

# **TWIN FALLS COUNTY**

## **PERSONNEL MANUAL**

**Effective September 14, 2014**  
**Updates 11-27-18; 12-14-18; 9-22-19;**  
**08-24-2020; 09-20-2020; 11-16-2020;**  
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**08-14-2023; 10-19-2023**

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# EMPLOYEE ACKNOWLEDGEMENT FORM

A copy of the Twin Falls County Personnel Manual, effective September 14, 2014 has been made available to me. I understand that this personnel manual supersedes all previously existing personnel policies of Twin Falls County, its elected officials and department heads to the extent said policies are inconsistent with the new personnel manual. I understand that Twin Falls County reserves the right to modify, revoke, suspend, terminate, or change any policies and/or procedures, in whole or in part, at any time, with or without notice. I understand that Twin Falls County is an Equal Opportunity Employer and that Twin Falls County, through its elected officials will make all personnel decisions such as compensation, benefits, transfers, layoffs, return from layoff, County sponsored training, education, social and recreational programs without regard to race, religion, sex, age, national origin, or disability.

I understand that Twin Falls County is an AT-WILL employer and either the employee or the County can end the employment relationship at any time for any reason. I also understand that these policies and procedures do not constitute an employment contract.

I hereby acknowledge that I have received a copy of the personnel manual and understand that it is available in paper or electronic form. I understand that it is my responsibility to read and ask any questions I may have regarding the policies and procedures set forth in the Twin Falls County Personnel Manual. I understand that I am obligated to perform my duties of employment in conformance with these rules and any additional rules, policies, and/or procedures imposed by the department in which I work, whether or not I choose to read said policies. I further understand that I may contact my supervisor, department head, elected official, Prosecuting Attorney's Office Civil Division, or Human Resources to ask any questions I may have regarding policies.

I authorize the testing lab and/or Medical Review Officer or designee retained by the County to conduct drug testing as required by policy and to release test result information to the authorized County representative(s).

I understand that I must return any County property, i.e., equipment, cell phones, keys, etc. immediately upon request.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

## WITNESSED BY: TWIN FALLS COUNTY

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## INTRODUCTION:

### *Employee Welcome Message*

While there is no single rule that can guarantee success in any business or agency, there are certain fundamental things that largely determine an individual's success. Most important is how well you do your job. We are confident that your job performance will reflect credit to both Twin Falls County and to you as an individual.

The purpose of this manual is to provide information as to Twin Falls County policy. It is not to be construed or considered to be, in any way, a contract, or a guarantee of continued employment.

If you have questions regarding County Policy and Procedure, you may ask your supervisor, department head, elected official, Prosecuting Attorney's Office Civil Division, or Human Resources Department. The Board of County Commissioners reserves the right to amend or change this manual at any time. Although the County will disseminate information on policy changes through such media as memos, email, paycheck enclosures, etc., the employee is responsible to read and understand the changes. Current policies are available in the Human Resources Department and on the County's website at [www.twinfallscounty.org](http://www.twinfallscounty.org) under the Human Resources section. You will be asked to sign an acknowledgment form indicating that a copy of the manual has been made available to you and you have had the opportunity to ask questions. We welcome you as a member of our team and look forward to a good working relationship.

**This personnel policy is not a contract. No contract of employment with Twin Falls County will be valid unless it is expressly approved by and signed in accordance with proper procedures by the County Commissioners and unless it is signed by and contains the name of the employee who would be benefited by the contract.**

### **Twin Falls County's Mission Statement:**

We will strive to serve our communities by providing leadership to promote the highest quality of service to each individual, while protecting the interest of the community at large. We will meet the current needs of the County with an eye toward the future in a manner that respects the input of our citizens.

## ***Organization Description***

### **Introduction to Public Employment:**

The elected officials manage the County to provide services and conduct County affairs for the good of the County's citizens. As a government entity, the County must adhere to certain state statutes and codes that do not apply to the private sector, and which make working for the County somewhat different than working for other employers.

Twin Falls County is a political subdivision and government entity of the State of Idaho. The Board of County Commissioners serves as the governing body for Twin Falls County, carrying out local legislative duties and fulfilling other obligations as provided by law. The Board of County Commissioners is the general policymaker for Twin Falls County, and as such, has primary authority to establish terms and conditions of employment with Twin Falls County. The Board of County Commissioners also appoints personnel to help carry out its administrative responsibilities.

As with all elected public officials, the Board of County Commissioners is ultimately responsible to the voters of Twin Falls County. The terms set forth herein reflect County policy at the time of its printing, but they are subject to change at any time, without prior notice, and at the sole discretion of the Board of County Commissioners.

The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's pledge, without the express written authorization of the Board of County Commissioners. That is particularly true for terms or conditions which would establish a financial obligation for Twin Falls County, now or in the future. You may work for a department with an operational policy that provides additional direction to employees on expectations and procedures unique to that department.

It is the intent of the elected officials and management staff to work collaboratively with all employees of Twin Falls County to create a mutually supportive and productive work environment. Our shared work experiences should seek to achieve an atmosphere of courtesy, professionalism and respect that values each other and the tasks necessary to meet our respective duties and obligations, in our pursuit of public service.

Twin Falls County has nine (9) elected officials who oversee the operations of and the various departments within the County. They are:

- County Commissioners (3)
- Assessor
- Clerk of the District Court
- Coroner
- Prosecuting Attorney
- Sheriff
- Treasurer



***010 – Statement of Purpose:***

All Twin Falls County elected officials, except where specifically indicated, must use this policy and procedure manual as adopted by the Board of County Commissioners as a guide. Specific policies in this manual may be superseded by policies enacted by individual elected officials for use in their offices. Such policies must be in writing and adopted by the Board of County Commissioners after legal review. At their discretion, individual elected officials may implement policy in addition to those in this manual, providing such policies are not inconsistent with the policies in this manual. Employees must also comply with office or department procedures that may not be specifically addressed in this manual.

The intent of this policy and procedure manual is to provide a consistent approach in dealing with the employees of Twin Falls County. Its scope is to affect all aspects of Twin Falls County employees' work performance standards. Any issue not specifically addressed in this manual is subject to the discretion of the elected official in charge of the office.

THERE SHALL BE NO MODIFICATIONS TO THIS MANUAL UNLESS THOSE MODIFICATIONS ARE SET FORTH IN WRITING AND SIGNED BY THE COUNTY COMMISSIONERS. FURTHERMORE, NO PROVISION OF THIS POLICY MANUAL SHALL BE WAIVED BY ANYONE OTHER THAN THE COUNTY COMMISSIONERS; SUCH WAIVER BEING IN WRITING AND SIGNED BY THE COUNTY COMMISSIONERS.

## **011 – Scope**

All employees of Twin Falls County are employed at the discretion of the elected official for whom they serve and shall have no right to continued employment. Employees of Twin Falls County are AT-WILL employees and either the employee or the County can terminate employment at any time for any reason. Only a written contract expressly authorized by the Board of County Commissioners can alter the at-will nature of employment by the County.

011-01 All employees of the County, without limitation, shall be subject to this manual, except those specifically mentioned in this section, or where specific exemptions are provided elsewhere in this manual or by an elected official's written policy as adopted by the Board of County Commissioners. The system does not include:

- A) Officers elected by popular vote;
- B) Members of advisory boards, commissions or councils, and independent contractors,
- C) One deputy of each elected official (except for the County Commissioners) designated as chief deputy.
  - 1. The chief deputy is a political appointment by the elected official and the position terminates at each term of office.
  - 2. At the discretion of the elected official, chief deputies may be retained in any capacity the elected official deems appropriate.
  - 3. For all other purposes besides those in (1) and (2) above, chief deputies shall be covered by the provisions of this manual.

011-02 The system hereby established shall include and be consistent with the following principles:

- A) All appointments and promotions and all measures for the control and regulation of employment of such positions and separations there from, shall be based on merit, efficiency, availability of work, and fitness to serve the job related functions of the position.
- B) No person shall be disqualified from taking an examination, from appointment to a position, from promotion, or from holding a position because of race, religion, sex, age, national origin, disability, or other non-merit factor. Nor shall the County terminate, demote, or transfer from any position or otherwise discriminate against in compensation, terms, conditions, or privileges of employment for any of these reasons.
- C) Each County elected official and appointed chief deputy and/or department head, as assigned authority by the responsible elected official, shall retain the right in accordance with applicable laws and County policy to:
  - 1. Direct employees of the County,
  - 2. Hire, promote, transfer, assign, and retain employees and to suspend, demote, discharge, or to take other disciplinary action against employees,
  - 3. Relieve employees from duties because of lack of work,
  - 4. Maintain the efficiency of the government operations entrusted to them,

5. Determine the methods, means, and personnel in which to conduct such operations,
  6. Take the necessary actions to carry out the mission of their agency.
- D) Employees shall be compensated with due consideration to the following factors:
1. Financial policies of the County;
  2. Relative difficulty, responsibility, and qualifications required of the work,
  3. Competence and ability of the employee,
  4. Prior job experience, and
  5. Length of service.
- E) Employees may be provided opportunities for training, as required, to assure high quality performance and career development when such training is considered advantageous and financially feasible to the County as determined by elected officials or department heads.
- F) Employees shall be treated equally with regard to race, religion, sex, age, national origin, and disability, in connection with hours of employment, holidays, approved leaves, benefits, and other terms and conditions of employment.

011-03 For the purpose of these rules, the term "elected official" includes the County Commissioners, County Prosecuting Attorney, County Treasurer, County Sheriff, Clerk of the District Court (County Clerk), County Coroner, and County Assessor.

## **012 – Administration**

- 012-01 Human Resources shall be responsible for assisting the elected officials in the administration of the personnel system. The duties of the Human Resource Director are subject to review and approval by the County Commissioners, and shall include, but are not limited to the following:
- A) Development of proposed personnel rules, regulations and procedures as required,
  - B) Establishment and maintenance of personnel records for each employee and such other records and data as may be required;
  - C) Advising all elected officials and County employees on personnel related matters,
  - D) With the appropriate involvement of department heads and elected officials, developing and maintaining job descriptions, the compensation plan, grievance policy and procedures, and other special programs;
  - E) Reporting to the elected officials and department heads regarding the status of the personnel program as necessary or required;
  - F) Monitoring the operation and effect of this manual and the rules and regulations made hereunder, and making reports of the irregularities and recommending changes to elected officials; and
  - G) Making available for each employee, an up-to-date copy of all personnel rules, regulations and policies adopted pursuant to this manual.

***020 – Rules and Regulations:***

- 020-01     It shall be the responsibility of the Human Resource Director to maintain the policy and procedure manual for Twin Falls County and communicate any changes to employees. Such policy and procedure shall become effective upon adoption by the Board of County Commissioners. There shall be no modification or waiver of the terms of this manual except in writing signed by the County Commissioners.
  
- 020-02     Any provision of this manual or the rules and regulations herein specified considered being in conflict with any state or federal requirement of law shall be inoperative to the extent of such conflict and will in no way affect any other portion of the manual or rules and regulations.

## **EMPLOYMENT:**

### ***100 – Equal Employment Opportunity***

- 100-01 It is the policy of Twin Falls County to comply with the guidance set forth in Title VII of the Civil Rights Act of 1964, as amended from time to time, and that appropriate consideration be given to all applicable federal and state laws regarding employment.
- 100-02 Twin Falls County will recruit, hire, train, promote, classify, transfer, discipline and discharge all persons without regard to race, religion, sex, age, national origin, or disability. No job or class of jobs will be closed to any individual except where a mental or physical attribute, sex, or age is a bona fide occupational qualification.
- 100-03 Twin Falls County as an employing agency is subject to Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veteran's Readjustment Assistance Act of 1974.
- 100-04 In order to assure adherence to the policies of Twin Falls County, the Board of County Commissioners have appointed the Human Resources Director as Equal Employment Opportunity Coordinator. The EEO Coordinator will analyze personnel actions to ensure equal opportunity to employees and prospective employees and make recommendations to ensure compliance in the day-to-day implementation of the program.

### ***101 – Equal Pay Act (EPA)***

- 101-01 Twin Falls County complies with all applicable federal, state, and local laws regarding compensation, including all provisions of the Equal Pay Act (EPA) which prohibits employers from paying workers of one gender more than workers of the other gender to do equal work.
- 101-02 To be considered equal work, the jobs must require equal skill, effort, and responsibility and must be performed under similar working conditions. Compensation considerations may be made for non-discriminatory reasons, such as seniority, job performance or productivity, etc. All supervisory personnel must ensure their compensation decisions and practices are in compliance with EPA.
- 101-03 An employee who perceives an issue in regard to compliance regarding compensation may report the problem to their supervisor, department head, elected official or Human Resources.

## ***102 – Federal Reporting and Compliance Requirements***

- 102-01 Twin Falls County, as an employer, will establish and follow requirements related to Federal reporting requirements in regard to identifying and correcting procedures that may adversely affect equal employment practices.
- 102-02 The responsibility for implementation and maintenance of programs such as the County's Equal Employment Opportunity Plan, Title VI reporting, and any other programs or reports required by federal, state, or local government, or as required for grant compliance in regard to equal employment practices shall rest with the Human Resources Director. The Human Resources Director shall report to the Board of County Commissioners and other elected officials as necessary on the progress of the programs.
- 102-03 It shall be the responsibility of the department heads and elected officials to comply with compliance and recordkeeping requirements set forth by Twin Falls County in order to assist the Human Resources Director in maintaining these programs and reports.

## ***105 – Genetic Information Nondiscrimination Act (GINA)***

- 105-01 All 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, terminating, job placement, promotions, or any other terms and conditions of employment based on a worker's genetic information.

## ***106 – Health Insurance Portability and Accountability Act (HIPAA)***

- 106-01 The Health Insurance Portability and Accountability Act (HIPAA) protects the privacy of a person's health information; it says who can look at and receive health information, sets standards regarding safeguards to protect the privacy of personal health information, and also gives patients specific rights over their information.
- 106-02 A "Notice of Privacy Practices" is posted on Twin Falls County's website, under the Human Resources page, and on bulletin boards throughout County offices. Additionally, the County has established policies that are beyond the scope of this manual. Questions or concerns regarding HIPAA requirements, privacy issues, or County policies should be directed to Human Resources.

## ***110 – Veteran's Preference***

- 110-01 Twin Falls County will provide preference to employment of veterans of the U.S. Armed Services in accordance with provisions of Idaho Code Title 65 Chapter 5

or its successor. In the event of equal qualifications for an available position, a veteran or family member who qualifies for preference pursuant to I.C. § 65-503 or its successor will be employed. Under certain circumstances, the widow, widower, or spouse of a veteran may also be entitled to veteran's preference pursuant to I.C. § 65-503.

- 110-02 Veterans are also entitled to certain other rights as employees. For information regarding these rights, see the County policy on "USERRA". Questions regarding Veteran's Preference should be directed to Human Resources or the Prosecuting Attorney's Office Civil Division.

## ***120 – Disability Accommodation***

- 120-01 Twin Falls County complies with the provisions of the Americans with Disabilities Act (ADA) which prohibits discrimination against qualified individuals with a disability. This covers both applicants and employees that meet the qualification requirements of the position, can perform the essential functions of the position with or without reasonable accommodation, and have a disability as defined by the ADA. In general, it is the responsibility of the individual with a disability to request an accommodation from the County.

A. **Accommodation in the Hiring Process:** Upon request, reasonable accommodations will be made for qualified persons with disabilities. Applicants should submit requests for accommodation to the Human Resources Department upon applying for employment. Human Resources will review requests on a case-by-case basis with the appropriate department head and/or elected official.

B. **Reasonable Accommodation in Employment:**  
Once the need for reasonable accommodation arises either by the employee's request or by the County's knowledge of the employee's disability, the elected official in charge of the office or their designee, and the Human Resources Director will engage in an interactive process with the employee to determine if a reasonable accommodation is available. The interactive process may include, but is not limited to: review of the essential functions of the job, dialogue with the individual to ascertain the job related limitations, consulting with the individual's physician regarding their disability, and working with the employee to identify the potential accommodations, etc.

1. Reasonable accommodations may include training, modification of equipment and devices, modification of departmental policies, granting leave, reassignment to a vacant position, modifying work schedules, making facilities accessible, or job restructuring. Several factors will determine if an accommodation can be granted, and employees must recognize that each request will be reviewed on its

own merits and circumstances. An accommodation may be denied if it creates an undue hardship for Twin Falls County.

- 120-02 Employees who wish to request an accommodation under the ADA may submit their request to their department head or elected official, or Human Resources. Twin Falls County may request additional information from the employee and their health care provider to verify the disability and recommend possible accommodations. If an employee fails to provide the necessary information for the request to be reviewed, the request for accommodation may be delayed or denied pending more information.
- 120-03 Current employees who are temporarily unable to perform the essential functions of their position due to medical restrictions that cannot be reasonably accommodated *may* be eligible for transitional or light duty positions as outlined in the “Modified Duty” policy.

### ***130 – Vacancies /Job Posting System***

- 130-01 All County positions shall be filled based on merit and fitness without regard to race, religion, sex, age, national origin, or disability.
- 130-02 Vacancies may be filled from qualified persons within the department where the vacancy occurs without posting the position.
- 130-03 Vacancies that are not filled from within the office or department must be posted. The elected official or department head shall submit a personnel requisition to Human Resources. Requisitions require the approval of the Board of County Commissioners before the job can be posted.
- 130-04 At the elected official or department head’s request, job postings will be designated as “Internal Applicants Only” or as “Regular.” This will allow for only internal, or both internal and external applicants to be considered for a position.
  - A. Postings designated as “Internal Applicants Only” must be posted for a minimum of three (3) business days to allow existing employees an opportunity to apply. Only current Twin Falls County employees will be considered. If an internal applicant is not selected, the position will be re-posted as a “Regular” posting.
  - B. “Regular” postings must be posted for a minimum of five (5) business days. Both internal and external applicants may apply. Preference may be given to current Twin Falls County employees over outside applicants to fill vacancies however there is no guarantee that they will be selected.
- 130-05 All advertising must be coordinated through the Human Resources department. Job openings are posted at the Human Resources Office, on the County's website, and are distributed to all County employees via email or through department



mailboxes. In addition, Human Resources will notify the Magic Valley office of the Idaho Department of Labor of all “Regular” openings within Twin Falls County and will notify any other recruiting sources as deemed appropriate for the position.

### **131 – Employment Applications**

- 131-01 Twin Falls County relies on the accuracy of the information that applicants put on the employment application, with the expectation that accurate and true information is given during the hiring process and during continued employment. If any information is discovered to be misleading, false, and/or omitted, the County may reject an applicant from further consideration. If the County already employs the individual, it could result in disciplinary action up to and including termination of employment.
- 131-02 All applications, both internal and external, must be submitted to the Human Resources Office by the posted deadline for processing. Applications received after the deadline will not be considered.
- 131-03 **Internal Applicants:** To apply for an open position, current employees must submit an application through the online application system. Twin Falls County encourages employees to talk with their supervisor about their career plans. We also encourage supervisors to support employee's efforts to gain experience and advance within the County. Retaliation against an employee for applying for another position is prohibited.
- 131-04 **External Applicants:** To be eligible to apply for a posted job, an applicant must submit an application through the online application system, along with any other required documentation and/or testing. Late or incomplete applications will not be considered. The Human Resources Department will screen out applications that do not possess acceptable background criteria.

### **132 – Rehiring of Former Employees**

- 132-01 Rehiring of former employees is at the discretion of the elected official in charge of the office, after consultation with Human Resources and legal counsel if necessary. Due consideration will be given to the performance and/or disciplinary actions of the employee while previously employed as well as other employment references obtained as part of the screening process.

### **133 – Volunteers, interns, etc.**

- 133-01 Persons in volunteer or unpaid internship positions for the County are not employees, but are required to complete certain paperwork and a background process. Supervisory personnel should contact Human Resources prior to allowing volunteers to perform any work for the County.
- 133-02 Volunteers and interns are expected to abide by the County’s “Employee Conduct & Work Rules” policies, including but not limited to: smoking, drug free

workplace, non-discrimination, harassment, ethical conduct, confidentiality, use of County equipment, etiquette, and dress code policies. County supervisory personnel are expected to ensure proper supervision of volunteers and interns.

#### ***140 – Hiring of Relatives / Nepotism Policy (revised 11-16-20)***

- 140-01 No person shall be employed by Twin Falls County when said employment would result in a violation of Idaho Code, including but not limited to I.C. §59-701 et. Seq., I.C. §18-1359 and their successors. Any such appointment made in violation of these sections may be void. The appointment or employment of the following persons is prohibited:
- A. No person related to a County Commissioner by blood or marriage within the second degree shall be appointed to any office by any elected official or department head.
  - B. No public servant, including elected officials and employees, shall appoint, hire, supervise, have influence over or otherwise employ for compensation payable from public funds, any person related to him or her by blood or marriage within the second degree.
- 140-02 An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increases as allowed in Idaho Code.
- 140-03 Due consideration should be given to employing related persons in the same office/work area as to avoid any real or perceived conflicts of interest.
- 140-04 Any supervisor involved in a romantic and/or sexual activity and/or relationship with a subordinate must immediately notify his/her superior of the existence of any such activity and/or relationship. “Sexual” includes sending or sharing explicit images or text and also includes, but is not limited to, the behavior described in Idaho Code §§ 18-1514(3), 18-1514(5), 18-5613(a), 18-5613(b), 18-6601, 18-6110(3), and/or 23-614(a)-(f). Efforts shall be made to eliminate supervisory responsibility for one who is romantically and/or sexually involved with a subordinate. Supervisors shall immediately notify the elected official(s) in charge of the office of the romantic and/or sexual relationship and/or activity between a supervisor and subordinate.
- 140-05 In all relationships, whether romantic or friendship, employees must recognize appropriate boundaries and are expected to maintain a high level of professionalism, i.e., avoid gossip, maintain confidentiality of the office, etc.

#### ***150 – Employment References & Background Checks***

- 150-01 Each potential new hire shall be subject to reference checks and a background investigation prior to working for Twin Falls County. Additionally, current employees may be subject to a background check for select promotional opportunities. Reference and background checks are coordinated to determine

that the person has not misrepresented or omitted pertinent information from their application, meets the minimum standards for employment, possess the necessary educational requirements, has not engaged in conduct or a pattern of conduct that would jeopardize public trust, and is of good moral character. Consideration will be given to all violations of the law, including but not limited to: felony conviction, misdemeanor conviction, driving record and traffic violations, military record, fish and game violations, and any withheld judgments, discharged or dismissed charges and/or any pending charges.

- 150-02 The purpose of this requirement is to protect against acts or conduct which may endanger the safety and welfare of the public and protect County assets. This procedure applies to all full-time, part-time, seasonal, and temporary employees. Unpaid interns and volunteers may also be subject to a background check.
- 150-03 The elected official in charge of the office, in consultation with the Human Resources Director and legal counsel if necessary, shall determine which crimes or offenses affect initial or continued employment. Decisions shall be made based on several factors, including, but not limited to the nature and gravity of the offense, the time that has passed since the conviction and/or completion of the sentence, and the nature and qualifications required of the job.
- 150-04 Any applicant who fails to disclose or misrepresents his or her background information may be considered unsuitable for employment. Any current employee who fails to disclose or misrepresents his or her background may be subject to disciplinary action up to and including termination.
- 150-05 Human Resources shall be responsible for checking references on potential candidates unless otherwise requested by the department head or elected official in charge of the office, in which case, references shall be checked, documented and forwarded to Human Resources when completed.
- 150-06 The background check will be initiated by Human Resources after a job offer has been extended to the applicant.
- 150-07 All applications, interview notes, reference checks, etc. must be returned to the Human Resources Department for proper record retention once the position is filled.

## **151 – Fair Credit Reporting Act (FCRA)**

- 151-01 Twin Falls County shall comply with the Fair Credit Reporting Act (FCRA) which restricts access of consumer credit information to those who have a legitimate need for the information and have the written consent of the individual whose records are being reviewed. Twin Falls County may review consumer credit reports of applicants and employees in certain law enforcement and cash-handling positions. Prior to seeking the consumer credit report, Twin Falls

County will notify the individual of his or her rights under FCRA and obtain his or her written consent.

### ***160 – Medical Examinations Policy***

- 160-01 For certain positions, Twin Falls County requires individuals to undergo medical examinations to ensure safe operations conducted by the County and/or ensure the individual can meet the job-related requirements.
- 160-02 Potential employees may be required to take a medical examination before they are allowed to start work to ensure their fitness to perform the job for which they have applied.
- 160-03 Current employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthful conditions, requests an accommodation for a particular disability, or has a questionable ability to perform essential job functions due to a medical condition or work injury.
- 160-04 Medical examinations required by the County will be paid for by the County and will be performed by a physician or licensed medical facility designated or approved by the County. Medical examination records will be treated as confidential and shall be kept in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.

### ***170 – Immigration Law Compliance***

- 170-01 Twin Falls County is committed to only employing people who are legally authorized to work in the United States. Additionally, some positions require that the employee is a United States citizen. Twin Falls County does not illegally discriminate because of a person's citizenship or national origin.
- 170-02 Because we comply with the Immigration Reform and Control Act of 1986, every new employee at the County is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility. Elected officials and department heads are expected to ensure compliance by working with the Human Resource Office when hiring new employees.
- 170-03 New employees, as well as rehires, are required to complete forms upon hire and provide documentation to Human Resources within three (3) business days of the date of employment. If an employee fails to provide documentation within three business days, the employee will not be allowed to continue to work until

documentation is provided. Additionally, Twin Falls County can terminate an employee for failing to provide proper documentation.

- 170-04 When an employee legally changes his or her name, or their citizenship status changes, they must contact Human Resources to ensure proper documentation is updated.

### ***180 – New Hire Orientation***

- 180-01 Twin Falls County conducts new hire orientation in order to familiarize new employees with County policy and procedure. Orientation is normally conducted on a weekly basis. Elected officials and department heads are expected to ensure that newly hired employees attend the first available orientation closest to their start date of employment.
- 180-02 Employees that are transferring from part-time to full-time status must attend the Payroll/Benefits portion of the orientation to complete the necessary paperwork for benefits. Attendance should be the first available orientation closest to their date of becoming full-time.
- 180-03 Additionally, elected officials and department heads may meet with new employees to discuss specific department standards such as dress code, work hours, confidentiality issues, reporting of absences, complaint procedures, etc.
- 180-04 Time spent in orientation is considered work time, and each employee's timesheet must reflect the time engaged in orientation accordingly.

### ***181 – Employee Identification Cards***

- 181-01 Twin Falls County may provide identification cards to employees for certain positions. Authorization must be obtained by the elected official in charge of the office, and cards are issued through the DMV. The County will pay for the first card for the employee, lost or replacement cards are at the expense of the employee.
- 181-02 Identification cards should be displayed professionally when acting in an official capacity, and must be immediately returned to the County upon termination or at the request of Human Resources, the department head or elected official.

## **EMPLOYMENT STATUS AND RECORDS:**

### ***200 – Employment Categories***

- 200-01 **Elected official** means County Commissioners, Prosecuting Attorney, Treasurer, Assessor, Clerk, Sheriff, or Coroner. Elected officials are not considered regular

employees, and as such only receive benefits as outlined in these policies and in individual benefit plan documents.

- 200-02 Employees are classified as full-time or part-time and also classified as regular, seasonal, or temporary as follows:
- A. A **full-time employee** is an individual who works forty (40) hours or more per week on a regular basis.
  - B. A **part-time employee** is an individual who works less than forty hours (40) per week on a regular basis. A part-time employee may, on occasion, work forty hours (40) per week for short durations of time due to seasonal work or to provide coverage within their department. Doing so does not affect their status as part-time.
  - C. A **regular employee** is an individual who is hired to work 12 months or longer.
  - D. A **seasonal employee** is an individual who is hired either part-time or full-time for a specific duration, but less than 12 months. Seasonal positions are generally recurring from year to year, such as tax collection help or a seasonal park technician. Seasonal employees are not eligible for benefits provided to regular full- or part-time employees.
  - E. A **temporary employee** is an individual who is hired either part-time or full-time for a specific duration, but less than 12 months to assist in a special project or non-recurring job. Temporary employees are not eligible for benefits provided to regular full- or part-time employees.
  - F. **Grant Funded Employees**: are employees of the County that hold positions funded by various grants. Grant funded employees may fall into any of the above defined categories.
- 200-03 Additionally, all full-time, part-time, seasonal, and temporary employees are classified as either Exempt or Non-Exempt in accordance with the Fair Labor Standards Act ("FLSA") for the purposes of compensation administration. Classification of employees as Exempt or Non-Exempt is determined by the Human Resources Director and reviewed by the County's legal counsel.
- A. A **non-exempt employee** is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act ("FLSA") and is entitled to compensatory time or overtime payment at the discretion of the elected official.
  - B. An **exempt employee** is exempt from the provisions of the FLSA and is not entitled to compensatory time or overtime payments.
- 200-04 Full-time employees are subject to progressive discipline and/or termination under the provisions of County policies and procedures.
- 200-05 Part-time, seasonal and temporary employees shall be subject to discipline under the provisions of County policies and procedures, and may be terminated with or without cause at any time.

- 200-06 The terms and definitions presented refer to the position and not the employee. The employment relationship for individuals filling positions associated with the above definitions is “at will.” This means the individual or the County are able to terminate the relationship at any time, for any legally permissible reason.

### **201 – Grant Funded Employees**

- 201-01 Twin Falls County receives grant money to operate various programs within the County, and some of this money is used to fund salaries for various positions. The County cannot always control the amount of money that it receives for certain grants, therefore there may be times when positions do not receive compensation equivalent to Twin Falls County policy.
- 201-02 The continuation of positions funded by grants is contingent upon the availability of future grant funds or the financial ability of the County to assimilate said position(s) into the budget. If grant funds become unavailable at any time and the County is not financially able to absorb the position into the budget, the position will be eliminated and the County has no obligation to maintain the individual employee’s services in said position.
- 201-03 Employees in grant funded positions are subject to all provisions of the Twin Falls County Personnel Manual.

### ***210 – Introductory/Evaluation Period (revised 7-15-2021)***

- 210-01 The introductory/evaluation period for new hires is six (6) months except for sworn law enforcement officers in the Sheriff’s office who have an introductory/evaluation period of one (1) year. The introductory/evaluation period for promotion is six (6) months. The introductory period shall be continuous service and shall serve as a working test to evaluate the work performance and suitability of newly hired employees. A department head, with approval of the elected official may extend the initial introductory period, by written statement, for no more than an additional six months, at their discretion.
- 210-02 There are three types of Introductory/Evaluation periods.
- A. New Hires - Introductory/Evaluation service by employees upon initial employment or appointment. This includes employees who previously left employment with Twin Falls County and have been rehired. Newly hired employees may be terminated at any time with or without cause during the introductory period.
  - B. Promotional Evaluation - Initial period of service for employees upon promotion.
  - C. Employees who have been placed on probation for disciplinary reasons.
- 210-03 Employees shall automatically be placed on regular status at the end of the introductory period, unless otherwise noted by the department head and approved by the elected official.

## ***220 – Personnel Files & Records***

- 220-01 Human Resources and/or the elected official in charge of the office maintain a confidential personnel file for each employee. The personnel files includes such documentation as applications and related hiring forms, training records, performance documentation, salary history, and other employment related records.
- 220-02 The employee, their supervisor or department head, and the employee's elected official may contribute materials to the personnel file deemed relevant to the employee's work record.
- 220-03 Current employees have the right to review their own personnel files at any reasonable time. Requests should be made in advance to Human Resources or their elected official. Employees may review their file only when a representative of the County is also present. Copies of materials in the file are available to the employee at no charge.
- 220-04 Twin Falls County will allow only limited access to an employee's personnel file. Those authorized to evaluate materials in a personnel file include the employee's supervisors, the Board of County Commissioners when acting as a Board in the course of its official business, Prosecuting Attorney's Office Civil Division, the elected official(s) for the employee's department, and the employee him/herself. Based upon the general confidentiality of personnel files, access of others to such files shall be allowed only with authorization of the supervising official after consultation with the County attorney. Information regarding personnel matters will only be provided to outside parties with a release from the employee, or when deemed necessary by legal counsel for the County or pursuant to Court order, or pursuant to a proper subpoena. The County reserves the right to disclose the contents of personnel files to outside state or Federal agencies, to its insurance carrier or its agents for risk management purposes, or when necessary to defend itself against allegations of unlawful conduct.
- 220-05 Each employee shall be provided an opportunity to contest the contents of his/her personnel file at any time. This is to be done by filing a written objection and explanation which will be included in the file along with the objectionable material. False or unfairly misleading material *may* be removed from the file, at the discretion of the elected official after consultation with legal counsel for the County. However, in general, materials are to remain in personnel files accompanied by the employee's written objection and explanation to provide a complete employment history.
- 220-06 Department heads are required to ensure that Human Resources and/or the elected official in charge of the office receive all pertinent employment related documentation on employees for their personnel file. Additionally, if a copy of



the employee's information is kept in the supervisor's work area, all information in that file is also on file in Human Resources or with the elected official and that the information in those files are kept confidential and in a secure area.

- 220-07 Supervisory personnel shall not keep any medical related information in their files and shall comply with all record retention requirements imposed by law or County policy.
- 220-08 Status sheets for new hires, pay increases, job changes, etc. must be submitted to the Human Resources department prior to the effective date of the status change. Status sheets require the signature of the department head and/or elected official, Human Resources, and the Board of County Commissioners approval before taking effect.
- 220-09 Status sheets for resignations or termination should be submitted to Human Resources as soon as possible for processing.

#### **221 – Personnel Data Changes**

- 221-01 It is important that Twin Falls County have certain personal information about our employees in our records. Employees are required to report any changes of mailing address, contact number(s), and other information related to employment such as legal name change, dependents' information and beneficiary designation(s) for benefit policies, etc. The County also needs to have information about who to contact in case of an emergency.
- 221-02 Employees are required to follow any departmental requirements regarding changes, and contact the Payroll Clerk and Human Resources to update any pertinent information.

#### **230 – Job Descriptions**

- 230-01 Twin Falls County maintains current and accurate job descriptions for all positions at the County. Job Descriptions are kept on file with Human Resources. A job description includes a general overview of the job's purpose, essential duties and responsibilities, qualifications (including education and/or experience, and any licenses or certifications required), physical demands, and work environment.
- 230-02 Job descriptions are used to help new employees understand their jobs and responsibilities, to identify the requirements of a job, set up the hiring criteria, set standards for employee performance evaluations, establish wage ranges, and establish a basis for making reasonable accommodations for individuals with disabilities. However, a job description does not necessarily cover every task or duty that might be assigned. Employees may be assigned to perform other or additional responsibilities as necessary, and are expected to perform any reasonable task or duty assigned to them.

- 230-03 Job descriptions will change, from time to time, as the needs of the office or the County changes, and the County reserves the right to make those changes as necessary. Employees may also be asked to sign an acknowledgement that they have received a copy of their job description.

## ***240 – Performance Evaluations***

- 240-01 Twin Falls County encourages employees and their supervisors to discuss job performance and goals on an informal, day-to-day basis. In addition, formal evaluations shall be conducted with each employee. The performance evaluation provides an opportunity to discuss work habits and goals, to identify and correct weaknesses, and to encourage and recognize strengths.
- 240-02 It is the policy of Twin Falls County to conduct performance evaluations and a job description review annually. More frequent evaluations may be conducted at the discretion of the department head and/or elected official.
- 240-03 There are three types of performance evaluations conducted. Copies of the evaluation and any updated job descriptions must be submitted to Human Resources upon completion:
- A. New Hires - Supervisors may conduct a performance evaluation of each newly hired employee after completion of six (6) months employment, and then again on an annual basis.
  - B. Promotional - Supervisors may conduct a performance evaluation of each newly promoted employee after completion of six (6) months of promotion, and then again at least annually.
  - C. Regular employees - Supervisors shall conduct a performance evaluation for each employee at least annually.

## ***250 – Compensation & Salary Administration***

- 250-01 Twin Falls County compensates employees in accordance with decisions by the Board of County Commissioners as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or *status quo* maintenance for any time period. The supervising elected official or department head may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation levels rests with the Board of County Commissioners. The Board of County Commissioners reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which justify or require change in County expenditures.
- 250-02 Twin Falls County shall comply with all State and Federal Pay Acts respecting the compensation of employees for services performed in public service.

- 250-03 Twin Falls County reserves the right to change general compensation for any reason deemed appropriate by the Board of County Commissioners. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent County budget. Hours worked may be reduced or employees may be laid off by the Board of County Commissioners or by elected officials within their departments as necessary to meet budgetary constraints or work load changes.
- 250-04 Compensation for each job is based on several factors. The factors include job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data. The compensation program is reviewed annually to ensure consistent pay practices, comply with federal and state laws, support our commitment to Equal Employment Opportunity, and offer competitive salaries.
- 250-05 Twin Falls County believes that merit increases shall be "earned" and not "given." Employees shall be evaluated on an annual basis and compensated according to performance, based on funds available.
- 250-06 All salary increases require the approval of the Board of County Commissioners. Elected officials shall be paid a set salary as established by the Board in the annual budget. Elected officials shall have no right to overtime pay, or to accumulate compensatory time off, sick leave, or vacation leave.
- 250-07 Annual salary increases, when budgeted, shall take effect the first day of the payroll period to be paid on the first payday in October of every year for those employees who are eligible for the increase.
- 250-08 **New Hires:** A new hire is an employee who has not previously worked for Twin Falls County. New hires will normally start at the minimum of the range for the position and will be required to complete the minimum introductory/evaluation period required by the office or department in which they are employed.
- A. At the discretion of the elected official, if an individual filling a position has considerable background, knowledge, education, experience, or certification that merits starting at a higher rate, a new hire can start above the minimum of the range.
  - B. A newly hired employee must successfully complete the introductory/evaluation period to be eligible for an increase.
- 250-09 **Rehire:** A rehire is an employee who has previously worked for Twin Falls County. Rehires will be considered as a "new hire" under the guidelines of the compensation, sick leave, vacation, retirement, medical, etc. policies of Twin Falls County. Exceptions to those policies must be recommended by the elected official and approved in writing by the Board of County Commissioners.

- 250-10     **Promotion** - A promotion is a reassignment of an employee to a position with more responsibility and/or more authority than the employee's current position. A promotion may or may not include an increase in pay.
- 250-11     **Transfer** - A transfer is a lateral move to a different job in the same department or to a different department. A transfer will not necessarily result in a salary increase at the time of transfer. However, the employee shall be eligible for the annual salary increase the next fiscal year, based on performance.
- A.    If an employee transfers or promotes from one County office to another County office, the employee's wage will be at the discretion of the hiring elected official or department head with the approval of the County Commissioners. Employees should realize that transferring to a different office or job could result in a decrease in pay.
  - B.    The employee's sick, vacation, and personal leave time will transfer with the employee. The transfer or payout of an employee's accrued comp time will be determined on a case-by-case basis by the elected officials involved in the transfer of the employee and requires the approval of the Board of County Commissioners. A transfer will not affect the employee's years of service for accrual of County benefits.
  - C.    A transfer or promotion will result in a six (6) month evaluation period to assess the employee's performance. Wage increases at the successful completion of the evaluation period are at the discretion of the department head, with approval of the elected official and the Board of County Commissioners. Should the selected employee be unable to satisfactorily perform the duties of the new position, he/she will be notified by his/her elected official or department head or their designee(s). Efforts may be made to place the employee in another position within the County, however, if no match is found, termination may occur.
- 250-12     Mid-year salary increases are at the discretion of the department head with the approval of the elected official and the Board of County Commissioners, and may only occur when:
- A.    Newly hired - new employees may receive a salary increase upon successful completion of their introductory/evaluation period.
  - B.    Promotion - newly promoted employees may receive a salary increase upon successful completion of their evaluation period.
  - C.    Restructure or re-evaluation of position - if a position is re-evaluated and warrants extra compensation, an employee may receive an increase in pay, with the approval of the elected official in charge of the office.
  - D.    At the discretion of the department head, with approval of the elected official, certain certifications or licenses may also warrant additional compensation.

## EMPLOYEE BENEFITS

Employees may contact the Payroll Clerk, Human Resources, the Twin Falls County website ([www.twinfallscounty.org](http://www.twinfallscounty.org)), or the benefit provider for forms, plan documents, or other information regarding the County's numerous benefit plans.

### ***300 – Employee Leave Benefits***

- 300-01 Elected officials are not eligible for comp time or overtime pay, or for sick leave, vacation leave, or personal leave.

### ***301 – Vacation Leave (revised 9-22-2019; 10-19-2023)***

- 301-01 Twin Falls County offers vacation leave benefits to all regular full-time and part-time employees. Temporary and seasonal employees are not eligible to accrue vacation leave benefits.
- 301-02 Introductory/Evaluation employees are not allowed to use paid vacation leave until after the completion 6 months of employment. After the completion of 6 months, employees shall be allowed to utilize paid leave in accordance with this policy.

#### **Vacation Leave Accrual and Maximum Allowance:**

- 301-03 Vacation Leave shall not accrue for any employee who takes time off without pay, is on any kind of leave of absence without pay, disciplinary suspension without pay, or layoff.
- 301-04 An employee who voluntarily or involuntarily leaves County service and is later rehired, will be eligible for the vacation leave benefits as provided in this policy as if he/she were a new employee with no prior service or employment with the County. Exceptions to those policies must be recommended by the elected official and approved in writing by the Board of County Commissioners. For the purpose of this section, separation from employment is further defined to include any layoff, but shall not include any unpaid leave of absence.
- 301-05 Leave Accrual:  
Hours accrued will be based on the number of straight time hours worked or paid time off (overtime hours will not be considered in computing vacation leave accrual).

All regular full-time (except for employees classified as law enforcement) and all regular part-time employees shall accrue hours based on length of service:

<b>Length of Service</b>	<b>Accrual Rate</b>
0 - 60 months (0-5 yrs)	.0385
61 - 120 months (5-10 yrs)	.0462
121 - 180 months (10-15 yrs)	.0577
181+ months (15+ yrs)	.0692

- 301-06 Employees under the law enforcement classification (PERSI Class 02/Public Safety Officer) shall accrue leave hours for any straight time hours worked or paid time off based on their regularly scheduled shift.

<b>Shift Length:</b>	<b>8.0/8.5</b>	<b>9.0 hr</b>	<b>10.0 hr</b>	<b>10.5 hr</b>	<b>12 hr</b>
<b>Length of Service:</b>					
0–60 mos. (0-5 yrs)	.0385	.0405	.0450	.0473	.0540
61–120 mos. (5-10 yrs)	.0462	.0486	.0540	.0567	.0648
121–180 mos. (10-15 yrs)	.0577	.0608	.0675	.0709	.0811
181+ mos. (15+ yrs)	.0692	.0729	.0811	.0851	.0972

- 301-07 Accrual Maximums:

On the employee's anniversary date any accrued, but unused, vacation will be transferred to a vacation leave bank. Employees shall have until their next anniversary date to schedule with their department head or elected official and use the vacation leave in the bank. At the end of the pay period of the next anniversary date, any unused vacation in the bank will be lost.

An employee may request, in writing, an extension to carry the banked vacation for an additional 90 days. The request must be submitted to their department head / elected official. Generally, requests will only be approved if there were extenuating circumstances that prevented the employee to take leave. If the department head / elected official agrees to allow an extension, the request must be submitted to the Board of County Commissioners for approval. Requests for extension of vacation leave should be made no less than 30 days before the employees' anniversary unless extenuating circumstances apply.

Employees who serve in the military and are deployed on active duty at the time of their anniversary date will not lose accrued vacation bank leave time. However, for record-keeping purposes, a written request from the employee or the elected official must be submitted to the Board of County Commissioners office for approval. Requests for an extension beyond 90 days for employees on military leave will be on a case-by-case basis, with consideration given to the length of leave, the hours requested, and the timing of the employee's anniversary date.

#### **Use of Vacation Leave**

- 301-08 Only accrued leave time available at the beginning of the pay period will be accessible to the employee. Leave time accrued during the current pay period will not be available for use.
- 301-09 Requests for vacation leave shall be submitted in writing to the responsible elected official or department head. Department heads shall request vacation leave from the responsible elected official. Requests for vacation leave must be made in advance of being taken, unless in an emergency or at the discretion of the elected official.

- 301-10 Elected officials or department heads may refuse to grant vacation leave where the scheduling of the vacation is determined to be not in the best interest of the office and the continued operation of basic County services.
- 301-11 The smallest increment of time that vacation leave can be used is in one-quarter (¼) hour increments.
- 301-12 Designated holidays falling within a period of vacation leave shall not be counted against vacation leave.
- 301-13 Part-time employees can only access paid vacation leave for day(s) and/or time(s) they are regularly scheduled to work.
- 301-14 Vacation leave may not be used for the purpose of advancing the date of resignation, retirement or other predetermined separation or termination of employment from County service. For example, an employee who submits a notice of resignation will not be allowed to use vacation days to cover the last days of employment instead of working. The date of separation from the County will be the last day actually worked and vacation days will be paid out to the employee rather than shown as taken as time off. For the purpose of this section, termination of employment is further defined to include any layoff, but shall not include any unpaid leave of absence.

**Payout at Separation:**

- 301-15 Employees separating from the County will receive compensation for any unused vacation hours, at their current rate of pay, on the next regularly scheduled payday. Employees who have not completed 6 months of employment will not receive vacation payout at termination, as they have not yet received or are eligible to take vacation leave.

***302 – Personal Days Off***

**Personal Day Accrual and Maximum Allowance:**

- 302-01 Eligible employees for personal days off include regular full-time and part-time employees that work a minimum of 1300 hours per year. Temporary and seasonal employees are not eligible to accrue personal days.
- 302-02 A “day” for the purposes of this policy shall be the number of hours that an employee is normally scheduled to work in a shift. If an employee does not have a regularly scheduled shift and works a varying number of hours, the hours shall be averaged to determine the number of hours accrued for personal days.
- 302-03 Part time employees’ hours will be evaluated each year on their anniversary date to determine if the employee has worked 1300 hours during that year. If the employee has worked 1300 hours or more, the employee shall qualify for personal days. Hours worked will be based on the number of straight time hours worked or

paid time off in that year (overtime hours will not be considered in computing personal day accrual).

- 302-04 Non-Exempt Employees: Each eligible non-exempt employee (those that work 1300 hours or more per calendar year) will be given two (2) personal days on the anniversary of the date of hire. First year full-time non-exempt employees will be given two (2) personal days after the completion of six months of continuous service with Twin Falls County and then two (2) personal days on the anniversary of the date of hire for subsequent years.
- 302-05 Exempt Employees: Each eligible exempt employee will be given four (4) personal days on the anniversary of the date of hire. First year exempt employees will be given two (2) personal days after the completion of six months of continuous service with Twin Falls County and then four (4) personal days on the anniversary of the date of hire for subsequent years.
- 302-06 Employees transferring from part-time to full-time status will receive personal days after completing 6 months of employment as a full-time employee.

#### **Use of Personal Days**

- 302-07 Requests for the use of personal days shall be submitted in writing to the responsible elected official or department head. Department heads shall request the use of personal days from the responsible elected official. Personal days must be approved by the department head or elected official in advance of being taken, unless in an emergency or at the discretion of the elected official.
- 302-08 Designated Holidays falling within a period of personal leave shall not be counted against personal days.
- 302-09 Personal days not used in the current anniversary year will be lost.
- 302-10 Part-time employees can only access paid personal days for time they are regularly scheduled to work
- 302-11 Personal days must be used in full-day increments. A “day” is the number of hours the employee is normally scheduled in a shift.
- 302-12 Personal days may not be used for the purpose of advancing the date of resignation, retirement or other predetermined separation or termination of employment from County service. For example, an employee who submits a notice of resignation will not be allowed to use personal days to cover the last days of employment instead of working. The date of separation from the County will be the last day actually worked and personal days will be paid out to the employee rather than shown as taken as time off. For the purpose of this section, termination of employment is further defined to include any layoff, but shall not include any unpaid leave of absence.



**Payout at Separation:**

- 302-13 Employees separating from the County will receive compensation for any accrued but unused personal days, at their current rate of pay, on the next regularly scheduled payday.

**303 – Sick Leave Benefits**

- 303-01 Twin Falls County offers sick leave benefits to all regular full-time and part-time employees. Temporary and seasonal employees are not eligible to accrue sick leave benefits. Sick leave benefits provide a salary continuation for employees who require time away from work for bona fide illnesses or medical appointments. Twin Falls County reserves the right to require doctor verification of illness or appointments, and failure to provide requested verification may result in disciplinary action.
- 303-02 Introductory/Evaluation employees are not allowed to use paid sick leave until after the completion of 3 months of employment. After 3 months of employment, employees shall be allowed to utilize paid sick leave in accordance with this policy.

**Sick Leave Accrual and Maximum Allowance:**

- 303-03 Hours will be based on the number of straight time hours worked or paid time off (overtime hours will not be considered in computing sick leave accrual). Sick Leave shall not accrue for any employee who takes time off without pay, is on any kind of leave of absence without pay, disciplinary suspension without pay, or layoff.
- 303-04 An employee who voluntarily or involuntarily leaves County service and is later rehired, will be eligible for the sick leave benefits as provided in this policy as if he/she were a new employee with no prior service or employment with the County. For the purpose of this section, separation from employment is further defined to include any layoff, but shall not include any unpaid leave of absence.
- 303-05 Leave Accrual:  
All regular full-time and part-time employees shall accrue .0385 leave hours for any straight time hours worked or paid time off.
- 303-06 Accrual Maximums:  
Regular employees will be allowed to accumulate sick leave hours to a maximum of 560 hours. Employees classified as law enforcement will be allowed to accumulate 598.50 hours.

Any hours accrued over the maximum limits above shall automatically be transferred to the employee's Post Employment Health Plan (PEHP) in accordance with the provisions of that policy.

### **Use of Sick Leave**

- 303-07 Sick leave may be used for personal or immediate family illness or injury. Illness, under this policy, is any condition, injury, or disease, communicable or otherwise, which would impair the execution of an employee's job responsibility or endanger his/her health or the health of other employees or the public.
- 303-08 For the purpose of this policy, "immediate family member" is defined as the employee's spouse, parent, child, brother or sister, grandparents, or grandchild (including any step- or in-law relationships). If the need for leave qualifies under the Family Medical Leave Act (FMLA), the County shall recognize any family members as defined under the Act.
- 303-09 Typically, any work accident or injury will be processed in accordance with Twin Falls County Policy and the applicable Workers' Compensation Laws of the State of Idaho. If there are absences due to on-the-job injury for which Worker's Compensation does not pay, the employee may access sick leave to supplement any Worker's Compensation payment. Additionally, sick leave must be used in accordance with the FMLA and short-term disability policies.
- 303-10 Employees may use sick leave for medical, optical or dental appointments with prior approval of the responsible elected official or department head.
- 303-11 Only accrued leave time available at the beginning of the pay period will be accessible to the employee. Leave time accrued during the current pay period will not be available for use.
- 303-12 The smallest increment of time that sick leave can be used is in one-quarter ( $\frac{1}{4}$ ) hour increments.
- 303-13 Designated Holidays falling within a period of sick leave shall not be counted against sick leave.
- 303-14 Part-time employees can only access paid sick leave for time they are regularly scheduled to work.
- 303-15 Sick leave may not be used for the purpose of advancing the date of resignation, retirement or other predetermined separation or termination of employment from County service. For example, an employee who submits a notice of resignation will not be allowed to use sick leave to cover the last days of employment instead of working. The date of separation from the County will be the last day actually worked and sick leave will be paid out to the employee rather than shown as taken as time off. For the purpose of this section, termination of employment is further defined to include any layoff, but shall not include any unpaid leave of absence.

**Payout at Separation:**

- 303-16 Compensation for unused sick leave upon separation from County employment shall be on the next regularly scheduled payday and shall be paid out as follows:
1. Employees with 3-60 months (1-5 years) of employment with the County shall be paid \$8.00 for each day of sick leave;
  2. Employees with 61- 120 months (5-10 years) of employment with the County shall be paid \$15.00 for each day of sick leave;
  3. Employees with 121-180 months (10-15 years) of employment with the County shall be paid \$24.00 for each day of sick leave; and,
  4. Employees with 181 plus months (15+ years) of employment with the County shall be paid \$35.00 per day of leave.
- 303-17 A “day” for the purposes of this policy shall be the number of hours that an employee is normally scheduled to work in a shift. If an employee does not have a regularly scheduled shift and works a varying number of hours, the hours shall be averaged to determine the number of hours accrued for sick days.

***304 – Post Employment Health Plan (PEHP)***

- 304-01 Twin Falls County offers employees the opportunity to participate in a Post Employment Health Plan (PEHP) administered through Nationwide Retirement Solutions. The PEHP plan allows employees to invest contributions to the plan to pay for qualified medical expenses upon separation from the County.
- 304-02 All sick leave hours accrued by the employee that are over the maximum allowable limits as defined in the Sick Leave Policy section of this manual shall automatically be transferred every pay period into the employee’s PEHP account at the following rates:
1. Hours accrued multiplied by 25% of the employee’s current hourly rate of pay for employees with 61- 120 months (5-10 years) of employment with the County.
  2. Hours accrued multiplied by 35% of the employee’s current hourly rate of pay for employees with 121-180 months (10-15 years) of employment with the County.
  3. Hours accrued multiplied by 45% of the employee’s current hourly rate of pay for employees with 181 plus months (15+ years) of employment with the County.
- 304-03 Funds, investments and amounts distributed shall be in compliance with the PEHP plan documents.

***305 – Family Medical Leave (FMLA)***

- 305-01 This policy provides employees with a general description of the Family Medical Leave Act (FMLA) and their rights and responsibilities under the law. The

County shall refer to the federal law regarding any specific details that are not contained in this policy.

- 305-02 FMLA is administered by the Human Resources Department. To request leave, employees must contact Human Resources in addition to notifying their supervisor of the need for time off. Additionally, Twin Falls County reserves the right to:
- A.) Determine whether the employee is or is not an “eligible employee” under the Act.
  - B.) Place an employee on FMLA leave without the employee’s consent should the County determine that the employee meets the eligibility requirements under the Act.
  - C.) Require periodic notices (determined by Twin Falls County) of the employee’s, or their family member’s, FMLA status and the employee’s intent to return to work.
- 305-03 The Family and Medical Leave Act provides for up to twelve (12) weeks of unpaid, job-protected leave during any 12-month period to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for the County for at least one year, and 1,250 hours over the 12 months immediately preceding the leave. The 12-month period for determining eligibility for leave is determined using a “rolling” 12-month period measured backward to the date an employee first uses any FMLA leave.
- 305-04 FMLA specifically states that a serious health condition may result from injury to an employee on or off the job, therefore, an employee who is off work on Worker’s Compensation leave will automatically have that time designated as FMLA leave and will count towards the 12-week FMLA entitlement.
- 305-05 Employees are entitled to leave:
- A.) To care for a child following a birth or placement of a child with the employee for adoption or foster care;
  - B.) To care for the employee’s spouse, child, or parent, who has a "serious health condition," and
  - C.) If the employee is unable to perform his or her own job because of the employee’s own serious health condition.
- 305-06 Total FMLA leave for an employee and spouse who both work for Twin Falls County is limited to 12 weeks combined if the leave is for reasons other than the employee’s own personal serious illness.
- 305-07 Employees are required to give 30 days’ advance notice when the leave is foreseeable or as much notice as practical. The County reserves the right to request medical certification supporting the leave, and may require second or third opinions (at the County’s expense) and a doctor’s fitness for duty report prior to returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work will be solely Twin Falls

County's in compliance with the provisions of FMLA. If a doctor does not find the employee fit to return to duty, the employee will not be allowed to return to work.

- 305-08 FMLA leave may be taken intermittently or on a reduced leave schedule to allow the employee to care for a sick family member, or for an employee's own serious health condition with prior written approval from the employee's supervisor or when "medically necessary." In the circumstance of birth or placement of a child for adoption or foster care, intermittent leave is only available by written approval of the elected official.
- 305-09 If the need for intermittent or reduced leave relates to planned medical treatment, employees are required to make reasonable efforts to schedule intermittent leave so as not to unduly disrupt County business.
- 305-10 County employees are required to use any accrued paid sick leave, compensatory (comp) time, personal leave and vacation hours – in that order – concurrently with FMLA. Short-term disability may run concurrent with FMLA after sick leave is exhausted. The employee may be allowed to utilize personal days or banked vacation leave before accessing comp time only if using comp time would result in the loss of accrued time due to an anniversary date. If paid leave accruals are less than the amount of time needed for leave, the remainder of the time off shall be unpaid leave. Employees will continue to accrue vacation and sick leave while utilizing their paid leave. However, they will cease to accrue vacation and sick leave during the unpaid portion of their leave.
- 305-11 The County will continue the employee's benefits (employer portion only) during the leave period. The employee will be responsible to pay the portions of their dependent coverage or other benefits by the 5th of each month. If the employee does not to return to work for reasons other than their own continued serious health condition or that of an eligible family member, the County may recover from the employee the premium that was paid for the employee's medical coverage. An employee must return to work for at least thirty (30) calendar days to be considered "returned to work."
- 305-12 Twin Falls County will return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA are considered to be a "key employee" as defined by 29 CFR §825.217, whose extended absence would cause "substantial and grievous economic injury."
- 305-13 To protect employee's privacy rights, medical certifications will be treated as a confidential medical record and information will be disclosed only on a strictly need to know basis.

305-14     **The National Defense Authorization Act**

On January 28, 2008, and again on October 28, 2009, the FMLA was amended by the National Defense Authorization Act. This amendment provides an entitlement of up to 26 weeks of unpaid leave during a single 12-month period to an eligible employee who must care for a covered service member who is a spouse, son, daughter, parent or next of kin of the employee and has a serious injury or illness incurred in the line of duty which renders that person unfit to perform his or her duties in the Armed Forces.

A “covered service member” includes a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces, including the National Guard and Reserves, at any time during the five-year period preceding the date on which the veteran undergoes medical treatment, recuperation or therapy.

Twin Falls County may require the request for this type of leave be supported by certification that the service member being cared for by the employee has a serious health condition.

The National Defense Authorization Act also provides 12 weeks of FMLA leave to an employee if his or her spouse, son, daughter or parent has been called to active duty with the Armed Forces. Covered “active duty” relates to when a member of the regular or reserve components of the Armed Forces is deployed to any foreign country. No serious medical condition is required for this type of leave. Twin Falls County may require the request for this type of leave be supported by certification that the service member has actually been called to active duty. Twin Falls County employees shall provide prior notice when the need for this type of leave is foreseeable.

**306 – Bereavement Leave**

- 306-01     Twin Falls County offers paid bereavement leave benefits to all regular full-time and part-time employees. Temporary and seasonal employees are not eligible for paid bereavement leave.
- 306-02     Eligible employees will be granted a bereavement leave of absence for the death of an immediate family member and will be compensated for up to a maximum of three (3) working days. If the employee requires or requests more time than the three (3) days, sick leave, vacation leave, personal days, or comp time may be used. If no paid leave time is available, time off without pay may be utilized.
- 306-03     For the purpose of this policy, “immediate family member” is defined as the employee’s spouse, parent, child, brother or sister, grandparents, or grandchild (including any step- or in-law relationships).

- 306-04 Time paid for bereavement leave will be paid based on the employee's regular scheduled shift, and will not be counted as hours worked for the purpose of computing overtime.
- 306-05 In the event of a death of someone other than an immediate family member, the employee may request the use of sick leave, vacation leave, personal days, or comp time with the approval of the department head or elected official.
- 306-06 Twin Falls County reserves the right to require proof of the death.

### ***307 – Jury Duty / Witness Duty***

- 307-01 Leave will be granted and full pay provided to employees called to serve as a court witness in matters specifically related to County operations or when called to serve on jury duty. Employees will be paid normal duty hours and must indicate time spent in jury duty on their timesheets.
- 307-02 Employees must immediately notify their supervisor when they receive a jury duty summons. Employees chosen to sit on a jury must inform their supervisor as to how long the trial is expected to last, and notify their supervisor when they will be back to work.
- 307-03 On any day when jury service ends before the end of the employee's usual work day, the employee must check in with their supervisor to find out whether they are expected to return to work for that day.
- 307-04 If an employee serves on a jury, they will be entitled to jury fees and travel expenses normally paid by the court for that day.
- 307-05 If an employee is summoned for court in the scope of their duties with Twin Falls County, the employee must report the time on their timesheet and will be compensated accordingly.

### ***308 – Military Leave/ USERRA (revised: 10-11-2018; 05-13-2022)***

#### ***USERRA***

- 308-01 The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) is the Federal law that establishes rights and responsibilities for members of the National Guard and Reserve and their civilian employers. USERRA covers employment, reemployment and retention rights when employees serve in the uniformed Services. USERRA's definition of "service in the uniformed Services" covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. Although most often understood as applying to Guard and Reserve military

personnel, USERRA also applies to persons serving in the active components of the Armed Forces and the National Disaster Medical System (NDMS).

- 308-02 If a person has been absent from a County position by reason of service in the uniformed services, he or she will be eligible for reemployment with the County under USERRA if the County had advanced notice of the employee's military obligation; the employee has been away from the County for five years or less due to military obligations (excluding exemptions); the employee returns to work in a timely manner as defined under USERRA; and the employee has not been separated from uniformed Services with a disqualifying discharge or under other than honorable conditions. Employees and/or supervisors who have questions regarding USERRA rights and requirements should contact Human Resources or visit the "Employer Support of the Guard and Reserve" (ESGR) website at [www.esgr.mil](http://www.esgr.mil).

### **Leave of Absence for Military Leave**

- 308-03 Idaho Code § 46-224 entitles members of the national guard and reserve components of the armed forces to leaves of absence for up to up to fifteen (15) calendar days per year to receive ordered and authorized military training with the armed forces of the United States. Such leaves of absence for military training shall not affect employees' rights to receive normal vacation, sick leave, bonus, advancement, and other advantages of employment normally to be anticipated. An employee must provide the date of departure and date of return for purposes of military training to his or her elected official or department head ninety (90) days prior to the date of departure and evidence of satisfactory completion of such training immediately thereafter. Employees whose positions are of a temporary nature do not qualify for leaves of absence for military training.
- 308-04 Unpaid leave of absence will be granted to participate in ordered and authorized field training. Written orders and a calendar of their annual scheduled training from the military must be provided. Twin Falls County expects employees to be honest and accurate in their accounting of hours and communications with supervisors regarding their leave schedules. Shift workers who would have been scheduled to work the night shift immediately prior to leave; or the day shift immediately after the leave may choose to use leave accruals rather than coming to work. If leave accruals are accessed, no additional military leave time will be granted or paid. If leave accruals are not used, they will be given military leave. Combined total hours worked and paid military leave shall not exceed the total number of hours an employee is regularly paid in a pay period.

### **Payment During Leave for Military Leave**

- 308-05 If the gross amount paid to the employee by the national guard or a reserve component of the armed forces while at such military training is less than the gross wages the employee would have earned during the pay period working a



normal work schedule at the County, the County will pay the difference in earnings, up to 15 days of military leave per calendar year. The hours not worked must be indicated on the timesheet as military leave and orders must be attached to the timesheet. Employees must provide a copy of their military leave pay stub in order to be compensated by the County. If the employee's pay from the armed forces during the leave is greater than the gross pay from the County, no additional pay will be granted and the leave will be considered leave without pay.

- 308-06 Requests for payment must be made within 30 calendar days of returning from leave or be forfeited.

### **Benefits While on Leave for Military Leave**

- 308-07 Sick or vacation leave hours and contributions to PERSI will accrue based on hours actually worked and military leave hours paid by the County. The portion paid to the employee, if any, required to make up the difference between military pay and their normal gross wages from the County will count toward PERSI contributions and accrual of paid leave hours.
- 308-08 If military leave time results in the potential loss of accrued vacation bank hours due to an anniversary date, the employee will be responsible for requesting an extension of those hours. Such requests must be made in writing to the elected official in charge of the department as soon as practicable in advance of military leave. If approved, an extension will be granted for 90 days from return from military leave. Any hours not used within the 90 days will be forfeited.
- 308-09 The County will continue the employer's portion of all benefits if the military leave is less than six (6) months. If the military leave is longer than six (6) months, benefits will cease on the 1<sup>st</sup> day of the month following the date to report for service. When the employee returns to work the employee will be placed back on benefits and coverage will begin the first day of the month following 30 days of returning to work. If the employee has dependent coverage, the premium will be deducted from their paycheck as normal. If the employee is not receiving a paycheck from the County, the employee will be responsible to pay the portions of their dependent coverage or other benefits by the 5th of each month. If payment arrangements are required, they must be made with Payroll prior to taking leave time.

### ***309 – Leave of Absence without Pay***

- 309-01 An elected official, or a department head, with written approval from the elected official, may grant an employee a leave of absence without pay for a period of time not to exceed sixty (60) calendar days. A status sheet shall be submitted reflecting the leave time.

- 309-02 Unpaid leaves of absence in excess of sixty (60) calendar days shall be determined on a case-by-case basis and shall require the written approval of the elected official in charge of the office and the Board of County Commissioners.
- 309-03 If an employee is granted leave without pay, the employee shall be responsible for paying the cost associated with any benefits that the employee may be eligible to continue participating in during the course of the leave without pay (unless this leave of absence is for provisions covered under the Family Medical Leave Act or Worker's Compensation, then those policies will apply). Whether the employee may be eligible to continue participation in such benefits shall also depend upon the guidelines or contractual provisions of the benefit provider or insurance carrier.
- 309-04 Sick leave, vacation leave, personal leave, and other benefits which relate to the time the employee has been employed with the County shall not accrue while the employee is on an unpaid leave of absence.

### ***315 – Holidays (revised 7-15-2021)***

- 315-01 Twin Falls County recognizes all Federal Holidays and any other day so designated by the President of the United States. There are eleven (11) official holidays for the County:

New Year's Day  
Martin Luther King, Jr./Human Rights Day  
Presidents Day  
Memorial Day  
Juneteenth  
Independence Day  
Labor Day  
Columbus Day  
Veterans Day  
Thanksgiving Day  
Christmas Day; and

Any other day so designated as a holiday by the Twin Falls County Commissioners.

- 315-02 In most situations, the County offices will be closed for the holidays listed above. For offices that work Monday through Friday, if one of the holidays listed falls on a Saturday, the office will close and the holiday will be observed on Friday. If the holiday falls on a Sunday, the office will close and the holiday will be observed on Monday.
- 315-03 Employees who have work schedules other than the standard Monday through Friday will observe the holiday on the day of the legal holiday.

- 315-04 Full time employees will be compensated for the holiday at straight time pay for the number of hours they are normally scheduled. Part-time employees do not receive holiday pay, unless they work on the holiday.
- 315-05 If a full-time non-exempt employee works on a holiday, they will receive compensatory time equivalent to time and one half (1½) for the hours that were actually worked in addition to straight time compensation for the holiday, equal to the number of hours normally worked in a shift. (Exempt employees do not qualify for overtime, therefore do not receive additional compensation for working on a holiday.) The time must be reported as "holiday worked" on the time sheet. The employee must then schedule the use of the comp time with the employee's immediate supervisor, or refer to departmental guidelines for the use of comp time.
- 315-06 If a part time employee works on one of the days listed above, they will receive straight time holiday pay and 1 ½ pay for the hours that were actually worked.
- 315-07 Full-employees who work schedules other than the standard Monday through Friday will receive straight time comp time for the number of hours normally worked in a shift for any holiday that falls on their regularly scheduled day off.
- 315-08 If Monday is a holiday AND the last day of the pay period, holiday pay and holiday overtime will be split between two pay periods for employees who work any hours between midnight and 5:59 a.m. Some examples based on a 12-hour shift employee are listed below:

**Scenario #1:** The employee works from 6:00 p.m. on Sunday to 5:59 a.m. on Monday, and then again from 6:00 p.m. on Monday to 5:59 a.m. on Tuesday. Monday is a holiday and the end of the pay period:

Pay period 1 – For Sunday, the employee is paid 6 hours of straight time pay (6:00 p.m. Sunday to midnight). For Monday, the employee is paid 6 hours of straight time holiday comp (from midnight to 5:59 a.m.) and 6 hours of 1 ½ time for the hours worked on the holiday (from Sunday midnight to Monday 5:59 a.m.).

Pay period 2 –For Monday, the employee is paid 6 hours of straight time holiday comp (6:00 p.m. on Monday to midnight); and 6 hours of 1 ½ time for the hours worked on the holiday (from 6:00 p.m. Monday to midnight Monday.)

**Scenario #2:** The employee works from 6:00 p.m. on Sunday to 5:59 a.m. on Monday, and then does not return to work Monday night. Monday is a holiday and the end of the pay period.

Pay period 1 – For Sunday, the employee is paid 6 hours of straight time pay (6:00 p.m. Sunday to midnight). For Monday, the employee is paid 6 hours of straight time holiday comp (from midnight to 5:59 a.m.) and 6 hours of 1 ½ time for the hours worked on the holiday (from Sunday midnight to Monday 5:59 a.m.).

Pay period 2 – the employee receives 6 hours of straight time holiday comp (from 6:00 p.m. to midnight) and nothing else for Monday.

**Scenario #3:** The employee is scheduled to work Sunday night, however, does not work on their scheduled shift. Monday is a holiday and the end of the pay period.

Pay period 1: - If 85.5 hours have not been met, the employee will use leave accruals to get to 85.5. If no accruals are available, up to 6 hours of holiday pay will be applied to their timesheet. (From midnight Sunday to 5:59 a.m. Monday.)

Pay period 2 – The employee earns 12 hours of straight time holiday comp to receive the full 12 hours of holiday compensation. Any holiday hours applied to the previous pay period will be deducted from the 12 hours.

- 315-09 Any employee that does not work any hours between midnight Sunday and 5:59 a.m. on Monday will receive their holiday pay on pay period #2 for holidays falling on a Monday at the end of a pay period
- 315-10 Full-time employees who are on a leave of absence will be paid holiday pay during their approved leave only if they are not compensated under another benefit program. If they are receiving Worker's Compensation or Short-Term Disability, they will receive a portion of the holiday pay to equal compensation of a full day.
- 315-11 Employees who desire to observe a holiday not recognized by Twin Falls County in this policy may be permitted to access paid leave accounts, with prior authorization in accordance to those policies, or may be granted time off without pay, provided it does not create an undue hardship to the County.

### ***316 – Additional Days Off (added 12-14-2018; updated 02-21-2021)***

- 316-01 In addition to the holidays listed above, the Friday after Thanksgiving will be given as time off.
- 316-02 If Christmas (December 25) falls on a Tuesday, Wednesday, Thursday, or Friday, Christmas Eve (December 24) shall also be given as time off. If Christmas (December 25) falls on a Saturday, Sunday or Monday, there will be no additional time off for Christmas Eve.

- 316-03 Full time employees will be compensated for these days at straight time pay for the number of hours they are normally scheduled to work.
- 316-04 Part-time employees will only be compensated if they are required to work, and only for actual hours worked. Part-time employees who are not required to work will not receive additional paid time off, but can access paid leave or take these days off as unpaid.
- 316-05 For these additional days, offices that are not dependent on the courts or law enforcement and are able to close will be closed. For those offices that must legally remain open, and for employees whose work schedules are other than Monday through Friday; all full-time staff will be given a “day” of straight time off for these days. A “day” is the number of hours the employee is normally scheduled in a shift. Law Enforcement employees shall not exceed 12 hours. These hours will be added to the employee’s “extended vacation bank” and must be used within 90 days or be forfeited. That time off will be scheduled with the department head and/or elected official, to best serve the needs of the department. These hours may be used within the same pay period as they are earned.
- 316-06 Employees who are required to work on these days shall receive straight time pay, there is no additional pay or compensatory time off for working on these days.
- 316-07 If an office is closed, employees will not be allowed to work. Employees do not have the option to work these days to “make-up” time or accumulate overtime.
- 316-08 Employees who are required to work, but only work a partial shift, will be compensated for the hours actually worked, plus the additional time off to equal a full shift. The number of hours worked will be added to the employee’s “extended vacation bank”. For example, if an employee is normally scheduled to work 8 hours, and they are required to work 4 hours, they will be compensated for the 4 hours of time worked, plus 4 hours of additional time off. The 4 hours of time worked will go into their extended vacation bank.
- 316-09 Full-time employees who are on an approved paid leave of absence will be compensated during their approved leave only if they are not compensated under another benefit program. Employees on FMLA shall be compensated as if they were not on leave. Employees on Worker’s Compensation or Short-Term Disability will receive a portion of the holiday pay to equal compensation of a full day.
- 316-10 Employees who are on an unpaid leave of absence will not receive pay for these additional days.
- 316-11 Time Sheet Instructions: To ensure the accuracy of pay and time off, employees – including exempt employees – shall indicate **ONLY actual hours worked** in the “Total Hours Worked” column. If no hours are worked the entry should be

“0”. The hours the employee is normally scheduled to work should be indicated in the “Total Hours To Be Paid” column. Payroll will calculate the number of hours for the extended bank time.

### ***320 – On-the-Job Injuries / Workers’ Compensation (updated 08-21-2023)***

- 320-01 Workers’ Compensation coverage is provided for employees who suffer from a work-related injury or illness. Benefits under Workers’ Compensation are set by the State of Idaho, and governed by the Idaho Industrial Commission. The County’s claims are administered through the Idaho State Insurance Fund. Coverage is effective the first day of employment for all employees.
- 320-02 Employees are encouraged to ask questions and communicate openly and regularly with their treating physician, supervisor, Twin Falls County Human Resources, and the State Insurance Fund claims examiner assigned to their claim.
- 320-03 Known exposure to hazardous materials, communicable diseases, bloodborne pathogens, and/or bodily fluids must be reported immediately.
- 320-04 All on-the-job injuries, regardless of severity, shall be reported to the employee’s supervisor as soon as practicable. If the employee requires medical attention, the employee and/or their supervisors are responsible for notifying Human Resources of the injury. Human Resources will file the claim, work directly with the State Insurance Fund and health care providers, and will keep in contact with the injured employee and their supervisor as to the status of injury, care received, projected time for return to work, etc.
- 320-05 If the accident requires medical attention the employee shall be required to receive initial care from:
- Occupational Health at St. Luke’s Magic Valley Medical Center – between 8:00 a.m. and 6:00 p.m. Monday through Friday.
  - Physicians Center at St. Luke’s Magic Valley Medical Center – between 6:00 p.m. and 8:00 p.m. Monday through Friday, and Saturdays 9:00 a.m. to 4:00 p.m.
  - St. Luke’s Magic Valley Medical Center Emergency Department outside the above listed hours.
  - If the employee does not get treatment from one of the above providers and chooses to see their own physician, the State Insurance Fund may deny workers’ compensation benefits.
  - If an employee is injured and requires medical attention while performing duties for Twin Falls County out of the immediate area, the employee should seek medical care at the nearest health care facility.
- 320-06 A drug test is required for all employees who seek medical attention for a work-related injury.

- 320-07 The employee must, on a regular basis, provide the County with a written medical update and prognosis from the attending physician. The County, at its option, may require verification from a physician of its choice.
- 320-08 Employees on workers' compensation leave who intend to be away from their residence for an extended period of time (such as for vacation), must notify their supervisor and/or elected official regarding where and how they may be contacted during their absence, and when they expect to return home.
- 320-09 The employee must provide an appropriate written release from the attending physician before the employee is allowed to return to work. The County may require a second release from a physician selected by the County. Employees must return to work as soon as a doctor's release is given. When returning to work, the employee must also adhere to departmental policy on return-to-work issues, if applicable.
- 320-10 When an injured employee receives a limited-duty or restricted-duty statement from his physician, the employee is expected to return to work, if light duty is available, to perform duties as assigned. Human Resources will send the employee a restricted duty work offer for the employee to acknowledge and agree to the terms of the assignment. Temporary reassignment may be in another department and may include a change in the employee's regular duties. Refusal to accept bona-fide limited-duty work may be cause for the State Insurance Fund to discontinue workers' compensation benefits and subject the employee to disciplinary action from the County.
- 320-11 Failure to report injuries, filing false claims of injury, falsifying timesheets, misrepresenting facts, or failing to notify the County of overpayment of benefits will result in disciplinary action up to and including termination of employment and could result in both criminal prosecution and civil penalties.
- 320-12 If an employee is temporarily disabled by an on-the-job accident, he/she may be eligible for workers' compensation benefits. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official, the treating physician, Human Resources and the State Insurance Fund. Concerns associated with injured worker status may be brought to Human Resources or the appropriate elected official for review.
- 320-13 Workers' Compensation insurance covers costs associated with medical treatment for the employee and, if applicable, a portion of the employee's wages for time lost from work according to the laws of the State of Idaho.
- 320-14 Employees who are not on leave, but require time away from work to attend initial or follow-up doctor's appointments related to a work injury, shall be paid for the time spent at the doctor's and will not be required to use sick leave, etc. In this instance, the employee should use the "Work Comp – Appts." code on their

timesheet. Employees are asked to schedule appointments at times that will be least disruptive to the office if possible. If the employee requires additional time off for medical care after their claim is closed by the State Insurance Fund, the employee must use accrued leave time or time off without pay.

### **Pay and Timekeeping Procedures:**

- 320-15 Under Workers' Compensation, an injured employee does not receive income benefits for the first five (5) days of disability for work. This is called the "waiting period." If the injury results in disability for work exceeding two (2) weeks, income benefits are allowed from the date of disability, and are paid by Workers' Compensation no later than four (4) weeks from date of disability. The waiting period shall not apply if the injured employee is hospitalized as an in-patient. The workers' compensation check is sent directly to the employee's mailing address on a weekly basis.
- 320-16 Because Workers' Compensation pays weekly and Twin Falls County pays biweekly, the County will deduct sick leave, or other leave balances, for absences for the first five (5) days of illness or injury. If sick leave hours are not available, absences will be deducted from compensatory (comp) time, then vacation hours – in that order. The employee may be allowed to utilize banked vacation leave before accessing comp time only if using comp time would result in the loss of accrued time due to an anniversary date. Employees who have exhausted all of their leave balances, or employees who have not been employed long enough to be eligible for leave benefits, will be placed on an unpaid leave of absence. If the injury or illness results in absences from work exceeding the 5 days, Workers' Compensation will then pay a portion of the employee's wages (generally 66 2/3%).
- 320-17 The employee should use leave accruals (if available) for the first five (5) days of absence and indicate "Work Comp" in the comment section of their timesheet. After the 5<sup>th</sup> day of illness or injury, the employee should use the "Work Comp - Reg" code on their timesheet.
- 320-18 After the first five days of illness or injury, employees receiving Workers' Compensation payment will only be paid by the County 33 1/3% of their regular salary through the use of leave accruals. Employees who have exhausted all of their leave balances, or employees who have not been employed long enough to be eligible for leave benefits, will only receive Workers' Compensation, and will not receive payment from the County.
- 320-19 Pursuant to Idaho Code, Title 72, Chapter 11, any employee who meets the definition of peace or detention officer as defined in I.C. § 72-1103 who is injured and temporarily incapacitated and unable to perform employment duties or is otherwise eligible to receive workers' compensation benefits shall receive their



full base salary from Twin Falls County. This policy shall apply only when the employee is:

- A. Responding to an emergency; or
- B. In the pursuit of an actual or suspected violator of the law; or
- C. When the injury is caused by the actions of another person.

**If the injury is a result of A, B, or C the employee shall NOT cash the workers' compensation check and is required to turn the check into Payroll.**

If the injury is a result of A, B, or C as listed above the employee should use the "Work Comp – LOD" (line of duty) code on their timesheet. The employee will be required to use leave balances for the first five (5) days of absences (as described in section 320-16, and may be required to continue to use leave balances until payroll can verify that full base salary is approved. After payroll verifies through Human Resources that full wages are to be paid, payroll will ensure no leave balances are deducted for absences. Payroll will also make any corrections necessary to the employee's leave balances for prior deduction of leave time hours. Because of the difference in timing of payment from Workers' Compensation and the County, there may be a lag time in making corrections to leave balances.

- 320-20 If full wages are paid to the employee, the County will then apply for reimbursement from the Fund, pursuant I.C. § 72-1104. The County shall be reimbursed for any remaining amount of salary not covered by workers' compensation by application to the peace officer and detention officer temporary disability fund.
- 320-21 All employer paid benefits (medical, retirement, life insurance, etc.) shall continue while the employee is on leave. Employees are responsible for making any premium payments to the County for dependent coverage and/or supplemental benefits.
- 320-22 Coordination with FMLA: FMLA applies any time that an employee is absent due to a serious medical condition, including injury or illness due to workers' compensation. This is specifically addressed in FMLA policy; section 305-04.

### **321 – Modified Duty Program**

- 321-01 Twin Falls County strives to promote a successful recovery from any work related or personal injury. These guidelines are to be utilized when an employee returns to work with restrictions following an on-the-job injury. Whenever possible, this policy may also apply to non-work-related injuries or illnesses.
- 321-02 It is the policy of Twin Falls County to attempt to provide modified duty assignments to employees who have sustained an on-the-job injury or illness that prevents them from performing the full range of duties required for their job and

whose medical condition has been diagnosed as “temporary” by the employee’s treating physician. “Temporary” means a medical condition of short duration where the medical prognosis is for recovery to full duty status. By having a Modified Duty Policy, which makes reasonable accommodations whenever possible, there is a benefit to both the County and the injured employee.

- 321-03 The County will attempt to provide meaningful, productive work that fits within the injured employee’s physical restrictions. The injured employee’s department will attempt to place the employee in a modified duty assignment within the department when possible. When the department is unable to place an injured employee in a modified duty assignment within their department, the Human Resources Department will assist in attempting to place the employee in a modified duty assignment with another department. The employee’s regular department will be responsible for all personnel actions including the payment of the employee’s normal wages and benefits.
- 321-04 Nothing in this policy entitles an employee to a modified duty assignment. Modified duty assignments are temporary. They are not considered a permanent work assignment, and such assignments do not create an entitlement to the position to which the employee is temporarily assigned. The decision to offer modified duty assignments is at the sole discretion of Twin Falls County.
- 321-05 This policy is not intended to, nor does it alter an employee’s rights under Worker’s Compensation, the Americans with Disabilities Act (ADA), or the Family Medical Leave Act (FMLA). Determinations of whether an employee has a temporary medical condition or may be covered by the ADA will be made on a case-by-case basis and may be made periodically before, during, or after the recovery period. This determination will be made in consultation with the Human Resources Director.
- 321-06 The employee is responsible for working in a modified duty assignment provided by Twin Falls County. The employee’s failure or denial to participate in the modified duty assignment may result in the denial of temporary total disability benefits under Worker’s Compensation laws as determined by the State of Idaho.

### **322 – Communicable Diseases / Immunizations:**

- 322-01 Twin Falls County requires and/or provides immunization of employees in certain positions to help reduce the risk of contracting and/or spreading communicable diseases. Questions regarding immunization should be directed to the elected official in charge of the office.
- 322-02 Twin Falls County attempts to offer flu shots annually at no cost to employees. Funding for this benefit is reviewed annually during the budgeting process and is subject to change without notice.

### ***330 – Employee Medical, Dental, and Vision Benefits;***

County benefits are subject to change. Employees may contact the Payroll Clerk or the benefit provider for current forms, plan documents, or other information regarding the County's numerous benefit plans. For advice about how benefits affect your taxes and financial plans, please consult a tax professional.

#### **330-01 Employees who Qualify**

Twin Falls County provides medical/dental/vision insurance to all employees whose positions are budgeted for at least 30 hours per week at no cost to the employee. Coverage begins the first day of the month following 30 days of employment.

#### **330-02 Choice of Benefits**

Twin Falls County may offer employees the choice between two insurance plans: a County buy-down program (known as a Health Reimbursement Arrangement or HRA) or a High Deductible Health (HDHP) with Health Savings Account (HSA).

#### **330-03 County Buy-Down/Health Reimbursement Arrangement (HRA)**

With the Health Reimbursement Arrangement (HRA) option, the County reimburses a portion of the amounts employees have paid for medical and/or prescription deductibles. In effect, the County "buys down" the employee's expenses. Plan deductibles and the maximum reimbursed by the County are subject to change annually during the benefits renewal process. Specific information about the current year's plan and enrollment forms are available from the Payroll Clerk.

#### **330-04 Applying for Reimbursement under HRA**

Employees must submit an Explanation of Benefits (EOB) for major medical deductible expenses and/or receipts for deductible prescription drug expenses, along with a Reimbursement Request Form, within 90 days after the end of the plan year ending September 30 to the third-party plan administrator of the HRA plan. For the contact information of the plan administrator, please contact the Payroll Clerk. Reimbursements will be made directly to the employee.

#### **330-05 Health Savings Account (HSA)**

With the HSA option, a Health Savings Account will be opened for the employee at a bank chosen by the County. An HSA enables people to save for IRS-eligible medical expenses on a pre-tax basis. The County may match some of the money the employee contributes to the HSA. The employee retains ownership of this account after employment ends. For current plan details about HSAs, contact the Payroll Clerk.

#### **330-06 Dependent Coverage**

Employees who qualify for medical/dental/vision coverage may add dependents to the plan. It is the employees' responsibility to pay the premium. Dependent premiums for the County's insurance may be added as a pre-tax payroll

deduction. Employees cannot claim insurance coverage not offered by Twin Falls County on a pre-tax basis.

**330-07 Adding Dependents**

Dependents may only be added to the plan during open enrollment or within 30 days of a qualifying life event. Open enrollment is typically held during August and September of each year. Contact the Payroll Clerk for timing of open enrollment and current plan requirements.

**330-08 Qualifying Life Event (QLE)**

A “qualifying life event” (QLE) may allow an employee, spouse, or dependent to apply for the County’s insurance outside of the open enrollment period. QLEs include changes in household (such as marriage, divorce, birth, adoption, or death) and loss of health coverage for reasons other than failure to pay premiums. Typically, there is a special enrollment period of 30 days from the QLE. For more information about eligibility for insurance outside of the open enrollment period, contact the Payroll Clerk or health plan.

**330-09 Health Coverage in the Month of Termination of Employment**

If the terminating employee works any hours in the month of termination from employment with the County, the medical insurance coverage will continue until the end of that same month.

**330-10 COBRA and Continuation of Coverage**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives Twin Falls County employees, former employees, and their families who lose their health benefits the right to choose to continue group health benefits provided by the County for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals are required to pay the entire premium. Eligibility for coverage and the period of continued coverage depend upon the qualifying event and current laws. Further information can be obtained from the Payroll Clerk.

***340 – Mandatory Retirement Plan (PERSI)***

**340-01 Eligible Employees**

All eligible employees shall participate in the County’s mandatory retirement plan: the Public Employee Retirement System of Idaho (PERSI). Eligible employees are those who normally work 20 hours or more per week. Seasonal employees (people who work for fewer than eight consecutive months in a position affected by weather) are not eligible.

- 340-02     **Contributions**  
A percentage of the eligible employees' pay will be deducted for retirement, and the County will contribute a percentage of pay. Retirement contributions-rates are set by PERSI.
- 340-03     **Vesting**  
"Vesting" in a retirement plan means ownership. An employee's own contributions to PERSI are always 100% owned by that employee. However, the employee does not have a right to the contributions Twin Falls County has made on the employee's behalf until the employee has vested. Most employees are vested when they acquire 60 months of service. Once an employee has vested in PERSI, they have a right to a future monthly base plan retirement benefit from PERSI.
- 340-04     **More Information**  
All determinations about eligibility, contributions, and benefits are made by PERSI. Further information regarding PERSI can be obtained at [www.persi.idaho.gov](http://www.persi.idaho.gov) or from the Payroll Clerk, or at Idaho Code § 59-1302 et seq.

### ***341 – Voluntary Retirement Plans***

- 341-01     **PERSI Choice 401(k) Plan**  
All PERSI-eligible employees of Twin Falls County are eligible to participate in the PERSI Choice 401(k) Plan. The PERSI Choice 401(k) Plan is a defined-contribution account and contains contributions made by the employee, rollover contributions the employee requests from other accounts, and investment earnings on those funds. The investment earnings are not taxed until the employee withdraws the money. For more information about contribution limits and tax implications, please consult a tax professional. Information about the investment options to choose from is available on the PERSI website and from the Payroll Clerk.
- 341-02     **State of Idaho 457(b) Public Employee's Deferred Compensation Plan**  
All regular full-time and part-time employees of Twin Falls County may choose to participate in the State of Idaho 457(b) Public Employee's Deferred Compensation Program. The purpose of the program is to encourage employees to invest part of their income in a tax-advantaged way to build a financial reserve for retirement. Traditional and Roth accounts are available. Traditional accounts are pre-tax, meaning that money is invested without first paying taxes on it. A traditional account can reduce an employee's current income tax burden. Taxes are due when the money is withdrawn. Roth account contributions are taxed before they are deposited into the account, but income tax is not due in the future for investments in a Roth account. Employees are eligible to participate immediately upon hire. For more information about contribution limits and tax

implications, please consult a tax professional. Further information regarding deferred compensation can be obtained through the Payroll Clerk.

**341-03 Combining Voluntary Retirement Plans**

An employee may be eligible for a PERSI Choice 401(k) Plan account *and* a State of Idaho 457(b) Public Employee's Deferred Compensation Plan. Employees can choose to enroll in one, both, or none of the plans. Please consult a tax professional for more information.

***342 - Life Insurance***

- 342-01 Twin Falls County provides a life insurance benefit to all regular full-time employees at no cost to the employee. Further information regarding life insurance benefits can be obtained from the Payroll Clerk.

***343 – Dependent Life Insurance***

- 343-01 Twin Falls County provides a dependent life insurance benefit to all regular full-time employees at no cost to the employee. Further information regarding dependent life insurance benefits can be obtained from the Payroll Clerk.

***344 – Accidental Death and Dismemberment Insurance***

- 344-01 Twin Falls County provides an accidental death and dismemberment insurance benefit to all regular full-time employees at no cost to the employee. Coverage is provided based on a scheduled basis. Further information regarding AD&D benefits can be obtained from the Payroll Clerk.

***345 – Short Term Disability Benefits***

- 345-01 Twin Falls County provides Short Term Disability benefits to all regular full-time employees at no cost to the employee. An employee must be off of work for at least two weeks and all accrued sick leave time must be exhausted before benefits begin. Benefits begin on the 15<sup>th</sup> day of disability. Eligibility for short-term disability benefits is determined by the plan, not the County. Further information regarding Short Term Disability benefits can be obtained from the Payroll Clerk.

***347 – Section 125 Plan (Cafeteria Plan)***

**347-01 Employees who Qualify**

Twin Falls County offers employees whose positions are budgeted for at least 30 hours per week an IRS Section 125-approved plan that allows employees to be reimbursed for health care and/or dependent care expenses with pre-tax dollars. Contact the Payroll Clerk for more information.

347-02 **When to Enroll**

Current employees can choose to participate and/or make changes to the plan only during the open enrollment period or within 30 days of experiencing a qualified life event. Open enrollment is typically held during August and September of each year. Contact the Payroll Clerk for timing of open enrollment and current plan requirements.

347-03 **Available Benefits**

The benefit options an employee may participate in include eligible insurance premiums, out-of-pocket medical expenses, and dependent care expenses. Under this Section 125 Plan you may elect any or all of the following:

**a) Pretax Premium Plan:**

Payment of the medical premium expenses the employee pays through payroll deductions at Twin Falls County for a spouse and/or dependent children. Employees cannot claim the portion of insurance they pay through individual coverage or through their spouse's employer. Other group premiums for voluntary insurance offered by Twin Falls County may also be eligible (such as Aflac, etc.).

**b) Dependent Daycare Flexible Spending Arrangement (FSA):**

Reimbursement for dependent care expenses. This includes child care for any dependent child who is under the age of 13 when the care is provided and day care for an individual of any age who isn't physically or mentally able to care for themselves, lives with the employee more than half the year, and is the employee's spouse or dependent. The combination of tax credits (or deductions) and pre-tax contributions for dependent care cannot exceed IRS maximums. You may not claim a deduction for these same expenses on your personal tax return.

**c) Healthcare Flexible Spending Arrangement (FSA):**

Reimbursement for out-of-pocket medical expenses incurred for the employee or eligible dependents. These expenses must qualify as tax-deductible medical expenses and cannot have been reimbursed by insurance or other coverage.

347-04 **Timing of Claims**

Claims for reimbursement must be incurred during the plan year to be eligible. Any contributions to the Section 125 plan that are not claimed within 90 days after the end of the plan year are not allowed for reimbursement.

347-05 **How to Request Reimbursement**

You may request reimbursement from your Dependent Daycare FSA and Healthcare FSA by submitting a claim directly to the plan administrator. Claims must include a claim form and an itemized statement from the provider. Reimbursements are made directly to the participant.

The Section 125 Cafeteria Plan is administered by a third-party plan administrator. For information about how to contact the administrator, contact the Payroll Clerk.

**347-06      *Carryover Funds***

If funds are not spent during the plan year, the plan may allow an IRS-approved amount to be carried over into the next year. Carryover funds will be made available by the third-party administrator in the next calendar year. Please contact the third-party plan administrator for more details.

***348 – Miscellaneous Benefits***

348-01      Twin Falls County will, from time to time, offer and/or approve other benefits available to County employees, such as Credit Union Membership, supplemental insurance policies, employee discounts, etc. These benefits must be approved by the County Commissioners and are subject to change at any time. For further information, contact Payroll, Human Resources, or the County's website.

348-02      Additionally, the County will also occasionally offer informational classes, training opportunities, and wellness events. Information regarding these events will be distributed via the employee newsletter, emails, and departmental flyers.

***360 – Employee Assistance Program (EAP)***

360-01      The Employee Assistance Program (EAP) provides short-term, confidential counseling for employees and their dependents at no out-of-pocket expense to the employee. Employees are not required to disclose to the County if they are accessing the program, and the County is not informed of any detailed information regarding its use from the EAP provider. Employees may contact the EAP number, Payroll, or Human Resources for eligibility requirements and number of sessions provided as they may vary from year to year.

360-02      The EAP provides assistance on a wide range of issues, such as financial, legal, work related, alcohol and/or drug, stress management, emotional and behavior disorders, family or marital issues, and various other personal problems. Emergency assistance may also be available 24 hours a day, seven days a week by phone and internet.

360-03      Under certain limited circumstances, an employee may be required to utilize EAP services as a condition of continued employment. A Mandatory Referral must be authorized by the employee's elected official, or the Human Resources Director in consultation with the elected official in charge of the office.



### ***370 – Educational Assistance***

- 370-01 Twin Falls County encourages employees to maintain and improve their job-related skills through seminars or formal education courses. The purpose of this policy is to establish guidelines for employee educational opportunities.
- 370-02 If attending a seminar or education course is required, Twin Falls County will pay associated costs for the course with approval of the department head and/or elected official.
- 370-03 Required job related training for employees to obtain certification or other credentials will vary depending upon the position requirements. If an employee fails a course, testing for certification, etc., the County shall not pay for employee to attend the same course more than twice. If an employee fails more than twice, the department head, with approval of the elected official, has the discretion to allow the employee to try again at their own cost, or to take disciplinary action up to and including termination for failing the required training.
- 370-04 If attending a seminar or education course is voluntary, Twin Falls County may choose to pay for an employee to attend courses or may choose to reimburse an employee upon completion of courses. Costs will be paid from the employee's departmental budget; therefore, payment or reimbursement is at the discretion of the department head with approval of the elected official in charge of that office. Payment will be for course attendance only; books and other fees will not be reimbursed. If the employee fails the course, the County will not pay for the employee to retake the same course twice.
- 370-05 To be eligible for payment through the County, a course or a group of courses that are part of a degree, licensing, or certification program must be directly related to the employee's current job duties or to a position that the employee might reasonably have at the County in the foreseeable future. The elected official in charge of the office will make the final decision about whether a course or program qualifies as related to an employee's current or possible future position.
- 370-06 The County hopes that educational opportunities will further develop skills but does not promise or guarantee that more education will result in promotions, new job assignments, or pay increases.
- 370-07 Twin Falls County expects that our investment in employee education will benefit the County. However, if an employee voluntarily terminates employment within one year of payment of any voluntary educational assistance, the County may require repayment from the employee.

### ***380 – Professional Memberships / Dues***

- 380-01 At the discretion of the elected official, membership dues and fees for organizations and associations directly related to the official operation of County

business will be paid by Twin Falls County. Dues for professional organizations must be necessary and have a clear and direct relationship to the employee's area of work responsibility with the County.

- 380-02 Dues for memberships to an organization that is generally and primarily social, civic or fraternal in nature, or has the general well-being of its members as its exclusive purpose will be reviewed on a case-by-case basis. Membership dues may be paid by the County at the discretion of the elected official in charge of the office so long as the organization does not discriminate in regard to race, religion, sex, age, national origin, or disability.
- 380-03 Notary Public dues will be paid for by the County if required for the job and approved by the elected official in charge of the office.

## **TIMEKEEPING / PAYROLL**

### ***400 – Pay periods / Paydays (revised 9-20-20; 7-15-21)***

- 400-01 For payroll purposes, a regular work week shall be defined as Monday 6:00 a.m. to the following Monday at 5:59 a.m.
- 400-02 Twin Falls County's pay period is 14 days, starting on Monday at 6:00 a.m. and ending 14 days later on Monday at 5:59 a.m. Timesheets are due on Monday of the end of the pay period by noon. Payday is the Friday following the end of the pay period.

### ***410 – Payroll Records & Timekeeping (revised 9-20-20; 02-07-21; 7-15-21)***

- 410-01 In accordance with Idaho Code §45-610, employees shall be notified at the time of hire of their rate of pay and regularly scheduled payday.
- 410-02 Supervisors and/or the employee are required to notify Human Resources if the employee is off work due to a work-related injury or for any illness or injury that may qualify under the FMLA.
- 410-03 Each employee shall report honestly and accurately the number of hours worked, as well as the use of any paid leave time. Supervisors have the authority to make any necessary corrections to inaccuracies. Any corrections by the employee or the supervisor should be noted in the comment section for that day on the timesheet in the employee portal. Employees should not fill out their timesheet prior to working the hours claimed. Time sheets are due on Monday at noon at the end of the pay period.
- 410-04 Unless overtime hours apply, employees will generally only be compensated for hours actually worked and/or paid leave time applicable to their regularly scheduled work week. For instance, if a forty (40) hour per week employee schedules eight (8) hours of vacation and then works 36 hours that week, they will

be paid for 36 hours work time and only four (4) hours of vacation will be deducted and paid. This same provision applies to sick leave, and compensatory time, or any paid leave time. If the employee's hours are over forty (40) due to the use of Personal Days, straight time comp will be added to their bank. Department heads are responsible for ensuring that flex-time and overtime hours are approved in advance and managed appropriately.

- 410-05 Twin Falls County pays in fifteen (15) minute increments, using the 7-8 minute rule. Seven (7) minutes or less will not be deducted from time worked or applied to overtime. Eight (8) minutes or more shall be deducted from time worked or applied to overtime. Employees arriving or leaving early or late must report time accurately.
- 410-06 Travel Time: Travel to and from work is not considered work time. However, the time an employee travels from one work-site to another or from work to training or other County business is considered work time. Employees will be compensated for time spent traveling as applicable under FLSA. Work assignments that require overnight stays will not be compensated beyond appropriate travel time and actual hours worked in accordance with FLSA.
- 410-07 Training Time: An employee's attendance at required training sessions is considered work time. Attendance at voluntary training may or may not qualify as work time as applicable under FLSA. Questions regarding attendance at voluntary training should be directed to Human Resources.
- 410-08 Employees who work shift schedules in 24/7 operations must record the number of hours that they worked on the day the hours are worked. Employees who work shift schedules in 24/7 operations must record the number of hours of sick, vacation, comp, or any paid leave time on the actual day it was used. "Day" means the 24-hour period that is a calendar day. Any shifts that overlap hours from one day to the next must be recorded on the calendar day worked. For example, if an employee is scheduled to work 6:00 p.m. Tuesday to 5:59 a.m. Wednesday; 6 hours would be recorded on Tuesday and 6 hours would be recorded on Wednesday.
- 410-09 Employees who work shift schedules in 24/7 operations must accurately record the number of holiday hours worked on the day of the holiday. For holiday purposes, the holiday is the 24-hour period that is the calendar day of the holiday. If Tuesday is a holiday and an employee is scheduled to work from 6:00 p.m. Tuesday to 5:59 a.m. Wednesday; 6 hours would be recorded on Tuesday as "Holiday worked" and 6 hours would be recorded as straight time on Wednesday.
- 410-10 Those employees working when Daylight Savings Time changes must record the actual number of hours worked; which may result in a longer or shorter shift than appears on paper.

For example: The scheduled shift starts at 6:00 p.m. and ends at 5:59 a.m. the next day. On the Sunday that Daylight Savings Time starts at 2:00 a.m., the employee does not work the hour from 2:00 a.m. to 3:00 a.m. because at 2:00 a.m. all of the clocks are turned forward to 3:00 a.m. Thus, on this day the employee only worked 11 hours, even though the schedule was for 12 hours. On the Sunday that Daylight Savings Time ends at 2:00 a.m., the employee works the hour from 1:00 a.m. to 2:00 a.m. twice because at 2:00 a.m. all of the clocks are turned back to 1:00 a.m. Thus, on this day the employee worked 13 hours, even though the schedule only reflected 12 hours. FLSA requires that employees must be credited with all of the hours actually worked, and Twin Falls County will only pay for hours actually worked. Therefore, if the employee is in a work situation similar to that described in the above example, he or she worked 11 hours on the day that Daylight Savings Time begins and 13 hours on the day that Daylight Savings Time ends. This assumes, of course, that the employee actually worked the scheduled shift as in our example.

#### **411 – Pay Advances**

411-01 There are no pay advances.

#### **412 – Pay Deductions and Setoffs**

412-01 It is the policy of Twin Falls County to accurately compensate employees and to do so in compliance with all applicable state and federal laws.

412-02 To ensure that employees are paid properly for all time worked and that no improper deductions are made, upon receipt of paychecks, employees should verify that all hours are paid, any paid or accrued overtime hours, and any leave bank deductions are correct.

412-03 Certain deductions will automatically be made from the employee's paycheck. Some deductions are required by law, such as state and federal taxes, social security, etc. and under County policy such as mandatory retirement. Some deductions are voluntary, such as medical premiums for a spouse and/or dependent, deferred compensation, and health club memberships. Voluntary deductions will only be made with written authorization from the employee, in accordance with Idaho Code §45-609. Employees should verify that no improper deductions were made. Twin Falls County will promptly correct any errors.

412-04 **Non-Exempt Employees:** Employees classified as Non-Exempt by the County and as defined by the FLSA are paid on an hourly basis and must maintain a record of the total hours worked or leave time taken each day. Employees must sign their timesheet, and by doing so, are verifying that the hours worked and/or leave time taken is complete and accurate. Employees must submit their timesheet to their supervisor or department head for verification and approval. Department heads must submit their timesheets to the elected official in charge of their department for approval.

- A) Employees should not work any hours that are not authorized by their supervisor. Employees should not start work early, end work late, work during an unpaid meal break or perform any other extra or overtime work unless authorized to do so in advance and that time is recorded on the employee's timesheet. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" means the employee works, but fails to report it on their timesheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action up to and including termination of employment.
- B) Supervisors that allow "off the clock" work are subject to disciplinary action up to and including termination of employment.

412-05 **Exempt Employees:** Employees classified as Exempt by the County and as defined by the FLSA are paid on a salaried basis. Exempt employees are expected to adhere to the regular workweek of the department, and are required to work the hours assigned and/or necessary to perform the duties of the job. Exempt employees are not eligible for overtime, compensatory time, or other additional pay for hours worked outside of normal work hours. While exempt employees are paid on a salary basis, and are not required to record the number of hours worked each day, they are required to record any full or partial day absences for vacation, personal reasons, sickness or disability leave time taken in accordance with Twin Falls County's leave time policies. These hours will be deducted from their leave banks.

- A. Employees must sign their timesheet, and by doing so, are verifying that the leave time taken is complete and accurate. Employees must submit their timesheet to their supervisor or department head for verification and approval. Department heads must submit their timesheets to the elected official in charge of their department for approval.
- B. Under federal law, an exempt employee's salary may be subject to certain deductions. For example, an exempt employee's salary may be reduced for the following reasons:
  - 1. Full day absences for personal reasons, sickness, or disability, if accrued leave time has been exhausted.
  - 2. Full day disciplinary suspensions for infractions of Twin Falls County policies and procedures.
  - 3. Family and Medical Leave absences in either full or partial day increments if accrued leave time has been exhausted.
  - 4. The first or last week of employment in the event the employee works less than a full week.
  - 5. For full or partial day absences for personal reasons, illness or disability when accrued leave is not used by an employee because permission for its use has not been sought or has been sought and denied, or
  - 6. The employee chooses to use leave without pay.

C. An exempt employee's salary may not be reduced for absences for jury duty, attendance as a witness, or military leave in any week in which they have performed work.

- 412-06 It is a violation of Twin Falls County policy for any employee to falsify a timesheet, to alter another employee's timesheet (unless as a supervisor making a correction), or for any employee – including supervisors – to instruct another employee to incorrectly or falsely report hours worked.
- 412-07 If a supervisor or another employee instructs any employee to: (1) incorrectly or falsely report hours worked, or (2) alter another employee's timesheet to incorrectly or falsely report that employee's hours worked, the employee should report it immediately to the elected official in charge of the office, the Prosecuting Attorney's Office Civil Division or to Human Resources.
- 412-08 If an employee has questions about deductions from pay, believes that improper deductions have been made, or their pay does not accurately reflect the hours worked and/or reported, the employee may contact their department head, elected official or payroll.
- 412-09 Twin Falls County will not permit any form of retaliation against individuals who report alleged violations of this policy or who cooperate in an investigation of such reports. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

#### **413 – Direct Deposit**

- 413-01 Direct deposit is available for all employees. Contact Payroll for more information.

#### ***420 – Overtime (revised 01-08-13; 10-11-13; 09-20-20; 07-15-21)***

- 420-01 It is the policy of Twin Falls County that full-time, non-exempt hourly employees who work over the regular hours in each work period will accrue compensatory time in lieu of overtime payment. Hours worked in excess of 40 hours per calendar week (Monday at 6:00 a.m. through the following Monday at 5:59 a.m.) for regular employees, or in excess of 85.5 hour per 14 day pay period for employees classified as law enforcement personnel (Sworn Sheriff's Deputies and Juvenile Detention Officers), shall be computed at 1½ hours.
- 420-02 Part time employees who work in excess of 40 hours in a week will receive overtime pay and will not accrue comp time.
- 420-03 Employees classified as Exempt by the County and as defined by the FLSA are not eligible for overtime or comp time reimbursement.

- 420-04 Accrual limits are 40 hours for all regular full-time employees, with the following exceptions:
- A. Employees of the Parks and Weeds departments (except clerical staff) may accrue up to 120 hours, but must use those hours in the off-season.
  - B. Sworn Law enforcement personnel in the Sheriff's Office may accrue up to a maximum of 90 hours. Any overtime worked over the maximum allowed will be compensated as overtime pay at 1 ½ times the employee's regular rate of pay. Holiday pay will be compensated at straight time pay if over the maximum number of hours allowed.
  - C. Juvenile Detention Officers may accrue up to a maximum of 90 hours.
- 420-05 Employees and their supervisors are expected to manage comp time accruals to acceptable levels.
- 420-06 Employees who work in excess of their regular daily hours may be required, at the discretion of the department head and/or elected official, to take that excess time off in the same work week in which it was worked so as to not accrue comp time.
- 420-07 Employees may be required to take the time off or be paid out at the discretion of the department head and/or elected official in charge of the office.
- 420-08 Overtime must be approved prior to being worked.
- 420-09 At the discretion of the department head and/or elected official, employees may also choose overtime pay instead of comp time accrual, if the funds are available in the department "A" budget. The employee must indicate on their timesheet if they want overtime pay instead of comp time. The elected official in charge of the office must approve the payment of overtime.
- 420-10 Employees who refuse to take time off, or who report to work when scheduled time off by their supervisor, shall be subject to disciplinary action up to and including termination of employment.

**Payout at Separation:**

- 420-11 Upon separation of employment, comp time hours will be paid from the separation fund up to policy limits. Any hours owed to the employee above policy limits will be paid from the departmental budget.

**421 – Emergency / Disaster Response**

- 421-01 It is the policy of Twin Falls County that departments utilize their personnel to the maximum extent possible, including use of personnel not normally assigned emergency responsibilities. County employees required to work either overtime or 'out of class' in responding to a disaster shall be compensated in accordance

with existing County rules and the requirements of the Fair Labor Standards Act (FLSA).

#### **422 – Grant Funded Overtime**

- 422-01 Other compensatory time” means hours for which an employee may receive overtime payment without meeting the hours worked threshold under FLSA (40 hours in one week for regular employees and 85.5 hours in one pay period for law enforcement personnel).
- 422-02 Non-exempt employees working in a position or performing an activity that is either funded from or reimbursed by grant money received by the County may be paid overtime, *if the grant allows for such payment*, as defined below.
- 422-03 Employees must be designated as performing work under the grant by their supervisor with the approval of their elected official.
- 422-04 Employees must specify on a separate timesheet the days and hours that were worked under the grant and the timesheet must be approved by their supervisor and/or elected official.
- 422-05 Employees will only be compensated for actual time worked to complete the necessary tasks.
- 422-06 Employees shall only receive overtime payment if they have met their regularly scheduled hours, either by actual hours worked or by utilizing paid leave balances (such as sick, vacation, personal or comp time), or a combination of work hours and leave time usage.
- 422-07 If an employee works on a County recognized holiday, the employee shall be required to indicate the holiday on their regular timesheet and their hours worked under the grant on a separate timesheet. The County will compensate for regular holiday pay and the employee shall be compensated for their overtime hours as allowed under the grant.
- 422-08 Employees who cannot meet their regularly scheduled hours due to having exhausted all accrued paid leave time balances (or in the case of a new employee who is not yet eligible to access paid leave time) will not be eligible to participate in additional grant work and/or receive overtime compensation under this policy.
- 422-09 Reserve Deputies who are not assigned a regular work schedule may be eligible to receive regular pay or overtime pay under this policy only if in accordance to the grant criteria.
- 422-10 Employees who are unable to perform their regular duties due to Worker’s Compensation, FMLA leave, or other medical restrictions but are able to perform other tasks, may be eligible to accept work assignments and receive overtime



payment under this policy only if such work is within their ability and meets all doctor's restrictions. Hours must be met as defined in 422-06 of this policy and leave time usage must be utilized in compliance with Twin Falls County policies.

#### ***430 – Payout of Comp Time / Leave Time***

- 430-01 Employee requests to cash out comp time, vacation leave or personal leave must be in writing and approved by the department head **and** elected official in charge of the office. Payouts shall be charged to the employee's department.
- 430-02 Employees are not allowed to cash out their sick leave balances.

#### ***440 – Payment of Wages upon Separation (revised 8-24-2020)***

- 440-01 Upon resignation or termination of employment, the employee shall be paid up to the appropriate hour of separation of employment. Employees will be paid a lump sum payment for any accrued vacation, personal days, comp time, and sick leave in accordance with the payout procedures under those policies.
- 440-02 If the combined amount of hours worked and the payout of leave balances is more than the net amount they normally receive, two checks will be issued, otherwise final payment will be issued on one check.
- 440-03 Employees will receive their final paycheck on the next regularly scheduled payday unless otherwise requested by either the elected official or by the employee. To request payment prior to the next regularly scheduled payday, a written request must be submitted to the Payroll Clerk. If the employee makes the request, payment shall then be paid within forty-eight (48) hours of the receipt of such request, weekends and holidays excluded, in accordance with Idaho Code §45-606.
- 440-04 It is the supervisor's responsibility to ensure final time sheets are completed and submitted to the department head or elected official in a timely fashion to avoid delaying payment by payroll to the employee.
- 440-05 Additionally, status sheets indicating employment separation must be submitted to Human Resources in a timely manner for processing.
- 440-06 If an employee participates in the State of Idaho Public Employees Deferred Compensation Plan (457 Plan), upon resignation or termination from County employment at any age, he or she may elect to rollover all or any portion of any accrued vacation, personal days, comp time, and/or sick leave to the deferred compensation plan. To do so, the employee should contact Payroll and fill out any required forms required by the State of Idaho Public Employees Deferred Compensation Plan in a timely manner. The employee should start the process two weeks before the date of resignation if the employee's 457 account has already been set up, or a month before resignation if the 457 account has not yet

been set up. If the employee is terminated, the employee should submit the forms to payroll before their final payout is issued. The employee is responsible to make sure that he or she does not roll over an amount of accrued vacation, personal days, comp time, and/or sick leave that would cause the employee to exceed the annual maximum contribution to the deferred compensation plan as set by Federal law.

## **WORK CONDITIONS & HOURS**

### ***500 – Work Schedules***

- 500-01 Different departments have different work schedules depending on business needs. Supervisors will inform employees about their work schedules, including when employees may take rest and/or meal breaks.
- 500-02 Staffing needs and work demands may require that the starting and ending times of work schedules may change. There may also be a need to change the number of work hours that are scheduled each day and week.

### **501 – Rest and Meal Periods**

- 501-01 Twin Falls County generally grants breaks to employees during the work shift. Rest & meal breaks are time periods to be used by employees to take a break from their duties, and employees are expected to leave their workstation during breaks. Typically, two short rest periods will be allowed, not to exceed 15 minutes. Employees should not stay away from their workstation over the allotted time. Additionally, for most employees, a period of time for a meal break will be provided during the middle portion of the employee's shift. Part-time employees may not be provided rest and/or meal breaks depending on the length of their shift. The employee's supervisor will advise the employee of rest and meal breaks. Employees cannot accumulate rest periods to be redeemed for extra pay or time off. Depending on work schedule, employees may be asked or required to forego rest and meal breaks by their supervisor.
- 501-02 Non-exempt employees are to be completely relieved from duty during their meal break. Employees shall not perform any work while taking their meal break.
- 501-03 If an employee is required to perform any work duties while on his or her unpaid meal break period, the employee must be compensated for the time spent performing work duties.
- 501-04 If an employee performs work during their meal break and is instructed not to, the employee must be paid for time worked, however the employee may face disciplinary action up to and including termination.

## **502 – Break Time for Nursing Mothers**

- 502-01 Twin Falls County shall provide reasonable accommodations to employees desiring to express breast milk for her nursing child for one (1) year after the birth of the child. A reasonable number of breaks and amount of break time, along with appropriate facilities shall be provided for these purposes; however employees shall not be compensated for time used beyond their normal allowed break periods. Additional time needed must be taken utilizing paid leave balances or as an unpaid break.
- 502-02 Employees wishing to express breast milk for their infant child during their shift shall be permitted to do so as frequently as needed. Employees desiring to take a break shall notify their supervisor prior to taking such a break and such breaks may be reasonably delayed if they would seriously disrupt operations. Once a break has been approved, the break shall not be interrupted except in emergency or exigent circumstances.
- 502-03 The County will make reasonable efforts to provide employees with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees shall avoid interrupting the employee during an authorized break, except to announce an emergency or other urgent circumstance.
- 502-04 Authorized breaks for employees assigned to the field may be taken at the nearest appropriate private area.
- 502-05 Any employee storing expressed milk in any authorized refrigerated area shall clearly label it as such. No expressed milk shall be stored at the workplace beyond the employee's shift.

## **505 – Flexible Scheduling / Telecommuting**

- 505-01 Twin Falls County may allow some employees to work flexible schedules and/or telecommute on a case-by-case basis. Approval for one request does not imply or guarantee it will be approved again in the future.
- A.) Flexible scheduling, or flextime, means working different hours or days than those regularly scheduled.
  - B.) Telecommuting is the practice of working at home or other location instead of the regular workplace. Typically, only exempt level employees will be allowed to telecommute, and generally only on a limited basis.
- 505-02 Supervisors and/or department heads may approve the occasional or short-term use of flextime as part of their management duties, such as allowing an employee to leave early as a way to manage comp time or working later than normal to make up time for coming in late.

- 505-03 For requests of longer periods of flextime, or requests for telecommuting, a written request must be approved by the employee's department head **and** elected official. Factors such as reason for the request, position and job duties, performance history, related work skills, and the impact on the County will be reviewed in making the decision to approve or deny the request.
- 505-04 Approvals will generally be for limited and specific durations of time, not as an on-going option for the employee. Telecommuting employees shall not be allowed to provide primary care for a young child or elderly parent during at-home working hours, unless specifically approved by the elected official.
- 505-05 Flexible schedules and telecommuting are an alternative method for meeting the business needs of the County. It is not a universal employee benefit. Twin Falls County has the right to refuse these options to any employee, and may terminate any existing arrangements at any time without prior notice.

## ***510 – Safety***

- 510-01 Twin Falls County wants to maintain a safe working environment for all Twin Falls County employees and the public. General safety rules have been developed for all employees. Direct line supervisors will be held accountable for the implementation of any additional departmental rules and/or safety activities, including training new staff, timely reporting of injuries, and accident investigation. Not every contingency for safety can be listed in one policy. Employees and supervisors should use common sense when conducting work.
- 510-02 Safety is the responsibility of every employee. When an employee observes a safety hazard, an unsafe act, or has a “near miss” incident, they are encouraged to notify their supervisor, Risk Manager, or Human Resources so that appropriate investigation and action can be taken to avoid and/or prevent injuries.
- 510-03 All employee injuries shall be handled through Human Resources, accidents and injuries involving the public shall be reported to the Risk Manager.
- A. All employees shall:
1. Behave in a manner that will ensure both their safety and the safety of others. Intentionally unsafe acts, initiating and/or participating in practical jokes and “horseplay” is not allowed.
  2. Follow all established safety practices and instructions of their supervisors with respect to general County policy and specific departmental rules.
  3. Participate in safety meetings and/or training as required.
  4. In accordance with the County's “Drug Free Workplace” policy, recognize and/or report to their supervisor if they are taking *any*

medications, including over the counter medication, which may impair their ability to perform their job safely.

5. Report unsafe acts or conditions, as well as “near misses” of accidents to their direct supervisor, elected official, or Human Resources.
6. Wear proper clothing in relation to their job requirements, including footwear. Utilize proper protective equipment (PPE) such as eye, ear, head protection, etc. when required or necessary for the task at hand.
7. Ensure tools, machinery, and vehicles are maintained and operated in a safe manner. Disable energy source(s) of machinery or electrical equipment if required for repairs.
8. Use chemicals properly and according to the manufacturer’s suggestions.
9. Ask for help when lifting objects that are too heavy or too awkward to be lifted alone.
10. Ensure all materials stored in tiers or on shelving are stacked, or otherwise secured to prevent sliding, falling or collapse.
11. Use stepladders or stepstools when reaching above the head.
12. Ensure that coffee pots, space heaters, and other similar devices not be left unattended. Open flames (such as burning candles) are not allowed.
13. Keep floors, hallways, and work area clean and orderly, and free from protruding objects, excess clutters, loose wires, tripping hazards, spills, etc.

B) Supervisors shall:

1. Behave in a manner that will ensure both their safety and the safety of others.
2. Be accountable for the activities of their employees and discipline employees for violating safety rules.
3. Enforce all County and departmental safety rules, as well as any federal, state, county and municipal safety laws, regulations and codes.
4. Train employees to ensure their effectiveness in producing safe working conditions and habits that will result in accident prevention.
5. Ensure emergency evacuation procedures and emergency numbers are clearly posted and reviewed with employees.
6. Only allow qualified trained personal to operate machinery or equipment, handle chemicals, etc.
7. Ensure employees have available and utilize proper protective equipment (PPE) when appropriate for the task at hand.
8. Encourage employees to follow good ergonomic practices, including allowing employees to take short breaks away from their workstations to stretch, change position, rest their eyes from computer usage, etc.
9. Encourage well thought-out safety suggestions, and reporting of any potentially unsafe conditions.

510-04 Failure to follow this policy shall result in disciplinary action up to and including termination.

510-05 In addition to implementing safety rules, Twin Falls County has established an “Accident Review Committee” to review accidents – both personal injury and auto accidents – with the intent to review current policies and procedures, and to recommend and/or initiate corrective procedures and/or measures to avoid future incidents. The committee shall meet on an “as needed” basis, and any information obtained from these meetings is to remain confidential. Any questions, suggestions, or concerns regarding the committee should be directed to Human Resources.

### ***520 – Workplace Violence Prevention***

520-01 Twin Falls County is committed to preventing workplace violence. All employees and the public should be treated with courtesy and respect at all times. We encourage you to attempt to settle disputes or differences you may have with another employee yourself. If that fails, it should be brought to the attention of your department head, elected official, or Human Resources before the situation escalates.

520-02 Conduct that threatens, intimidates, or coerces an employee will not be tolerated. This includes harassment of any kind, as defined by the County’s workplace harassment policy.

520-03 Acts of violence or threats should be reported as soon as possible to any management employee, elected official, Human Resources or Risk Manager. All suspicious individuals or activities should also be reported. Employees should not place themselves in a position of danger; if an employee observes a disturbance, the employee should report the incident immediately, or if the situation warrants, notify law enforcement.

### ***530 – Emergency Closing / Evacuations***

530-01 There may be times when emergencies, such as severe weather, power failures, fire, etc. disrupt normal business operations at Twin Falls County. If a work area is officially closed due to emergency conditions, employees will only be paid for hours actually worked. Employees may use any available paid time off, such as vacation leave, personal leave, or comp time. Sick leave may be accessed only if no other leave time is available.

530-02 If there is an emergency closing, employees in essential positions may be asked or required to work, either in their current position or in another assigned position. These employees will be compensated for regular pay, plus any applicable overtime or compensatory time as required under FLSA.

- 530-03 If an emergency closing is not authorized and an employee does not report for work due to severe weather, etc., the employees will not be paid unless available paid leave time is requested.

### **531 – Disaster Plan / Emergency Evacuations**

- 531-01 Twin Falls County has an Emergency Management Plan in place in the event of a major disaster or other emergency event. If the plan is activated, employees will be informed, as applicable, as to specific assignments, reporting requirements, etc.
- 531-02 In the event of a disaster or emergency which requires evacuation of County offices and/or public buildings, employees shall follow implemented evacuation plans and reporting requirements specific to their department. Supervisors are responsible for ensuring evacuation plans are kept current and that personnel are trained in procedures. Supervisors and staff are also responsible for reporting to the elected official the status of the situation as directed. Special care should be taken for ensuring the safety of any physically impaired employees and/or members of the public.
- 531-03 Employees are required to meet in designated areas and/or check in as required. Employees shall not leave (go home) without proper authorization.

### **532 – Bomb Threats / Threats of Violence / Hazardous Materials Response**

- 532-01 Bomb threats, threats of violence, suspicious packages, fire, or exposure to hazardous materials, etc. must be reported to the appropriate emergency response agency (fire department, law enforcement) and the elected official immediately.
- 532-02 Supervisors are responsible for ensuring personnel are trained in appropriate response procedures and for reporting to management as to the status of the situation as directed.

### **540 – Smoking / Tobacco Usage (revised 12-01-2017)**

- 540-01 Smoking and vaping is prohibited inside all Twin Falls County owned and/or operated (leased) buildings and in all Twin Falls County owned vehicles and equipment.
- 540-02 Smoking refers to the use of traditional tobacco products. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes.
- 540-03 While the use of chewing tobacco is not expressly prohibited, employees are expected to use and dispose of products in an appropriate manner and to be mindful of tobacco use when dealing with the public. Damage to

county property due to the use of chewing tobacco will be considered grounds for disciplinary action.

- 540-04 Employees shall only smoke in designated areas outside the buildings. Per Idaho Code, 39-5502; smoking is prohibited within twenty (20) feet of any building entrance for employees and the public.
- 540-05 Employees found in violation of this policy will be asked to either move or to extinguish their tobacco products.
- 540-06 Employees who refuse, or continue to violate the policy will be subject to disciplinary action up to and including termination.

### ***550 – Visitors in the Workplace / Non-Solicitation***

- 550-01 Companies and/or vendors who wish to advertise, distribute, sell goods or services, or meet with employees during work hours are required to get prior permission from the Board of County Commissioners.
- 550-02 Twin Falls County recognizes that many employees participate in events and organizations outside work. This often includes the sale of goods, services or subscriptions, or fundraisers, etc. outside the scope of official County business. However, during working time, employees may not solicit for these activities or distribute information about them. Employees are free to solicit during lunch periods, work breaks, or any time when they are not scheduled to be working. Employees shall refrain from soliciting other employees while they are working to avoid interfering with or causing a disruption of County operations.
- 550-03 Employees have the option to advertise and share information through the Twin Falls County Employee Newsletter by sending information to Human Resources.
- 550-04 Twin Falls County may limit the types of information that are posted on bulletin boards, distributed through email or the County newsletter or departmental mailboxes.
- 550-05 Visitors are not allowed in non-public areas. Additionally, visits from friends and family should be limited to short durations. To reduce potential distractions and disturbances, employees should limit visitations of a personal nature while working.
- 550-06 Violation of this policy, including posting or distributing inappropriate or offensive materials, may result in disciplinary action up to and including termination of employment.



## EMPLOYEE CONDUCT & WORK RULES

### ***600 – Drug and Alcohol Policy***

The purpose of this policy is to establish a Drug Free Workplace for the safety and health of Twin Falls County's employees, customers and the general public, and to increase employees' productivity and work quality. This policy meets the Department of Transportation (DOT) mandates under CFR49 Part 40 and Part 382; and supports the objectives of "Idaho Employer Alcohol and Drug Free Workplace Act;" Idaho Code sections 72-1701, *et. seq.*

All prospective and current employees are subject to the conditions and the terms of this policy.

#### **Policy:**

- 600-01 In keeping with Twin Falls County's objective to provide a safe and healthy work environment, it is the County's policy that:
- A.) The possession, sale, transfer, attempt to sell or use of illegal drugs while on the job, on County time, on County property, or in other circumstances which might adversely affect Twin Falls County's operation or safety is strictly prohibited (unless part of legitimate law enforcement activity or transport). Any illegal substance that is found in the possession of an employee or on the premises will be turned over to appropriate law enforcement agencies and may result in criminal prosecution.
  - B.) Employees will not be permitted to work with a detectable level of prohibited drugs in their system. The basis for determining "under the influence" and/or "detectable level" is, for the purposes of this policy, a positive test result for drugs and/or alcohol. A positive result for alcohol shall be .02 alcohol concentration or more. Prohibited drugs include both illegal and legal substances, including alcohol or prescription drugs that have not been specifically prescribed, and used as prescribed, by a licensed physician for specific treatment purposes of the employee at that time. This restriction shall not apply to over-the-counter medication, provided such medications do not prevent the employee from performing his or her duties safely and efficiently.
  - C.) Employees who take over-the-counter or prescribed medication are responsible for knowing any effect the medication may have on the performance of their duties. Employees must promptly report to their supervisor if the use of the medication(s) is likely to impair their ability to do their job safely.
  - D.) All employees must report to their immediate supervisor or elected official any citations for traffic violations or other criminal charges occurring on or off the County's premises while conducting County business. The report of a citation must be made within the same work day of receiving the citation, unless unusual circumstances exist, in which case, the report must be made as soon as is reasonably possible.

- E.) Twin Falls County shall abide by any additional requirements provided under local, state or federal grants.

**Violations of this Policy:**

600-02 Any of the following situations shall be considered work-related misconduct and grounds for disciplinary action, up to and including termination:

- A.) A confirmed positive test for drugs and/or alcohol. For the purposes of the alcohol test, a positive result shall be .02 alcohol concentration or more. For the purposes of the drug test, a positive result shall be a detectable level.
- B.) An employee refuses to provide a sample or submit for testing.
- C.) An employee adulterates, or attempts to alter a test sample by adding a foreign substance for the purpose of making the sample more difficult to analyze; or
- D.) An employee submits a sample that is not his or her own.

**Substance Testing:**

To support the objectives of a Drug Free Workplace, testing for drugs and/or alcohol may be done under the following circumstances:

600-03 **Pre-employment:**

All applicants who are being seriously considered for any position with the County must test free of drugs and/or alcohol as a condition of employment. No applicant will be employed until a negative drug and/or alcohol test is reported to Twin Falls County, including returning seasonal and/or temporary employees.

600-04 **Post-accident: Vehicle**

All employees must report to their immediate supervisor or elected official any vehicle accident occurring on or off the County's premises while conducting County business. The report must be made within the same work day of the accident, unless unusual circumstances exist, in which case, the report must be made as soon as is reasonably possible.

An employee involved in a vehicle accident shall submit to a drug and/or alcohol test. Testing must occur and be completed immediately. The employee subject to testing must remain available for testing. If the employee does not remain available for testing, this action is considered refusal to submit to testing. An employee will be considered available for testing if s/he leaves the accident scene for verifiable medical treatment of anyone involved in the accident.

600-05 **Post-accident: Non-Vehicle:**

Any employee whose performance either contributed to any accident or injury or whose performance cannot be completely discounted as a contributing factor to an accident will be tested if the accident caused injuries resulting in medical treatment being provided by a physician or his/her designee (other than first-aid).

**600-06 Vehicle – CDL Drivers:**

All CDL drivers must abide at all times the requirements as defined in DOT requirements under 49 CFR Part 40 and Part 382.

**600-07 Reasonable Suspicion:**

An employee shall be required to submit to a drug and/or alcohol test when at least one designated/trained supervisor has reasonable suspicion to believe that an employee is under the influence of drugs and/or alcohol. These beliefs must be based upon specific physical behavioral or performance indicators. A second witness, who is a trained supervisor, must observe and/or concur to make the decision to test. An elected official may require testing without obtaining a second supervisor's opinion.

When supervisory personnel determine there is reasonable suspicion to believe an employee is under the influence or in possession of any substance prohibited by this policy or is otherwise in violation of this policy, the County may:

- Search any of the employee's or County's property. Such search can include the employee's purse; bag, outer garments, (hat, coat, sweater. etc.) locker, desk, office, vehicle, or any other property located on the County premises.
- Require that the employee submit to appropriate tests to determine the existence of prohibited substances within their system.

**600-08 Random:**

All Safety Sensitive employees will be tested on a random basis. Employees must report to a designated collection site immediately when notified that they were selected for a drug and/or alcohol test.

“Safety Sensitive” positions shall be defined to include:

- All employees of the Sheriff's Office.
- Employees of Juvenile Services (Juvenile Detention, Juvenile Probation, Status Offender Services, and Safe House employees.)
- Employees of the Treatment and Recovery Clinic (TARC).
- Employees of Magistrate Probation.
- Non-uniformed/non-sworn employees of the above offices who have access to confidential law enforcement records or public safety information.
- Employees who handle or dispense prescription medications or other controlled substances.
- Employees of the Coroner's office.
- Employees who operate heavy equipment, machinery or vehicles, including employees whose positions are officially designated as requiring use of a County automobile on a daily basis in order to perform job duties.
- Employees who regularly work with or test chemicals or other substances under circumstances that have a significant potential to cause harm to employees, the public, or County or private property.

**600-09 Return to Duty/Follow-up:**

As designated under "Return to Work" later in this policy.

600-10     **Right Not To Be Tested:**

An employee has the right to refuse to be tested. However, refusal to submit to testing is grounds for disciplinary action up to and including termination.

600-11     **Testing Procedures:**

St. Luke's Magic Valley Regional Medical Center (St. Luke's MVRMC) is the third-party administrator for Twin Falls County's Drug Free Workplace program.

1. The actual analysis of all samples will be conducted by St. Luke's MVRMC and/or a Substance Abuse and Mental Health Services Administration (SAMHSA) approved lab.
2. All sample collection activity and drug/alcohol cut-off levels will be consistent with requirements established by the Department of Health and Human Services (HHS), to assure the validity, confidentiality and security of the samples and test results.
3. St. Luke's MVRMC will designate a Medical Review Officer (MRO), or his designee, to interpret, evaluate and monitor the drug testing program and results as necessary. The MRO will be a licensed physician with knowledge of drugs, testing methods and drug abuse disorders.
4. Twin Falls County and/or physician shall determine the drug testing technique (e.g., urine sample, breath sample, blood sample, hair sample, physical examination, sobriety examination) to be administered for the types of tests listed above.
5. All individuals who are required to be tested under the conditions of this policy will report to St. Luke's MVRMC / Twin Falls County's designated collection site and at the requested time. The designated collection site shall be St. Luke's Occupational Health Services, unless otherwise specified at the time of collection.
6. If the test or retest is negative, the chain of custody form is reviewed by the lab for completeness and accuracy and the results are reported to Twin Falls County.
7. If any test is positive for drugs or alcohol, Twin Falls County shall receive a confirmatory test before using the test result as a basis for any disciplinary action or termination.

600-12     **Employee Rights and Obligations:**

1. Twin Falls County shall pay for the costs of initial drug and/or alcohol tests pursuant to this policy.
2. Any time spent for drug testing of employees shall be considered work time. Job applicants/prospective employees shall not be paid for any time spent for

drug/alcohol testing.

3. If an employee or prospective employee receives a positive alcohol result from the use of a breath test, the use of any other confirmatory test meant to demonstrate a higher degree of reliability must be administered. The confirmatory breath test must be administered no earlier than fifteen (15) minutes after the initial test.
4. Twin Falls County shall receive a confirmatory or mandatory second test on all positive drug test results before any type of disciplinary action or termination can occur. The confirmatory test must be conducted by a laboratory utilizing a chromatographic technique such as gas chromatography-mass spectrometry or another comparable reliable analytical testing method.
5. Any employee or prospective employee who receives a confirmed positive test result for drugs:
  - a. Prior to notification of Twin Falls County, the employee shall be contacted by an MRO, or his designee, so that he/she may determine whether a legally prescribed medication resulted in the positive drug test. It is the employee's obligation to be available to the MRO so this situation can be discussed.
  - b. Twin Falls County will inform the employee in writing of the positive test and the substance for which the employee tested positive.
  - c. The employee may request additional testing of the same sample at a mutually agreed-upon laboratory. The employee shall bear the cost of any additional testing. The employee must request in writing such retesting within seven (7) working days from the date of the confirmed positive test notification.
6. If the retest is negative, Twin Falls County shall:
  - a. Compensate the employee for any time suspended without pay.
  - b. Reimburse the employee the cost of the retest.
  - c. Reinstate the employee with back pay if the employee was terminated **solely** for the positive test result that is later determined to be negative.

600-13 **Return to Work:**

1. Twin Falls County has the option of disciplinary action up to and including termination upon receipt of a confirmed positive drug or alcohol test result or other proof which indicates a violation of Twin Falls County's written policy, or upon the refusal of an employee to provide a test sample, or upon an employee's alteration of or attempt to alter a test sample. When disciplinary action has been chosen as an option, the employee may return to duty when certain conditions (which may be at the employee's expense) are met. Actions by Twin Falls County may include, but are not limited to, the following:
  - a. A requirement that the employee submit to an evaluation (a copy of which is sent to the employer) by an employer-approved rehabilitation,

treatment, or Employee Assistance Program (EAP) identifying:

- Recommendations for treatment, if any.
- Additional follow-up drug and/or alcohol testing, indicating the number, frequency and the period of time the employee will be tested.
- A signed agreement from the employee stipulating to his/her commitment to the outlined plan/recommendations as a condition of employment.

2. The employee will be required to submit to a Return-to-Duty drug and/or alcohol test. The sample collection and analysis of the specimen must be conducted at the County's designated site. Twin Falls County must receive a negative result before the employee is able to resume the performance of his/her duties.

600-14 **Twin Falls County Rights and Obligations:**

1. All prospective and current employees will be fully informed of the Drug Free Workplace Policy and procedures prior to any testing being administered. All employees, current and prospective, will be provided with a copy of this policy and indicate by their signature that they have received a copy of this policy. No current or prospective employee will be tested until this information is provided to him/her.
2. Upon receipt of a confirmed positive drug and/or alcohol test result or other proof which indicates a violation of Twin Falls County's written policy, or upon the refusal of an employee to provide a test sample, or upon an employee's alteration or attempt to alter a test sample, Twin Falls County may use such test result or conduct as a basis for disciplinary action, up to and including termination, or Twin Falls County may refuse to hire a prospective employee.
3. Twin Falls County may suspend an employee with or without pay at the time a reasonable suspicion test is conducted and/or upon receipt of a confirmed positive test for drugs and/or alcohol.
4. Upon receipt of a confirmed positive test for drugs and/or alcohol, Twin Falls County may require that the current employee utilize the return-to-work procedure as outlined above as a condition of continued employment or reinstatement.
5. All test results will be maintained by Twin Falls County in a manner which assures their confidentiality and will be available to other parties only upon specific written consent of the individual tested.
6. This policy shall not in any way create a physician-patient relationship with Twin Falls County and a prospective or current employee.

7. If an employee tests positive for drugs or alcohol, such employee shall not be considered disabled by virtue of the test results alone.

600-15     **Seeking Help:**

Twin Falls County recognizes drug and alcohol dependency as a serious problem and as a health, safety and security threat to County business. Employees who need help in overcoming such dependency should contact their supervisor, available alcohol and drug abuse resources within the community, or the County's Employee Assistance Program. Human Resources will maintain a list of resources available to assist an employee who may wish to seek assistance. A voluntary, conscious effort to seek such help may not jeopardize employment.

## ***601 – Discriminatory Workplace Harassment Policy and Complaint Procedure***

601-01     **Purpose**

The purpose of this Harassment Policy is to clearly establish the County's commitment to work to provide a work environment free from unlawful harassment, to define discriminatory harassment, and to set forth the procedures for investigating and resolving internal complaints of harassment. Because of the importance of a workplace free from unlawful harassment, this policy should be reviewed with each employee on a regular basis.

It is important that all employees treat all other employees and members of the public with decency and respect. It is the responsibility of each and every employee, supervisor and department head to prevent inappropriate behavior in the workplace. Inappropriate behavior which impacts the workplace, or has the potential to impact the workplace, will not be tolerated.

This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, job retention, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation and training.

601-02     **Policy**

Harassment of an applicant for employment, a member of the public, or an employee by any employee of the County on the basis of race, color, religion, national origin, sex, age (40 and over) and disability is in violation of State and/or Federal law and will not be tolerated by Twin Falls County.

Employees found to be participating in any form of employment-related unlawful harassment or retaliating against another employee for filing a complaint or cooperating with an investigation shall be subject to disciplinary action up to and including termination of employment.

601-03     **Responsibilities**

- A. **The County:** It is the responsibility of the County to develop this policy, provide training on this policy, keep it up to date, and to ensure that any

violation of this policy brought to its attention is dealt with as required by law and according to this Policy.

- B. The County has designated each elected official, the Human Resources Director, and the Chief Civil Prosecuting Attorney for the County as individuals who will be responsible for following the Complaint Procedures as set out in this policy. The officials will be referred to as the “Designated Official” for the purpose of this policy.
- C. **Supervisors:** It is the responsibility of supervisors to enforce the policy, to make a regular review with all employees to ensure they know the policy and to regularly check the workplace to make sure the policy is being followed.
- D. If a supervisor directly observes that unlawful discrimination, harassment or retaliation is occurring, he/she should take immediate action to address the problem. Such action should include, but is not limited to, speaking directly with the affected person, developing a specific account of the actions, omissions or occurrences that are deemed discriminatory, consulting with the supervisor, or a department head and taking corrective or disciplinary action as appropriate. If the alleged discrimination, harassment or retaliation is not within the supervisor’s area of responsibility or oversight, he/she should notify the department head or other appropriate management employee, who should then take prompt steps to address the allegation.
- E. If unlawful harassment is reported or alleged, it must be followed up. No complaining party should be allowed to retract an allegation of unlawful harassment without proving that it was made erroneously. If a supervisor receives information that discrimination, unlawful harassment or retaliation might be occurring, he/she should follow the Complaint Procedure as set out in this policy below.
- F. **Employees:** It is the responsibility of each and every employee to know this policy and to follow it. All County employees share the responsibility of understanding and preventing unlawful discrimination and harassment. But, ultimately, no satisfactory investigation or resolution of complaints can occur without the initiative and continued cooperation of the affected person. Individuals who believe they have been discriminated against or unlawfully harassed have the primary obligation of informing their elected official, Human Resources Director, or Chief Civil Prosecuting Attorney for the County of the act of discrimination, unlawful harassment or retaliation, recounting specific actions or occurrences whenever possible. It is imperative that every employee treat every other employee and members of the public with decency and respect so as to facilitate a sound professional work environment.



## Definitions:

For purposes of clarification unlawful harassment includes, but is not limited to, the following behaviors:

- 601-04    **Verbal Harassment** – Epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments on the basis of race, color, religion, national origin, sex, age (40 and over) and disability whether made in general, directed to an individual, or directed to a group of people regardless of whether the behavior was intended to harass. This includes, but is not limited to, inappropriate sexually-oriented comments including dress or physical features, sexual rumors, code words, and race-oriented stories, as well as jokes of a sexual or discriminatory nature or “kidding” which is oriented towards a prohibited form of harassment.
- 601-05    **Physical Harassment** – Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy or movement when directed at an individual on the basis of race, color, religion, national origin, sex, age (40 and over) and disability. This includes pinching, patting, grabbing, inappropriate behavior in or near bathrooms, sleeping facilities and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.
- 601-06    **Visual Forms of Harassment** – Derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, e-mails, notes, bulletins, drawings or pictures on the basis of race, color, religion, national origin, sex, age (40 and over) and disability. This applies to both posted material and material maintained in or on Twin Falls County equipment or personal property in the workplace.
- 601-07    **Sexual Harassment** – Any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual’s work performance or creates an intimidating, hostile or offensive work environment.

There are basically two types of sexual harassment:

- a.) "Quid pro quo" harassment, where submission to unlawful harassment is used as the basis for employment decisions.

Employee benefits such as raises, promotions, better working hours, job retention, etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Example: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

- b.) "Hostile work environment," where the unlawful harassment creates an offensive and unpleasant working environment.

Hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or the public. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or even unwelcome physical contact as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

### **Complaint Procedure**

601-08 The following complaint procedure will be followed in order to address a complaint regarding harassment, discrimination, or retaliation:

1. A person who believes he/she has been unlawfully harassed, discriminated or retaliated against should report it to a designated official – their elected official, Human Resources Director, or Chief Civil Prosecuting Attorney for the County. If a supervisor becomes aware that unlawful harassment or discrimination is occurring in any County department as a result of an employee coming forward, the supervisor should immediately report it to a designated official pursuant to this policy. Once a complaint of unlawful harassment, discrimination or retaliation has been made, the complaint cannot be withdrawn by the complainant without a determination that it was made erroneously.
2. Promptly upon receiving the complaint, the designated official should initiate the investigation to determine whether there is a reasonable basis for believing that an alleged violation of this Policy occurred.
3. Upon receiving the complaint, or being advised by a supervisor that violation of this policy may be occurring, the designated official should review the complaint with legal counsel for the County.
4. The Designated Official, in conjunction with legal counsel for the County, should engage an appropriate person to investigate the complaint. The investigator should be a neutral party.
5. The investigator will interview the complainant, the respondent, and any relevant witnesses to determine whether the conduct occurred.
6. As soon as practical, the investigator will conclude the investigation and submit a report of his or her findings to the Designated Official, who then will route it as appropriate.

7. If it is determined that unlawful harassment or discrimination in violation of the County's policy has occurred, the appropriate official will recommend the appropriate course of action to be taken by the County. The appropriate action will depend on the following factors:
  - (i) The severity, frequency and pervasiveness of the conduct;
  - (ii) Prior complaints made by the complainant;
  - (iii) Prior complaints made against the respondent; and
  - (iv) The quality of the evidence (first-hand knowledge, credible corroboration etc.).
8. If the investigation is inconclusive or it is determined that there has been no unlawful harassment or discrimination in violation of this Policy, but some potentially problematic conduct is revealed, corrective action may be taken.
9. Promptly after the investigation is concluded, the Designated Official(s) will meet with the complainant and the respondent separately in order to notify them in person of the findings of the investigation.
10. The complainant and the respondent may submit statements to the Designated Official(s) challenging the factual basis of the findings. Any such statement must be submitted no later than five (5) working days after the meeting with the Designated Official(s) in which the findings of the investigation is discussed.
11. Promptly after the Designated Official(s) has met with both parties and reviewed the documentation, he or she will decide, after consultation with legal counsel, what action, if any, should be taken.

**601-09      Disciplinary Action**

If unlawful harassment is determined to have occurred, the supervisor should take prompt and effective remedial action against the harasser. The action should be commensurate with the severity of the offense, up to and including termination of employment.

**601-10      Retaliation**

Retaliation in any manner against a person for filing an harassment charge or initiating an harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The supervisor, department head and elected official should take reasonable steps to protect the victim and other potential victims from further harassment or related consequences.

601-11 **Confidentiality**

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law. However, a complete and thorough investigation of the allegations will require the investigator to inform witnesses of certain aspects of the complaint in order to obtain an accurate account of the actions of the parties involved.

601-12 **False Complaints**

Any complaint made by an employee of the County regarding employment-based harassment which is conclusively proven to be false, should result in discipline. This discipline may include termination of employment. This section is not intended to discourage employees from making complaints regarding employment-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

601-13 **Distribution**

Access to this policy shall be provided to all employees, supervisors and elected officials of the County either by paper or electronic copy. Any questions, concerns or comments related to this policy should be directed to the Human Resources Director, Chief Civil Prosecuting Attorney, or elected official in charge of the office.

## ***602 – Problem Solving / Grievance***

602-01 Employees are urged to attempt to resolve problems with their co-workers and/or supervisors on an informal basis. However, if the problem cannot be resolved informally, employees may file a formal grievance regarding issues relating to their employment. The grievance procedure may be utilized to address complaints regarding a co-worker or supervisor, disagreement regarding policy or procedure, etc.

602-02 This procedure does not apply to any disciplinary action. Such disciplinary action must be appealed under the procedures set out in the “Progressive Discipline” policy of this manual.

602-03 This procedure does not apply to potentially serious allegations, such as fraud, harassment, etc. Allegations or complaints of that nature must be addressed as described in the corresponding policies of this manual.

602-04 The following steps shall be followed by all employees:

- A. The aggrieved employee shall present a written grievance to the department head within five (5) working days of its occurrence or first knowledge of its occurrence, not including the day of occurrence. The department head shall give his or her written reply within five (5) working days of presentation of the grievance, not including the date of presentation.

- B. If an employee does not feel a grievance has been appropriately resolved by the department head, the aggrieved employee shall present the grievance to the elected official over that department by filing the written grievance with the elected official within five (5) working days. The elected official or their designee shall give their final and binding written reply within five (5) working days of the grievance, not including the date of presentation.
- C. Employees must recognize that if a department head or elected official is out of the office the five (5) day period may be extended.

### ***610 – Ethical Conduct / Conflict of Interest***

- 610-01 Employees shall refrain from engaging in conduct which violates the laws of the State of Idaho, including but not limited to I.C.§18-1356 (acceptance of gifts), I.C.§18-1359 (Using Public Position for Personal Gain), I.C.§59-201 (Prohibitions Against Contracts), and I.C.§59-701 et. seq. (Ethics in Government Act).
- 610-02 Questions regarding ethical conduct, potential conflicts of interest, or other similar concerns should be directed to the County's legal counsel.
- 610-03 Employees shall conduct themselves in a professional manner and shall refrain from engaging in any activities, employment, or business which might reasonably be interpreted by the people of Twin Falls County as interference with or compromise of their positions as County employees serving the public interest.
- 610-04 Loyalty to the office and its employees is an important factor in the efficiency of the office. You will be required to maintain a high level of loyalty to the office and your fellow workers. Cooperation between office employees is essential in achieving effectiveness and professionalism.
- 610-05 Employees shall not use County equipment or supplies, including County letterhead and printed envelopes, or County time for personal or private business.

### **611 – Conflicts of Interest (revised 07-15-21)**

- 611-01 A conflict of interest exists when an employee, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in, or a tangible personal benefit from, a firm considered for a contract.
- 611-02 Employees shall not profit from nor have private interest in, directly or indirectly, any contract or expenditure of public funds under their control. Employees who may have a conflict of interest in a discretionary matter in the course of their official duties, whether the matters are regulatory, adjudicative, contractual, or the formation of public policy, shall withdraw without action.

## **612 – Fraudulent or Dishonest Conduct**

- 612-01 Employees of Twin Falls County are encouraged to report possible fraudulent or dishonest conduct. Supervisors and/or department heads are required to report suspected fraudulent or dishonest conduct.
- 612-02 Employees should report the alleged misconduct to the elected official in charge of the department. If, for any reason an employee finds it difficult to report concerns to the elected official or the elected official is the subject of concern, the employee should report the conduct to another Twin Falls County elected official or Chief Civil Prosecuting Attorney.
- 612-03 A manager or supervisor who suspects or becomes aware of misconduct:
- should report the suspected misconduct to the elected official in charge of the department immediately
  - should not contact the person suspected to further investigate the matter or demand restitution
  - should not discuss the case with anyone other than the elected official or any law enforcement representative who may be investigating the allegation(s).
  - should direct all inquiries from any attorney retained by the suspected individual to the elected official
  - should direct all inquiries from the media to the elected official.
- 612-04 The elected official shall conduct or direct the investigations of all suspected fraudulent or dishonest conduct in consultation with such County officials as may be necessary or appropriate at their discretion. Cases involving possible violations of criminal law will be investigated in cooperation with the Prosecuting Attorney's Office and/or the appropriate law enforcement agency.
- 612-05 Any employee found to have engaged in a fraudulent or dishonest conduct is subject to disciplinary action up to and including termination, and civil or criminal prosecution when warranted.

## **613 – Whistleblower Protection (revised 07-15-21)**

- 613- 01 Under Idaho Code § 6-2101 et seq., a whistleblower is an employee who communicates in good faith the existence of any waste of public funds, property or manpower, or a violation or suspected violation of a law, rule or regulation adopted under law of the State of Idaho, a political subdivision of the State of Idaho (including Twin Falls County), or the United States. The communication shall be made in a time and manner which gives Twin Falls County reasonable opportunity to correct the waste or violation.
- 613-02 Under federal law, a whistleblower is an employee who provides information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public

health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant to a member of Congress or a representative of a committee of Congress; an Inspector General; the Government Accountability Office; a Treasury employee responsible for contract or grant oversight or management; an authorized official of the Department of Justice or other law enforcement agency; a court or grand jury; or a management official or other employee of Twin Falls County, a contractor, or a subcontractor who has the responsibility to investigate, discover, or address misconduct.

- 613-03 Twin Falls County will use best efforts to protect whistleblowers, and to protect whistleblowers against retaliation, as described below. It cannot guarantee confidentiality, however, and there is no such thing as an "unofficial" or "off the record" report. The whistleblower's identity will be kept confidential, unless
- 1) the person agrees to be identified;
  - 2) identification is necessary to allow the County or law enforcement officials to investigate or respond effectively to the report;
  - 3) identification is required by law; or
  - 4) the person accused is entitled to the information as a matter of legal right in disciplinary proceedings.
- 613-04 No Twin Falls County employee may retaliate in any way, either personally or through a third party, against a whistleblower because of the whistleblower's complaint. Retaliation includes adverse action such as discharge, demotion, or discrimination. ~~No may any~~ No employee may willfully intimidate, threaten, or in any way harass any whistleblower or any person the employee believes or has reason to believe will offer evidence in any hearing as a result of the whistleblower's complaint.
- 613-05 Whistleblowers who believe that they have been retaliated against may file a written complaint with the elected official, the Board of County Commissioners, or the Human Resource Director. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors. Whistleblowers must be cautious to avoid baseless allegations.

#### **614 – Gifts & Gratuities (revised 07-15-21; 08-14-23)**

- 614-01 In accordance with Idaho Code §18-1356 and §18-1357, no employee shall solicit or accept any gifts, services, privileges, favors, or anything of monetary value offered or given by any person or organization which:
- A) Is under contract or subcontract with the County for provisions of goods or services;

- B) Is or could be regulated or administered by an agency of County government; or
- C) Could reasonably be expected to have any future interest in securing contracts or being a vendor of supplies, equipment or services to the County.

614-02 An employee who is offered or receives gifts, services or privileges shall decline or return them or, if more appropriate, may donate them to a charitable or non-profit organization. This provision does not apply to greeting cards, flowers, calendars, or candy, which may be sent to an entire department of County government at Christmas or upon special occasions.

614-03 **Retirement from the County:** When an employee retires from the county, the employee may be recognized for their service. For the purposes of this policy, retirement recognition criteria are:

- a) The employee must have a minimum of ten (10) years of combined service with the County; and
- b) Be in good standing with the County, as determined by the Elected Official.

The Elected Official may purchase, at County expense, a plaque or gift noting the years of service, to be paid from that department's budget, not to exceed \$75.

If the employee wants an open house, one will be held on County property.

County funds may be used to purchase refreshments and decorations from that department's budget, not to exceed \$150. Open house or retirement recognition parties should not exceed 2 hours.

If an employee does not meet the retirement requirements above and a department wants to recognize an employee, County funds will not be allowed to purchase gifts or refreshments. However, employees may take up a collection among themselves to cover these costs if they choose.

### **615 – Credit Card, Vendor Card, and House Accounts**

615-01 In order to ensure proper control of County funds and to insure a clear understanding of and compliance with County procedures, the following policy shall apply to all credit cards (Visa, American Express, etc.), vendor cards (Costco, Chevron, Home Depot, etc.) and house accounts (Blip Printers, office supply stores, etc.).

615-02 All requests for new credit card(s) are to be submitted by the department head or elected official to the Auditor's Office for review and presentation to the Board of County Commissioners (BOCC) for approval. Requests shall contain a detailed justification for the credit card. The names and positions of the employees authorized to use the account shall be included as well as a description of the goods they may purchase and the dollar limits to which they will be subject.

615-03 The use of credit cards is allowed to increase efficiency, convenience, and to reduce purchasing costs for the County. However, the convenience they offer can result in impulse purchases or abusive practices. The time and cost of driving to a



discount store, shopping with a credit card and returning to work is not necessarily more cost effective than purchasing items from a vendor who delivers.

- 615-04 Inappropriate or improper use of a County credit card may result in losing the card and its privileges. Depending on the severity of the action, the employee may also be subject to disciplinary action and/or prosecution. Cash advances are strictly prohibited.
- 615-05 It shall be the duty of the elected official or department head of each department to approve all credit card usage and to insure that this policy is followed and that there is no inappropriate or improper use of County credit cards assigned to that department. The following procedures are to be adhered to in using County credit cards:
- A.) Purchases of personal items are strictly prohibited. Credit card use by non-employees is strictly prohibited.
  - B.) Original itemized receipts must accompany all claims and the purchases must be charged to the appropriate line item. If the expense is for more than one individual, for example one charge for several meals, the names of all persons in attendance must be documented.
  - C.) If no receipt is available, other written documentation must be provided. The County recognizes that receipts will get lost from time to time; however, employees may be disciplined for repeated or continual loss of receipts.
  - D.) Claims for payment must be submitted with the credit card statement and proper documentation for each charge in a timely manner to avoid late fees and finance charges.
  - E.) Payment of sales tax is to be avoided unless there is no other option available.
  - F.) Credit card purchases should not circumvent use of the purchasing department and the savings they can achieve for larger dollar purchases, such as furniture, equipment, etc.

#### **616 – Petty Cash**

- 616-01 Most County offices do not have a need for Petty Cash funds. Twin Falls County has a separate policy in place for the offices with existing accounts. Questions regarding Petty Cash should be directed to the elected official in charge of the office, or the County Treasurer.

#### **620 – Fixed Assets**

- 620-01 Fixed assets are defined as County property to include, but not limited to, file cabinets, chairs, computers, printers, scanners, laptops, desks, credenzas, cameras, conference tables, folding tables, bookshelves, fax machines, and copiers (if not leased), **and** any item valued over \$100.00.

- 620-02 All fixed assets shall be inventoried and numbered tags shall identify all fixed assets and be securely attached to each asset.
- 620-03 Each department shall appoint an individual or individuals to be responsible for maintaining the property inventory listing. Said individual(s) shall not have authority to make purchases, disburse funds, or update accounting records.
- 620-04 A review of the physical inventory of all fixed assets will be conducted at least annually and submitted to the Risk Manager. When new items are purchased which fall under this policy, it is that department's responsibility to tag and inventory the item in compliance with this policy.
- 620-05 Personal use of fixed assets is not allowed unless specifically authorized by the Board of County Commissioners or the elected official in charge of said department. If such authorization is granted, the employee will be required to sign an agreement acknowledging employee's responsibilities related to personal use of the asset and the potential liability related to employee's use.
- 620-06 If a fixed asset is lost, stolen, broken, etc., it is to be reported to the elected official in charge of the department immediately as well as the Risk Manager.
- 620-07 If an employee intentionally causes damage to or loss of a fixed asset, that employee may be required to replace the item at the discretion of the elected official at their own expense and/or may be subject to disciplinary action up to and including termination from employment.

## **621 – Requisition / Acquisition of Assets and Supplies**

- 621-01 Personnel who are in need of purchasing any equipment or supplies required for or related to their jobs, shall follow the County's established purchasing procedures.
- 621-02 Items of a certain nature or over a certain dollar amount must be purchased in compliance with Idaho Bid Laws.
- 621-03 All office supply purchases must be made through the Purchasing Department in the Commissioner's Office, unless otherwise authorized by the Board of County Commissioners. Supplies are generally delivered within one to three days. In the event of an emergency purchases, prior authorization from the purchasing department must be obtained before going to a store for purchases.

## **622 – Building Maintenance**

- 622-01 The Commissioner's Office shall have access to every county owned building in case of emergency or building maintenance issues. In the event that locks are

changed for any reason, department heads and elected officials are responsible for ensuring the Commissioner's Office receives a new key.

- 622-02 Any property damage to buildings (or vehicles), such as broken windows, graffiti, leaking roofs, etc. shall be reported to the Risk Manager immediately so pictures can be taken and a report filed for insurance purposes.
- 622-03 Requests for building maintenance work or repairs must be approved through the department head or elected official, and through the Commissioner's Office prior to work being completed, unless in emergencies.

### **623 – Personal Property at work**

- 623-01 An employee's "Personal Property" is defined as property in the possession of an employee that was the property of the employee prior to it having been brought onto or placed upon County premises and was not purchased with County funds.
- 623-02 Employees are discouraged from bringing items of value, such as fine art, expensive media equipment, computers, or furniture such as desks, etc. Twin Falls County shall not be responsible for personal items that are lost, stolen, or damaged.
- 623-03 Employees are allowed to bring items of lesser value, such as pictures, radios, plants, etc. to their workplace with the approval of their department head and/or elected official. Items or pictures that are sexually explicit or could otherwise be considered offensive are not allowed.

### **630 – Disposition of County Property**

- 630-01 It is the policy of Twin Falls County that no employee may engage in any transfer, sale, scrapping, recycling, or other disposal of County property, unless specifically directed to engage in such activity by the elected official who has been lawfully and duly authorized and designated to direct such activity.
- 630-02 "Surplus property" as used herein is to describe any County property, equipment, or material that is no longer needed or useable by the holding department. For purposes of this policy all surplus property also includes scrap, recyclables, trash, and/or junk disposed, discarded, or abandoned on County premises.
- 630-03 **Methods of Transfer and Disposition:** Surplus property may:
  - A. Be transferred between County departments. Departments must update their asset inventory and inform the Risk Manager of the transfer.
  - B. Be offered as a trade-in for credit toward the acquisition of new property or returned to the manufacturer for buy-back credit, when possible.

- C. Be sold at public auction. Public auctions may be conducted by County staff, or the County may contract with a professional auctioneer including professional auction services.
- D. Be donated to any other public agency or charitable organization exempt under Section 501(c)(3) of the Internal Revenue Code. Public agency means the state or any agency or subdivision thereof, any city, county, special district, or school district.
- E. Be disposed of in any other way as allowed under Idaho Code.

630-04 In order to destroy and/or dispose of County property, an itemized list must be submitted to the Board of County Commissioners for a resolution. Employees may not dispose of County property without a signed resolution and proper authorization from their department head and/or elected official.

630-05 **Participating in Auctions:** An employee who wishes to participate in a County auction shall use vacation leave, compensatory time or unpaid time off, participation while “on-the-clock” is not allowed.

630-06 **Unauthorized Personal Scrapping, Recycling or Disposal of Trash or Junk:** Transferring, selling, donating, scrapping, recycling or disposing of County property, regardless of monetary value, by County employees for personal gain or to benefit the interest of any person or party other than Twin Falls County, is strictly forbidden. County employees are prohibited from claiming ownership of, giving away, recovering, or salvaging for personal use, or the use or interest of any person other than Twin Falls County, any County property, equipment or materials. Furthermore, County employees are prohibited from taking possession of any surplus property or the proceeds from the sale of surplus property designated for disposal as trash, scrap, or as recyclables, except as lawfully authorized by persons designated with such authority by the elected official. This prohibition further includes authorizing or personally giving any such surplus property or the proceeds from the sale of such surplus property to any person or party other than for the duly authorized benefit and interest of Twin Falls County, except as provided herein above.

## ***635 – Dissemination of Information***

635-01 Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the responsible official. Every employee shall exercise his/her best judgment in regard to the dissemination of information of which he/she may have knowledge because of his/her position as a County employee to individuals, organizations, businesses or the press.

635-02 It is the policy of the County that requests for public records shall comply with the Idaho Code including, without limitation, I.C. §9-338 and County policy. No

employee shall release information deemed confidential by the courts, including but not limited to I.C. §9-340.

- 635-03 From time to time, employees may be approached by the media regarding County business. Employees should direct all inquiries to the appropriate department head or elected official, unless otherwise authorized by the appropriate elected official.
- A. Media access to non-public areas, or in situations where the presence of the media may interfere with operations or emergency situations must be cleared through the elected official in charge of the office.
  - B. Employees shall not be subjected to media interviews without the consent of the involved employee.
- 635-04 Information pertinent to competitive bidding by the County shall be given to all vendors in a like manner.
- 635-05 Questions concerning this policy should be addressed to the responsible elected official or the County's legal counsel.

#### **636 – Records Retention and Destruction:**

- 636-01 Employees are prohibited from destroying records, including electronic files and email records, in violation of applicable law, contractual requirements, and County policy. Questions regarding records retention requirements should be directed to the employee's department head or elected official, or the Prosecuting Attorney's Office Civil Division.
- 636-02 Requests for destruction of records shall be sent to the Prosecuting Attorney's Office Civil Division, which will review the request and provide advice regarding retention requirements. Twin Falls County may only destroy records after the Board of County Commissioners passes a resolution to do so.
- 636-03 Employees who know or suspect that records are being destroyed in violation of law, contractual requirements or County policy must inform their department head, elected official or the Prosecuting Attorney's Office to prevent such records from being destroyed or disposed of.

#### **640 – Attendance and Punctuality**

- 640-01 If, for any reason, you are unable to report for work at your scheduled time, you are expected to directly notify the department head or elected official as far in advance as possible so that arrangements can be made to cover your shift. Whenever possible, messages regarding absence or tardiness should be left directly with the department head or elected official responsible for the work area and not co-workers.

- 640-02 Employees are expected to maintain an acceptable level of regular attendance. This means that employees are at work on time and prepared to perform their job duties every day that they are scheduled to work.

**641 – Job Abandonment**

- 641-01 If an employee does not report to work for three (3) consecutive scheduled work days and does not contact his/her immediate supervisor, Twin Falls County will consider the employee to have voluntarily quit. Whenever possible, messages regarding not coming into work should be left directly with the department head or elected official responsible for the work area and not co-workers.

***645 – Secondary Employment (updated 8-14-2023)***

- 645-01 Employees who accept secondary employment are required to notify their elected official and/or department head.
- 645-02 A secondary employment notification & indemnity agreement form must be completed and signed by the employee and the elected official. The signed form shall be forwarded to Human Resources for the employee's file.
- 645-03 Secondary employment for the purposes of this policy includes self-employment.
- 645-04 If a secondary job has an undesirable impact or reflection on the County, it will be considered a conflict of interest. Otherwise, employees may hold another job as long as they can satisfactorily perform their job with the County and the other job does not interfere with scheduling demands.
- 645-05 Twin Falls County holds all employees to the same performance standards and scheduling expectations regardless if they have other jobs. In order to remain employed, the County may ask an employee to terminate an outside job if it is determined to be a conflict of interest or impacting employee performance or ability to meet job requirements.
- 645-06 County employees who want to work as Election Poll Workers must take leave time off from their regular job and will be compensated at the poll workers rate of pay. Employees interested in working elections should contact the Clerk's Office for further information.

***646 – Social Media (added 7-15-2021)***

- 646-01 The employees of Twin Falls County are subject to high standards of conduct. Special ethical obligations apply to public servants, and they must give thoughtful consideration to their actions in order to maintain the trust of the community. These obligations extend to posts on the internet and social media applications and/or sites while on or off duty.

- 646-02 Social media means any form of electronic communication in which individuals publish content online and includes, but is not limited to, blogs, Facebook, Instagram, LinkedIn, Pinterest, Reddit, Snapchat, TikTok, Tumblr, Twitter, vlogs, YouTube and the comments section of any website or application (including, but not limited to, “likes” and “shares.”)
- 646-03 Twin Falls County has an overriding interest in deciding what is written or spoken on behalf of the County.
- 646-04 This policy is not intended to infringe on employees’ protected legal rights. Twin Falls County respects the rights of employees to express themselves as private citizens on social media to the degree that their speech does not impair working relationships at the office, impede the performance of duties, impair harmony in the office among employees, or negatively affect the public perception of the office.
- 646-05 Employees are cautioned that speech made pursuant to their official duties is afforded only limited protection under the First Amendment and may form the basis for discipline if deemed detrimental to the County. Employees should assume that their speech and related activity on social media sites will reflect upon the County.
- 646-06 Employees should expect that any information created, transmitted, downloaded, exchanged or discussed in any online forum may be accessed by the County at any time without prior notice, as allowed by law.
- 646-07 Employees should expect that any County-owned equipment is subject to inspection by supervisors. County-owned equipment or private equipment used for County business may also be subject to public record requests and/or subpoenas.
- 646-08 No employee is permitted to make statements on social media that purport to be the position of Twin Falls County unless the employee has the explicit approval of the department head or elected official(s) in charge of their office. Employees shall not use their titles, badges, logos, insignia, or affiliation with the County to endorse products, services, candidates, positions, or statements.
- 646-09 For safety and security reasons, employees are encouraged to refrain from disclosing their employment with the County. If an employee chooses to disclose their position with the County on social media, the employee should include a disclaimer which substantially states the following: “The views expressed here are my own and do not reflect the opinions of Twin Falls County.”

- 646-10 No employee shall make statements on social media that would adversely affect the employee or a co-worker's job performance or the mission of the office that employs them at Twin Falls County.
- 646-11 Employees shall not use their personal accounts on social media to do official County business.
- 646-12 No employee shall disclose information on social media that was gained solely by reason of his or her employment.
- 646-13 Employees shall not post, transmit, or otherwise disseminate any speech containing obscene or sexually explicit language, images, acts or statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
- 646-14 Employees shall not disseminate any speech on social media that is known to be false or could reasonably be ascertained to be false about Twin Falls County, its elected officials, or employees.
- 646-15 No employee shall use social media to threaten coworkers or supervisors.
- 646-16 No employee is permitted to post information on social media that undermines his or her credibility; that demonstrates bias or a conflict of interest; that could adversely affect the ability of that employee to perform his or her official duties; that could reasonably be a basis for management's loss of confidence in the employee's ability to adequately perform his or her job; and/or that, were it to become widely known, would embarrass, discredit, or subject to opprobrium Twin Falls County.
- 646-17 Employees shall avoid any actions on social media that create the appearance that the employee is violating the law.
- 646-18 Violations of this policy may result in disciplinary action up to, and including, termination. Additionally, employees are cautioned that they may be subject to civil penalties for: publishing or posting false information that harms the reputation of another person, group, or organization (defamation); or publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person.

### ***650 – Candidacy for Elective Office / Political Campaigning***

- 650-01 Except for elected officials:
- A. No County employee shall actively engage in election practices while on duty.



- B. No County employee shall actively engage in election practices targeted at County employees while they are on duty.
- C. No County employee shall actively engage in election practices during the normal County work day which disrupts other County employees in their work.
- D. No County employee shall actively engage in election practices while in a County uniform or while holding themselves out as a representative of the County.
- E. No County employee or elected official shall use County resources for the purpose of their campaign.
- F. No employee can be asked or compelled to campaign or otherwise assist an elected official in his or her campaign effort.

650-02 Violation of this policy shall result in disciplinary action up to and including termination.

### ***660 – Customer Service & Departmental Cooperation***

- 660-01 Our customers are the public, and every employee represents the County to the public. We are judged by how we treat and serve the public. One of the highest priorities at Twin Falls County is to help any customer or potential customer. Every employee should be courteous, friendly, prompt, and helpful to the public we serve.
- 660-02 Your contacts with the public, your telephone manners, and any communications you send should reflect the professionalism of the County. Good customer relations are expected from every employee of Twin Falls County. Poor customer relations, such as rudeness or swearing, may lead to disciplinary action up to and including termination.
- 660-03 In addition to good customer relations, cooperation among County departments is essential to efficient operations of the County. Interfering with departmental responsibilities, rudeness, gossiping, or other acts of negative or uncooperative behavior will not be tolerated and may lead to disciplinary action up to and including termination.
- 660-04 Complaints from the public regarding customer service should be directed to the elected official in charge of the office. If a County employee experiences poor customer service from another County employee or department, they should report it to the department supervisor or elected official.

### **661 – Accommodating the Public / Provisions for Effective Communication:**

- 661-01 Twin Falls County does not discriminate on the basis of disability in the admission or access to, or in the operations of programs, services and activities. The County will, when possible, ensure that applicants, participants, and members

of the general public who have disabilities are provided communication access that is equally effective as that provided to people without disabilities.

- 661-02 From time to time, individuals from the public may request accommodations to participate in programs or activities. Examples of requests that employees may receive from the public may include the use of auxiliary aids and services, such as a qualified sign language interpreter, TDD/TTY telephone services, audio tapes, written materials, or large print documents, or a change of meeting location for accessibility reasons.
- 661-03 Additionally, there may be times when language barriers may be an issue with the public and a language interpreter is needed to assist them.
- 661-04 Questions regarding accommodations for persons with disabilities or available language interpreter services should be directed to the County Clerk's Office or Human Resources Department.

## ***665 – Workplace Etiquette***

- 665-01 Twin Falls County expects all employees show respect and courtesy to each other. Often, there are problems when employees do not realize that they are bothering or annoying other people. In order to maintain a professional atmosphere, employees should keep their work areas clean, be conscious of how their voice travels, refrain from interrupting co-workers unnecessarily, be aware that others may have different sensitivities to temperatures and fragrances, etc.
- 665-02 Additionally, only service animals are permitted in the workplace, pets are not allowed.
- 665-03 Employees should first try to solve any problems politely by talking with each other. If an employee is uncomfortable talking with their co-worker, the situation may be addressed with a supervisor or their elected official.
- 665-04 In most cases, with the use of common sense, the problem can be fixed. Twin Falls County encourages employees to keep an open mind, work together to find a solution and try to understand the other person's point of view. Employees may be disciplined for poor workplace etiquette if the problem interferes with work performance or is disruptive to the department.

## ***670 – Dress Code & Personal Appearance (revised 12-01-2017)***

- 670-01 The perceived image of the County is largely determined by the image created by its employees. A positive, businesslike image reflects an attitude of confidence, professionalism, and respect. Appropriate appearance in the work place is the responsibility of every employee, and supervisors are responsible for ensuring that professional appearance standards are being promoted.

- 670-02 Failure to adhere to, or repeated violations of this policy shall result in disciplinary action up to and including termination of employment.
- 670-03 Twin Falls County reserves the right to advise any employee at any time that his or her grooming and/or attire are not in good taste in a public service environment. The County reserves the right to send an employee home to change clothes or remedy inappropriate appearance or grooming. Time spent away from work for this reason will not be counted toward hours worked.
- 670-04 It is very important that employees be well groomed, neat, and dressed appropriately for their job function and work environment. Employees are expected to represent the County in a professional manner and dress appropriately, and should recognize that while certain clothing styles may be “fashionable,” they may not be appropriate for a professional environment.
- 670-05 Uniformed employees are expected to comply with the established dress code of the office.
- 670-06 We recognize that there may be times when accommodation may be required due to injury or illness. Requests for accommodation or waiver of any portion of this policy should be put in writing to the employee’s supervisor, and will be reviewed on a case-by-case basis. The County may request additional information or doctor certification for verification.
- 670-07 Twin Falls County expects to provide a work environment that is free of safety hazards, offensive behavior, and harassment of any kind. Therefore, the following guidelines shall serve as the County’s dress code. Every County department shall abide by these rules. Elected officials may adopt different standards.
1. Extremes in clothing, hairstyles, make-up, perfumes or colognes, and general appearance are to be avoided by both males and females.
  2. Tattoos should not be visible while on duty, unless approved by the elected official.
  3. Jewelry should not cause a safety hazard.
  4. Males must be clean-shaven or have well-trimmed beards and mustaches.
  5. Clothing guidelines:
    - A. All clothing shall be appropriate for the job function, in good repair, free from offensive or suggestive wording or slogans. Exposed undergarments or the observable lack of undergarments is not allowed.
    - B. Slacks / Pants: Suits, dress slacks, or cotton or twill slacks are acceptable. Capri style pants and gauchos are acceptable as long as they are below the knee.
      - Denim pants may be worn for casual dress down days or heavy cleaning days, or if approved by the elected official.

- Shorts: Shorts are not allowed; except if appropriate for the job at hand, or as approved by the elected official. They are not allowed for office workers.
  - Sweatpants, jogging pants, etc. (unless specifically approved during training, etc.); ripped or torn denim; spandex; or pants worn below the waistline, are not allowed.
- C. Shirts / Tops: Dress shirts, blouses, sweaters, knit tops, turtlenecks, collared shirts, golf/polo shirts, and plain t-shirts (free from offensive or suggestive wording or slogans) may be worn if they are good condition. Buttoned shirts must be buttoned up to an appropriate level. Sleeveless tops must be worn under another shirt, sweater, or jacket. Low or revealing necklines, as well as tube tops, halter tops, or tank tops are not allowed.
- D. Jackets / Coats: Sweaters, sweatshirts, suit jackets, sport jackets, and/or blazers are acceptable (free from offensive or suggestive wording or slogans).
- E. Twin Falls County Logo Apparel: Shirts, sweatshirts, jackets and coats with the Twin Falls County logo is acceptable.
- F. Dresses and Skirts: Dress suits, casual dresses and skirts are acceptable. Dress and skirt length should be appropriate for the workplace. Spaghetti strap, tank-top and/or sleeveless dresses must be covered with a sweater or other appropriate jacket. Mini-skirts and dresses with low or revealing necklines are not appropriate.
- G. Footwear: Dress shoes, leather shoes, boots, flats, and dress sandals are appropriate. Canvas shoes and/or athletic shoes are acceptable if they are clean, in good condition, and appropriate for the rest of the outfit. Bare feet, “flip-flop” style shoes, Velcro sandals, or slippers are not appropriate.
- H. Hats: Cowboy hats, baseball caps, knit stocking caps, etc., may be appropriate under certain conditions, as long as they do not contain offensive writing or logos.

670-08 No one dress code can address every situation. Specific questions should be directed to the department head or elected official in charge of the office.

## ***675 – Use of County Equipment (Revised 10-19-2023)***

Twin Falls County prohibits the personal use of any County owned, maintained, or operated equipment unless explicitly specified.

### **Communication & Computer Systems Usage**

675-01 Twin Falls County makes various types of communication and computer equipment available to its employees for the purpose of conducting the County’s official business. This policy sets forth rules which are to govern an employee’s use of the County’s communication equipment.

- 675-02     DEFINITIONS - For the purposes of this policy, the term “Communications Systems” includes, but shall not be limited to, the following equipment and operating systems owned, leased or utilized by the County:
- A.     Telephones, cell phones, pagers, two-way radios, etc.
  - B.     Voice mail systems
  - C.     E-Mail systems,
  - D.     Internet access
- 675-03     County provided cell phones are to be used for County business. Limited personal use is allowed, but will be reviewed and monitored by the department head and/or elected official in charge of the office. International use of County provided cell phones is only allowed with the approval of the elected official and any personal international use must be reimbursed to the County by the employee on the next billing cycle. International use requires the Commissioner’s office to activate the service on the plan, therefore, department heads must notify the Commissioner’s office prior to use.
- 675-04     Employees whose job duties require the frequent use of a cell phone may be provided with an appropriate device and associated accessories for their position as determined by the elected official in charge of the office. County phones, accessories, and other equipment shall be selected based upon the lowest cost equipment available to the County. Upgrades of over \$150 for phones, accessories, or other equipment must be justified by the department head / elected official and approved by the Board of County Commissioners.
- County provided cell phones remain the property of the County and must be returned to the department head and/or elected official in charge of the office upon separation of employment from the County.
- Employees may choose to use their own personal cellular devices, if desired, and Twin Falls County will reimburse the employee according to policy. Employees must meet with their supervisor to discuss terms of personal cell phone use and reimbursement protocol.
- 675-05     Requests for telephone work, such as moving phone lines, phone repairs or replacement telephones, must be approved through the department head or elected official, and through the Commissioner’s Office prior to work being completed, unless in emergencies.
- 675-06     “Computer systems” means any physical computer and any computer program that may be accessed by the employee, whether it is on the hard drive, network, or accessed via the internet.
- 675-07     This policy shall apply to all employees of the County, and all other persons permitted to use the County’s communications systems. Access to

communication systems and/or computers requires the authorization of the elected official in charge of the office.

- 675-08 County e-mail, computer, internet and voice mail systems are Twin Falls County property. Anything created or loaded on the systems becomes the property of Twin Falls County.
- 675-09 These systems are in place to facilitate an employee's ability to efficiently and productively do their job. To that end, these systems are solely for business purposes. Only "incidental personal use" (see 675-12) that does not interfere with work or consume Twin Falls County resources will be allowed.
- 675-10 Twin Falls County reserves the right to intercept, monitor, copy, review and download any communications or files created or maintained on these systems, at any time, without prior notice to the employee.
- 675-11 Software. Twin Falls County purchases and licenses the use of various computer software programs for business purposes. Twin Falls County does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Twin Falls County does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. Illegal duplication of software and its related documentation for personal use is also prohibited.
- 675-12 E-mail and Internet Access. E-mail and Internet access is provided by the County of Twin Falls to enhance communications and provide access to work related information and technology. Consequently, employees should always ensure that the business information contained in Internet E-mail messages and other transmissions is legal, accurate, appropriate and ethical. The following are examples of prohibited uses of E-mail and Internet systems.
- a. Sending or posting discriminatory, harassing, or threatening messages or images.
  - b. Using Twin Falls County time and resources for personal gain.
  - c. Stealing, using or disclosing someone else's code or password without authorization.
  - d. Unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material.
  - e. Engaging in unauthorized transactions that may incur as cost to the organization or initiate unwanted Internet or e-mail services and transmissions.
  - f. Sending or posting messages or material that could damage Twin Falls County's image or reputation.
  - g. Participating in the viewing or exchange of pornography or obscene materials.
  - h. Sending or posting messages that defame or slander other individuals.

- i. Attempting to break into the computer system of another organization or person.
- j. Refusing to cooperate with a security investigation.
- k. Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- l. Using the Internet for political causes or activities, religious activities, or any sort of gambling.
- m. Jeopardizing the security of the organization's electronic communications systems.
- n. Passing off personal views as representing those of Twin Falls County.
- o. Sending anonymous e-mail messages.
- p. Unauthorized participation in or use of chat rooms.
- q. Logging on or using another employee's computer without authorization.
- r. Engaging in any other illegal activities.

***Regular monitoring of Internet activity will occur.***

675-13      Personal Use. As indicated in this policy, computers, Internet access and e-mail are provided primarily for work related activities. However, occasional personal use may be permitted on a limited basis within the guidelines established by this policy provided that such use does not result in a cost to Twin Falls County or significantly interfere with Twin Falls County's business operations, availability of resources for business use or the employee's job performance.

675-14      Consent to and compliance with these information system policies is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files is grounds for discipline, up to and including termination.

**676 - Vehicle Use**

676-01      This policy applies to the use of County vehicles and personal vehicles on County business. All employees and volunteers who operate vehicles for County business are expected to operate vehicles safely, legally and courteously, remembering that they are directly responsible for maintaining both County owned property and public trust.

676-02      County vehicles are for the purpose of conducting County business only, personal use is not allowed. Employees may use the County vehicles while conducting County business that requires the employee to be away from his/her normal work place.

676-03      Smoking and/or the use of other tobacco products is not allowed in County vehicles.

- 676-04 Vehicles may only be taken home by the employee if that employee is attending to business or if that employee must attend a meeting beyond regular work hours. This will be based on daily situations, and must be approved by the department head or elected official.
- 676-05 If it is determined by the elected official, that an employee's essential functions require that the employee conducts business while coming to work or going to the employee's residence after work or the employee must be on call after regular business hours, then a County vehicle may be taken home, but IRS requirements for use of the vehicle will be in place.
- 676-06 Personal Vehicle Allowance shall be reported to the IRS in accordance with applicable Federal Regulations. Employees who receive any reimbursement for private vehicle use are advised to discuss tax issues with their individual tax consultants.
- 676-07 If an employee is required to travel from his/her regular work site on County business the employee should use a County vehicle, based upon availability. If a County vehicle is available and refused, the employee will not be reimbursed mileage for the use of their personal vehicle, at the discretion of the elected official in charge of the office.
- 676-08 A newly hired County employee whose job requires the operation of a County vehicle shall have a driving record verification performed prior to employment. Current employees whose jobs require the operation of a County vehicle shall have a driving record verification performed within thirty (30) days of their birthday month each year. Human Resources shall be responsible for performing the driver check and notifying employees and/or supervisors of any issues.
- 676-09 It is the County's policy that all County owned or leased vehicles be operated in a safe and responsible manner:
- A.) All vehicle operators must possess a valid driver's license. An employee shall not operate a County vehicle if his/her driver's license is no longer valid (i.e. expired, revoked, suspended, etc.). Employees shall notify his/her supervisor or department head if his/her driver's license is no longer valid. Failure to notify, or loss of a driver's license or failure to renew a driver's license may result in disciplinary action up to and including termination if a valid driver's license is a condition of employment.
    - i. An employee who has had his/her driving privileges suspended, revoked, or barred for failure to satisfy court order child support payments; but to whom the Court or ITD issues a temporary permit to drive to and from work and for work-related purposes may drive a County vehicle as long as it is for work purposes and is not in violation of the temporary permit, subject to approval by their elected official.



- B.) All vehicle operators must possess the minimum insurance as required by Idaho Code 49-117. The County may require a copy of proof of insurance.
- C.) Vehicles over 26,000 gross vehicle weight, buses, and vans over 15 passengers require a valid commercial driver's license (CDL).
- D.) Employees shall not operate a vehicle when his/her ability to do so is impaired or influenced by: illegal substances, alcohol, prescriptions or over the counter medication, illness, fatigue, or injury. The employee is responsible for notifying their supervisor of any reason that may affect their ability to drive safely.
- E.) Employees driving County owned vehicles must have authorization from their supervisor.
- F.) Drivers must operate all vehicles; County and personal, in a safe manner while on County business and ensure that the vehicles they operate have received routine maintenance and service.
- G.) Employees must participate in vehicle safety and defensive driving as required by Twin Falls County.
- H.) All employees shall wear properly adjusted safety restraints whenever operating or riding a vehicle owned, leased, rented or operated by the County and while operating or riding in privately owned vehicles while on duty. The driver is responsible for ensuring all occupants, including nonemployees, are in compliance with this policy. Exceptions may be made for sworn law enforcement officers as specified under Idaho Code 4-673(2)(b).
- I.) Except in the case of an emergency, employees who are operating County vehicles shall not use cellular phones or other personal communication devices or computers while the vehicle is in motion. Exceptions may be made for sworn law enforcement officers.
- J.) Employees shall refrain from listening to ear phones or having loud music or other distractions that may interfere with the safe operation of the vehicle while driving.
- K.) Employees should ensure that vehicles are returned to the County with a full fuel tank and that the interior is clean and ready for the next use. If the exterior of the vehicle is in need of cleaning, contact the Maintenance Department, or for Sheriff's vehicles, the Sheriff's Office.

- L.) Non-employees may operate a County vehicle provided they have a valid driver's license and are 25 years of age or older. Employees are responsible for ensuring that non-employees are not impaired in any way and should not allow the other person to operate a vehicle in an unsafe manner.
- 676-10 Drivers must report accidents in County owned vehicles and personal vehicles while on County business immediately. In the event of an accident, drivers shall:
- A.) First check on the safety and welfare of all persons involved, and immediately seek medical help if necessary.
  - B.) Notify law enforcement to ensure a police report is filed and the accident is investigated properly. Do not discuss fault with, or sign anything from anyone except for a police officer or authorized representative of Twin Falls County (elected official, Risk Manager, or ICRMP).
  - C.) Immediately notify their supervisor and the Risk Manager of the accident.
  - D.) Submit to a drug test immediately as described in the County's "Drug & Alcohol" policy.
  - E.) Cooperate with the County's Risk Manager and the ICRMP representative handling the claim.
- 676-11 Any damage to a vehicle, not caused by a traffic collision, shall be documented and immediately reported within the shift in which the damage was discovered to the employee's supervisor. If a vehicle is in need of maintenance or repair, contact the Maintenance Department, or for Sheriff's vehicles, the Sheriff's Office.
- 676-12 Non-moving violations, such as a broken tail-light, may be paid by the County provided the employee is not at fault for the violation. Fines and other criminal penalties due to violations of the law by the driver are the personal responsibility of the driver of any County vehicle. These costs are not reimbursable by Twin Falls County and must be paid promptly by the driver.
- 676-13 Any employee using a rental vehicle for County business should waive the optional liability and collision coverage offered by the rental car company. These exposures are covered under the County's insurance program
- 676-14 Operating Personal Vehicles: Any individual who drives his/her personal vehicle to an activity or on County business is responsible for the safety of himself/herself as well as all passengers. The County bears no responsibility and is not liable for the operation or operating condition of personal vehicles and expects such drivers to comply with state requirements regarding insurance coverage. If an employee is using a personal vehicle for County business, the employee shall be reimbursed

for mileage pursuant to the applicable rate, unless a County vehicle is available for use.

- 676-15 Employees involved in “at fault” accidents may be subject to disciplinary action.

**678 – Parking:**

- 678-01 Employees must park their personal vehicles in the areas designated for employee parking. For parking at the Courthouse, the two rows closest to the building in the main parking lot behind the Courthouse shall be reserved for the public, not employee parking. Employees may park in the rows closer to the street or on the street, or in the parking lot on the corner of Gooding St. N. and 6th Ave North.
- 678-02 Employees are asked to be considerate of the parking needs of surrounding businesses.
- 678-03 Motorcycles and/or scooters must be parked in an appropriate parking spot, parking on the sidewalk or next to the building is not allowed.

***680 – Business Travel Expenses***

- 680-01 The purpose of this policy is to establish guidelines to provide for consistent reimbursement of travel and/or meal expenses incurred while conducting official County business. The following guidelines are binding upon all departments overseen by the Board of County Commissioners and advisory with regard to the employees of other elected officials. Each elected official is encouraged to develop and disseminate appropriate guidelines for their particular office as the need arises.
- 680-02 This policy covers all meal and travel-related expenditures by Twin Falls County employees. All travel, both in-state and out-of-state, must be approved in advance by the appropriate elected official or their designee. Expenses must be actually incurred, and must be obtained in the most economical and practical manner for the County.
- 680-03 Travel and other related expenditures incurred by persons not on payroll by Twin Falls County (e.g. state or other political subdivision employees) are not eligible for payment or reimbursement unless pre-authorized by the elected official or by the Board of County Commissioners.
- A. Third party reimbursements: When a third party is expected to reimburse the County, that information along with the name and billing address of the third party must be included on the travel voucher. The reimbursement must be made to the department paying the original travel or endorsed in the department’s favor at the discretion of the elected official or department head.

- 680-04 The primary responsibility for proper control and compliance with this policy is the elected official or department head.
- 680-05 Travel Expenses Not Allowed: Expenses of a personal nature incurred for the convenience of the traveler including travel by indirect routes or stopovers for personal reasons; or leaving earlier or returning later than necessary on a trip will not be paid by Twin Falls County.
- A. The elected official may approve extraordinary expenses due to unusual circumstances when deemed appropriate and necessary. Supporting documentation shall be attached to the Travel Claim form.
- 680-06 Use of County Vehicles: When considered the most economical mode of transportation, employees may use a County vehicle at the discretion of elected official or department head.
- 680-07 Mileage for personal vehicle: Mileage may be reimbursed at the State Rate, while traveling on work assignments. If a County vehicle is available for use it will be used, if refused, mileage will not be paid for use of personal vehicles.
- A. Elected officials may choose straight gas cost rather than mileage for personal vehicle use to conduct County business rather than being reimbursed at the mileage rate to save the County money.
- 680-08 Automobile Rental: Automobile rental may be reimbursed when approved in advance by the elected official. A receipt must be attached to the travel claim, and all rentals should be at the lowest government or day rate possible. When traveling in groups, sharing of cars is encouraged, if appropriate. Fuel costs will be reimbursed upon actual fuel purchased, not mileage, and receipts must be attached to the travel claim.
- 680-09 Commercial Airfare: Commercial airfare is reimbursed at the standard rate and may be reimbursed when considered the most economical mode of transportation. Commercial airfare must be approved in advance by the elected official and a receipt must be attached to the travel voucher. Reservations should be made as far in advance as possible to assure lowest cost to the County.
- 680-10 Motels / Hotels: All employees are instructed to ask for commercial or government rates when traveling on official County business, and to notify the hotel/motel of the County's tax exemption. Unless the hotel directly bills the County or the room is charged, at the discretion of the elected official, to a County credit card, employees will be reimbursed the actual cost at the single room rate. Hotel receipts must be submitted with the travel voucher, with the single room rate indicated on the receipt.

- A. Employees traveling with a spouse and/or family members will be responsible for the part of the lodging expense that exceeds the single room rate and for all other charges on the bill.
- B. When attending a conference, employees may stay at the conference hotel even if it is not the most economical option available.
- C. Lodging costs within an employee's local area are not allowable.
- D. The County will not reimburse in-room movies, mini-bar in-room, valet service or luggage delivery, newspapers or other incidental expenses, and recreational services such as golfing, massages, or health club/spa services.

680-11 Telephone Calls: One personal long distance telephone call to the employee's home per day may be allowed when overnight travel is required.

680-12 Registration Fees: Registration fees that are required as admittance or attendance fees for official participation in conferences, conventions, or other meeting should be paid in advance when possible. If it is not possible to pay in advance, receipts must be attached to the travel claim form for fees to be reimbursed to the employee.

680-13 Laundry: Laundry service may be reimbursed if traveling five (5) days or longer away from official work station. Reimbursement for laundry service requires pre-authorization from the elected official.

680-14 Parking: Parking fees may be reimbursed, a receipt must be submitted.

680-15 Taxi: Employees must submit a receipt with the travel voucher for the fare to be reimbursed.

680-16 Tips: Reimbursement for tips for sky caps, bell hops, etc. is not allowed. This restriction does not include tips for meals, which is included in the meal reimbursement policy.

680-17 Meal Expenses:

- A. Local Meal Expense: Reimbursement for meals at the local area is generally not allowable for informal meetings between County employees, state employees, federal employees, civic groups, elected officials or members of the public except as defined below. Meetings will be interpreted as informal unless documented proof is submitted indicating the meal qualifies as an allowable expense.
- B. Alcohol, cigars, and entertainment will not be reimbursed.
- C. Business or Training Meals are limited to elected officials or their designee(s) in or out of their local area in the conduct of business that is important to the County.

- D. Meal Policies: Elected officials may establish their own meal policies covering the obligations noted above and training requirements of their offices. Some departments have a responsibility to provide meals to meet unique obligations or responsibilities, for instance:

BOCC:	Elected Officials Meetings, Department Head Meetings
Prosecutor:	Witness meals / Travel
Public Defender:	Witness meals / Travel
Sheriff:	Prisoner/prisoner transport related meals, detective investigations
District Court:	Jury

- E. Provided Meals at Conferences/Training: If an employee is able to take advantage of a provided meal, the employee may not be reimbursed separately for that meal.
- F. Reimbursement Limits: When traveling, employees may be reimbursed for actual meal expenses incurred, including tips and tax, up to the Federal Per Diem reimbursement limits. Expenses must be supported by itemized receipts, and employees should use the County's "Travel Reimbursement Form."

A full day of travel is generally considered the equivalent of the employee's work shift.

- 680-18 Compensatory time for travel will be paid in accordance with Fair Labor Standards Act to all employees except those listed as "non-covered" under the FLSA.

## **LAYOFF / RESIGNATION / PROGRESSIVE DISCIPLINE**

### ***700 – Layoff***

- 700-01 Layoff shall be defined as an involuntary separation either by reason of completion of a seasonal position, a reduction of force due to lack of work or funds, or by reason of elimination of position. Layoff does not include separations of employment due to the completion of a temporary position assignment, resignation, or termination of employment.
- 700-02 An elected official may layoff an employee whenever they deem it necessary by reason of shortage of funds or work, abolition of a position or other material changes in duties or organization. The employee shall be notified of the effective date and shall be given written notice of the reason for the layoff.

- 700-03 Performance appraisals, experience, qualifications, department needs and type of appointment shall be considered in determining the order of layoffs. Seniority may be considered but it is not a determining factor. The listing of areas to be considered does not indicate a specific order of consideration which must be utilized. The elected official or department head is authorized to exercise discretion so as to cause minimal disruption to the operations of the department.

### ***710 – Resignation***

- 710-01 Resignation means that an employee voluntarily terminates employment. Twin Falls County requests that employees inform their supervisor in writing at least two (2) weeks before the date they are planning to leave. Failure to provide written resignation does not prevent the County from accepting an employee's resignation. Verbal resignations will be accepted and noted in writing by the supervisor of the department.
- 710-02 A department head and/or elected official may accept a resignation immediately, and the employee's last date of employment may be earlier than the original date given by the employee.
- 710-03 Employees should contact Human Resources to schedule an exit interview. The exit interview is to discuss any issues or suggestions the employee may have.
- 710-04 Employees should also contact the Payroll Clerk to discuss information regarding any changes in benefits and any changes to personal data, such as change of address, etc.

### ***720 – Suspension with Pay***

- 720-01 A department head or an elected official may suspend from work with pay an employee for investigation, upon notification to the employee and without prior notice. Such suspension shall be limited to suspension for investigation of charges which are proper cause for discipline under these rules. Such suspension shall not result in withholding of pay or accrual of benefits during the period of investigation.

### ***730 – Disciplinary Actions***

Employees must recognize that public employees are subject to additional public scrutiny because public service requires the utmost integrity and care. Violations of law, and/or any of the rules set forth by the County, to include policies in this manual and any departmental policies, shall be grounds for disciplinary action, up to and including termination. However, these policies are not all inclusive, and disciplinary action may be taken for misconduct or other actions not specifically addressed in policy.

- 730-01 Any action or inaction which is a hindrance to the effective performance of County functions or reflects discredit upon the County, elected official(s), or County employees will be considered just cause for disciplinary action.
- 730-02 Examples of standards of conduct for which any employee may be dismissed (terminated), suspended without pay, demoted, placed on probation, or otherwise disciplined are listed below by way of illustration and not limitation.
1. Failure to perform the duties and carry out the obligations imposed by the State Constitution, State Statutes, County Ordinances, or rules & regulations of his or her department.
  2. Violations of County policy, ordinances or rules, administrative regulations or departmental or divisional rules.
  3. Violation of the County's policy on Discriminatory Workplace Harassment.
  4. Violation of the County's Drug Free Workplace policy.
  5. Violation of the County's Workplace Violence Prevention policy.
  6. Failure to adhere to the County's policies regarding Code of Ethics and Conflicts of Interest, as well as any code of ethics related to their profession.
  7. Failure to obtain or maintain a current license or certificate lawfully required, or as required by the County as a condition of performance of duties.
  8. Failure to abide by pertinent Federal and State statutes as well as County policy regarding records retention, dissemination of information, and/or disclosure of confidential information.
  9. Violation of the County's policy regarding Disposition of County Property.
  10. Inefficiency, incompetence, or negligence in the performance of duties.
  11. Unavailability for work due to incarceration.
  12. Being convicted of, or pleading guilty to, a crime, based on the merits of the case.
  13. Failure to report convictions, or engaging in any criminal activity on or off duty, or being charged with a crime, the basis for which appears to the elected official to be sound.



14. Being convicted of, or pleading guilty to, a charge of traffic violations while operating a County vehicle, or his/her private vehicle while on County duty.
15. Failure to report driving restrictions, suspension of driving privileges, or any possible impairment of driving abilities when the position requires the employee to drive a County vehicle or his/her private vehicle on County duty.
16. Abusive language or offensive conduct toward any employee, supervisor, or the public.
17. Initiating a fight or creating a disturbance among fellow employees, resulting in an adverse effect on morale, production, or maintenance of proper discipline.
18. Failure to follow or observe safety rules, whether established by the County or outside agencies.
19. Failure to report a work-related accident or injury in accordance with County policy.
20. Intentionally filing false claims of injury in order to obtain Worker's Compensation benefits.
21. Misstatement or deception, or falsification or unauthorized destruction of official reports or records, time cards, computer files, financial records, etc.
22. Willfully giving false statements to supervisors, officials, the public, or members of boards.
23. Use of any influence which violates the merit system principles contained in these rules in an attempt to secure a promotion, advancement or other benefit.
24. Authorizing or receiving compensation for hours not worked, goods not received or services not performed.
25. Abuse of benefit offerings, fraudulent use of, or participating in, any scheme or deception designed to create incorrect personnel records or claim or obtain benefits which are not deserved in accordance with policy.
26. Acceptance of gifts or gratuities in violation of County policy and/or Idaho Code.
27. Failure to report for duty at the assigned time and place, or as scheduled.

28. Unnecessary or unauthorized use of paid leave time privileges, or any unauthorized leave.
29. Careless, negligent, or improper use of County property, either on or off duty, at any time or location – including damage resulting from having food or drink near computers or other equipment.
30. Unauthorized operation of County machines, tools, equipment or vehicles; or causing damage or loss of tools, parts, equipment or other County property due to carelessness, including unauthorized alteration or manipulation of computer files.
31. Engaging in political activity while on duty. This rule shall not apply to elected officials.
32. Using work time or public premises to promote religious beliefs to members of the public or fellow employees.
33. Violation of the County's non-solicitation policy.
34. Insubordination, such as refusal to accept or obey a reasonable and proper assignment from an authorized supervisor.
35. Refusal to testify in a properly authorized inquiry or investigation, except where such refusal is based upon the constitutionally recognized grounds of self-incrimination.
36. Premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved in the investigation of misconduct.
37. Breach of confidentiality and/or false charges regarding County policies or procedures;
38. Engaging in malicious gossip, spreading rumors, being disruptive, engaging in behavior that creates discord, uncooperative behavior, or willfully interfering with another employee's work or encouraging others to do the same.
39. Engaging in unproductive behavior, including, but not limited to: using work time or County equipment for personal business, prolonged visits with co-workers, family or friends, taking long or unauthorized breaks, excessive time away from assigned work area, etc.
40. Sleeping or loafing on duty; employees shall be attentive to their work at all times.

41. Refusal to comply with the established County or departmental Dress Code policy. Clothing should be appropriate for the functions performed and shall present a professional appearance to the public, regardless of position.
42. Accepting secondary employment without notifying the responsible elected official and/or department head, or having secondary employment interfere or conflict with County employment.
43. Use of phone or computers in violation of policy or in a manner which disrupts workplace productivity; excessive personal use or placing personal long distance calls.
44. Violation of the County's Smoking/Tobacco usage policy.
45. Unauthorized access, use, or possession of the personal property of a fellow employee.

#### ***740 – Progressive Discipline***

740-01 Discipline will normally begin with an oral reprimand or warning and, when circumstances of additional or separate incidents warrant, may proceed to a written reprimand, probation, suspension from work with or without pay, transfer or demotion in status, or termination from employment with the County. In appropriate circumstances, criminal prosecution may also be applicable. A single incident of misconduct may result in severe disciplinary measures including, but not limited to, suspension or discharge, and in that instance, need not be preceded by lesser forms of disciplinary action.

- A. Verbal Counseling/Warning - Discussion with an employee about a problem, with verbal instruction of corrective behavior or suggestion(s) for improvement. The "Verbal Warning" is then documented by the supervisor for the employee's file.
- B. Written Reprimand/Warning - Written record which is discussed with the employee and outlines specific issues and necessary corrective action. The employee shall sign the warning as recognition that the warning was issued. An employee may be placed on probation or have their probation period extend if notice is provided in the written reprimand.
- C. Severe Discipline - Suspension without pay, demotion, or termination of employment.

740-02 **NOTICE OF POSSIBLE SEVERE DISCIPLINARY ACTION.** If severe disciplinary action is being considered by the elected official, his designee, or a department head for a full-time employee who has completed their introductory/evaluation period, then prior to imposing disciplinary sanctions, the employee shall be provided with a written notice which shall be referred to as a Pre-Discipline Notice. The Pre-Discipline Notice shall be in writing and shall

identify the factual basis for the belief that the employee violated policy or the requirements of their duties. The notice should identify each section of policy asserted to have been violated by the employee but, failure to properly identify the part(s) of policy violated by the employee's conduct does not preclude imposition of discipline. The notice shall advise the employee of the types of discipline being considered, however, the identification of a potential sanction does not preclude imposition of any other sanction. The notice shall advise the employee of the date and time set for a "pre-disciplinary hearing." The notice may be hand-delivered to the employee or transmitted by U.S. mail to the employee's last known address. If the notice is hand delivered the hearing may be held no sooner than 24 hours after delivery. If the notice is mailed the hearing may be held no sooner than on the third business day after the notice is mailed. The employee's current salary and benefits shall be continued until a written decision of any imposing disciplinary action is served.

- 740-03 Full-time employees who have not completed their introductory/evaluation period and employees classified as other than full-time, i.e., part-time, seasonal, or temporary may be terminated at any time with or without notice, and have no right to a pre-disciplinary hearing under this policy.
- 740-04 Any Veteran, who has been restored to his/her position, as set forth in Idaho Code §46-409, shall not be discharged from such position without cause for a period of one (1) year after such restoration in accordance with I.C. §46-407(c). During this one-year period, a returning veteran shall be entitled the opportunity to be heard prior to termination.
- 740-05 **HEARING PROCEDURE TO BE UTILIZED PRIOR TO IMPOSITION OF SEVERE DISCIPLINE.** After service of a Pre-Discipline Notice, pursuant to policy, the employee shall be provided with an opportunity for a pre-disciplinary hearing with the elected official or his designee or a department head. Human Resources will attend all hearings for all departments reporting to the County Commissioners, and may attend at the request of the other elected officials. The hearing shall consist of a meeting with the employee during which the employee is permitted to present his/her position with respect to each matter identified in the notice and/or offer information in mitigation of any disciplinary action. Hearings shall be recorded and in most cases will be limited to one (1) hour. Employees are allowed to legal representation, at their expense, in which case the employee shall notify the County prior to the hearing so arrangements can be made for the County's legal counsel to also attend. The hearing may be re-scheduled if necessary, to allow for all parties to attend. Within a reasonable time after the conclusion of the hearing, generally within 10 days, the employee shall be notified in writing, of the discipline, if any, to be imposed. The written notice of the disciplinary action to be taken shall be provided to the employee by either hand delivery or U.S. Mail.

- A. If after reviewing the pre-discipline notice, the employee does not wish to attend the hearing, they may submit their response in writing. The written response must be received prior to the time set for the hearing.
- B. If after reviewing the pre-discipline notice, the employee chooses to resign, they must do so, in writing, prior to the time set for the hearing.
- C. If the employee fails to attend the hearing, it shall be deemed to be consent to imposition of any disciplinary action up to and including termination of the employment relationship.

740-06 **APPEAL OF DECISION IMPOSING SEVERE DISCIPLINE:** An employee who participated in a pre-disciplinary hearing who is not satisfied with the outcome of said hearing, may file a written appeal of the decision to the elected official in charge of the office. If the first hearing was held in front of the elected official, any decision of the elected official shall be final and not subject to this appeal process. The employee must file the notice of appeal with the elected official in charge of that office within seven (7) calendar days after receiving the decision of discipline. An appeal shall be heard by the Twin Falls County elected official in charge of the office.

740-07 **PROCEDURES OF APPEAL HEARING:** The procedures to be followed in any such appeal hearing, unless waived by the employee, are the following:

- A. The employee shall be heard before the elected official in charge of the office with the oral hearing to last no more than one hour, unless otherwise approved by the elected official.
- B. There shall be a record maintained, including a recording of the hearing.
- C. The employee will have the opportunity to be represented by legal counsel. Employees are allowed to legal representation, at their expense, in which case the employee shall notify the County prior to the hearing so arrangements can be made for the County's legal counsel to also attend. The hearing may be re-scheduled if necessary, to allow for all parties to attend. Employee shall be provided an opportunity to present evidence and to rebut the information on which his/her disciplinary action is based. The department head/supervisor shall also have the opportunity to present evidence of the reasons why the employee received disciplinary action.

Every hearing shall take place as soon as it can be accommodated by the schedules of those involved. Additional time may be granted at the request of the employee upon a showing that additional time is necessary to provide facts necessary to respond to the charges. Within a reasonable time after the hearing, generally within 10 days, a written decision will be issued to the employee either by hand delivery or by U.S. Mail. The written decision may affirm, reverse, or modify the disciplinary action imposed. A written decision may or may not include specific findings of fact.

### **750 – *Return of Property***

- 750-01 Employees who leave employment at Twin Falls County must return any and all County equipment. Failure to return any County property including keys, credit cards, tools, uniforms, cellular phones, pagers and/or other equipment may be deemed ineligible for rehire and may be subject to legal proceedings on behalf of Twin Falls County.
- 750-02 Any equipment, materials, or supplies purchased by Twin Falls County, including documents or materials obtained by the employee from training or seminars paid for by the County, are considered County property and not the property of the employee.

### **755 - Unemployment Claims**

- 755-01 All unemployment claims filed with the Idaho Department of Labor shall be handled through the Human Resources Office. Supervisors, department heads and elected officials shall forward claims to HR immediately upon receipt.

***Effective Dates***

This manual shall be effective on September 14, 2014 after adoption by the Board of County Commissioners.

REVISED AND ADOPTED THIS 11 DAY OF September, 2014.

Twin Falls County Board of Commissioners  
Twin Falls County  
Twin Falls, Idaho

/s/ Terry Kramer  
CHAIRMAN

/s/ L. George Urie  
COMMISSIONER

/s/ Leon Mills  
COMMISSIONER

ATTEST:

/s/ Kristina Glascock  
CLERK