity (EEO)/Title VII Policy Statement

Canyon County is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. Canyon County strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including gender, pregnancy, sexual orientation, and gender identity), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, other protected classes recognized by applicable state and local law, or any other characteristic protected under applicable federal, state, or local law. All Canyon County employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

2.02 ADA & ADAAA

It is the policy of Canyon County to comply with all federal and state laws concerning the employment of persons with disabilities, including the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendment Act (ADAAA) and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is County policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Individuals who are currently engaging in the illegal use of drugs are excluded from coverage under the County ADA/ADAAA policy.

2.02.01 Requesting an Accommodation as an Applicant

The County will provide reasonable accommodations to applicants and employees who need them for medical or religious reasons, as required by law. Individuals who need reasonable accommodation to complete an application, interview or test should notify HR or the hiring manager at his/her earliest convenience so the County can assist the individual in the application, hiring or testing process.

When an individual with a disability is requesting accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, the individual will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

02.02.02 Requesting an Accommodation as an Employee.

An employee needing accommodation should submit a request, either verbally or in writing, to his/her supervisor, EO or the HRD. The employee may be asked to complete an accommodation form which gives the County enough information to determine if the employee qualifies under the ADA.

The County will engage in an interactive process with the employee, supervisor and/or EO, and the HRD by requesting additional information from the employee, and, with employee consent, his/her health care provider to determine what accommodations are reasonable to enable the employee to perform the essential functions of the position. If the employee fails to provide the requested information, the request for accommodation may be denied or delayed pending the receipt of the requested information.

When an individual with a disability is requesting accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, every effort will be made to accommodate the employee. Requests for accommodations that are deemed unreasonable or create an undue hardship on the County may be denied. It is strongly recommended all accommodation requests be reviewed by HR.

Any actions taken by the County, whether or not identified as an “accommodation”, to assist a person with a qualifying disability to perform the essential functions of their job will be considered an accommodation for purposes of the ADA. Any action so taken should immediately be reported to HR. Failure to report an accommodation does not change its status.

2.03 Immigration Reform and Control Act (IRCA)

In conformance with the "Immigration Reform and Control Act of 1986", as amended, and in order to avoid monetary penalties for hiring undocumented workers, the HRD shall establish an employment verification system. HR shall verify all persons hired to fill vacant positions are authorized to work in the United States. In compliance with immigration law and as a condition of employment, each new employee shall complete or have completed U.S. Citizenship and Immigration Services (USCIS) Form I-9 before or by the end of a hired employee's third day of work. Former employees who are rehired must also complete the I-9 form if they have not completed an I-9 with Canyon County or if their previous I-9 is no longer valid or retained. HR shall verify work eligibility through examining employee-provided documents approved by the USCIS, such as a U.S. Passport, birth certificate, social security card, driver's license, an alien identification document, or any other authorized document or combination of documents which satisfies said law.

HR will not seek additional documentation once approved valid form(s) of documentation have been presented and reviewed. Canyon County participates in E-Verify to help confirm the identity and employment authorization of newly hired employees by electronically matching information provided by employees on the I-9 form against records available to the Social Security Administration and Department of Homeland Security.

2.04 Age Discrimination in Employment Act (ADEA)

All County employees are expected to abide by the provisions of the Age Discrimination in Employment Act (ADEA), which prohibits discrimination of an employee or applicant who is at least 40 years of age. This includes all aspects of employment, including: hiring, termination, promotion, lay-off, compensation, benefits, schedules, leave availability or accrual, and retirement.

2.05 Equal Pay Act (EPA)

Canyon County believes that employees have the right to be free from discrimination in their compensation as protected under the Equal Pay Act of 1963 (EPA), which requires that men and women be given equal pay for equal work in the same establishment. Per EPA requirements the jobs are not required to be identical but they must be substantially equal. Job content as defined by County job descriptions or actual practice, and not job titles, determine whether jobs are substantially equal.

It is the responsibility of the EO, with assistance from the HRD, to ensure men and women in that EO's department are treated fairly and do not suffer discrimination under the EPA.

2.06 Genetic Information Nondiscrimination Act (GINA)

All County employees are expected to comply with the Genetic Information Nondiscrimination Act (GINA) which prohibits discrimination on the basis of information derived from genetic tests. GINA prohibits employers from collecting and using employees' genetic information and from

discriminating against employees in hiring, firing or any other terms and conditions of employment based on a worker's genetic information.

2.07 Fair Credit Reporting Act (FCRA)

The Fair Credit Reporting Act (FCRA) restricts access to consumer credit information to only those who have a legitimate need for the information and only with written consent of the employee or applicant whose records are being requested. Canyon County will only review credit information of applicants and employees in certain County positions, as allowed by law. If such information is accessed, the individual will be notified of his/her rights under the FCRA.

2.08 Fair Labor Standards Act (FLSA)

Canyon County will comply with all provisions of the Fair Labor Standards Act (FLSA), which establishes the federal minimum wage, overtime pay, recordkeeping and child labor laws. Posters outlining an employee's rights under the FLSA can be found in break rooms and other public employee areas.

2.09 Uniformed Services Employment and Reemployment Rights Act (USERRA)

Canyon County is committed to protecting the job rights of employees related to military leave. USERRA applies to persons who perform duty, voluntarily or involuntarily, in the uniformed services, which include the Army, Navy, Marine Corps, Air Force, Coast Guard, and Public Health Service commissioned corps, as well as the reserve components of each of these services. Federal training or service in the Army National Guard and Air National Guard also gives rise to rights under USERRA. In accordance with federal and state law, it is the County's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied initial employment, re-employment,

retention in employment, promotion, or any benefit of employment on the basis of a past, present, or future service obligation. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or County policy. If any employee believes he or she has been subjected to discrimination in violation of County policy, the employee should immediately contact his/her EO, the PA, or the HRD.

Employees on military leave are eligible for various benefits under this policy. Military leave includes absences by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service.

Employees requesting leave for military duty should contact their EO, or their designee, and HR to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employees' rights while on leave, and job restoration upon completion of leave, contact HR.

2.10 Lactation Policy/Nursing Mothers' Policy

As part of the County's employee policies and benefits, Canyon County supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. The provisions of this Lactation Policy meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn. A reasonable break time is defined as enough time for the mother to lactate and is not limited to a traditional 15-minute break. Breaks of more than 15 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

The employee is required to give written notice of her intent to express breast milk at work to her supervisor, DA or EO ten business days prior to beginning the lactation breaks. Several Lactation rooms have been designated by the County. Employees should contact their supervisor, DA or EO and HR to locate an appropriate room in her area. Lactation rooms should be clean, private area with a door that locks and is not accessible to the public. Restrooms are not intended to be used as lactation rooms. Employees who work off-site or in other locations will be accommodated with a private area as necessary. Please contact HR for assistance in identifying an appropriate space, for a list of designated rooms, or with any concerns.

2.11 Reporting Violations of Employment Laws

Violations of state and federal employment laws are very serious for Canyon County and its employees; which can result in the loss of time, reputation, and considerable expense. As a result, violations may require disciplinary action, up to and including termination. Canyon County employees are required to report any known or suspected violation of state or federal laws to an appropriate manager or official of the County, including an EO, the PA, or the HRD. Employees are encouraged, but not required, to rely upon the conflict resolution process outlined in Section 10.04 to facilitate such communication.

The employee who reported the violation may be asked to participate in an investigation if deemed necessary. Every effort will be made to maintain a reporting party's privacy. Employees who report violations of these laws will not be subject to retaliation or reprisal of any kind, if the complaint is made in good faith and with a reasonable belief that a violation has occurred.

2.11.01 Whistleblower

A whistleblower is any employee who in good faith communicates the existence of any waste of public funds, property or manpower, or a violation or suspected violation of a law, rule or

regulation. Canyon County is committed to high standards of ethical, moral, and legal business conduct. In line with this commitment, the County requires any employee who is aware of illegal or unethical activity to immediately report such activity to his/her supervisor, DA, EO, the PA, or the HRD.

Canyon County commits to investigating all reported activity to the extent deemed necessary to reach a reasoned and factually supported conclusion. The County will strive to keep the identity of the individual confidential, to the extent possible. However, an employee's identity may be disclosed to conduct a thorough investigation and to comply with the law.

Canyon County will not take adverse action against an employee who in good faith reports a violation of County policy, or state or federal law. An employee who intentionally files a false or frivolous report of wrongdoing may be subject to discipline, up to and including termination.

2.11.02 Retaliation

Retaliation against an employee who reports a violation of any County policy, or state or federal law, or who participates or cooperates in an investigation, is strictly prohibited and will not be tolerated. Retaliatory acts may include but are not limited to: unwarranted changes in job assignments or duties, related negative treatment by management or unaddressed negative treatment by coworkers, or unsubstantiated negative performance appraisals. Retaliation does not include disciplinary actions taken against an employee for performance issues not related to the violation complaint or investigation when such discipline is not intended as retaliation, nor does it include disciplinary action taken against an employee for making a false claim or a claim in bad faith.

Any employee who feels he/she has been retaliated against should report it immediately to his/her supervisor, EO, the PA or HRD. Reports of retaliation will be promptly referred to the PA

for potential investigation. Reports of retaliation by the PA will be referred to outside counsel for potential investigation where a conflict is identified and cannot be appropriately remedied. Disciplinary action, up to and including termination, may be taken against anyone who violates this policy.

2.11.03 Reporting

Any employee wishing to report a violation of any law or right outlined in Section 2 is directed to follow the grievance process found in 10.04. Failure to do so will be considered a failure to exhaust the administrative process.

3.0 EMPLOYMENT

3.01 Competitive Recruitment Process

The County strives to maintain a competitive recruitment process by posting jobs internally and externally. Applications are only accepted for jobs currently vacant and open for recruitment. First consideration in filling a vacancy may be given to qualified County employees. HR may also recruit from the open labor market. While competitive recruitment is the preferred method for Canyon County, there may be occasions when an EO, the EO's designee or a DA will request a direct hire without the benefit of posting an announcement or otherwise following the guidelines established in this Section. This will only be done after consulting with the HRD.

3.02 Employment of Relatives

No EO, DA, or supervisor shall appoint, transfer or vote for the appointment of a first or second degree relative to any position within the department or office under the jurisdiction of that EO, DA, or supervisor. In the event a newly elected EO currently has a relative working under the related EO's authority, that employee is considered "grandfathered" for purposes of this policy. Appointments made in violation of this policy may violate Idaho law.

A first degree relative is defined as a father, mother, husband, wife, son or daughter, or in-laws of the same relation. A second degree relative is defined as a sister, brother, grandparent, grandchild, or in-laws of the same relation.

Employment of relatives may foster a culture of mistrust, suspicion, unfair employment practices and, in some cases, discrimination, whether real or perceived. It is the policy of the County that any employees, within two degrees of relation as defined above, related by birth, marriage, adoption or legal guardianship shall not work in the same department or section of an EO's office concurrently.

This means that any applicants having relatives in the first or second degree currently working for the County will be ineligible for employment in the same department or section. The applicant may be eligible for employment in other County departments or sections. No EO or DA shall appoint or transfer a grandfathered employee to any other department or section where an employed relative is currently assigned. In no event shall an employee have direct supervisory authority over a related employee.

Temporary and seasonal positions may be filled with relatives of current County employees with the exception of relatives of EOs, DAs or the hiring manager.

3.03 Recruiting for New and Vacant Positions

3.03.01 Recruiting

Hiring and promotional decisions affecting applicants and current employees shall be on the basis of their qualifications and perceived ability, knowledge and skill levels related to the vacant position.

3.03.02 Disqualification

The EO or DA may reject any application which indicates the applicant does not possess the minimum qualifications required for the position or if the applicant submits an incomplete application packet. Applicants and subsequently hired applicants who make false statements or who are found to have engaged in any type of deception or fraud in the application, hiring or testing process may be disqualified, removed from eligibility roster(s) or immediately terminated. Applicants with access to areas containing federally protected criminal history information must meet the criteria established by the Federal Bureau of Investigation's (FBI) Criminal Justice Information Services (CJIS) Security Policy. See 03.06.03.

3.03.03 Promotions

Promotions are discretionary by EOs and DAs and may be made by whatever means deemed appropriate by the EO or DA, so long as the basis of the decision is consistent with Section 2.01 (EEO Policy) and there are funds in the budget to support such promotion.

3.03.04 Eligibility Roster(s)

EOs and DAs may, but are not required to, create eligibility rosters. Applicants for a position who meet the minimum qualifications may be given notice of placement on the County eligibility roster if one exists for the position. Applicants desiring to review and inspect test scoring totals must request the review within five days of being notified of their rank on the roster. Recruitment for positions which require essentially the same knowledge, skills, and abilities may utilize existing rosters. When considering use of established rosters, the EO or DA shall make the determination regarding job similarity.

3.04 Selection Process

Upon closing the recruitment, the EO or his/her designee, or DA, subject to Section 3.03.01, shall review all applications and may establish a certified roster of eligible applicants based upon an evaluation of the applicant's education, training, experience, related qualifications and/or testing. The EO or DA shall then conduct interviews and/or employ various selection criteria or other tests to determine the best candidate for the position.

Upon completing the selection process and appropriate referencing, the EO or DA shall submit the name(s) of the top candidate(s) for the position to HR to conduct a background check, as appropriate. If the applicant successfully passes the background check, HR shall review, set, and approve the salary for the position and a final offer may be extended to the applicant.

If a current County employee is applying for a vacant County position, the hiring EO or DA shall have access to that employee's official employment records to review to determine the best candidate for the position. The application for a vacant position will be considered by the County as a written release for those records at the time he/she makes a new application. Employees who do not wish for their official employment records to be considered must provide a written explanation to the HRD as to reasons for their refusal. A refusal, if unwarranted, may be used to disqualify an applicant from consideration.

3.05 Competitive Testing

Applicants may be subjected to competitive testing which may include but not be limited to rating of education and experience, written, oral or physical tests, and/or background investigations. HR shall assist departments in the development and selection of screening and testing methods that comply with established laws and policy. HR may establish and/or modify interview formats as needed to accommodate the circumstances and expedite the selection process. Such circumstances may include but not be limited to initial screening, oral interviews, and promotional interviews. HR, at the request of the EO or DA, may also shorten or lengthen the selection process to include or exclude any selection requirement deemed appropriate, subject to prior legal review and notice to the applicants in the selection process.

3.06 Offers of Employment

Conditional offers of employment may be extended pending the successful completion of the background check. The offer will be confirmed or rescinded according to the results of the background check. Unconditional offers of employment should not be extended prior to the successful completion of a background check.

Offers of employment may only be extended by the EO, DA or his/her designee.

3.06.01 Background Checks

A general background check is required for all County positions.

The County may conduct background checks on job applicants and employees concerning references and prior employment, as well as educational, criminal, and credit history, to the extent deemed necessary to confirm accuracy of applicant and employee credentials, and as permitted by federal, state, and local laws. The County will determine the nature and scope of the background check. The background check will be consistent with the needs of the job applicant's or employee's position.

The County will ask job applicants or employees to sign a consent form authorizing the County to conduct a background check. The County will not require disclosure of a job applicant's criminal record or criminal history before the County has selected the applicant for an interview or, if there is not an interview, before the County has given the applicant a conditional offer of employment. This policy does not apply to offices or departments that have a duty to conduct a criminal history background check or otherwise take into consideration a potential employee's criminal history during the hiring process. The County will use all information obtained during background checks solely for evaluating job applicant's or employee's suitability for employment with the County.

If job applicants or employees refuse to sign the consent form, the County may no longer consider job applicants as candidates for employment or employees may be subject to discipline, up to and including termination. If the County discovers that job applicants or employees falsified or omitted information on consent forms, job applicants may be denied employment and employees may be subject to discipline, up to and including termination.

3.06.02 Background Checks for Contractors

Background checks conducted by either the County, third party, or a state agency may be performed on all contractors who are hired to work in County buildings, on County premises, or who need independent access to any County buildings or premises. Background checks must be completed prior to access to the Courthouse or other County property. If the background check has been conducted by a third party or state agency, a copy of said background check must be delivered to HR prior to access.

3.06.03 CJIS Screening

Federal law requires Canyon County to conduct appropriate screening of all County employees who have or may have physical or logical access to unencrypted Criminal Justice Information (CJI) no later than the first day of employment or assignment to a position where access is probable. Canyon County requires all applicants applying for positions where access to CJI is probable to be pre-screened and pass the CJIS screening prior to beginning employment. Appropriate screening includes submission of a completed fingerprint card to the FBI through the state identification bureau. For more information on CJI screening, contact Canyon County Sheriff's Office (CCSO) or HR.

3.07 Employment Classification Categories

All employees of Canyon County, including district court staff, are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employee status and benefit eligibility. These definitions are not intended to be all-inclusive, but rather a summary. Employees are encouraged to visit the Department of Labor Wage and Hour Division at www.dol.gov for further information regarding Fair Labor Standards Act (FLSA) exemptions or contact HR.

These classifications do not guarantee employment for any specified period of time. The right to terminate at-will relationships at any time is retained by both the employee and Canyon County.

Non-exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA) wage and overtime requirements. The FLSA requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a work week. At the discretion of the EO or DA, and as budgetary monies allow, employees may be given compensatory time off in lieu of cash compensation (please refer to Section 4.03).

Exempt employees are generally managers or professional, administrative or technical staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet standards and criteria established under the FLSA by the Department of Labor (http://www.dol.gov/whd/regs/compliance/fairpay/fs17g_salary.htm).

It is the responsibility of the HRD, working with the EO and the PA, to determine exempt or non-exempt status of County positions.

Canyon County has established the following categories for both non-exempt and exempt employees:

1. Regular, Full-Time: Employees who are not in a temporary or seasonal status and who are regularly scheduled to work the County's full-time schedule of at least 30 hours per week. Generally, these employees are eligible for a full-time benefits package, subject to the terms, conditions and limitations of each benefits program, plan or policy.
2. Regular, Part-Time: Employees who are not in a temporary or seasonal status and who are regularly scheduled to work a maximum of 19.5 hours per week. Regular, part-time employees are eligible for some of the benefits offered by the County subject to the terms,

conditions and limitations of each benefits program. NOTE: Regular part-time employees shall not be scheduled to work more than 19.5 hours per week without express written approval from the EO. If a part-time employee works more than 19.5 hours in a week they are required to participate in the mandatory PERSI retirement system adopted by the County.

3. Temporary, Full-Time: Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the County's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. NOTE: Temporary employees who work more than 30 hours per week and/or longer than five consecutive months may be eligible for some of the benefits offered by the County, according to federal and state laws. Temporary full-time assignments shall not be extended beyond five consecutive months without express written approval from the EO.
4. Temporary, Part-Time: Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the County's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. NOTE: Temporary part-time employees who work more than 19.5 hours per week and longer than five consecutive months will be required to participate in the mandatory PERSI retirement system adopted by the County.

3.08 Physical Examination Testing

Public health and safety demand that employees be physically able to perform the duties of the job to which hired, with or without reasonable accommodation. Physical requirements of the job may constitute bona-fide occupational qualifications.

A physical examination may be required as a condition of employment, after a conditional job offer has been made, but before an applicant is hired to any County position. The County may require a physical examination at any time during the employee's work tenure, if deemed necessary to assure the safety and health of the employee, co-workers, or the public.

The County will pay for the cost of any required medical examination. As one of the requirements in the selection process, candidates for any position may be required to test for the presence of alcohol and chemical substances in the blood. Subject to state and federal laws, any applicant who tests positive may be denied employment.

3.09 Orientation

New employees shall receive a general orientation from HR concerning benefits and County policies and procedures. The EO, or his/her designee, or DA shall also orient the new employee to such topics as performance standards, performance management processes, scheduling, hours, break periods, and safety and security practices.

3.10 Reemployment

When a former County employee is reemployed with the County, no previous leave balances will be reinstated. However, previous service with the County will be considered in determining length of service under Section 5.01.02.

3.11 Veteran Preference

Qualified military veterans may be eligible for a veteran's hiring preference pursuant to Idaho Code Title 65, Chapter 5, as amended.

4.0 COMPENSATION AND EMPLOYMENT RECORDS

4.01 Compensation

In accordance with Idaho Code, the BOCC shall establish, with the advice of the relevant EO, the compensation for each employee. Salary for any given position is subject to the annual budgetary process and as such may remain the same for any fiscal year period.

4.01.01 Overtime

It is the policy of the County to avoid unnecessary overtime work. When overtime is necessary to protect the lives and property of the citizens of Canyon County and for the efficient operation of the various offices or departments of the County, such overtime may be authorized by the EO or his/her designee or DA. All overtime work must be approved in advance by the EO or his/her designee or DA and reported on the County's time reporting sheet.

Overtime is generally defined as time worked beyond and in excess of the 40 hours permitted in the designated work period as provided by the Fair Labor Standards Act (FLSA.) The BOCC, after consultation with the EOs, shall designate the work day, week or period for each department. The BOCC may, by written order, adopt a work period for some departments in accordance with the provisions of 29 U.S.C., Section 207 (k), as amended.

Overtime shall be compensated at the rate of 1.5 hours for every hour worked in excess of the maximum hours of work in the employee's work period. At the discretion of the EO or DA, the employee may be given compensatory time off at the rate of 1.5 hours for each hour of overtime worked, in lieu of monetary compensation. See Section 4.03 for additional information regarding compensatory time off.

4.02 Travel Time

Per County policy and the FLSA, time spent traveling to and from work is considered “commuting” time not work time, and is not payable to the employee. However, when an employee travels from one work site to another that time is considered work time and should be included on the employee’s timesheet.

Travel that keeps an employee away from home overnight is travel away from home. Time spent as a passenger on an airplane, train, automobile, or public transportation occurring outside of an employee’s normal work hours is not considered work time under the FLSA, but can be considered work time when in the best interest of the County or office and at the discretion of the EO or DA. Employees are expected to do productive County work while traveling as a passenger to justify the designation as work time.

Work assignments that require an employee to stay out overnight will qualify for expenses but no time will be compensated beyond appropriate travel time and actual hours worked in accordance with FLSA rules and County policy.

4.03 Compensatory (“Comp”) Time

Employees who accrue overtime under the FLSA may take compensatory (“comp”) time off in lieu of overtime compensation, upon advance approval of the EO, DA or his/her designee. Comp time will accrue at the rate of 1.5 hours for every one hour worked in excess of the maximum hours of work in the employee's work period.

Employees may accrue a maximum of 40 hours with the approval of the EO or DA. Comp time must be recorded in the County payroll system and reported at the time it is accrued.

Employees shall be permitted to use accrued comp time within a reasonable period after making a request if the use of the comp time does not unduly disrupt the operations of the office

or department. Employees are required to use comp time balances before using vacation hours. Employees are to make every effort to use comp time balances in the fiscal year it was accrued. Compensatory time balances above twenty (20) hours that are not used by the end of the fiscal year will be paid out and cannot be carried over.

Employees will be paid out comp time balances upon transfer to a salaried (FLSA exempt) position or upon separation from County employment. Upon said transfer or separation, employees shall be paid for the unused compensatory time at a rate of compensation not less than the average regular rate received by such employee during the last three years of the employee's employment, or the final regular rate received by such employee, whichever is higher.

4.04 Time Records

All County employees are required to maintain true and correct time records and to follow departmental procedures regarding the reporting of work, vacation and sick hours. Employees must fill out their own timecards unless permission is given in writing to his/her supervisor to do so on his/her behalf. This includes employees who are on extended medical (FMLA) or personal leave as well as employees whose regular employment limits access to computers. Offices and departments are encouraged to facilitate employees filling out their own time sheets.

In the event an employee is incapacitated and unable to give written or oral permission, the employee's supervisor, DA, or EO, or a designee from HR may complete a timesheet on the employee's behalf, noting such circumstance, as well as any changes and/or approvals in the note section of the timesheet. Sick and vacation leave balances (or comp time if applicable) will be used to make a pay period whole, as allowed by law. Employees should, upon their return to work immediately report any issues with the designation made on their behalf.

It is the employee's responsibility to ensure timesheets are accurately completed and submitted on time, even when on personal leave. Failure to timely submit an accurate timesheet may be grounds for discipline.

4.05 Paydays

All County employees are paid bi-weekly; every other Friday. Paychecks are issued on Friday. If a payday falls on a holiday, paychecks will be issued on the last workday immediately before that payday. Direct deposit is strongly encouraged. For those who receive paper checks, the checks are mailed to the home address provided by the employee.

4.06 Pay Advances

Canyon County does not allow pay advances to any employee, DA or EO.

4.07 Payroll Deductions

Employee paychecks will reflect the employee's total earnings for that pay period, as well as mandatory and voluntary deductions. Mandatory deductions are state and federal taxes that Canyon County is required by law to withhold. Voluntary deductions are those the employee approves to be deducted, such as insurance premiums.

In the event of a lost or incorrect paycheck, the employee must notify HR as soon as possible and in writing before a replacement check can be issued or corrections made. If an employee's marital status or the number of exemptions previously claimed increases or decreases, it is the responsibility of the employee to promptly submit changes to their Form W-4 online or notify HR for assistance. It is the responsibility of the employee to review his/her paycheck each payday to ensure the tax deduction is as desired.

4.08 Employment Records

The official employment records of each employee shall be kept in HR in a confidential file that can be inspected for employees in their line of supervision by EOs, Chief Deputies, DAs, or an EO's designee. The PA may inspect or copy an employee's employment record to facilitate their duty to defend against suits or to advise an EO or DA on any employment matter. These files may also be released by the PA or HR to attorneys retained by the County or the County's insurers in order to facilitate the defense of claims against the County. These records, which belong to the County, shall contain, as appropriate:

1. Record of application for employment and employment eligibility certification.
2. Performance evaluations.
3. Formal commendations, reprimands or corrective actions.
4. Records of actions affecting employee salary, status or standing.
5. FMLA Records: It shall be the responsibility of the EO, DA, or designee, or HR upon request of the EO or DA, to maintain records of all FMLA leave used by each employee.
6. ADA records, including documentation of interactive processes and accommodation efforts.
7. Any other information deemed appropriate by the EO to be placed in the file.

The County will, upon written request and three business days' notice, supply the employee with a copy of any document in the employee's file. As governed by law, an employee has the right to review the contents of his or her HR record and request amendment thereto. See Idaho Code Section 74-113. Information regarding duration of employment, position or title, and salary of government employees are considered public record under Idaho law and is available to the public upon request.

When a disciplinary action is rescinded or disapproved upon appeal, all forms, documents and records pertaining to that action shall be removed from the HR employment record. Records of rescinded or disapproved disciplinary actions shall be maintained in a separate sealed file as established by the EO and HR.

When completing requests for verification of employment or responding to reference checks on previous and current employees, the County will respond as permitted by Idaho law. Generally, all records related to employees shall be retained for a minimum of ten years following termination of employment.

5.0 LEAVES

5.01 Vacation

5.01.01 Policy Statement

Vacation leave is for the purpose of rejuvenating both physical and mental faculties and all employees are urged and expected to avail themselves of vacation leave periods. Efforts will be made to accommodate the preference of the employee in taking vacation leave, but first priority will be the orderly functioning of the department. Absences from work, except those involving disciplinary proceedings, workers compensation leave, comp time, civil leave, unpaid military leave, subsidized military leave, or absence of leave without pay, will be deducted from vacation leave accumulations. Vacation leave shall not accrue to any employee on leave without pay, unpaid military leave, suspension without pay, or who has been laid off.

Regularly scheduled days off and officially designated holidays falling within a period of vacation leave shall not be counted against vacation leave. Vacation leave shall not be taken in advance of being earned and shall only be taken in pay periods subsequent to being earned. Upon separation of employment with the County, compensation for the employee's unused vacation leave is included in the employee's final paycheck. Vacation time may not be used to delay the date of separation.

Any employee suspected of abusing the vacation leave policy may be subject to discipline, up to and including termination.

5.01.02 Regular Accrual Rates

Accrual Rates for Regular, Full-time Non-exempt Employees: Eligible regular, full-time hourly employees accrue vacation leave are as follows:

Year(s) of Service	Accrual Rate	Days Per Year
From first completed full-time pay period (80 hours) through year 5	3.08 hours per 2 week pay period	10
Over 5 through 10	4.62 hours per 2 week pay period	15
Over 10 through 15	6 hours per 2 week pay period	19.5
Over 15	7 hours per 2 week pay period	22.75

Accrual Rates for Regular, Full-time Exempt Employees: Eligible regular, full-time salaried employees accrue vacation leave are as follows:

Year(s) of Service	Accrual Rate	Days Per Year
From first completed full-time pay period (80 hours) through year 5	4.62 hours per 2 week pay period	15
Over 5 through 10	6 hours per 2 week pay period	19.5
Over 10	7 hours per 2 week pay period	22.75

5.01.03 Other Accrual Rate

Accrual Rates for Regular, Reduced Schedule Employees. Employees claiming less than 80 hours of paid time (including regular time, vacation time, sick leave and comp time) in a two week pay period receive a reduced vacation leave accrual for that pay period based on the following schedule:

Hours Worked in a Pay Period	Percentage of Normal Accrual
70 – 79 Hours	87.5%
60 – 69 Hours	75%
50 – 59 Hours	62.5%

40 – 49 Hours	50%
Less than 40 Hours	None

5.01.04 Balance Carry Over

A maximum of 240 hours of vacation leave may be carried over by an employee from one fiscal year to the next.

5.01.05 Transfer of Vacation Leave

Vacation leave shall be transferable from department to department only to the extent that it is accrued and accumulated. The dollar value of such leave shall be based on value in department transferred from, and may be adjusted at the time of transfer to reflect that value.

5.01.06 Use of Vacation Leave

A request for vacation leave shall be submitted to the employee's appropriate supervisor with as much advance notice as possible. Scheduled leave may be taken only after written approval in accordance with procedures established by the EO, or his/her designee, or DA. Vacation leave is granted only after consideration for office staffing and work deadlines has been given. Employees are cautioned to not purchase airfare or to make non-refundable deposits on trips that have not yet been approved by the supervisor. The County will not be held liable for any employee expenditures lost should a vacation request be denied.

It is the responsibility of the employee to monitor his/her own vacation balance and to work with his/her supervisor early in the fiscal year to make appropriate vacation plans so as to avoid losing balances beyond the allowed carry-over. Vacation requests in August and September may be denied more frequently due to the number of requests and the need for adequate office staffing. Employees are urged to use vacation time regularly and well in advance of losing it.

Employees may only take two consecutive weeks of vacation time, unless the EO or DA gives written permission to take additional consecutive time. An employee needing more than two consecutive weeks of vacation leave must give a minimum of three months advance notice. Approval is at the discretion of the EO or his/her designee, or DA.

5.01.07 Conversion of Vacation Leave to Sick Leave

Eligible employees who have accrued vacation time beyond the maximum allowed carryover, shall be allowed to trade two vacation days for one sick leave day. Employees may use this provision up to the maximum sick leave accrual carryover of 80 hours. Requests to convert accrued vacation leave to sick leave must be submitted to the employee's supervisor no later than the final payroll of the fiscal year.

5.02 Sick Leave

5.02.01 Policy Statement

Paid sick leave is a benefit providing relief for the employee in the event of illness of the employee or his/her immediate family. Sick leave is to be used only in the event of an illness or injury that prevents the employee from working productively or safely or if an immediate family illness presents no practical alternative for necessary care.

Sick leave is also appropriate for an employee to attend medical, optical or dental appointments for themselves or for a member of their immediate family. As used in Section 5.02, with the exception of Section 5.02.06, "immediate family" shall mean and be limited to: spouse, natural and adopted children, step-children, foster-children, parents, step-parents, siblings, step-siblings, grandparents and grandchildren.

Regularly scheduled days off and officially designated holidays falling within a period of sick leave shall not be counted against sick leave. Paid sick leave shall not be taken in advance of being

earned. Vacation leave will be used in the event of employee sickness and/or disability after all accrued sick leave has been used.

A request for paid sick leave must be made within a reasonable time. Paid sick leave may be denied and/or granted during times that least interfere with the work of the office or department. Any employee suspected of abusing the sick leave policy may be subject to discipline, up to and including termination.

5.02.02 Regular Accrual Rate

Accrual Rate for Regular, Full-time Employees. Eligible regular, full-time employees accrue sick leave at the rate of four hours per two week pay period, for an annual total of approximately 104 hours.

5.02.03 Other Accrual Rate

Accrual Rate for Regular, Reduced Schedule Employees. Employees claiming less than 80 hours of paid time (including regular time, vacation time, sick leave and compensatory time) in a two week pay period receive a reduced sick leave accrual for that pay period based on the following schedule:

Hours Worked in a Pay Period	Percentage of Normal Accrual (based on PR 4.02.02)
70 – 79 Hours	87.5%
60 – 69 Hours	75%
50 – 59 Hours	62.5%
40 – 49 Hours	50%
Less than 40 Hours	None

5.02.04 Balance Carry Over

A maximum of 480 hours of sick leave may be carried over by an employee from one fiscal year to the next. Sick Leave accrual will cease for an employee when the maximum accrual of 480 hours has been reached.

5.02.05 Conversion of Sick Leave to Vacation Leave

During the period of October 1 through October 31 of each year, an employee who has accrued a minimum of 240 hours sick leave may request in writing to their EO for permission to convert 2.5 hours of sick leave for one hour of vacation leave, up to a maximum of 80 hours of sick leave for 32 hours of vacation leave.

5.02.06 Bereavement Leave

In case of death in an employee's immediate family, the employee shall be provided twenty-four (24) hours paid leave for bereavement purposes relating to that death. An EO or DA may allow, at his or her discretion, up to two additional days of sick leave for the purpose of traveling long distances to and from the place of death and/or funeral.

An EO or DA may also allow, at his or her discretion, additional accrued sick leave to be used as bereavement leave based upon good cause. Such allowances of sick leave usage shall be limited to deaths of spouses, natural and adopted children, step-children, parents, the same relationships by marriage (meaning, in-laws), step-parents, siblings, step-siblings, grandparents and grandchildren. Such leave shall be charged against the employee's sick leave. Employees who wish to take leave from work for deaths of relatives other than those previously listed or friends may use their accrued vacation leave.

5.02.07 Accrual While on Leave

Sick leave shall not accrue to any eligible employee on any kind of leave of absence without pay, unpaid military leave, suspension without pay, or layoff, or when working overtime. Sick leave shall accrue while an employee is on an approved leave with pay, on approved vacation leave, on paid military leave, on subsidized military leave or on approved paid sick leave.

5.02.08 Donation of Sick Leave

An employee may donate up to 40 hours of accumulated vacation leave to another employee for use by the recipient employee as sick leave.

An employee may only receive a donation of sick leave once his/her sick and vacation balances are exhausted or will exhaust within the next pay period, and then may only receive a donation equal to the difference between the employee's accrued hours and 160 hours.

The employee may only use the donated sick leave hours for the approved qualifying condition of the employee's own personal sickness or for the illness of a relation in the first-degree, as defined in Section 3.02. The value of the hours donated will equal the hourly rate of the recipient employee. Sick leave benefit recipients will receive their normal compensation when using donated sick leave benefits.

An employee who feels he/she needs a leave donation must make a written request to his or her supervisor, DA or EO. The employee is not permitted to solicit donations directly from co-workers or other County employees. The EO, or their designee, or DA shall forward the request with a written recommendation to approve or deny the request and the rationale therefor to HR for record keeping. Such donation of hours is not a right and is granted by the EO in its discretion.

Once approval is given by the employee's EO or DA, HR will send an email request to County employees requesting leave donations on behalf of the receiving employee. The name of the receiving employee must not be released and any information regarding his/her medical condition must remain confidential. Employees who wish to donate leave to another employee must fill out a leave donation form.

Requests for donated leave will remain open for one full pay period and may take up to two weeks to process. An employee may only request donated leave once per medical incident or condition.

5.02.09 Certification by Physician

When an employee has missed work because of a disability, injury or illness, at the discretion of the EO or DA, he/she may be required to submit a written statement from a physician that the employee is capable of and released to return to the performance of his/her duties with or without limitations. This rule is designed to protect the health and well-being of the employee, and to prevent re-injury or recurrence of illness.

EOs or DAs asked to approve use of sick leave may request an independent review through HR of reported illness at any time by a competent medical authority at County expense.

5.02.10 Transfer of Sick Leave

Sick leave shall be transferable from department to department only to the extent that it is accrued and accumulated. The dollar value of such leave shall be based on value in department transferred from, and may be adjusted at the time of transfer to reflect that value.

5.03 Holidays

The County shall observe the following holidays:

New Year's Day

Idaho Human Rights Day

President's Day

Memorial Day

Juneteenth Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Christmas Day

Any other day designated by the BOCC as an Appreciation Day

In the event a designated holiday occurs on a Saturday, the preceding Friday shall be the observed holiday and if the designated holiday occurs on a Sunday, the following Monday shall be the observed holiday. Holidays which occur during vacation or sick leave shall not be charged against vacation or sick leave. Regular full-time employees shall be compensated for holidays on the basis of the number of hours they regularly work (not including overtime hours) up to a maximum of eight hours per holiday. Temporary, seasonal and part-time employees shall not receive holiday pay. If an employee is on unpaid leave of any type the day before a holiday, no holiday pay will be provided to that employee.

Any employee normally eligible for holiday benefits, who is required to work on a designated holiday under the provisions of this handbook, shall be paid straight time for the shift they work. In addition, the employee shall receive holiday pay of one hour of comp time for every hour of work, up to a maximum of 12 hours. Comp time for holidays shall accrue as straight time, not at one and one half (1.5) time, except in certain circumstances involving peace officers or first responders. The EO or DA may elect to pay the employee for the comp time instead of accruing comp time. Any payment made would be made at straight time.

When a designated holiday falls on a normally assigned day off for an employee who is eligible for holiday benefits, the employee shall receive regular pay or comp time at the rate of one hour

for each hour the employee would regularly work (not including overtime) had he/she worked the holiday up to a maximum of eight hours. This section does not apply to employees who are exempt under the FLSA.

5.03.01 Holiday Leave Abuse

Employees who call in sick the work day immediately preceding a holiday break or immediately after a holiday break may be asked to submit a doctor's note substantiating said illness. Any employee suspected of abusing the holiday leave policy may be subject to discipline, up to and including termination.

5.04 Time off to Vote

All employees who do not choose to vote by absentee ballot should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, the employee should work with his/her supervisor ahead of time to request time off to vote. Employees may be required to use vacation or comp time to vote and should report this time appropriately in timekeeping records.

5.05 Jury Duty Leave/Civil Leave

An employee shall be given time off with pay when performing jury duty or when subpoenaed to appear before any public body or commission due to their employment with the County. Upon receipt of notification from the state or federal courts of an obligation to serve on a jury or a subpoena to appear before any public body or commission due to their employment with the County, employees must notify their supervisor and provide him/her with a copy of the jury summons or subpoena. Leave should be reported and coded appropriately in timekeeping records. If such employee receives payment for such service, he/she shall be required to endorse such

payment over to the County or to have an equivalent deduction made from his/her regular rate of pay, whichever option is preferred by the employee.

5.06 Military Leave

All employees who are members of the National Guard or Reserves in The United States Armed Forces shall be entitled to leave of absence without pay, as provided in Idaho Code, Section 46-224 and the Uniformed Services Employment and Reemployment Rights Act ("USERRA") 38 U.S.C. § 4301-4333. All leave related to military service will be considered leave without pay (Unpaid Military Leave) except as follows: 1) Paid Military Leave, where the employee elects to use vacation time; and 2) Subsidized Military Leave, where the employee engaged in annual training will be compensated for the difference between their normal gross wages for the County and their gross military wages for the period of training, for a period not to exceed 15 days, if the employee's gross military pay is less than the gross wages the employee would have earned during the same period had no military leave been necessary; provided the employee presents his/her military pay statement for the period of annual training to the Payroll Office which will calculate the balance to be compensated, if any. This is commonly referred to as "differential pay." Subsidized Military Leave does not apply to weekend duty or drills, additional annual training days, or extended calls to active duty. Vacation and sick leave accrue while on Subsidized Military Leave proportionate to pay received. For example, if differential pay is 25% of wages for a period, the employee also accrues 25% of sick and vacation leave for the same period.

During military leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. Eligible employees on military leave in excess of 30 days may elect to continue

health benefit coverage for the duration of their leave under COBRA through the County's COBRA policy.

5.07 Family and Medical Leave Act (“FMLA”)

5.07.01 Definition

The Family and Medical Leave Act (FMLA) of 1993 entitles eligible employees to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons, including: 1) upon the birth of an employee's child; 2) upon the placement of a child with the employee for adoption or foster care; 3) when the employee is needed to care for a child, spouse, or parent who has a serious health condition; 4) when the employee is unable to perform the functions of his or her position because of a serious health condition; or 5) for any “qualifying exigency” arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The FMLA also allows eligible employees to take up to 26 workweeks of job-protected leave in a “single 12-month period” to care for a covered service member with a serious injury or illness.

5.07.02 Scope

The provisions of this policy shall apply to all family and medical leaves of absence. If an employee is eligible for paid sick and/or vacation leave, the employee must take the paid sick and/or vacation leave concurrently with FMLA. Once sick and/or vacation balances are exhausted, FMLA may continue as is legally required but the time will be unpaid. In accordance with the FMLA notification requirements, time off under plans providing for workers' compensation or temporary disabilities is charged against an employee's FMLA leave entitlement. An employee's

FMLA leave entitlement is limited to a total of 12 workweeks of leave during the "rolling 12-month period" as defined in Section 5.07.05.

5.07.03 Eligibility

To be eligible for leave under this policy, an employee must satisfy two conditions. First, he or she must have been employed by the County for at least 12 months in total. The 12 months do not have to be consecutive. Second, the employee must have worked at least 1250 hours during the 12-month period immediately preceding the commencement of the leave.

Spouses employed by the County concurrently are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 workweeks (or 26 workweeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

5.07.04 Exception for Key Employees

If the employee on leave is a "key" employee, meaning he/she is a salaried employee and is among the highest paid ten percent of County employees (within 75 miles) and keeping the job open for the employee would result in substantial and grievous economic injury to the County, reinstatement of the employee on leave can be denied. The determination of whether an employee meets these requirements should be referred to the HRD and PA, with input from the EO. Should the County determine that reinstatement of the key employee is denied, the County must notify the employee of its intention to deny restoration as soon as practicable. Conversely, in any case where the leave has commenced and the employee elects to not return to employment, the employee should notify the County as soon as practicable.

5.07.05 Rolling 12-Month Period

An employee's FMLA leave entitlement is limited to a total of 12 workweeks during a "rolling 12-month period" measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 workweeks that has not been used during the immediately preceding 12 months.

5.07.06 Intermittent and Reduced Schedule Leave

Under some circumstances, employees may take FMLA leave intermittently reducing the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the County's operation, subject to the approval of the employee's health care provider. If leave is requested on an intermittent basis, however, the County may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits. Employees may not be transferred during FMLA for any other reason than accommodation of a reduced leave schedule. Leave to care for or bond with a newborn child or for a newly placed adopted or foster child may only be taken intermittently with the employer's approval and must conclude within 12 months after the birth or placement.

5.07.07 Medical Certification

Canyon County will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. A medical certification form is available from HR. The employee has 15 days to respond to the request for medical certification or provide a reasonable explanation for the delay. Failure to provide

certification may result in a denial of continuation of leave until such medical certification is received.

An employer may require a second opinion (at the employer's expense) if he or she has reason to doubt the validity of the medical certification. If the certification opinions differ, the County, at its own expense, may require the opinion of a third health care provider, approved jointly by the County and the employee.

In its discretion, the County may require periodic recertification as permitted by law.

Medical certifications should be submitted directly to HR in person, by fax or email, or by mailing.

5.07.08 Notification and Reporting Requirements

When the need for leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee is required to provide a minimum of 30 days' advance notice of their intent to take leave, and make efforts to schedule leave so as to not to disrupt County operations whenever practicable. When circumstances require a leave to begin in less than 30 days, as with a premature birth, sudden changes in a patient's condition, or the availability of a child for placement, the employee must give as much notice as practicable. In cases of illness, the employee is required to maintain regular contact with his/her supervisor to report on his/her leave status and intention to return to work.

5.07.09 Status of Employee Benefits During FMLA

During an employee's approved FMLA leave of absence under this policy, Canyon County will continue to pay the County's portion of that employee's health, dental, life and disability insurance premiums. Any employee who is granted unpaid FMLA leave must make personal arrangements with HR to pay, the cost of any supplemental dependent health and/or dependent life

insurance premium(s), FSA contributions, supplemental life insurance and long-term disability buy-up during their absence.

Insurance premiums paid by the employee for supplemental or dependent policies must be delivered to HR no later than the first of the month for which it applies. The employee may be granted a five-day grace period for extenuating circumstances. If the dependent or supplemental premiums are not received by the fifth of the month, the County may elect to terminate benefits for any policies where premiums were not timely paid.

In the event an employee elects not to return to work upon completion of an approved unpaid leave of absence, the County may take action to recover from the employee the cost of any premium payments made by the County to maintain the employee's health, dental, life and disability insurance coverage during the unpaid leave, unless the failure to return to work was because of: 1) the continuation, recurrence or onset of a serious health condition which would entitle the employee to FMLA leave; or 2) other circumstances beyond the employee's control.

5.07.10 Procedures

A request for family and medical leave of absence form can be obtained in HR and must be completed by the employee. This form should be completed in detail, signed by the employee, and submitted to the employee's respective EO/DA for approval. A copy of the approved form will be forwarded to HR for inclusion in the appropriate employee confidential file.

All requests for family and medical leaves of absences due to illnesses, submitted to HR, must include the following information and be attached to a completed Request for Family and Medical Leave of Absence:

1. The date on which the serious health condition commenced.
2. The probable duration of the condition.

3. The appropriate medical facts within the knowledge of the health care provider regarding the condition.

In addition, for purposes of leave to care for a child, spouse or parent, the certificate should give an estimate of the amount of time the employee is needed to provide care. For purposes of leave for an employee's illness, the certificate must state that the employee is unable to perform the essential functions of his/her position. In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

Within five business days after the employee has submitted the appropriate certification form to HR, the employee will be provided with a written response to the employee's request for FMLA leave.

5.07.11 Fitness for Duty Certification

Employees returning from leave due to a serious health condition will be required to furnish HR with a fitness for duty certification from their healthcare provider. Under federal regulations, the County will require that a fitness for duty certification specifically address the employee's ability to perform the essential job functions of the position and explicit details regarding any restrictions necessary for the employee to perform the functions of their job. A job description outlining the essential job functions will be provided to the employee's physician. A fitness for duty certification form detailing the information required by the employee's healthcare provider can also be obtained from HR.

Additionally, the County is permitted to request fitness for duty certifications once every 30 days for an employee taking intermittent or reduced schedule FMLA leave if reasonable safety

concerns exist regarding the employee's ability to perform his or her duties based on the condition for which leave was taken.

5.07.12 Timesheets While on Leave

Employees on FMLA are required to complete their own timesheets while on leave. An employee's supervisor may not complete the timesheet on his/her behalf, except in special circumstances, with the employee making the request in writing and the request being approved in writing by the EO or DA.

Timesheets can be accessed online through the ADP system at:

<https://workforcenow.adp.com/workforcenow/login.html>.

FMLA time should be marked as such by clicking on "Add Comment" and selecting FMLA.

In the event an employee is incapacitated and unable to give written or oral permission, the employee's supervisor, EO, or a designee from HR may complete a timesheet on the employee's behalf, noting such circumstance as well as any changes and/or approvals in the note section of the timesheet. Sick and vacation leave balances will be used to make a pay period whole, as allowed by law.

5.07.13 Tracking FMLA Leave

FMLA leave may be taken in periods of whole weeks, single days, hours, and in some cases even less than an hour. The County calculates leave in 15-minute increments.

5.08 Military Exigency Leave Act

The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take up to 12 workweeks of unpaid, job-protected leave in a 12-month period for a "qualifying exigency" arising out of the foreign deployment of the employee's spouse, child, or parent. FMLA leave for this purpose is called qualifying exigency leave.

5.09 Personal Leave of Absence

Personal leaves of absences may be available, at the EO's discretion, to all full-time and part-time employees who have completed 12 months of service and have no other leave available to them.

Unpaid personal leave does not accrue sick or vacation leave, holiday pay or County paid benefits. An employee on personal leave may elect to continue health benefit coverage for the duration of the leave under the County's COBRA policy.

Personal leave may be used for illness of the employee or family members who need the employee's assistance and other personal reasons specific to the employee. In deciding whether to grant leave, the County will consider factors such as the employee's length of service, performance, responsibility level, discipline record, reason for the request, length of time off requested, other leave time taken, and operating requirements.

A personal leave without pay may be granted at the County's discretion for a reasonable period of time up to 12 weeks in a 12-month period. All time off granted within the preceding 12-month period will be considered in determining the amount of time off granted. Upon completion of an approved personal leave, there is no guarantee that the employee will be reinstated to his or her former position, or any position, except as required by law.

Employees must submit requests for a personal leave of absence in writing to their EO. If the employee's EO approves the request, the approval must be in writing. The HRD must then review and approve such requests as well. When leave is due to an illness or injury, the County will require the employee to present a note from a health care provider to support the leave request. Before returning to work from a personal leave due to the employee's own illness or

injury, the County will require the employee to provide a note from a health care provider indicating that the employee is medically able to return to work.

5.10 Administrative Leave with Pay

Any employee may be placed on administrative, non-disciplinary suspension or leave with pay pending the completion of an investigation concerning alleged employee misconduct, the employee's competency or ability to perform their duties or for just cause as determined by the EO. The employee shall receive written notice of the administrative suspension and shall cooperate in any investigation as noted in Section 10.02.

Administrative leave with pay may be used when the EO is required under the Americans with Disabilities Act (ADA) to determine if the employee has the ability to perform the job with or without reasonable accommodation. Administrative leave with pay may also be used when the employee's claimed or perceived medical and/or mental limitations necessitate a fitness for duty evaluation.

Paid administrative leave is not disciplinary. Paid leave is intended to maintain the status quo pending the resolution of an employment related matter. Persons placed on paid administrative leave are subject to all of the same protections and expectations of full-time employees.

5.11 Unauthorized Leave of Absence

An employee must notify his/her direct supervisor if they will not be present for their designated shift. Any unauthorized absences may be without pay, considered job abandonment, and/or shall be subject to disciplinary action up to and including termination.

The voluntary action of any employee who leaves his/her shift without prior authorization from his/her direct supervisor shall be deemed job abandonment. Job abandonment automatically

forfeits and relieves an employee from his/her job responsibility, pay, position and any benefits provided by the County for that position.

6.0 PERFORMANCE MANAGEMENT

6.01 Performance Evaluations

For management purposes including salary review, consideration of retention, risk management control and budgetary analyses, every employee's job performance may be formally evaluated annually by the EO or his/her designee or the DA. Performance evaluations may be conducted more or less frequently at the EO's discretion. Completed and signed evaluations shall be delivered to HR for placement in the employee's employee file.

Performance evaluations should be used as an employee development tool to assist supervisors and employees in accomplishing individual and department goals, as well as determining appropriate training and career advancement paths. Supervisors are encouraged to have frequent and consistent meetings with employees to discuss these topics and to provide constructive and timely feedback. The performance evaluation period should represent annual performance and should note areas of needed improvement or significant performance issues in the past year.

The evaluation should be based upon quantifiable job factors, which may include any relevant knowledge, skills, and abilities outlined in the job description. Managers are encouraged to contact HR for assistance in developing performance evaluation criteria. The employee should be notified in writing of deficiencies in performance and of specific improvements which must be made within a specified period of time and shall be provided a copy of the evaluation.

6.02 Training and Development

Canyon County employee training programs including workplace violence prevention and sexual harassment prevention training may be mandatory. Training procedures will vary by County department and office. Request for specific trainings or to attend an offered training should be directed to HR.

7.0 BENEFITS

7.01 Disclaimer

The County has established a variety of employee benefit programs designed to assist eligible employees and eligible dependents in meeting the financial burdens that can result from illness and disability, and to help employees plan for retirement. This portion of the Employee Handbook contains a very general description of the benefits to which employees may be eligible as an employee of the County. Please understand this general explanation is not intended to and does not provide employees with all the details of these benefits or establish any guarantee related thereto. Therefore, this Handbook does not change or otherwise interpret the terms of the official plan documents. Employee rights can be determined only by referring to the full text of the official plan documents, which are available for examination on the county employee portal or from HR. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between the County and its employees, retirees or their dependents, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

Canyon County reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, the County reserves the exclusive right, power, and authority, in its sole and absolute discretion, to

administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any County benefit programs, please refer to the summary plan descriptions, which are available to employees separately via the county employee portal, open enrollment or new hire orientation, or contact HR. If an employee has lost or misplaced those descriptions, replacement copies can be provided to the employee from the county employee portal or at HR.

7.02 Health Insurance

Canyon County provides health care coverage to regular, full-time (30+ hours per week), eligible employees on the first day of the month following 30 days of employment. Employee premiums for health coverage are paid for by the County. Employees may add their spouse and/or eligible dependents to the plan at his or her expense during initial benefits eligibility or annual open enrollment or upon the occurrence of a qualifying event. For further details of the health care coverage offered, please refer to the summary plan documents found on the county employee portal or at HR.

7.03 Vision

Regular, full-time, eligible employees who elect coverage with Canyon County's health care provider are automatically enrolled for vision coverage at no cost to the employee. This benefit includes the employee's spouse and/or eligible dependents should they also be covered under Canyon County's health care plan. Please refer to the summary plan document located on the county employee portal or at HR.

7.04 Dental Insurance

Regular, full-time, eligible employees of the County and their spouse and/or eligible dependents may elect one of two different dental insurance plans available.

7.05 Flexible Spending Account

A Cafeteria 125 Plan, also known as a Flexible Spending Account (FSA), is a non-taxable benefit Canyon County offered to regular, full-time eligible employees. An FSA allows an employee to make pre-tax contributions through payroll deductions to assist in the cost of eligible health care and certain medical expenses, and to assist in the cost of dependent care and adoption costs.

7.06 Group Life Insurance

Regular, full-time, eligible employees of Canyon County are provided Life and Accidental Death & Dismemberment (AD&D) insurance in the amount equal to two times the employee's annual salary up to \$100,000 in coverage. This benefit is a non-contributory benefit, meaning the County provides this benefit at no charge to the employee. However, cost of coverage exceeding \$50,000 is taxable to the employee.

7.06.01 Supplemental Life Insurance

Eligible employees have the option during initial benefits eligibility or annual open enrollment to elect supplemental life insurance for additional life insurance coverage for themselves and dependents at group rates.

7.07 Short Term Disability (STD)

The County provides eligible, full-time employees with STD coverage at no cost to the employee. Employees are required to meet a 30-day elimination period, which means the employee must use vacation or sick leave balances, or leave without pay for the first 30 days of the

elimination period for STD. STD coverage begins on day 31 of the qualified disability, subject to the approval of the carrier, at which time the STD insurance carrier will begin paying the employee 67% of his or her pre-disability earnings, capped at \$500.00 per week. This benefit is a taxable wage to the employee. Employees may supplement the STD payments with available vacation balances to make his or her earnings whole, up to the pre-disability earnings amount. STD coverage may continue, as necessary, to day 180 of the qualified disability. The amount of the payment may be reduced as a result of other sources of income according to the terms of the plan.

7.08 Long Term Disability (LTD)

The County provides eligible, full-time employees a non-contributory LTD base plan. This non-contributory base plan provides monthly LTD benefits of 40% of basic pre-disability monthly earnings to a maximum benefit of \$1,333 per month subject to the approval of the carrier. Employees receiving LTD payments will be taxed on those earnings. Eligible employees are automatically enrolled as of the first day of the calendar month following 30 days of employment. LTD payments are made monthly from day 181 through Social Security's standard retirement age or the maximum benefit period (whichever is later) as long the employee continues to meet the necessary qualifications. The amount of the payment may be reduced as a result of other sources of income according to the terms of the plan.

7.08.01 LTD "Buy-Up" Option

Eligible employees have the option to elect the LTD buy-up plan through after-tax payroll deductions, increasing their LTD coverage up to 60% of basic pre-disability monthly earnings to a maximum LTD benefit of \$8,000 per month subject to the approval of the carrier. The amount of the payment may be reduced as a result of other sources of income according to the terms of the plan.

7.08.02 Qualifications

An employee is eligible for LTD benefits after he/she has exhausted the 180-day elimination period (which is satisfied through the STD policy) AND has met all required obligations by the LTD insurance carrier for consideration as permanently disabled (which employee portion is satisfied by completing all forms and required physician notices, as requested by the LTD insurance carrier.)

7.09 Retirement Plan

Canyon County has elected to participate in the Public Employee Retirement System of Idaho (PERSI) plan to provide retirement benefits. PERSI is a mandatory contribution plan, which means regular, full-time, eligible employees working at least 20 hours per week must participate. The terms of the plan are governed by applicable state law. For more information, please contact HR.

7.10 Worker's Compensation (WC)

An employee who is injured or becomes ill while performing his or her work may be covered by the provisions of the State Workers' Compensation Act. Any employee that has, or thinks he/she may have a workers' compensation injury claim must contact his or her supervisor or EO and contact the Workplace Injury Reporting Line (1-866-453-5216) with their supervisor as soon as possible after the injury.

If an injured worker cannot return to his/her regular job responsibilities, every effort will be made to identify light duty or modified work to assist them in returning to work as soon as possible. However, certain County positions or departments may not be able to accommodate light duty or modified work.

Canyon County adheres to all applicable State and Federal laws governing Workers' Compensation. For more information, please visit the State Insurance Fund website at

<http://www.idahosisif.org/>, the Idaho Industrial Commission website at <http://www.iic.idaho.gov/>, or HR.

7.11 Employee Assistance Program (EAP)

Regular full-time employees and their eligible family members may be eligible for professional and confidential counseling and resource services through Canyon County’s EAP. Contact HR for more information.

7.12 Use of Leave While on STD, LTD or WC

Employees who are on STD, LTD, or WC may use vacation leave balances to supplement their disability or WC paycheck, allowing the employee to receive his/her normal compensation. Employees on WC may also use sick leave balances to supplement their paycheck. “Double-dipping” or being paid in excess of 100% of the employee’s salary (meaning, the amount paid by the disability leave plus the employee’s vacation or sick time from the County) is not permissible.

Sick leave accruals may only be used to satisfy elimination periods required by the leave policy. Elimination periods are specific periods of time, for example 30 days, that an employee must use his or her own time balances (i.e. sick or vacation) before policy benefits begin. Once the STD and LTD elimination period is satisfied, sick leave is not available for use during the benefit period per plan policy.

7.13 Idaho Peace Officer and Detention Officer Temporary Disability Fund

Idaho’s Peace Officer and Detention Officer Disability Act, Title 72, Chapter 11, Idaho Code, provides for peace officers and detention officers who are injured in the performance of their duties under certain circumstances to receive his/her full salary from Canyon County while on workers’ compensation, without the use of his or her vacation or sick leave, until the temporary disability arising from such injury has ceased. A Canyon County employee who qualifies under the Act will

remit his/her workers' compensation payments to the County. Employees who feel he/she may qualify for this fund should ask his/her supervisor or visit HR to receive further information.

8.0 ON-THE-JOB

8.01 Conflicts of Interest

8.01.01 Political Affiliation

All County employees have freedom of choice and expression in political matters and no inquiry will be made regarding political affiliations. In the exercise of those freedoms, care should be taken to avoid the implication that the County itself approves or endorses an individual employee's political activity. Political participation is strictly a matter personal to the employee and the employee is not entitled to connect the County to such participation. No political picture, advertisement, sticker, button or other type of political attribution may be displayed on County equipment, vehicles or property (excluding bumper stickers on personal vehicles), or on the person of an employee while on duty for the County or while in the uniform of the County. EOs determine when an activity or conduct conflicts or interferes with the County's operations and interests. The EO may take whatever action is necessary after consulting with the PA to resolve any such conflict of interest which is determined to exist.

8.01.02 Gifts and Gratuities

County officials and employees shall guard against any relationships which might create the appearance of favoritism, coercion, unfair advantage, collusion or conflict of interest. County employees shall not accept any "benefit" including gifts, gratuities or loans in exchange for influence or favor given their official capacities at the County. Benefits include any gain or advantage, or anything regarded by the beneficiary as gain or advantage, including benefit to any other person or entity in whose welfare he/she is interested. Note that accepting such gifts may constitute a criminal violation, and the PA may refer reports of such to an outside agency for review and potential prosecution.

8.02 Attendance, Punctuality and Dependability

Employees are expected to report to work as scheduled, on time, and prepared to work. Late arrival, early departure, or other absences from scheduled hours are disruptive and should be avoided. Employees also are expected to remain at work for their entire work schedule, unless otherwise scheduled with prior approval or at the discretion of his/her EO, DA or supervisor.

8.02.01 Job Abandonment

See section 5.11 for this definition.

8.02.02 Requesting Time Off

Vacations and holidays when the County is not already closed should be scheduled with a supervisor at least five days in advance. Sick leave may be used in the case of an emergency or sudden illness without prior scheduling. An employee's request for vacation leave may be denied if the operation of the office or department would be significantly harmed by the requested absence.

8.02.03 Abuse of Attendance Policy

Patterns of unauthorized absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off.

8.03 Appearance

County employees are required to comply with reasonable dress standards which may be established in the department. Reasonable dress standards may be set by the EO or DA, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public. Employees are expected to be neat, clean, and well-groomed while on the job. Clothing should be in good repair and free from

rips, tears or excessive fraying. Any departmental dress standards shall be reviewed and approved, pursuant to Section 1.10, before being enforced.

8.04 Off-Duty Conduct Policy

The County will not tolerate illegal off-duty conduct that adversely affects the County's legitimate business interests or an employee's ability to perform his or her job.

The County will not take any adverse employment action against any employee for engaging in lawful conduct occurring during nonworking hours away from the County's premises, provided that such conduct does not otherwise violate County policies. Under certain circumstances, however, if an employee's personal conduct adversely affects his or her performance on the job, creates a conflict of interest as defined by the County's Conflicts of Interests policies, or affects his or her ability to carry out any one or all of his or her job duties while at work, appropriate discipline up to and including termination may be appropriate.

This policy is not intended to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment or to otherwise interfere with employees' rights under applicable law.

8.05 Workplace Conduct

Each employee will be expected to perform and behave in the workplace in accordance with the following rules which are not all-inclusive of the conduct expected of Canyon County employees. Each employee shall:

1. Abide by all state, federal or local laws and rules.
2. Adhere to any recognized code of ethics applicable to their respective department.

3. Follow established rules for care and use of County property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
4. Abide by all departmental rules and directives, whether written or oral by the supervisor. However, no employee shall be required to follow the directive of a supervisor which they know clearly violates the law. In this instance, the employee shall notify the HRD or PA's Office to report such violation.
5. Employees must cooperate in any investigation conducted pursuant to Section 10.02.
6. Abide by County and department policies concerning the release of information to the public from public records or about public matters. Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the EO.
7. Adhere to any established County and department work schedule and any procedures established for departing from the normal work schedule.
8. Report all work time, sick leave, and vacation time accurately.
9. Follow departmental procedures regarding the reporting of work hours and the approval which must be given for pay record submittal.
10. Follow departmental procedures regarding breaks and lunch periods.
11. Follow all rules and procedures for reporting accidents on the job.
12. Follow all safety rules and procedures in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.

13. Maintain a valid driver's license when necessary to conduct the work for the County. Each employee shall report any state-imposed driving restrictions to an immediate supervisor. Each employee shall notify his/her supervisor if his/her driving abilities are impaired in any way, before operating a county vehicle.
14. Perform such obligations as are necessary to carry out the work of the County in an efficient and effective manner at minimal cost and with limited risk to the public and fellow workers.
15. Limit use of personally owned electronic telecommunication devices. Such devices can be disruptive to both the employee's own work and the work of co-workers. The EO or DA, at his or her discretion, may require employees to turn these devices off while on duty.
16. Not engage in criminal conduct of any kind while on duty or off. County employees are expected to behave in a lawful manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.
17. Maintain a positive and professional attitude in the workplace.
18. Work harmoniously with others and respond positively to instructions and procedures.

8.06 Prohibited Workplace Conduct

The following is a representative list of prohibited workplace conduct. Employees of Canyon County shall not:

1. Be present in the workplace under the influence of drugs, alcohol, illegal substances or other substances which would impair the ability of the employee to perform competently or which would threaten the safety or well-being of the employee, other workers or the public.

2. Engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
3. Sleep while on duty or be absent from the employee's work station when on duty without justifiable cause or permission of a supervisor. Employees shall be attentive to their work at all times.
4. Engage in political activities while on duty. This rule shall not apply to EOs or persons running for elected positions with the EO's written approval. Employees shall enjoy full political rights while not on duty and not using County property. The PA must be consulted in all such circumstances where this policy may result in discipline or termination of employment.
5. Provide false or misleading information on employment applications, job performance reports, any employment documents or papers, in reports filed as part of job, or in response to official inquiries.
6. Smoke in county vehicles or on County property except in County designated smoking areas. This includes the use of e-cigarettes or vape devices.
7. Violate laws or rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the County or by other public officials.
8. Violate policies concerning absences from the workplace.
9. Use telephone or computer in the office or workplace in a manner that disrupts the work or workflow.
10. Engage in criminal conduct of any kind while on duty or off.

11. Violate any rule or procedure established by the County to maintain order and productivity in the workplace.

12. Violate County electronic mail and Internet policy.

8.07 No Expectation of Privacy

Canyon County respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of County provided equipment or supplies. Considering the practical realities of working for the County, other employees regularly have a need to access the offices, desks, file cabinets and computers of those employed with the County. Therefore, all employees of Canyon County should be aware that they do not have a reasonable expectation of privacy in their offices, lockers, work areas, desks, office furniture, County vehicles, computers and filing cabinets or any other County property. Employees who keep private, personal information and/or items in the above described areas do so at their own risk. Sending data through or across the County network, or using County equipment, should be considered the same as correspondence on official memo or letterhead.

The EO, or his/her designee, or DA, may at any time search the office, work area, desk, locker, computer, office furniture or file cabinet of an employee to obtain evidence of work-related misconduct. The EO, or designee, or DA, may not search personal property such as purses, bags or personal electronic devices, such as personally owned cell phones. The EO may consult with the PA, as necessary, prior to conducting workplace searches if there are questions related to allowable access of personal property.

All employees should be aware that Canyon County maintains records of phone calls, instant messages, and email made from or received by various voice and computer systems in the County. Employees have no reasonable expectation of privacy in communication made from or received

through County telephones or in electronic mail or otherwise created, transmitted, or stored on or by County equipment.

8.08 Solicitations and Distributions

Canyon County generally does not allow solicitation by non-employees. Canyon County employees may not engage in solicitation during work hours or in work areas where it may cause disruption or distraction to other employees or interfere with County business.

Employees who wish to post or distribute non-work material must ask permission from his/her EO or DA. If the EO or DA gives approval, they must forward the request to the HRD for retention prior to posting the material. Material distributed or posted shall not contain offensive language, graphics, or any other information that is offensive to the general conscience. Materials containing religious information shall not be distributed. No materials should be posted on any employment law posters obscuring part or all of the information shown, nor should such posters be removed from the bulletin boards for any reason. As the BOCC retains executive authority over all County-owned facilities, it may cause any material to be taken down as it believes necessary.

8.09 Email and Internet Policy

Canyon County recognizes that use of the Internet and email has many benefits for the County and its employees. The use of the Internet and email can make communication more efficient and effective. Therefore, employees are encouraged to appropriately use the Internet. Unacceptable usage of the Internet and email can place the County and others at risk.

It is acceptable for County employees to use the Internet and email systems for the following reasons:

1. Communication and information exchanges directly relating to the mission, charter, and work tasks of the County.

2. Announcements of County ordinances, procedures, hearings, policies, service or activities.
3. Use for advisory, research, analysis and professional society or development activities related to the user's County duties.
4. Use in applying for or administering grants related to County business.

It is unacceptable to knowingly or intentionally submit, publish, display, transmit, retrieve or store on the network or any computer system any information or image which:

1. Violates or infringes on the rights of any other person, including the right to privacy.
2. Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, threatening, racially offensive or otherwise biased, discriminatory or illegal material.
3. Violates County employee or departmental policies including, but not limited to, sexual harassment.
4. Restricts or inhibits other users from using the system or the efficiency of the computer systems.
5. Encourages illegal activity.
6. Contains inflammatory statements which might incite violence or which describes or promotes the use of weapons or devices associated with terrorist activities.

It is also unacceptable for County employees to use the facilities and capabilities of the system to:

1. Conduct private or any non-approved business.
2. Solicit the performance of any activity that is prohibited by law.
3. Transmit materials, information, images or software in violation of any local, state or federal law.
4. Conduct any political activity.

5. Conduct any non-governmental related fund raising or public relations activities, including the promotion of any non-profit charitable organization or event.
6. Engage in any activity for personal gain or personal business transactions.
7. Place advertisements for commercial enterprises including, but not limited to, goods, services or property.
8. Abuse electronic mail privileges. An occasional note to another person, similar to a telephone call, may be acceptable.
9. Download, disseminate, store or print copyrighted materials in violation of copyright laws.

This policy is a minimum standard for the usage of computers, the Internet and email. Individual County EOs or DAs may implement more restrictive policies. Violations of this policy may result in disciplinary action taken against the employee in accordance with the County's policies, up to and including termination of employment.

8.10 Use of County Equipment and Computer Systems

Office aids, including but not limited to office supplies, photocopying equipment, computers, email, Internet and telephone service are provided to County employees for furtherance of official business purposes. These items are not for personal use.

8.11 Telephone Use

The reasonable use of the telephone for local calls of short duration is allowed but not for social conversations. Personal long-distance telephone calls (including FAX) are prohibited from being charged to the County.

8.12 Recording Phone Calls and Conversations Policy

Idaho law requires only one-party consent to record phone conversations. The County reserves the right to record conversations to and/or from any County-owned telephone, cellular phone, or other mobile device.

8.13 Use of County Mobile Electronic Devices

Mobile devices are tools that enhance employee productivity and provide a higher level of service to our citizens. Employees with a business need as determined by EOs or DAs may be assigned a County-owned mobile device. Mobile devices include cell phones, smartphones, tablets, laptops, or any device with wireless cellular service and has email or web browsing capabilities. These devices are County property and all reasonable care must be exercised to maintain them in working order. The employee may be held responsible for careless handling, loss, or damage to the device.

8.13.01 Personal Use of County Mobile Devices

Use of mobile devices supplied by the County is intended to be restricted to County business. Personal cellular calls (incoming or outgoing) and non-business wireless data use should be limited and infrequent. Personal calls, text and data use should be of short duration.

8.13.02 Public Disclosure of County Mobile Device Records

Employees should be aware that records associated with County-supplied mobile devices and services are subject to public disclosure. Calls or texts made from or received by County-supplied phones may be subject to disclosure under Idaho public records laws.

8.13.03 Access to County Email and Data Systems

Employees who use personally owned mobile devices to access County email systems, internal web sites, or internal IT applications may be exposing the County to risk should those devices be

lost, stolen, damaged or otherwise compromised by unauthorized access. In the event a device is lost, stolen, damaged or otherwise compromised the County IT Department, with approval from the respective employee's EO, reserves the right to disconnect County email and data connections remotely. This applies to all mobile devices used to access County email or internal County applications, regardless of whether they are owned by the County or are the property of individual County employees.

8.13.04 Mobile Device Use in Vehicles, At Work Sites or While Operating Equipment

Supervisors have the authority to restrict or prohibit use of mobile devices at any time on the job. Employees must not use cellular phones or mobile devices while driving County equipment or on County business. As more County drivers are using mobile devices, it is important both for safety and for the image of County drivers that common sense and courtesy be followed in using these devices.

Sending and/or reading text messages, emailing or browsing the web while operating a motor vehicle is illegal in the State of Idaho and prohibited by County policy. Drivers must be safely parked before using cell or mobile computer equipment. This does not apply to County work-related two-way radios or to sworn law enforcement officers who are following Office procedures.

Employees should not engage in the use of a mobile device while at any work site during which the operation of the device will be a distraction to the user and/or may create an unsafe work environment.

Employees should not engage in the use of a mobile device while operating moving motorized off-road (maintenance/construction type) equipment. Even hands-free cellular phones will not be authorized while operating this type of equipment, unless the equipment has been properly stopped and it is safe to use the hands-free device.

8.13.05 Office/Department Policies

Offices, or in some cases individual departments, may have policies that are more limiting than the County's mobile device use policy, but department policies must, at a minimum comply with this policy. Mobile equipment and service plans for County-supplied mobile devices must be authorized, procured and approved by the County IT department. Employees are selected for County-supplied service at the discretion of their respective EO or DA. Departments requiring unique device features or service offerings are encouraged to work with the County IT Department prior to purchase, to ensure such features and services are properly supported.

8.14 Rest Hours and Lunch Periods

Rest periods are a privilege and at the discretion of an employee's supervisor and status of his/her work load. At no time should the work of an office be delayed or interfered with by the exercise of the rest period privilege. The EO or DA may, at their discretion, permit rest periods to be taken in an area other than the work station. Rest periods are typically taken mid-shift before a lunch break and mid-shift after a lunch break. Rest periods may not be "saved" for future use or consolidated and added together or used to adjust his/her work schedule.

It is the County's policy that each full-time employee be entitled to an unpaid lunch break of reasonable duration during the established work day. The duration of the lunch break shall be established at the discretion of the EO or DA.

Employees working as law enforcement and detention officers may be subject to internal policy regarding breaks and lunch periods.

8.15 Outside or Self-Employment

Employees are prohibited from holding outside or self-employment or volunteer service that would conflict or interfere with their employment with Canyon County or in the department in

which they work. "Outside and self-employment" is defined as work for personal economic gain. Outside employment by employees requires prior written approval of the supervising EO. The EO may give such approval only if the following items are understood and agreed to by the employee:

1. There is no conflict of interest between the County job and the proposed outside work.
2. The proposed work will not interfere with the employee's regular work schedule.
3. The proposed work will not, in the opinion of the EO, interfere with the quality or quantity of the employee's regular work.
4. The proposed work does not confer an advantage, or give the appearance of conferring to the outside employer, a business advantage over other similar businesses.
5. The proposed work complies with the "Ethics in Government Act."
6. The proposed work or service must not reflect adversely on the County.

The employee should understand even after approval has been granted, if the preceding items are not met, the employee will be asked to resign either from the outside work or from the County. A request for permission to enter outside or self-employment must be initiated by the employee in writing and shall provide detailed information as to the nature of the outside work and the hours to be worked.

8.16 Social Media Policy

8.16.01 Purpose

Canyon County recognizes that employees may engage in "social networking" while off duty. The purpose of this policy is to establish appropriate guidelines for expected use by County employees as it relates to his/her employment with Canyon County or his/her conduct as an employee of Canyon County. All other policies contained in this Handbook and within individual Office or Department Policies and Procedures Handbooks, such as appropriate use of County

property, including email and website systems, and expectation of privacy, remain in effect. Employees that are tasked with maintaining blogs and websites, or establishing a social media presence on behalf of the County are guided by separate policies and procedures addressing those responsibilities.

8.16.02 Definition

“Social networking”, for purposes of this policy, includes all types of postings on the Internet, including but not limited to, social networking sites such as Facebook©, Instagram©, blogs and other on-line journals and diaries; bulletin boards and chat rooms; micro-blogging, such as Twitter©; and posting video on sites such as YouTube© and similar media.

8.16.03 County Employees’ Use of Social Media Sites

Employees who engage in social networking should be mindful that their postings, even if done off premises and while off duty, could have an adverse effect on the County’s reputation and legitimate business interests. For example, information posted could violate County confidentiality laws, or readers could view the employee as a de facto spokesperson for the County.

County employees or officials using personal or non-County social media sites should be aware that all social media sites are or may be accessible to the public, including other County employees and officials. Employees are ultimately responsible for their own online behavior and should avoid content or actions that are defamatory, pornographic, proprietary, harassing, libelous, or threatening.

Employees using social media sites should never reveal information that is considered confidential, including releasing any information related to County technology systems or programs, or related to Courthouse or County building security. Such use of a personal or non-County social media site may result in disciplinary action, up to and including termination.

Where a County employee or official wishes to use or comment on a social media site in his or her personal capacity regarding work or subjects associated with the County, or where such employee is or would reasonably be believed to be speaking in his/her professional capacity as a representative of the County, the provisions of this and other County policies shall apply.

County employees should realize that they represent the County during work and non-work hours and are a vital part of the County's reputation. Before engaging in any social networking that identifies him or her as an employee of the County, or that identifies the County, employees should consider whether County policies apply. If an employee is uncertain, he/she should consult with his/her supervisor, EO or the HRD before posting.

Failure to comply with this policy may lead to discipline up to and including termination and if appropriate, the County will pursue all available legal remedies. Note, however, that nothing in this policy will be interpreted to limit or interfere with an employee's rights under Section 7 of the National Labor Relations Act.

8.17 Media Inquiries

From time to time, employees may be approached by reporters or other members of the media and asked questions regarding County business. All media inquiries should be referred to the relevant EO for comment or discussion with/assignment to the Public Information Officer. Employees are not authorized to speak on behalf of the County unless specifically authorized by their EO.

8.18 Employee Dating

The County strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business and enhancing productivity. However, the employment of individuals involved in a

personal relationship in the same location of an organization may cause a conflict of interest, or the appearance of a conflict of interest. This policy is intended to prevent such issues.

For purpose of this policy, a “relative” is any person who is related to an employee by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood, marriage, or through domestic partners (e.g., foster children, parents of a domestic partner). A “personal relationship” is defined as a relationship that may be reasonably expected to include or lead to a consensual romantic or sexual relationship, or where the employee and other person may share and/or contribute to financial responsibility for personal expenses. This policy applies without regard to the gender or sexual orientation of the individuals involved.

Personal relationships outside of the workplace are generally considered private so long as it does not interfere with County business and professional workplace relationships. If employees begin dating or are involved in a romantic relationship, become relatives or members of the same household, the employees are required to inform their EO, DA or the HRD of the relationship. Individuals involved in a personal relationship with a current employee may not occupy a position working directly for or supervising the employee, or auditing any of the employee’s work.

Personal relationships between supervisors and their subordinates are strictly prohibited. Employees in supervisory roles are subject to more stringent requirements due to their status, their access to sensitive information, their ability to influence others, and their control over discretionary decisions on behalf of their Office or Department. If a relative or other personal relationship is established between employees who are in a prohibited reporting situation as described above, it is the responsibility and obligation of the employees in the management or supervisory authority at Canyon County to disclose the existence of the relationship to his/her EO or DA. A failure to disclose the existence of a relationship described in this section may be grounds for termination.

Where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may also be separated by reassignment or terminated from employment. Any concerns about the administration of this policy should be addressed to the HRD or PA.

8.19 Smoking and E-Cigarette Use

Canyon County abides by all state and federal laws related to a smoke-free workplace. Employees and guests are prohibited from smoking cigarettes, “e-cigarettes”, cigars or vaping inside any County building or within 25 feet of any doorway to a County building where employees or guests may enter or exit. Employees and guests may smoke cigarettes, “e-cigarettes”, cigars or vape in designated smoking areas on the Canyon County campus.

9.0 WORKPLACE SAFETY AND SECURITY

9.01 Workplace Violence Prevention Policy

Access to Canyon County campuses is limited to those with a legitimate business or public interest. All employees entering the Courthouse should display their Canyon County employee identification badge. All vendors and visitors must complete a personal security check of themselves and their belongings before being allowed access into the Canyon County Courthouse.

9.01.01 Zero Tolerance

Canyon County is committed to providing a reasonably safe Courthouse and work environment for employees and visitors. In order to provide a safe environment, Canyon County has a "zero tolerance for violence" policy.

Canyon County defines "violence" to include physically harming another person, shoving, pushing, harassment, intimidation, coercion, brandishing weapons, and threats or talk of violence. No talk of violence or joking about violence by an employee, vendor or visitor will be tolerated. If an employee displays any violence in the workplace or threatens violence in the workplace, the employee is subject to immediate termination.

9.01.02 Disciplinary Action

Disciplinary actions associated with workplace violence issues will be in accordance with County policy.

9.01.03 Reporting Violence

It is everyone's responsibility to prevent violence in the workplace. Since an employee may be in a better position than management to know what is happening with those the employee works with, the employee can help by reporting what the employee sees in the workplace that might indicate a co-worker may become violent. Employees are encouraged to timely and accurately report any incident that may involve a violation of any of Canyon County's policies that are

designed to provide a reasonably safe workplace environment. Concerns may be presented to the employee's supervisor, EO, HRD, or the PA's Office.

All reports will be investigated and every effort will be made to keep information confidential, except where there is a need to know in order to affect a solution to the problem.

9.01.04 Weapon Restrictions

Per Idaho Code Section 18-3302C and Third Judicial District Administrative Order 08-5, no person may bring a weapon into the Canyon County Courthouse or the Juvenile Justice Center except for the following persons acting within the scope of their employment and consistent with applicable office policies, and not appearing in a personal or unofficial capacity: bona fide peace officers (as described in Idaho Code); Court Marshalls; Elected Officials, ; approved employees; and peace officers of the state and federal government. In all other County owned buildings and on all other County-owned property, employees are subject to and bound by the same laws and ordinances that apply to the general public regarding the possession and use of weapons, except as may be modified by the supervising EO.

9.01.05 Inspections

Desks, telephones, computers, lockers and offices are the property of Canyon County. Employees have no expectation of privacy in the offices or property of Canyon County. Canyon County reserves the right to enter or inspect, with or without notice, an employee's work area including, but not limited to, desks, emails, and computers.

Canyon County's facsimile, copier and mail systems, including email, have been installed for Canyon County business. Personal business should not be conducted through these systems. Under conditions approved by relevant Canyon County management and upon consultation with the PA to ensure compliance with federal and state law, telephone conversations may be overheard and

voice mail messages may be retrieved in the process of monitoring customer service in addition to the identification of telephone numbers dialed out by County employees.

9.01.06 Video Surveillance

Certain common areas of the County campus are subject to video monitoring. Employees have no expectation of privacy in the offices or on property of Canyon County. Canyon County reserves the right to record and review video recorded in these common areas.

9.01.07 Incident Management

In the event of a major workplace incident that affects, or has the potential to affect, the mental health of Canyon County's work force, Canyon County will provide initial counseling and support services to employees and the employee's immediate family members through the County's EAP.

As the crisis passes and support systems are put into place for individuals affected by the incident, Canyon County will make every effort to return to normal business operations. A reasonable effort will be made to notify employees, vendors and others who need to know of the status of Canyon County's business operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the news media and other available resources.

9.02 Safety Administration

Canyon County strives to maintain a workplace that is safe and healthy for all employees and guests. Employees are required to immediately report any hazards or unsafe areas or practices to his/her supervisor, EO, DA, or HR to prevent workplace injuries.

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area, department or office. Employees

are also required to utilize all safety tools provided by the County and to inform County management if safety tools or gear are not being provided. Failure to follow County safety and health guidelines or engaging in conduct that places the employee, visitor, or County property at risk can lead to employee disciplinary action.

9.03 Accident/Illness Reporting

Any employee involved in an accident while on official business must report the accident to his/her EO or his/her designee immediately and submit to a drug and alcohol test. The medical provider will send the test results to the HRD.

9.04 Non-Discrimination and Anti-Harassment Policy Statement

The County prohibits unlawful harassment of any kind, and will take appropriate action swiftly to address any violations of this policy. Harassing conduct is defined broadly as any unwelcome verbal or physical conduct based on any characteristic protected by law when: (1) the behavior can reasonably be considered to adversely affect the work environment; or (2) an employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct. Any harassment, verbal or physical, based on a protected class status or protected characteristic as recognized by applicable federal, state, or local law designed to unlawfully threaten, intimidate or coerce is prohibited.

No employee of Canyon County is expected to tolerate any conduct prohibited by this policy from anyone while at work or engaged in Canyon County business. Likewise, visitors and vendors are protected from harassing behavior by a County employee while on County property.

Canyon County does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction or condone such conduct on the part of any employee, including EOs, DAs or any management employees. Canyon County has adopted

procedures (noted in Section 2.02.02) available to employees who have complaints regarding claimed violations of the ADA or ADAAA, this provision, or other applicable law or regulations. Contact HR for additional information.

9.04.01 Anti-Sexual Harassment Policy

For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (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.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through email); and other physical, verbal, or visual conduct of a sexual nature. Sex-based harassment, meaning harassment not involving sexual activity or language may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

Canyon County's policy is that no employee, male or female, be subjected to sexual harassment, unwelcome requests for sexual favors, or other verbal or physical conduct of a sexual nature.

9.04.02 Reporting Harassing Behavior

A recipient of such unwelcome behavior, or any other employee who is aware of any unwelcome behavior, must assume responsibility for informing the County and must immediately report the incident(s) to his or her immediate supervisor, EO, PA, or the HRD. The facts of each case will be confidentially investigated, to the extent possible, and appropriate discipline, if warranted, will follow. Investigations will be prompt and thorough.

9.04.03 Anti-Sexual Misconduct and Assault Policy

Canyon County prohibits and has zero-tolerance for sexual assault or misconduct in the workplace or at any activity sponsored by it. Canyon County provides procedures for employees, volunteers, EOs or any other victims of sexual assault or misconduct to report such acts. Those reasonably suspected or believed to have committed sexual assault or misconduct will be appropriately disciplined, up to and including termination of employment as well as criminally prosecuted. No employee, volunteer or EO, male or female should be subjected to or allow sexual assault or misconduct.

For the purposes of this policy, sexual misconduct and or sexual assault is defined as illegal sexual contact that involves force upon a person without consent or is inflicted upon a person who is incapable of giving consent, as because of age, physical or mental incapacity, or who places the assailant in a position of trust or authority and may involve individuals of the same or different gender. Sexual misconduct includes but is not limited to sexual assault, exploitation,

molestation or injury. It does not include sexual harassment, which is another form of behavior prohibited by Canyon County.

Reporting Procedure; a recipient of such unwelcome sexual misconduct or abuse, or any other employee who is aware of unwelcomed sexual misconduct or assault, must assume responsibility for informing the County and must immediately report the incident(s) to his or her immediate supervisor, EO, DA or the HRD. The facts of each case will be confidentially investigated, to the extent possible, and appropriate discipline, if warranted will follow. Investigations will be prompt and thorough.

9.05 Drug-Free Workplace

9.05.01 Purpose

The purpose of the Canyon County Drug-Free Workplace Policy, which hereby specifically incorporates the provisions of Chapter 17, Title 72, Idaho Code by reference, is to allow Canyon County to achieve and maintain a drug-free work environment, thereby promoting the safety and security of its employees while providing assurance to the community that the County's provision of public service is performed safely, efficiently, and in a manner that reflects the drug-free values of the people of Canyon County.

This policy is designed to prevent illegal drug and alcohol use by County employees, ensure public and employee safety, and to encourage employees who need help with substance abuse to seek out appropriate resources.

Violation of this policy, including a refusal to provide a testing sample, may result in discipline under the Canyon County employment rules, up to and including termination of employment.

9.05.02 Types of Testing

For the purposes of this policy, the term “prohibited drug” will include illegal drugs, alcohol, and/or misuse of prescribed and over the counter drugs.

9.05.02.01 Applicant Testing

All prospective employees seeking employment in safety sensitive positions will be subject to pre-employment drug testing, and no applicant will be hired unless a negative test result is received by the County.

9.05.02.02 Post-Accident Testing

As a condition of continued employment, all employees involved in an on-the-job accident or injury will be required to consent to testing of blood, breath, or urine for prohibited drugs or alcohol.

9.05.02.03 Reasonable Suspicion Testing

Any employee may be required to report for immediate drug/alcohol testing if there is a reasonable suspicion that such employee, while on duty, is under the influence of a prohibited drug. Reasonable suspicion may be based upon statements made by the employee or any other credible source that would lead a reasonable person to believe that prohibited drugs may be present in the employee’s body that are supported by the independent observation of a supervisor. Such observations may include, but not be limited to, the odor of alcoholic beverages, observations of speech and physical movement consistent with the influence of alcohol or drugs that do not require special training to identify but are within the normal range of human experience. A reasonable suspicion observation form must be completed by any supervisor ordering a drug/alcohol test under this category that includes a description of all statements, observations, and details that supported the finding of reasonable suspicion.

9.05.02.04 Return to Duty Testing

After a verified positive test result, an employee must receive a negative test result before returning to work.

9.05.02.05 Random Testing (Safety-Sensitive Positions)

Random testing for prohibited drugs will be conducted on employees whose positions are designated by Board resolution as “safety sensitive.” In general, a safety sensitive position is one in which the duties that are performed as a regular part of the job could reasonably be expected to affect the health, safety, and security of others. A safety sensitive position is one in which the duties involve a greater-than-normal level of trust for, responsibility for, or impact on the health and safety of the employee or others; and errors in judgment, inattentiveness or diminished coordination, dexterity, or composure while performing the duties could result in mistakes that would endanger the health and safety of the employee or others; and employees in these positions that work with such independence that it cannot be safely assumed that mistakes such as those above described could be prevented by a supervisor or other employee.

9.05.03 Substances Tested

The County will test for the following substances: Alcohol, Marijuana, Cocaine, Amphetamines, Methamphetamines, Opiates, PCP, Barbiturates, Benzodiazepines, Propoxyphene, Methadone, Ecstasy, Codeine 300, Morphine 300, and Hydrocodone (including Vicodin, Hydromorphone, Oxycodone, Oxycontin).

The County reserves the right to add additional substances for testing as deemed necessary.

9.05.04 General Testing Protocol

The County contracts with a third-party vendor on a case-by-case basis to provide testing services, randomization, and evaluation.

HR, in consultation with the PA, will administer the County program.

All sample collection and testing shall be performed in accordance with the provisions of Idaho Code § 72-1704.

Any individual subject to testing under this policy will be permitted to provide urine specimens in a private restroom stall or similar enclosure so that the employee is not observed while providing the sample. Collection site staff of the same gender as the individual tested, however, may observe the individual provide the sample when such staff have articulable cause to believe that the individual may alter or substitute the specimen to be provided.

9.05.05 Confidentiality

All reports and information received through this testing program shall be kept confidential, and are intended only for use by the County for internal business purposes or as required by service of legal process. Any information or reports generated under this policy shall be the property of the County, and any employee, laboratory, EAP representative, or any other County-employed or contracted person who receives or has access to information related hereto shall keep the information confidential.

All testing information specifically relating to an individual, including referral for treatment or counseling, is confidential and will be treated as such by everyone authorized to review or compile program records. The results of any test will not be disclosed without the prior written consent of the employee, unless the disclosure is to any supervisory or management official within the County having authority to process or take adverse employment action against such employee, is pursuant to court order, or is to defend against any challenges of adverse employment action related to that employee.

9.05.06 Positive Test

Any employee or prospective employee who tests positive for prohibited drugs under this program will be given written notice of that result, including the type of substance involved. The employee will be given an opportunity to discuss and explain the positive test result with HR.

Any employee or prospective employee who has a positive test result may request, within seven days from the date of positive test notification, that the sample be retested by a mutually agreed upon laboratory at the (prospective) employee's expense. If the retest results in a negative test outcome, the County will reimburse the cost of the retest.

Any employee who has received a verified positive test result will be subject to mandatory disciplinary action, up to and including termination of employment.

9.05.07 Testing Procedures

9.05.07.01 Pre-Employment

Applicants given a written conditional offer of employment will be notified of the testing requirement and given opportunity to sign a consent form. Refusal will result in the withdrawal of the conditional offer of employment.

HR will arrange for the testing. If a verified negative result is received, the hiring process will proceed. If a verified positive test result is received HR will consult with the PA and the hiring authority.

9.05.07.02 Post Accident

The DA or EO should initiate testing, through HR when the circumstances of an accident or unsafe act, occurring while the employee is on duty, involves death or personal injury, damage to County property estimated in excess of \$1000.00, or requires any involved vehicle to be transported from the scene of the accident by a tow truck.

Employees are required to immediately notify their supervisor of any accident and to seek medical treatment if necessary. The supervisor will consult with HR and send the employee to the testing site as soon as possible after the accident. The employee will be placed on administrative leave with pay, pursuant to the Canyon County employment rules, and will not resume any job duties until the test results are known.

9.05.07.03 Reasonable Suspicion

The supervisor will notify HR and complete a Reasonable Suspicion Observation form. HR will contact the Civil Division of the PA Office for review and guidance. The employee will be notified of the concern and sent to HR to await further instructions. If necessary, the employee will be escorted to the testing site and arrangements for a ride home will be made. The employee will be placed on administrative leave with pay until the test results are known.

9.05.07.04 Return to Duty

After a verified positive test result, an employee who is not terminated must receive a negative test result before returning to work. All return to duty testing will be coordinated by HR.

9.05.07.05 Random (Safety Sensitive positions)

Safety sensitive positions are those identified by County Resolution(s). Each department administrator or EO with supervisory authority over employees filling safety sensitive positions will be given, at some regular interval, a list of their employees who have been randomly selected by the testing site for testing. The testing site will provide this information to HR, who will in turn provide it to the relevant department administrator or EO. Upon receiving such notification, the supervisor will immediately notify the employee(s), who must report to the testing site within eight hours.

All testing must be coordinated through HR, in consultation with the PA.

9.05.08 Inspections

Canyon County reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including termination of employment.

9.05.09 Crimes Involving Drugs

Canyon County prohibits all employees from manufacturing, distributing, dispensing, possessing, or using an illegal drug in or on County premises or while conducting County business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement management shall be notified, as appropriate, when criminal activity is suspected.

9.06 Lost or Stolen I.D. Badges

Identification badges play an integral part in the safety and security of County employees, visitors and properties. Occasionally, an employee may lose or misplace his/her badge. In less frequent cases, an employee's badge may be stolen. Both of these incidents are very serious and all County employees are required to notify his/her supervisor and HR immediately after learning of a lost or stolen badge so that access to County buildings, provided by the badge, may be revoked.

New badges may be requested at HR. The fee to replace a badge will be deducted from the employee's paycheck. If an employee receives a new card and then locates the lost or misplaced card, the employee is not entitled to a refund.

10.0 DISCIPLINE AND CONFLICT RESOLUTION

Employees of Canyon County are expected to conduct themselves in a professional and acceptable manner. Violations of the policies contained in this handbook, as well as any other behavior not implicitly or explicitly outlined in this handbook, that may adversely affect the health and safety of County employees or guests, or disrupts the efficient operations of County business, could result in disciplinary action against the employee(s) involved. The County retains the right to terminate any employee at any time, with or without cause, just as each employee may resign at any time.

The County is bound by state and federal laws and will ensure employment decisions are in the best interest of the County and its employees when making decisions involving employee violations of these policies. Disciplinary action at a lesser degree, fitting to the transgression of the employee, is also at the discretion of the EO or his/her designee.

10.01 Discipline

10.01.01 Purpose of Discipline Policy

The purpose underlying the discipline policy of Canyon County is to establish a procedure for maintaining suitable behavior and a productive working environment in the workplace. These disciplinary procedures are directory in nature and minor variations of the process set forth herein shall not affect the validity of any actions taken pursuant to this policy. Canyon County is an at-will employer, and a finding of “cause” is not necessary for termination of employment or imposition of discipline. The disciplinary procedure is set forth in order to present guidelines for processing issues relating to suitable behavior and a suitable working environment.

Canyon County, through its EOs, reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate. The circumstances of each situation

may differ and the level of disciplinary action may also vary, depending upon such factors as the nature of the offense, whether it is repeated, the employee's work record and the impact of the conduct on the organization.

10.01.02 Progressive Discipline Not Required

The County does not require "progressive discipline" and refuses to adopt a policy of progressive discipline. While EO's or DA's may choose to engage in efforts to correct performance such efforts are not intended nor should they be construed to create a progressive discipline policy. The disciplinary action taken shall be that deemed appropriate to the violation by the employee's EO or DA. The form of disciplinary action may include, without limitation, the following:

1. Termination.
2. Reassignment.
3. Probation.
4. Suspension without pay, for a variable or fixed period.
5. Reprimand.
6. Demotion to a position with lower compensation and/or authority.

10.01.03 Reprimand and Documentation

Reprimands may be given to an employee orally or in writing. The EO, DA or supervisor should document both oral and written reprimands. Oral reprimand documentation should be kept by the supervisor for future reference. Written reprimands shall be placed in an employee's employment file maintained by HR. The employee shall be given a copy of any written reprimand or other relevant document that is to be placed in the employee's file.

10.01.04 Disciplinary or Deficiency Probation

A probationary period imposed pursuant to this policy shall be for a definite period of time not to exceed 12 months and the employee shall be given specific written instructions as to the cause of the probation, and any terms of the probation and/or expected improvements in conduct and performance. This probationary period may be imposed along with any other appropriate disciplinary action taken by the EO or DA. A discipline or deficiency probation affords no special status or rights to the employee who is placed on probation, and is not a guarantee of employment for any period of time. The employee may be terminated or further disciplined at any time during the period of disciplinary or deficiency probation. A person on probation may not apply for a promotion or transfer or attend trainings unless approved by the EO.

10.01.05 Involuntary Termination

Involuntary termination typically involves a termination of employment at the request of the County. Termination of employment requires the EO's or EO's designee's approval.

10.01.06 At-Will Terminations

As an at-will employer, Canyon County and its respective EOs reserve the right to terminate employment at any time for any lawful reason and nothing in this Handbook should be construed to imply otherwise. The County is committed to ensuring all such decisions are in compliance with and consideration of applicable employment laws and the expressed public policy of the State of Idaho.

10.02 Investigations

10.02.01 Cooperation in Employee Investigations

Any employee being investigated for alleged violation of County policies shall cooperate in the investigation. The employee must respond completely and honestly to any investigation

regarding their conduct. Employee cooperation is required to resolve the situation as quickly as possible. Failure to cooperate may result in the employee's discharge from County employment.

Pursuant to Garrity v. State of New Jersey, 385 U.S. 493 (1967), and its progeny, this duty to cooperate shall not require the employee to give up their state and federal constitutional rights against self-incrimination. Any statement, or refusal, an employee chooses to make during an internal or administrative investigation can only be used in the administrative proceedings. In other words, the County cannot force any employee to provide a statement that could be used against that employee in a criminal proceeding, but can require the employee to offer a statement for use in the internal investigation.

Note that County law enforcement employees are subject to a polygraph test at the EO's discretion. This includes Sheriff and PA employees.

10.02.02 No Harassment for Testifying

No employee shall be subjected to discipline, harassment, intimidation, retaliation, discrimination or reprisal for reporting misconduct, testifying at any inquiry, investigation or hearing authorized by these policies and/or county, state and federal law.

10.03 No Harassment for Invoking of Policies

No employee shall be subjected to discipline, harassment, intimidation, retaliation, discrimination, or reprisal for exercising any right or privilege afforded by these policies and/or county, state and federal law.

10.04 Conflict Resolution

Canyon County understands that from time to time employees will experience conflict with co-workers and management. Problems, misunderstandings and frustrations may arise. While most of this conflict resolves itself, sometimes it can grow to a point where it disrupts the productivity and work environment of the employees involved and others around them. Employees,

supervisors, and managers are strongly encouraged to attempt to informally address any concerns they may have as soon as possible with each other directly.

However, Canyon County understands that this approach may not always be successful. Therefore, the County provides this policy as a guideline to quick, effective and consistently-applied methods for an employee to present his/her concerns to management and have those concerns internally resolved.

The conflict resolution process may only be initiated by individual employees and not groups of employees or employees acting as representatives on behalf of other employees. EOs, Chief Deputies, and DA's are prohibited from initiating the conflict resolution process. Employees exempted from using the conflict resolution process are directed to bring concerns they may have to their EO or the HRD in writing.

The conflict resolution process must be used to raise concerns of unlawful process or conduct by the County, its EOs, DA's or supervisors. Failure to engage in or follow the conflict resolution process will be considered a failure to exhaust administrative remedies to the extent allowed by applicable law.

10.04.01 Step One - Notify the Immediate Supervisor

Employees should initially direct their concerns to his/her immediate supervisor by completing level I of the request for conflict resolution form, which can be found on the County employee portal or HR. This form will ask the employee to identify him or herself, as well as ask for details regarding the conflict such as the parties involved, the complaint itself, and possible solutions to the conflict. If the immediate supervisor is out of the office for an extended period of time or the conflict involves that supervisor, the employee should deliver the conflict resolution form to the next member of management in the chain of command. Employees are required to submit requests

for conflict resolution within one calendar week of becoming aware of the conflict or upon reaching an impasse in resolving the conflict by less formal means.

10.04.02 Step Two - Supervisor's Response to the Complaint

The supervisor or manager has five business days to respond in writing to the complaint. The supervisor may have a discussion with the employee making the complaint to get further details about the issue and to discuss options for resolving the complaint. If the supervisor does not resolve the complaint to the satisfaction of the employee or does not respond to the complaint, the employee may complete the level II section of the conflict resolution form within five business days of the initial deadline with the DA or EO, whoever is next in the chain of command. The complaint must now also include:

1. The problem and the date when the incident occurred.
2. Suggestions on ways to resolve the problem.
3. A copy of the immediate supervisor's written response or a summary of his or her verbal response and the date when the employee met with the immediate supervisor. If the supervisor provided no response, the complaint should state this.

Upon receipt of the formal appeal, the DA or EO (depending on the chain of command) is encouraged to schedule a meeting with the employee to discuss the complaint. Within five business days after such discussion, the DA or EO should issue a decision in writing to the employee filing the complaint. The EO should discuss the issue with the HRD for guidance before issuing the decision. The HRD may recommend a meeting with the parties to facilitate resolution, or request legal advice from the PA in the event there is cause to believe a state or federal law is implicated by the conflict.

A copy of the final resolution, all forms, documents and records pertaining to that action shall be maintained in a separate sealed file as established by the EO and HR, in consultation with the PA, as necessary.

10.04.03 Additional Guidance

If an employee fails to appeal from one level to the next level of this procedure within the time limits listed above, the problem should be considered settled on the basis of the last decision.

10.04.04 No Retaliation for Participating in Conflict Resolution Process

No employee, under any circumstance, will be retaliated against for a complaint under this procedure, so long as they make the complaint in good faith. Any employee who feels he or she has been retaliated against should contact their EO, HRD or PA as soon as possible.

11.0 SEPARATION FROM COUNTY EMPLOYMENT

11.01 Resignation

The County understands that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged but not required to give two weeks' notice to facilitate a smooth transition out of the organization. Resignation should be in writing whenever possible.

11.02 Retirement

Employees who wish to retire are encouraged to notify their DA, EO and HR in writing at least two months before the planned retirement date to ensure timely completion of necessary retirement and insurance forms.

11.03 Involuntary Termination

Employees of Canyon County are employed on an at-will basis and the County reserves the right to terminate an employee at any time, with or without cause. However, the County recognizes the public's interest in ensuring that County employment decisions serve the public good, are not made by unlawful process or for unlawful purpose, and are based upon the reasoned consideration of available information. Accordingly, the County voluntarily waives its right to terminate any employment relationship without notice, and guarantees each employee not identified in Section 1.05 the opportunity for a pre-termination good faith hearing as well as the ability of discharged employees to request a name-clearing hearing. The County does not impose any similar burdens or limitations on the at-will rights of our employees.

Although the County offers such notice and opportunity for hearing in recognition of the public's interest in the efficient and lawful administration of the public business, the County expressly disclaims the existence of any separate individualized property interest in continued at-

will employment with the County and reserves the right to terminate any employee at any time for any lawful purpose.

11.03.01 Pre-termination Notice

The County has determined that it is in the public interest, despite the County being an at-will employer, to provide pre-termination notice to its employees. Notice of termination shall be given to an employee in writing. The employee shall immediately surrender his/her security badge, make arrangements with the person who delivered the notice to pick up personal belongings and return County property and then shall be escorted out of the workplace.

11.03.02 Good Faith Hearing

Although Canyon County is and remains an at-will employer, the County recognizes that competing interests can arise when an EO or DA contemplates the discharge of an employee not enumerated in Section 1.05 of this handbook. For the County, these interests include but are not limited to the expeditious removal of unsatisfactory employees, the avoidance of administrative burdens, the recognition of the constitutional authority of Elected Officials, and the risk of executing a termination in violation of law or plainly expressed public policy. The County desires to satisfy these interests without limiting either the employee's or County's right to the mutual benefits of an at-will employment relationship. Accordingly, the following procedure – WHICH IN NO EVENT SHALL BE CONSTRUED TO LIMIT THE REASONS FOR WHICH AN EMPLOYEE MAY BE DISCHARGED, OR TO IMPLY THAT AN EMPLOYEE MAY ONLY BE DISCHARGED FOR CAUSE, OR TO OTHERWISE ESTABLISH THE EXISTENCE OF AN INDIVIDUALIZED PROPERTY INTEREST IN CONTINUED COUNTY EMPLOYMENT – shall apply to involuntary terminations of employees not listed in Section 1.05 executed at the County's direction.

When an EO, EO's designee, or DA determine that such an employee should be terminated, written notice of that decision shall be served on the employee. Upon service of notice of termination, the employee shall concurrently be placed on administrative leave with pay. Within two business days of service of this notice, the employee may request a good faith hearing by delivery of a written request to the HRD. Failure to request a good faith hearing constitutes a failure to exhaust remedies under these rules.

The written request must explain the grounds for such a hearing and thoroughly address the basis of the employee's objection to the termination of their employment. The good faith hearing will be held by the relevant EO, EO's designee, DA, or DA's designee, within two business days following the County's receipt of the request. Upon request of the EO or DA, either the HRD and/or PA may be present during such hearing. Upon consultation with the HRD and/or PA, the EO or DA will issue a final written decision regarding the proposed termination within two business days of the good faith hearing, and such decision will be considered final.

The purpose of this informal hearing, which may last no longer than one hour for presentation of the employee's case, and at which the employee has no right to legal counsel and must personally present his/her response, is to facilitate the creation of a complete record upon which the relevant official will base a final decision regarding that employee's potential discharge from employment. As Canyon County is an at-will employer, the purpose of the good faith hearing is not to determine whether "cause" for the termination exists, as no cause is required, or to protect an employee's non-existent interest in continued at-will employment, but to facilitate the creation of a complete record and allow employees to be heard as to the existence and proof of any reason they believe the proposed termination is either unwarranted or unlawful. An unwarranted or unlawful termination includes County expressly forbidden discrimination on the basis of on a

protected class status or protected characteristic as recognized by applicable federal, state, or local law, including a disability that is not a bona fide occupational qualification, as well as any disciplinary action in contravention of “plainly expressed public policy” as that term is understood in law.

The good faith hearing does not limit the authority of any EO or DA regarding any employment decision, and is made available in the same spirit as the conflict resolution process outlined above to recognize, despite the unilateral authority of both employee and employer to terminate the employment relationship at any time with or without cause, the public’s interest in ensuring that County decisions will serve the public good and are based upon reasoned review of available information.

An audio recording of the hearing will be made and maintained as part of the employment record.

11.03.03 Name Clearing Hearing

The County expressly disclaims the existence of any right of its at-will employees to a post-termination review, Loudermill hearing, or similar process not afforded by these Rules because the County does not recognize an individualized property interest in continued at-will County employment.

However, the County does recognize a right of its employees to their reputation and ability to obtain future employment and so offers a name clearing hearing as post-termination process to ensure that any false and stigmatizing public statements or charges regarding an employee or the employee’s termination may be challenged by the employee for purposes of removal from, or modification of, their employment record.

The name clearing hearing is not intended to serve as an additional review of the termination or demotion decision, although such outcome may be possible. Rather, an employee who has been demoted with a reduction in pay, or whose employment has been terminated, where such adverse action was based upon allegations of dishonesty, immorality, or criminal misconduct, is entitled to an opportunity to clear his or her name such that any falsely stigmatizing public statements or charges against them contained in the record are disproved and ordered removed from their record, or rebutted. Issues involving job performance or employee attitude, without allegations of dishonesty, immorality, or criminal misconduct, are not the proper subject of this procedure and will not be heard.

Within 14 calendar days of a termination (or demotion with reduction in pay), that person may submit a written request to the HRD for a hearing to clear his or her name. Within two working days of receipt of the request for a name clearing hearing, the County will respond to the requestor in writing and address whether a hearing will be granted and, if so, the date and time of such hearing. If granted, the hearing will occur between two and five working days from the date of the County's response to the request.

The name clearing hearing will be held by the HRD, and without regard to formal procedures or rules of evidence. An audio recording of this informal hearing will be made and maintained as part of the employment record, along with any written statements or questions offered by the employee or the employee's supervisor. The employee will be provided an opportunity to present their own sworn testimony or written evidence from any source regarding the falsity of any stigmatizing charges, and may submit written questions and argument for consideration, but will not have the opportunity to call or question witnesses. Similarly, the employee's supervisor may

submit a written statement or questions, but will not have the opportunity to call or question witnesses.

After the hearing, the HRD will consult with the PA and consider all the information submitted and such other information as might be in the County's records to arrive at a decision regarding the employee's claim. Within five working days of the hearing, the HRD will provide a written decision as to whether any specified information will be removed from the employee's employment file or other relief granted.

11.04 Layoff/Reduction in Force (RIF)

Any involuntary termination of employment not involving misconduct or inefficiency, but involving a reduction of force because of economic conditions, lack of work, location reassignment of work, technological advance, or for other reasons, shall be considered a layoff.

When an EO believes that an individual is essential to the efficient operation of the County because of special skills or abilities, the EO shall submit a written statement to the HRD and the BOCC.

Subject to federal or state law, employees scheduled to be laid off shall be notified in writing at least 30 days prior to the effective date of the layoff.

Laid off employees will be offered an interview or may be recalled to work when or if their positions are to be filled again within a 12-month period of the lay-off date.

11.05 Return of County Property

Employees leaving Canyon County employment for any reason must return all County property at the time of separation, including uniforms, cell phones, PCs, keys, and identification badges. Failure to return some items may result in deductions from the employee's final paycheck, in accordance with the applicable law.

11.06 Exit Interviews

Exit interviews may be conducted by the EO, his/her designee, or the HRD, as appropriate and should be scheduled as soon as notice is given. The interview will be on the employee's last day of work or another day, as mutually agreed upon.

11.07 Collecting Personal Property Upon Involuntary Termination

If an employee is involuntarily terminated, the circumstances may require the employee to vacate the premises prior to cleaning out their office or work area. In such circumstances the EO, or his/her designee, may enter the office or work area and obtain County property as well as evidence of any misconduct. The employee will be informed as soon as reasonably possible, as determined by the EO, when they may return and retrieve any personal items not seized as evidence of misconduct.

11.08 Final Paycheck

All employees leaving County employment will be paid through the last day of work, plus any accrued vacation time or comp time, and will be paid on the first payday following resignation. Accrued sick time and personal holiday time (as recognized by the BOCC) will be forfeited at the time of separation.

11.09 Payment of Unused Vacation Leave and Comp Time Balances

When an employee voluntarily or involuntarily terminates County employment, the County shall pay the employee for all accumulated vacation leave and accrued comp time. Payment shall be computed on a pro rata hourly basis, using the employee's salary rate at time of termination. Vacation, sick or other available leave may not be used to extend the date of resignation, retirement or other predetermined separation or termination of employment from County service. The date of separation from the County will be the last day actually worked.

11.10 Sick Leave Balances

All accrued sick leave shall be forfeited at the time of separation from County employment and no employee shall be reimbursed for accrued sick leave at the time of separation. If an employee is reinstated to County employment sick leave credits accrued at the time of separation will not be reinstated.

11.11 Consolidated Omnibus Budget Reconciliation Act (COBRA)

COBRA coverage is a continuation of health benefits, which may include medical, dental, vision, and flexible spending account plans, at the employee's own expense when coverage would otherwise end because of a life event known as a "qualifying event."

COBRA is dictated by federal guidelines and more information can be obtained by contacting HR.

11.12 USERRA Continuation Coverage – Health Insurance Protection

For County employees who serve in the armed forces or any qualified branch of the U.S. Military, he/she may have health care continuation coverage rights under the Uniformed Services Employment and Reemployment Act (USERRA).

More information regarding continuation of health benefits under USERRA is available at HR.

12.0 RECORDS RETENTION AND DESTRUCTION

12.01 Records Retention

Canyon County will retain employment records ten years after the end of the year to which they pertain.

12.02 Requests for Information

The County will respond, as permitted by Idaho law, to all requests for information and verification of employment checks on current or former employees. Requests must include a signed authorization by the current or former employee consenting to the release of this information.

Public record requests for information made by third parties must first be reviewed by the PA before being released.

12.03 Records Destruction

In an effort to meet all federal and state laws regarding the destruction of employment records, HR will prepare a list annually of all employment records scheduled for destruction. Such list will be sent to the PA, for notification of any pending or current litigation holds. Records with a pending or current litigation hold will be removed from the destruction list. HR will work with the PA to prepare a resolution for the BOCC to sign, allowing the remaining files to be destroyed. A list of all records destroyed will be kept at HR.

Employment records will only be destroyed after a ten-year retention period, as indicated in Section 12.01.

12.04 Electronic Records Destruction

All electronic records will be treated the same as physical records, following the same retention and destruction protocol as indicated above.

13.0 EMERGENCY INSTRUCTIONS

Canyon County is committed to providing a safe and healthy environment for all employees and visitors. While it is rare that serious emergencies or threats will occur, it is imperative that all County employees understand how to respond in these situations, to protect themselves as well as co-workers and guests.

The term “Police” as used in this section refers to the police department of the city where your building is located or if located in a building unincorporated to the Canyon County Sheriff’s Office. Where instructions in this section reference contacting police or fire staff this is intended to direct employees to call 9-1-1. If calling from an Administrative Building landline, please dial 9-9-1-1.

The following protocols give instructions on how employees should respond in emergency situations.

13.01 Before an Emergency Occurs

1. KNOW the established emergency procedures for your building and work area.
2. KNOW the hazards of any materials or equipment in your building and work area and the precautions to take to avoid or minimize associated risk.
3. KNOW two means of egress from your area.
4. KNOW the locations of fire alarm pull stations.
5. KNOW the locations of portable fire extinguishers and how to use them.
6. KNOW the location of the nearest first aid kit.

13.02 Emergency Evacuation Plan

Each department or office is required to develop an individual emergency evacuation plan. This plan is supplemental to this handbook and provides building specific information. The evacuation plan must contain the following information:

1. Emergency telephone numbers.
2. Evacuation employees' duties.
3. Designated meeting point.
4. Building information such as whether the building has an automatic sprinkler system, smoke detection, and/or manual alarm pull stations.

13.03 Evacuation

Evacuation is total building or partial building evacuation due to conditions making it no longer safe to remain inside a building or a specific area in a building. This level of evacuation requires occupants to move out and away from the building being evacuated.

13.03.01 General Evacuation Procedures

If you are safe and not in immediate danger and need to evacuate the building, take the following steps:

1. Secure vital records and shut down electrical equipment.
2. Take personal belongings (keys, purses, wallets, etc.) if items are immediately available.
3. Proceed to your predetermined exit or alternate exit, if necessary. Shut all doors as you leave.
4. Assist disabled employees and visitors.
5. Proceed quietly, calmly and orderly. Remove inhibiting shoes (such as high heels) when necessary to avoid tripping, falling and/or injuries.
6. DO NOT USE ELEVATORS.
7. DO NOT OPEN DOORS if heat or smoke is present.
8. Once outside, assemble at a designated area and stay there. Your supervisors will need to account for their employees.

9. DO NOT re-enter the building until authorities have cleared the building for re-occupancy.

13.03.02 Controlled Evacuation

Controlled evacuation is total building or partial building evacuation due to safety conditions or an armed intruder making it no longer safe to remain inside a building or a specific area in a building. This level of evacuation requires occupants to move out and away from the building once notified by Police.

13.03.03 Shelter-In-Place

Shelter-in-place means selecting a small, interior room, with no or few windows, and taking refuge there; it does not mean sealing off your entire office. Shelter-in-place is used in emergency situations where hazardous materials have been released into the atmosphere or in emergencies related to civil unrest or violent actions.

13.03.04 Lock Down

Lockdown is the temporary sheltering technique utilized to limit exposure to an "Armed Intruder" or similar incident. When alerted, occupants of a building within the area of concern will lock all doors and windows, not allowing entry or exit to anyone until the all clear has been sounded. If you are in a ground floor office or common area, take precautions and move away from glass windows or doors and seek shelter in a locked room or office.

13.03.05 Alarm Evacuation Procedures

In the event of an Alarm sounding in the building:

1. When a fire alarm sounds, evacuation is required.
2. Walk, do not run, to the nearest stairway exit and proceed to ground level. Close doors as you leave. Shut down equipment while evacuating.
3. Do not use elevators during a fire emergency.

4. If the fire alarm stops, continue the evacuation and warn others who may attempt to enter the building.
5. Leave the building and move away from it, keeping walkways and driveways open for arriving firefighters.
6. Proceed to your prearranged rally area as defined in your Building Emergency Plan.
7. Everyone must follow the orders of the fire and police departments.

13.03.06 Evacuation of Persons with Disabilities

Persons with disabilities must study and remember the features of each building they are in, including stairways, exits, phone locations, and elevator procedures. At certain times, assistance from others may be needed. Prior to an emergency situation, persons with disabilities should develop an escort system in their daily environment.

13.04 Fire

If you discover a fire, an explosion, or smoke in a building, activate the fire alarm system immediately at the nearest fire alarm pull station to evacuate the building (see “Evacuation Procedures” above).

After sounding the fire alarm, call 911 from a safe location. Provide the building name, address, floor, room number, and any known special hazards at the location. Do not assume that someone else has called.

If the fire is in an unoccupied room, try to close the door to retard the spread of smoke and heat; do not take any unnecessary risks in doing this.

Only if the fire is small and you have received training in fire extinguisher operation should you attempt to extinguish the fire; do not take any unnecessary risks in doing this.

When Police and/or fire fighters arrive, direct them to the fire.

13.05 Bomb Threat

Take any bomb threat seriously, and report it immediately to Police. Police will determine what corrective action to take.

If you receive a written bomb threat, do not handle it any more than necessary.

Place it in an envelope to preserve possible fingerprints. If you receive a telephoned threat, note the exact time of the call and attempt to write down the exact words of the caller.

Ask the caller to repeat information. Get as much information as possible by asking when the bomb is set to explode, what kind of bomb it is, where it is located, and what it looks like. If possible, signal another person and write a note explaining the call is a bomb threat. Give all of the information you obtain to Police.

13.06 Theft and Missing Property

Theft or missing property should be reported immediately to Police. An officer will take a report of the loss and of the circumstances surrounding the loss.

13.07 Suspicious Activity

If you see suspicious activity in your building or on/in the vicinity, IMMEDIATELY report it to Police. Don't assume someone else has called. When in doubt, call.

When contacting Police, provide the following information:

1. The person's last known location and direction of travel.
2. What made the person's actions suspicious?
3. Did the person say anything? If so, what?
4. Did the person appear intoxicated?
5. Were any weapons displayed or was there a threat of a weapon?

In addition, provide a description of person(s) including: gender, race, age, height, weight, complexion, eye color, hair color, facial hair, scars, or tattoos. If person(s) involved in suspicious activity are in a vehicle, provide the: vehicle make, model, color, and license plate number and any identifiable marking(s). Police will respond and investigate the reported circumstances and take appropriate action.

13.08 Medical Emergencies

To protect the County from liability in emergency situations, Canyon County employees (with the exception of qualified medical staff or emergency responders) are not permitted to drive another County employee to the hospital or medical clinic in cases of emergency. The employee must be able to drive him/herself or must contact a family member or friend not in County employment to drive him/her to the medical location. If the employee is not coherent, more seriously injured, or cannot drive him/herself, an ambulance must be called to transport the employee to a hospital.

Violations of this policy could result in disciplinary action, up to and including termination.

14.0 SELECT COUNTY POLICIES

Vehicle Use Policy and User Agreement