

RESOLUTION NO. 2015-3

A RESOLUTION OF FREMONT COUNTY, IDAHO, MODIFYING THE STANDARD OPERATING PROCEDURE FOR TRAVEL EXPENSE REIMBURSEMENT IN THE FREMONT COUNTY PERSONNEL POLICY. SAID MODIFICATION WILL SUPERSEDE ALL PREVIOUS STANDARD OPERATING PROCEDURES FOR TRAVEL EXPENSE REIMBURSEMENT.

WHEREAS, the Board of County Commissioners of Fremont County, Idaho, has determined that it was necessary to modify the Standard Operating Procedure for Travel Reimbursement in the Fremont County Personnel Policy, and

WHEREAS, the Board of County Commissioners of Fremont County, Idaho, have previously passed this amendment, and the changes need to be changed or added to make the Fremont County Personnel Policy current.

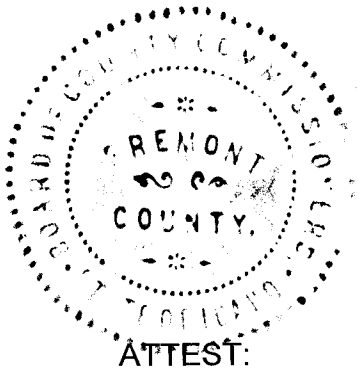
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO THAT THE FREMONT COUNTY PERSONNEL POLICY SECTION ENTITLED: STANDARD OPERATING PROCEDURES TRAVEL EXPENSE REIMBURSEMENT BE ADOPTED AS PART OF THE OFFICIAL PERSONNEL POLICY FOR FREMONT COUNTY.

This resolution shall be in full force and effect on the 11th day of November, 2014.

PASSED THIS 11th DAY OF NOVEMBER, 2014, BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO.

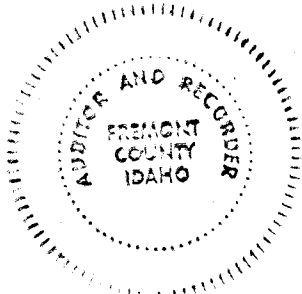
BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

*Lee Miller*  
\_\_\_\_\_  
LEE MILLER, CHAIRMAN



ATTEST:

*Abbie Mace*  
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ABBIE MACE, COUNTY CLERK



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Auditor and Recorder

## FREMONT COUNTY PERSONNEL POLICY

This personnel policy is not a contract. No contract of employment with Fremont County will be valid unless it is expressly approved by the governing board and unless it is signed by and contains the name of the employee who would be benefited/obligated by the contract. Notwithstanding anything said by a supervisor, no contract of continued employment shall be implied. Legal counsel employed by Fremont County serves at the pleasure of the client represented and such representation may be terminated at the pleasure of the client.

Changes to the policies and benefits offering outlined in this policy are subject to change at any time, without prior notice. Changes may be made in the sole discretion of the governing board.

Those departments that have Policies and Procedures and Standard Operating Procedures, such as the Sheriff's Office and 5-County Juvenile Detention Center, will be used in conjunction with the Fremont County Policies and Procedure Manual, Standard Operating Procedures, and Addendums.

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PURPOSE

The purpose of this Policy is to establish a safe, efficient and cooperative working environment, to establish the responsibilities and level of performance expected of all County employees and to explain benefits provided to County employees. THIS POLICY IS NOT TO BE CONSTRUED AS A CONTRACT OF EMPLOYMENT AND IS NOT INTENDED TO SPECIFY THE DURATION OF EMPLOYMENT OR LIMIT THE REASONS FOR WHICH AN EMPLOYEE MAY BE DISCHARGED. THIS POLICY CREATES NO RIGHTS, CONTRACTUAL OR OTHERWISE, ON BEHALF OF EMPLOYEES OF THE COUNTY. The County may, at its sole discretion, alter or amend this policy or portions thereof at any time without prior notice to or consent by its employees.

## NATURE OF EMPLOYMENT

ALL EMPLOYEES OF THE COUNTY ARE EMPLOYED AT THE DISCRETION OF THE GOVERNING BOARD AND SHALL HAVE NO RIGHT TO CONTINUED EMPLOYMENT OR EMPLOYMENT BENEFITS, EXCEPT AS MAY BE AGREED IN WRITING AND EXPRESSLY APPROVED BY THE GOVERNING BOARD. All provisions of this Policy shall be interpreted in a manner consistent with this paragraph and in the event of any irreconcilable inconsistencies; the terms of this paragraph shall prevail. Except as otherwise provided herein or as required by law, employees of the County are For-Cause employees. Only a written contract expressly authorized by the Governing Board can alter for For-Cause nature of employment by the County.

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## I. GENERAL POLICIES

### A. THE ORGANIZATION IN WHICH YOU WORK

Working for Fremont County may be somewhat different from any employer for which you may have worked in the past. Fremont County is a political subdivision of the State of Idaho, though it is not a part of state government. The Board of County Commissioners serves as the governing body for Fremont County, carrying out local legislative duties and fulfilling other obligations as provided by law. The Board of County Commissioners is the general policymaker for Fremont County, and as such, has primary authority to establish terms and conditions of employment with Fremont 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 Fremont 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.

Only the Board of County Commissioners has authority to establish general policy for Fremont County employees. Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of Fremont County, not of the official who supervises his/her work. 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 agreement of the Board of County Commissioners. That is particularly true for terms or conditions which would establish a financial obligation for Fremont 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.

### B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of Fremont County employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to race, religion, sex, sexual orientation, age, national origin, or non-job-related 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. All objections to application of Fremont County's policy in this regard shall be brought to the attention of the office of the elected official or department head, or in the case of objection to actions undertaken by the person, to legal counsel for the County.

### C. VETERAN'S PREFERENCE

Fremont County will accord a preference to employment of veterans of the U.S. Armed Services in accord with provisions of Idaho Code § 65-502, § 65-503 or its successor. In

the event of equal qualifications for an available positions, a veteran or family member who qualifies for preference pursuant to Idaho Code § 65-502, § 65-503 or its successor will be given full consideration under Idaho Code § 65-502, § 65-503.

#### D. CONFLICT OF INTEREST

No person shall be employed by Fremont County when said employment would result in a violation of provisions found in Idaho Code § 59-701 et seq., § 18-1359 or their successors. Any such appointment made in violation may be void. The appointment or employment of the following persons is prohibited:

1. No person related to a County Commissioner by blood or marriage within the second degree shall be appointed to any office, position, employment or duty; and
2. No public servant, including elected officials and employees, shall appoint or vote for the appointment of any person related to him/her by blood or marriage within the second degree to any office, position, employment or duty.

An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increase as allowed in Idaho Code § 18-1359(5).

#### E. PREFERENCE FOR HIRING FROM WITHIN

Qualified individuals who are already employees of Fremont County may be given preference over outside applicants to fill vacancies in the work force. Employees may be selected for transfer to positions without following the selection procedures normally required for hiring of new employees.

#### F. EMPLOYMENT REFERENCE CHECKS

##### AUTHORITY

To ensure that all individuals who join Fremont County are well qualified and have a strong potential to be productive and successful, Fremont County reserves the right in its sole discretion to check the employment references of applicants and otherwise verify the accuracy and validity of the information contained on applications or in other documents with the application and selection process.

##### INQUIRY RESPONSES

The personnel office will respond to all reference check inquiries regarding present or former county employees. Generally, responses to such inquiries confirm only dates of employment, wage rates, and position(s) held. Only truthful, factual information may be given. Additional information may be given pursuant to Idaho Code § 44-201.



## PERFORMANCE INFORMATION

It is generally the policy of Fremont County that any additional information (for example, performance and opinion, conclusions and references related to such performance) about a present or former county employee only be provided after the county personnel office has received a written authorization and release signed by the individual, who is the subject of the inquiry, releasing the county, its agents and employees from any and all liability which may set from or arise out of the providing of such information and opinions.

## VIOLATION

Fremont County reserves the right to discipline and deny indemnity and defense to any county employee who provides reference information and opinions to third parties in violation of this policy, whether or not claims of liability against Fremont County and its employee(s) are asserted.

## G. PERSONNEL POLICY SUBJECT TO CHANGE WITHOUT NOTICE

The rules contained in this Personnel Policy are subject to change, without prior notice, at any time in the sole discretion of the Board of County Commissioners.

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## II. EMPLOYMENT START-UP

### A. EMPLOYMENT FORMS TO BE COMPLETED

The following pre-employment forms must be completed before the employee may begin work for Fremont County:

1. Employment application form.
2. Insurance forms.
3. W-4
4. Immigration form (I-9).
5. Insurance information about dependents, (if coverage is available).
6. Any other benefit forms, including PERSI and life insurance, necessary for employee information.
7. Direct deposit option.

### B. PAYROLL REPORTING SYSTEMS

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the payroll officer. Each report of employee time should be signed by both the supervisor and by the employee and should contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered. Any employee with concerns about his/her compensation, rate of pay, payroll status, deduction, etc., shall communicate such concerns to the payroll officer as soon as any such concern becomes evident. If the response from the payroll officer is unsatisfactory, the employee should address the issue to his/her immediate supervisor and Human Resource Officer, in order to resolve stated concerns. A written record of such issues should be maintained in the employee's personnel file.

### C. DISTRIBUTION OF POLICY

At the time of employment, each employee should receive a copy of this personnel policy. It is the responsibility of the employee to familiarize him/herself with the contents of the personnel policy and to acknowledge its receipt in writing. Periodic updates or changes should be distributed and acknowledged.

#### D. INTRODUCTORY PERIOD

New employees to Fremont County or current employees promoted or transferred to new job responsibilities are subject to a twelve (12) month introductory period where employees must demonstrate their abilities to handle the responsibilities of their position. Fremont County uses this twelve (12) month period to determine if the employee meets the expectations for the position for which the employee was hired. At any time during this twelve (12) month introductory period, including any extension of the introductory period, either the employee or Fremont County may end the employment relationship in their respective discretion for any lawful reason, with or without advance notice. During the introductory period, employment is at-will.

An employee's supervisor may extend the introductory period for up to an additional six (6) months if he/she deems it necessary to work further with an employee who is not meeting the expectations or requirements for his/her position. If a promoted or transferred employee is terminated from a newly assumed position, he/she may be returned to his/her previous position or transferred to another position for which he/she is fully qualified, but only if a qualifying vacancy exists with Fremont County. Any decision to retain a previously promoted or transferred employee who does not succeed in a new position shall be in the sole discretion of Fremont County.

Any decision to terminate an employee or to terminate or demote a transferred or promoted employee during the introductory period shall be subject to the "Unlawful Discrimination" and "Name Clearing Hearing Policy", subject to its terms and conditions addressed elsewhere in this policy. In the course of such actions, the contemplated personnel matter shall be communicated to the prosecuting attorney or retained civil counsel for advice prior to final action. Any employee so aggrieved may address such concerns by seeking a hearing pursuant to the limitations contained within such policy provisions.

This Introductory section does not apply to the appointment or removal of Senior/Chief Deputy status, which can be removed at the discretion of the elected official at any time with or without notice.

#### E. EMPLOYEE PERSONNEL FILES

##### 1. Personnel Records.

The official employee records for Fremont County will be kept in the office of the Fremont County Clerk. Within these personnel files will be kept all records of employee performance evaluation, employee status, and other relevant materials related to the employee's service with Fremont County. The employee's supervisor, employee's elected official, Human Resource Officer, or the employee him/herself, may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review all materials placed in his/her personnel file at any reasonable

time. Copies of materials in an employee's personnel file are available to that employee without charge. Personnel files shall not be removed from the premises except as necessary for County purposes. Any oral or verbal reprimands should be documented and a copy retained in the personnel file.

The Sheriff's Office shall keep a separate personnel file containing information not necessary for the personnel file in the Human Resource Office.

## 2. Access to Personnel Files

It is the policy of Fremont County to allow only limited access to an employee's personnel file. Those authorized to evaluate materials in a personnel file include the employee's supervisor, the Board of County Commissioners when acting as a Board in the course of its official business, attorneys for the County, elected officials 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 a 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.

## 3. Management of Information in Personnel Files

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 objected to material. In the sole judgment of the supervising official, after consultation with legal counsel for the County, any offending material may be removed upon a showing by the employee that it is false or unfairly misleading. In general, there should be a presumption that materials are to remain in personnel files accompanied by the employee's written objection and explanation to provide a complete employment history.

## 4. Medical Information

All medical files should be kept in the office of the Human Resource Department. These files will contain all Worker's Compensation documentation, doctor's notes, medical, dental, and vision applications. Also kept in the medical file cabinet, a separate file that will contain documentation for the Public Works Department DOT testing, and a copy of the Sheriff's Office Random Drug testing results. The EMS Department will keep all volunteer information in a locked file in the Human Resource Office.

5. Probationary Period.

All new employees will be subject to a one (1) year introductory probationary period. This probationary period is separate from the ninety (90) day waiting period to qualify for the County benefit program.

### III. RULES OF EMPLOYEE CONDUCT

Violation of any of the rules set forth below shall be grounds for disciplinary action including possible dismissal from employment. However, this list is not all inclusive and other acts of misconduct not specifically set out below may be grounds for disciplinary action as well. Among these rules, the most important is the rule addressing attitude and cooperative behavior.

#### A. PERSONAL PERFORMANCE AND BEHAVIOR

Each employee of Fremont County is expected to conduct himself or herself in a manner that is helpful and productive and which does not reflect adversely upon Fremont County. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of Fremont County as a public institution, each employee is expected to scrupulously avoid personal behaviors which would bring unfavorable public impressions upon Fremont County and its officials. In order to accomplish this, each employee must comply with the following expectations:

1. Work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity. This is the first priority for all employees.
2. Shall be prompt and regular in attendance at work or other required employer functions. Shall work diligently and be on task during work hours.
3. Personal cleanliness, neatness in appearance and safety are of high priority in all areas of employment. Aspects of dress shall be governed by supervisors in consultation with employees in the area. The kind of clothing should be guided by the type of work the employee performs. Standards of dress vary with department and task. Some departments may require uniforms or uniform shirts. Departments that typically do not have uniforms, but desire to start having employees wear uniforms for professional appearance and consistency, shall consult with the Board of County Commissioners prior to purchasing said uniforms. Traditions have established that people dress in certain ways to convey certain images. The supervisor should attempt to solicit group consensus and set guidelines for dress that meet the requirements for safety, appearance, and image. If you report to work dressed inappropriately, you may be asked to return home (without pay) to change into something better suited for work.
4. Shall dedicate primary efforts to Fremont County employment with secondary employment subject to approval by the appointing official. Each employee must notify the appointing official of any other employment, self-employment or other business interests. Secondary employment should not conflict with duties performed for the County in any meaningful way. Individual department rules



may spell out permissible examples of "moonlighting" wherein employees may hold additional positions.

5. Shall avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in Fremont County and related agencies. No employee shall engage in conduct which violates the laws of the State of Idaho, including but not limited to Idaho Code § 18-1356 (accepting gifts that exceed a value of \$50.00), Idaho Code § 59-701 et seq. (Ethics in Government Act), Idaho Code § 59-201 (Prohibitions Against Contracts), and Idaho Code § 18-1359 (Using Public Position for Personal Gain).
6. Shall not accept gifts or gratuities in any personal or professional capacity which could create the impression that the giver was seeking favor from the employee or official in violation of Idaho Code § 18-1356 and Idaho Code § 18-1357.
7. Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
8. Shall not release any public record without the express authority of the public official responsible for custody of the record or without any order from a court or public agency of competent jurisdiction. The request must be made in writing.
9. Shall not release any personnel record without the concurrence of the public official responsible for custody of the record and after consulting with legal counsel for the County or without an order from a court or public agency of competent jurisdiction. The request must be made in writing.
10. Shall not engage in conduct away from work which, although not criminal, may reflect adversely upon Fremont County or its officials or otherwise impair the employee's ability to perform.
11. Shall not use any substances, lawful or unlawful, which will impair the employee's ability to function as a valued and competent part of the Fremont County work force. Should the employee be prescribed a lawful substance that may impair the employee's ability to safely do his or her job, the employee is required to provide a physician's note explaining the possible effects of the medication upon the employee's ability to do his or her job and the length of the time that the employee will be required to take the medication. The employee may be required to take personal leave while taking the medication.
12. Shall not engage in conduct while operating a County motor vehicle which impairs the ability of the employee to perform job functions even though the driving conduct does not occur during the hours of employment.