

042

COMMISSIONERS' PROCEEDINGS

February 22, 2024

Commissioners Scott Miller, Scott Blain, and Bill Bullock, and Administrative Officer Angela Newell were present.

8:30 Pledge of Allegiance.

9:00 Commissioners reviewed employee time status.

9:30 Westwood met for his regular meeting. Marie Olson was in attendance. Westwood noted the Planner that was hired has declined the offer and the City will be reevaluating that position. Westwood discussed the possible creation of Rodeo Park to perpetuate the Rodeo's use the property to the north. Westwood anticipates making protocols between Rodeo Association and City for any events using the park. Discussion of the Airport boundary and the benefits of using existing fences or roadways to define the boundary so it is more concrete. Discussion about law enforcement services to Remington Ranch Subdivision and options to provide funding and authority for City police to respond.

10:00 County Attorney Alex Nixon joined for his weekly meeting. Discussed road damage investigation on Sage Creek Road and other areas in the county where individuals or corporations are performing work on County roads. Discussed the CART program, funding gaps, the possibility of the Community Foundation requesting a mill levy question be placed on the future ballot, and requests to provide funding from County's current tax resources.

Bullock moved to approve Commissioners' Proceedings for February 13, 2024; Blain seconded; motion carried.

Bullock moved to approve a schedule change for the Public Information Officer as requested by Disaster and Emergency Services (DES) Coordinator Cyrina Allen; Blain seconded; motion carried.

11:00 Tim Jager from the ARETE Design Group met to discuss the Red Lodge Road Sand Shed pre-bid meeting yesterday. Jager noted the Geotech Report has been provided by addendum. There was a discussion about work being performed during Fair week; this is not the Commissioners' preference. Jager will issue an addendum to note that work being performed that week is not desired. Discussion of project completion dates.

Jagger noted ARETE is working through phases for the Cedarwood project so that a full schedule can be presented to the Commissioners.

COMMISSIONERS' PROCEEDINGS

February 22, 2024 (cont.)

Blain moved to approve Resolution 2024-14 to adopt Personnel Policies as revised on February 13; Bullock seconded; motion carried.

Discussion of Website updates, placement of board information on the newly designed website, and the possibility of implementing county-wide auto attendant for call routing.

11:55 Blain moved to approve Brian Oswald's request to change his schedule to Mon-Thurs 6:00 am – 4:30 pm with an ½ hour lunch; Bullock seconded; motion carried.

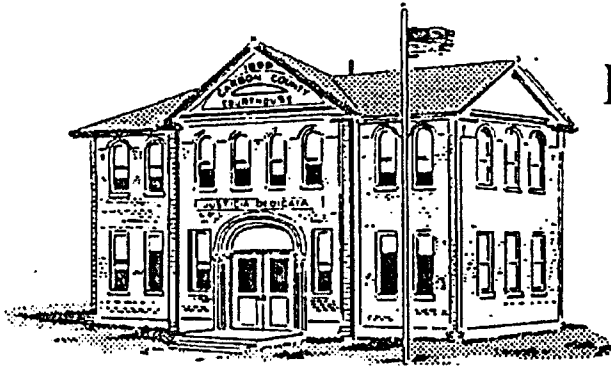
12:00 Adjourned.

ATTEST:


Clerk & Recorder


Commission Presiding Officer

Respectfully submitted: Angela Newell, Administrative Officer



BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

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**RESOLUTION 2024-14
TO ADOPT THESE PERSONNEL POLICIES AND ADDENDA
SUPERSEDING ALL OTHER PERSONNEL POLICIES AND AMENDMENTS**

WHEREAS, the Carbon County Board of Commissioners desires to establish uniform policies and procedures for personnel administration;

NOW THEREFORE, BE IT RESOLVED, that these Personnel Policies and Addenda be adopted, effective February 13, 2024.

NOW THEREFORE, BE IT FURTHER RESOLVED, all previous versions of the Carbon County Personnel Policy are hereby superseded and rescinded.

PASSED AND ADOPTED BY THE CARBON COUNTY BOARD OF COMMISSIONERS THIS
22nd Day of February, 2024.

Carbon County Commissioners

Scott C. Miller
Commissioner Dist. #1

Scott Blain
Commissioner Dist. #2

Bill E. Bullock
Commissioner Dist. #3

ATTEST:

Macque L. Bohleen, Clerk and Recorder



Carbon County

Handbook of Personnel Policies and Procedures

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CARBON COUNTY

**ACKNOWLEDGMENT AND RECEIPT
HANDBOOK OF PERSONNEL POLICIES AND PROCEDURES**

I acknowledge receipt of a copy of the Handbook of Personnel Policies and Procedures adopted by Carbon County. I understand that I will be responsible for complying with the terms and conditions contained in the Handbook.

Dated the _____ day of _____, _____

Employee's signature _____

Employee's printed name _____

Employee's work location _____

**PLEASE RETURN SIGNED SHEET TO THE HUMAN RESOURCES OFFICE SO IT
CAN BE PLACED IN YOUR PERSONNEL FILE.**

INTRODUCTION

PURPOSE AND DISCLAIMERS

An interesting and challenging experience awaits employees of the County. We have prepared this handbook to answer some of the questions concerning the County and its policies. Please read it thoroughly and retain it for future reference.

These Personnel Policies and Procedures shall apply to all County employees. In the event of conflict between these rules and any collective bargaining agreement, County resolution or rule, or state or federal law, the terms and conditions of that contract, rule or law will prevail. In all other cases, these policies and procedures will apply.

In the event of the amendment of any resolution, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

Statement of Management Rights

In order to achieve its mission, goals, and objectives, the County retains the exclusive right to exercise the customary functions of management. These include, but are not limited to, the rights to manage and control County buildings, property, grounds, and equipment; to contract out work; to select, hire, promote, assign, layoff, and discipline employees; to determine and change starting times and quitting times; to transfer employees within programs/services to other departments and other classifications; to train employees; to determine and change the size, composition, and qualifications of the workforce; to establish and adopt new policies, rules and regulations; to determine and modify job descriptions and classifications; to establish or change criteria for performance appraisals according to the performance appraisal policy; and to carry out all other ordinary functions of management.

Changes to Personnel Policies and Procedures

The County provides all employees with general information regarding employee benefits and established personnel policies and procedures through the issuance of this Handbook. However, it is not a contract and is subject to change at any time. Policies and procedures shall be added to, updated, or deleted as determined appropriate by the County. The County specifically reserves the right to repeal, modify or amend these policies at any time, with or without notice. The policies are also not to be interpreted as promises of specific treatment.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/11/16

EMPLOYMENT POLICIES

DEFINITIONS

The following employment definitions apply to this Handbook:

- **Exempt employee** is one not subject to the overtime pay provisions of the federal Fair Labor Standards Act of 1938 (FLSA) as amended, and its regulations; i.e., Employees exempt from the overtime pay provisions of the FLSA in a position designated as executive, administrative, professional, or other exemption as these terms are defined in law. The employee must meet the definition of exempt as defined by the FLSA and the Montana Minimum Wage and Overtime Compensation Act. (See FLSA website: <http://www.dol.gov/compliance/laws/comp-flsa.htm>)
- **Full-time employee** means one who normally works 40 hours a week.
- **Non-exempt employee** means one who is subject to the overtime provisions of the federal Fair Labor Standards Act of 1938 as amended, and its regulations.
- **Part-time employee** means one who normally works less than 40 hours a week.
- **Permanent** employee means one who has been hired for a position without a pre-determined time limit.
- **Seasonal** employee means a permanent employee designated by the County as seasonal who performs duties interrupted by the seasons and whom the County may recall without a loss of rights or benefits.
- **Short-term** employee is one hired by the County for an established hourly wage, who may not work for the County for more than 90 days in a continuous 12-month period, who is not eligible for permanent status, who the County cannot hire into another position without a competitive selection process, and who is not eligible to earn leave and holiday benefits.
- **Temporary employee** is one designated by the County as temporary for a definite period of time not to exceed 12 months, who performs temporary duties or permanent duties on a temporary basis, whose employment terminates at the end of the employment period, and who is ineligible to become a permanent employee without a competitive selection process.

Relevant Information: Definitions at MCA 2-18-101

EQUAL EMPLOYMENT OPPORTUNITY A

PURPOSE: To inform management and employees of the provisions of the various discrimination laws

The County is an equal employment opportunity employer (EEO). The County does not refuse employment or discriminate in compensation or the other terms, conditions, and privileges of employment based upon race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, political beliefs, genetic information, or veteran's status. Any applicant for employment, or employee with the County, who believes they have been subjected to discrimination, including harassment, based upon any of these factors, must immediately contact a supervisor in the chain of command or a County Commissioner.

Pre-employment Inquiries

Except as required by the demands of a position (a bona fide occupational qualification) or compliance with a lawful affirmative action plan or government reporting or record-keeping requirements, the County will not elicit information concerning race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation, genetic information, veteran's status, or political beliefs from applicants for employment.

The County will obtain information required for tax, insurance, social security, compliance with garnishment or immigration laws or other legitimate business purposes after employment.

Pre-employment Physical Examinations

The County will require pre-employment medical examinations when necessary to determine ability to perform the physical duties of a position. Pre-employment medical examinations will be job-related.

The County will require a pre-employment medical examination only after a conditional offer of employment has been made to a job applicant and only when the following requirements are met:

- A. All applicants for the same position are subjected to the examination regardless of disability.
- B. The results of the examination are maintained on separate forms and in separate files and are treated as confidential, except supervisors and managers may be informed regarding necessary restrictions and accommodations. Safety personnel may be informed if a disability might require emergency treatment.
- C. The results of the examination will not be used to refuse employment or to make a distinction in employment unless a medical evaluation establishes inability of the particular applicant to safely and efficiently perform the duties of the position with reasonable accommodation, if necessary.

Nepotism

The County does not discriminate against applicants or employees based upon marital status unless required to do so by the reasonable demands of the position (a bona fide occupational qualification). Compliance with Section 2-2-302 and 2-2-303 MCA, which prohibit nepotism in hiring and appointment, is not discrimination. Marital status includes whether a person is married, divorced, separated or single and the identity and occupation of a person's spouse.

Equal Pay

The County does not pay any employee less than an employee of the opposite sex for work involving substantially equivalent skill, effort, and responsibility, performed under similar working conditions, unless the disparity is based upon a factor other than sex.

Disability - Reasonable Accommodation

The County does not discriminate against any applicant or employee in hiring or in the terms, conditions, and privileges of employment due to physical or mental disability. When the County becomes aware of any physical or mental disability which prevents an otherwise qualified applicant or employee from performing a job, prior to refusing employment or making a distinction in terms, conditions, or privileges of employment because of the disability, the County will assess whether any reasonable accommodation would allow the person to perform the job. An accommodation which creates an undue financial hardship on the County or which endangers health or safety is not a reasonable accommodation. The County will make any reasonable accommodation necessary to allow an otherwise qualified applicant or employee to perform the job.

Any otherwise qualified applicant for employment or employee with a disability who requires reasonable accommodation may inform his or her immediate supervisor or the County Commission of the nature of the disability and the accommodation requested. Employees with access to such information shall maintain the confidentiality of the information to the extent reasonably possible and will not release the information to anyone who does not have the right or need to know.

Communicable Diseases

Communicable diseases, including AIDS, are physical disabilities. The County will not discriminate against any applicant for employment or employee based upon communicable disease unless required to do so by the reasonable demands of the position. Prior to making any distinction based upon communicable disease, the County will evaluate:

- The nature of the risk
- The duration of the risk
- The severity of the risk
- The probability that the disease will be transmitted and cause harm

The County will evaluate these factors after obtaining the medical judgments of public health officials.

Maternity

The County does not discriminate against any applicant or employee in hiring or in the terms, conditions and privileges of employment based upon pregnancy, childbirth, or related medical conditions.

The County will not terminate any employee due to pregnancy or childbirth.

The County will grant a request by a female employee for a reasonable leave of absence for maternity. A reasonable leave of absence for maternity is leave for that period of time during which a female employee is incapable of performing normal job duties due to maternity. The County may require medical verification of disability.

The County will not require any employee to take a mandatory maternity leave for an unreasonable length of time. If absenteeism due to pregnancy becomes excessive or if a pregnant employee is incapable of performing normal job duties, the County may require the employee to take maternity leave until the employee is capable of performing normal job duties on a regular basis. Prior to requiring maternity leave, the County will assess whether the County can make any reasonable accommodation which will allow the pregnant employee to continue to work.

The County will reinstate an employee who has taken a reasonable leave of absence for maternity to her original job or to an equivalent job with equivalent pay, and accumulated seniority and other benefits provided her original job or an equivalent job, to which she would have been entitled, exists at the time of her return pursuant to 29 CFR § 825.216.

An employee requiring maternity leave shall provide the County with reasonable notice of the expected date of leave. An employee returning from maternity leave shall provide the County with reasonable notice of her intent to return to work. When the County receives notice of intent to return to work, the County will reinstate the employee as soon as reasonably possible.

Religion

The County will make reasonable accommodation for religious beliefs. Any otherwise qualified applicant for employment or employee who requires reasonable accommodation shall inform his or her immediate supervisor or the County Commission of the religious accommodation required. Employees with access to such information shall maintain the confidentiality of the information to the extent reasonably possible and will not release the information to anyone who does not have the right or need to know.

Preventing Harassment and Discrimination

Harassment of employees and any other persons is prohibited. It is the County's policy

to provide employees with a work environment free of discrimination and harassment. Harassment of employees and persons doing business with County government because of a person's race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, or veteran's status is illegal and prohibited. Discrimination is a violation of civil rights law and is prohibited practice subject to disciplinary and civil action.

A. Employee's Responsibilities

The County will not tolerate harassment or discrimination of any kind. All employees are encouraged to immediately report any such misconduct or violation to their supervisors or the first level of management not involved in the harassment or discrimination, County Human Resources or Equal Employment Opportunity personnel, or the County Commission. Employees who are responsible for harassment or discrimination may be subject to disciplinary action, up to and including termination. Sexual harassment or other illegal discrimination can result in immediate termination if an investigation substantiates it. The severity and extent of the harassment will ultimately guide the decision on how discipline will be determined.

B. Management's Responsibilities

All supervisors and managers are responsible for following this policy. Members of management who witness harassment or discrimination shall immediately take steps to stop the behavior, document the actions, and report the behavior to County Human Resources or Equal Employment Opportunity personnel, or the County Commission. Management shall review any report or complaint of harassment or discrimination and take appropriate action.

C. What Constitutes Sexual Harassment

Sexual harassment includes unwelcome verbal or physical conduct of a sexual nature when:

- Submission to the conduct is implicitly or explicitly made a term or condition of employment
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment also includes harassment directed toward a person because of gender. Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws.

Examples of prohibited sexual harassment include, but are not limited to:

- Propositions or pressure to engage in sexual activity
- Sexual assault

- Repeated intentional body contact
- Repeated sexual jokes, innuendos, or comments
- Constant staring or leering
- Inappropriate comments concerning appearance
- Display of magazines, books, or pictures, including those displayed on electronic media such as computers, tablets, cell phones etc., with a sexual connotation
- Pattern of hiring or promoting sex partners over more qualified persons
- Any harassing behavior, whether or not sexual in nature, directed toward a person because of the person's gender, including, but not limited to, hazing employees working in nontraditional work environments.

Other protected categories can also be harassed. The County strictly prohibits harassment on the basis of any other protected characteristic. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostile to or aversion toward an individual because of his or her race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran's status, or any other category protected by law or that of his or her relatives, friends, or associates, and which:

1. has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
2. has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. otherwise adversely affects an individual's employment opportunities.

Retaliation

Neither the County nor any employee shall retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices, filing a discrimination complaint, or testifying or participating in any other manner in a discrimination proceeding.

All employees have the right to make a complaint under this policy, either internally or to an outside agency. It is unlawful for the County to retaliate against any employee for making such a complaint. The County will not retaliate against any employee for making such a complaint whether the complaint is eventually substantiated or not. To be retaliation, the adverse employment action must be **because the employee submitted a discrimination complaint, and not due to any valid performance concerns or policy violations by the employee.**

Examples of retaliation could include:

- Reprimanding an employee or giving a performance evaluation that is lower than it should be;
- Transferring an employee to a less desirable position;
- Engaging in verbal or physical abuse;
- Threatening to make, or actually making reports to authorities;
- Increasing scrutiny;

- Spreading false rumors, treating a family member negatively; or
- Making the person's work more difficult.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, or negative comments that are justified by an employee's poor work performance or history.

Employees are not excused from continuing to perform their jobs or follow the County's legitimate workplace rules just because they have filed a complaint or opposed discrimination.

Any employee that believes they have been retaliated against should report their concerns immediately to any supervisor, the Human Resource Department and/or the Commissioners. The matter will be investigated and the County will respond accordingly.

False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Complaint Resolution & Grievance Procedure

It is the policy of the County to treat all employees equitably and fairly in matters affecting their employment. It is also the policy of the County to provide employees who have attained permanent status an opportunity to resolve certain complaints/problems in relation to their job without fear of reprisal. The purpose of this policy is to secure, at the lowest possible administrative level, equitable solutions to grievances that may arise.

Nothing contained herein should be construed as limiting the right of any employee to discuss any matter informally with an appropriate member of management. Every effort should be made to settle a grievance informally before a formal grievance is filed. For complaints alleging discrimination, employees should use the Reporting Procedure outlined in **Preventing Harassment and Discrimination** herein.

A. Acceptable Reasons for Filing Grievances

An employee may file a grievance based on the application or interpretation of laws, written rules, and personnel policies and procedures which adversely affects the employee, unless such action is specifically prohibited in policy.

B. Preparing and Pursuing Grievances During Working Hours

An employee may not use paid working time to prepare and/or pursue a grievance. A grievant may request to use personal leave or leave of absence without pay to prepare

a grievance. A request for use of personal leave or leave of absence without pay must be consistent with the County's policy on leave requests. Time spent by the grievant attending a hearing or being interviewed by an investigative officer is considered paid working time, should take place during the grievant's regular work hours, and shall not exceed eight hours per day.

At the discretion of the County, an employee other than the grievant may be allowed to use work time to participate in an investigation or hearing. This time would be considered paid working time if the employee's participation is at the request of the County. Otherwise, an employee will need to request to use personal leave or leave of absence without pay to attend a hearing. All leave requests must be consistent with County policy regulating leave.

C. Grievance Filing Procedures

All departments, including those which do not have their own procedures or those governed by the grievance policy in a CBA, must provide at least the basic procedure outlined below. An employee must begin Step 1 of the procedure within ten working days of his/her knowledge of the situation.

Step 1. Informal Resolution. Employees should try to resolve their grievance informally whenever possible by discussing the situation and relevant information with their immediate supervisor or Human Resources. All reports made to a supervisor shall be reported to Human Resources for proper documentation

Step 2. Submission of Formal Grievance to Supervisor. If the employee does not resolve the matter under the informal process, he/she should file a formal written grievance with his/her supervisor within ten working days from the supervisor's response to the attempt at informal resolution. In the grievance, the grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue; the date when the event happened; and what resolution he/she would like. The supervisor shall consult with Human Resources and should respond in writing within ten working days after receiving the formal grievance. If the employee does not accept the supervisor's response or there is no response from the supervisor within the ten-day period, the employee may then, within five working days, advance the grievance to Step 3.

Step 3. Submission of Grievance to Department Head/Elected Official or Human Resources. For a grievance not resolved in accordance with Step 2 above, the employee may prepare and file a formal grievance with his/her department head or elected official or human resources within five working days. The grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue; the date when the event happened; and what resolution he/she would like. The department head or elected official must respond in writing within 15 working days after consulting Human Resources. If the employee accepts the department head's or elected official's response or does not advance the grievance to Step 4 within five working days of receiving the department head's or elected official's response, the grievance is resolved.

Step 4. Submission of Grievance to County Commission. An employee wishing to advance a grievance to this step must notify the County Commission within five working days of the department head's response. Then, within five working days of such notification, the employee must present to the Commission a written summary and the relevant evidence regarding the matter. The Commission, or its designated representative, shall review the matter and advise the employee in writing of its decision within 15 working days of receipt of the summary and evidence.

The County Commissioners may, at their discretion, designate a representative to perform their obligations under this policy.

At any step, the employee and the County can modify the time periods stated herein if done so by mutual agreement and placed in writing.

The County does not tolerate any form of retaliation against employees availing themselves of this policy and procedure. However, this policy does not prevent, limit, or delay the County from taking disciplinary action up to and including termination, when appropriate.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 10/5/2021

PERSONNEL APPOINTMENTS

PURPOSE: To establish a policy detailing employment category for County employees

All County employees shall be assigned by the appropriate County officer to one of the following employment categories (Section 2-18-601 MCA):

Permanent

"Permanent" means an employee, assigned as permanent, who has attained or is eligible to attain permanent status. Permanent employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week).

Seasonal

"Seasonal" means an employee, assigned as seasonal, who performs duties of a seasonal nature. Seasonal employees may, at the discretion of the County, be recalled without the loss of benefits accrued during the preceding season. Seasonal employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week).

Temporary

"Temporary" means an employee, assigned as temporary, who performs temporary duties or permanent duties on a temporary basis for a period of time not to exceed twelve (12) months. Temporary employees are not permanent employees, are terminated at the end of the employment period, and are not eligible to become permanent employees without a competitive selection process. Temporary employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week).

Short-term

"Short-term" means an employee, assigned as a short-term worker, who works at an hourly rate of pay established by the County. Short-term workers may not work for a County department for more than ninety (90) days in a continuous twelve (12) month period. They are not eligible to become permanent employees without a competitive selection process.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

RECRUITMENT AND HIRING PROCESS

PURPOSE: To establish a policy and procedure for recruiting, hiring and promoting employees

It is the policy of the County to recruit, select, and promote personnel without regard to race, color, religion, creed, political ideas, sex, age, marital status, physical or mental handicap, or national origin, except where a bona fide occupational qualification is reasonably necessary to a County operation.

The following procedures shall be adhered to by all departments in filling positions:

- A. Requests to fill vacancies, whether through internal or external recruitment, shall be made to the County Commission as soon as the department head becomes aware of a vacancy. The revised or newly created job description shall be presented with the request to fill the vacancy. Upon receipt of notification and approval to fill the position, the selection process will begin. The selection process will be coordinated between the County Commission, Human Resources, and the affected department head.
- B. Required education and experience qualifications for the position shall be established. These qualifications are normally expressed as the number of years and types of education and experience necessary to allow a person hired to perform the specific duties of the job.
- C. A selection committee consisting of three members shall be appointed by the department head for approval by Human Resources or the County Commission. The selection committee, in cooperation with Human Resources, the County Commission and the department head, will develop the selection strategy for application review, determination of testing methodology, administration of tests and scoring, and reference and background check criteria. The selection strategy shall be developed in advance of the job posting, including questions, model answers, assignment of test weights, and total points (if a point system is being used) and minimum passing scores.
- D. Selection strategy includes:
 - 1. County application, cover letter, and supplemental questionnaires. If more than the application is requested, those documents must be noted in the position announcement so they can be included in the application review process.
 - 2. An assessment of departmental knowledge which may include: written, oral and/or performance tests, assessment centers, job simulation or job performance exercises, or through the interview process.
 - 3. Final interviews.
 - 4. Applicants shall be evaluated 20% on the application materials submitted, 30% on their departmental knowledge, and 50% on their final interview. Members of the hiring committee shall rank each applicant based on their

individual points. Ranks will be added to determine the candidates' priority.

E. Pre-Employment Screening:

1. For permanent positions, the top candidate shall be issued a conditional offer letter subject to a background check. Background screening may be used for temporary or seasonal positions if it is included in the selection strategy.
2. Background checks shall consist of: a comprehensive criminal record search, social security number trace and verification, past employment verification, education verification, and personal and professional reference checks.
3. Additional background information may be gathered for motor vehicle records, credit reports, and professional licenses and certifications if applicable to the essential functions of the job. Any additional screening shall be established in the selection strategy and must relate to the functions of the job.
4. Information discovered through the background check process will be used solely for evaluating a finalist's suitability for employment and will not be used to discriminate against the finalist based on race, color, religion/creed, sex/gender, age, sexual orientation, gender identity/expression, national origin, genetic information, marital/familial status, disability, military, veteran status, or any other protected status.
5. If a candidate refuses to go through background screening, they will not be considered for the position.
6. Before an adverse employment action is taken based on a background check information, the applicant shall be given the information they need to dispute a report or address any issues the background check has revealed.
7. Criminal records do not automatically disqualify candidates from the hiring process. Please reference Carbon County's adopted Rejection Criteria or the specific rejection criteria established in the selection process.

Reasonable accommodations shall be made for disabled applicants to allow participation in the selection process.

The County may recruit for vacant positions internally before recruiting externally. Positions will be posted internally for at least five (5) working days. Background checks are not necessary for internal applicants.

The County may also recruit externally. If the position is recruited externally, internal applicants who meet the minimum qualifications will be evaluated with the total pool of applicants. The County reserves the right to reject all applications for the position and re-advertise if there are not sufficient qualified applicants.

Applications for a posted position will not be accepted after the published closing and/or receipt date.

In all hiring, veterans are entitled to a 5% preference and eligible relatives and disabled veterans are entitled to a 10% preference when a scored procedure is used. In all hiring, where a scored procedure is not used, disabled veterans, eligible relatives or veterans, in that order, are entitled to a preference over any non-preferred applicant holding substantially equal qualifications. (Section 38-29-102 MCA)

In all hiring, persons with a disability and their eligible spouses are entitled to a preference in hiring over other non-preference applicants with substantially equal qualifications. Persons with a disability are entitled to a preference over any other preference-eligible applicants with substantially equal qualifications.

Conditional job offers shall be made in writing by the appropriate department head in coordination with Human Resources. A job offer will specify whether the job is permanent, temporary, seasonal, or a short-term position and whether the job is full or part-time.

After a candidate successfully completes a background check, a final offer shall be made and which will specify the position, wage, work location, starting date, and hours of work.

EFFECTIVE: 07/01/04

DATE: 6/18/18

APPROVAL: Carbon Co Commissioners

LAST REVISED: 6/27/2023

PROBATION PERIOD

PURPOSE: To establish policy and procedure for a probation period for new employees and current employees who transfer to new positions

Employees, including transferred or promoted employees (except temporary employees and short-term workers), in full-time or part-time positions must serve a one-year period of probation. Short-term workers and temporary employees are continually on probation. Deputy Sheriffs serve a probation period of one year pursuant to Section 7-32-2105 MCA. An undersheriff holds office at the pleasure of the sheriff.

During the probationary period, the County reserves the right to terminate the probationary employee's service on the basis of unsatisfactory performance or for reasons deemed sufficient by the County. An employee, whose work or actions are unsatisfactory, shall be terminated as soon as possible. Early termination saves the County time and dollar investments and saves the employee possible embarrassment and frustration. A terminated probationer shall be notified of their termination in writing by the appropriate department head. A copy of the notification shall be retained in the personnel file.

Evaluations may be conducted during the probation period to assess performance and to advise the employee of expectations regarding performance. If the employee successfully completes the probation period, he/she shall be informed in writing by the appropriate department head and a copy will be retained in their personnel file.

The probationary period may be extended in writing by the County Commissioners for extenuating circumstances prior to the expiration of the initial probationary period.

If a transferred or promoted employee fails to satisfactorily fulfill the duties of the new position, the employee shall revert to his/her former position, if the position is unfilled and a selection process has not begun. If the former position has been filled or the selection process has begun, the employee is eligible to apply for other available positions which are posted or advertised pursuant to the County recruitment and hiring process. The employee shall receive no preference in the selection process. A promoted or transferred employee reverted to his/her former position shall not be required to serve a new probation period. A promoted or transferred employee reverted to another position shall not be required to serve a new probation period.

If a situation arises during an employee's probationary period for which a leave is granted, the time off will not be considered as time worked.

During the probation period, employees will not be considered for promotion, salary increase or assigned additional duties without the approval from the Board of Commission.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 2/13/2024

NEPOTISM

PURPOSE: To comply with the Montana nepotism laws

The County will be governed by the Montana Code Annotated code provisions relative to nepotism issues.

Following codes are pertinent, but not necessarily all inclusive:

2-2-301, Nepotism defined Nepotism is the bestowal of political patronage by reason of relationship rather than merit.

2-2-302. Appointment of relative to office of trust or emolument unlawful—exceptions—publication of notice. (1) Except as provided in subsection (2), it is unlawful for person or member of any board, bureau, or commission or employee at the head of a department of this state or any political subdivision of this state to appoint to any position of trust or emolument any person related or connected by consanguinity within the fourth degree or by affinity within the second degree.

(2) The provisions of 2-2-303 and this section do not apply to:

- (a) a sheriff in the appointment of a person as a cook or an attendant;
- (b) school district trustees if all the trustees, with the exception of any trustee who is related to the person being appointed and who must abstain from voting for the appointment, approve the appointment of a person related to a trustee;
- (c) a school district in the employment of a person as a substitute teacher who is not employed as a substitute teacher for more than 30 consecutive school days as defined by the trustees in 20-1-302;
- (d) the renewal of an employment contract of a person who was initially hired before the member of the board, bureau, or commission or the department head to whom the person is related assumed the duties of the office;
- (e) the employment of election judges;
- (f) the employment of pages or temporary session staff by the legislature; or
- (g) county commissioners of a county with a population of less than 10,000 if all the commissioners, with the exception of any commissioner who is related to the person being appointed and who must abstain from voting for the appointment, approve the appointment of the person related to a commissioner.

(3) Prior to the appointment of a person referred to in subsection (2)(b) or (2)(g), written notice of the time and place for the intended action must be published at least 15 days prior to the intended action in a newspaper of general circulation in the county in which the school district is located or the county office or position is located.

2-2-303. Agreements to appoint relative to office unlawful. It shall further be unlawful for any person or any member of any board, bureau, or commission or employee of any department of this state or any political subdivision thereof to enter into any agreement or any promise with other persons or any members of any boards, bureaus, or commissions or employees of any department in this state or any of its

political subdivisions thereof to appoint to any position of trust or emolument any person or persons related to them or connected with them by consanguinity within the fourth degree or by affinity within the second degree.

2-2-304. Penalty for violation of nepotism law. A public officer or employee or a member of any board, bureau, or commission of this state or any political subdivision who, by virtue of the person's office, has the right to make or appoint any person to render services to this state or any subdivision of this state and who makes or appoints a person to the services or enters into any agreement or promise with any other person or employee or any member of any board, bureau, or commission of any other department of this state or any of its subdivisions to appoint to any position any person or persons related to the person making the appointment or connected with the person making the appointment by consanguinity within the fourth degree or by affinity within the second degree is guilty of a misdemeanor and upon conviction shall be punished by a fine not less than \$50 or more than \$1,00, by imprisonment in the county jail for not more than 6 months or both.

1-1-219. Relationship by affinity. (1) Unless the context requires otherwise, in this code "affinity" means the relation that one spouse has, by virtue of marriage, to blood relatives of the other. Therefore, a person has the same relation by affinity to that person's spouse's blood relatives as that person's spouse has to them by consanguinity and vice versa.

(2) Degrees of relationship by affinity are computed in the same manner as degrees of relationship by consanguinity.

(3) Notwithstanding subsection (1), the term "affinity" includes the relation of husband and wife. Husband and wife are considered to be related by affinity in the first degree.

Questions regarding the application of these statutes will be addressed by the County Commission in consultation with the County Attorney. That determination will govern the application of the statute.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

PERFORMANCE APPRAISAL

PURPOSE: To provide an optional performance appraisal system for use as part of documentation in personnel decisions

There may be regular performance appraisals, from time to time, of permanent and seasonal full-time and part-time employees.

The primary purpose of an employee performance appraisal system is to provide the opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, reemployment, salary increases and training. Completed appraisal forms shall be returned to the Clerk and Recorder's Office by the department head to be placed in personnel file.

A special evaluation may be completed whenever there is a change either upward or downward in the employee's performance.

The contents of a performance appraisal are not grievable. Employees who disagree with an appraisal, have the right to submit a written rebuttal, within ten (10) working days of receipt of the appraisal, which will be attached to the appraisal document.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/11/16

POSITION DESCRIPTIONS

PURPOSE: To provide for position descriptions for all County positions

Position descriptions and job specifications shall be maintained by the various departments for all permanent full-time, permanent part-time, temporary, seasonal and short-term worker positions.

The position description is not an employment agreement between the County and employee. It is subject to change as the needs of the County and/or the requirements of the job change.

Examples of duties listed in the position description are only illustrations of the various types of work performed. The omissions of specific duties do not exclude them from the position if the work is similarly related or assigned to the position.

Each employee's position description is maintained as part of their personnel file. Additional copies may be requested through the department head.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

HOURS OF WORK

PURPOSE: To establish a policy setting uniform hours of work for employees

Except as otherwise provided by labor agreement or Commission resolution, the normal working hours for employees are eight (8) hours, from 8:00 a.m. to 5:00 p.m., with one (1) unpaid hour lunch period. This does not include personnel engaged in shift work. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule.

Employees may have a rest period of fifteen (15) minutes, on the County's time, for each four (4) hour work period. Rest periods shall be scheduled as near as possible to the midpoint of each four (4) hour work period.

Daily attendance records will be maintained by each department including date and time absent and reason for absence. Tardiness or other attendance irregularities shall be cause for disciplinary action.

Hours for employees may vary from the normal office hours established above due to the nature of the work or to avoid overtime. Variances must be approved by the appropriate department head, with the concurrence of the County Commission and allow the office to comply with the Resolution setting office hours for elected offices (Resolution 2024-03). Commissioner approval is not necessary for temporary schedule changes made to avoid overtime.

Nothing in the Policy limits the County from establishing or changing work schedules as necessary for the successful operation of County programs. Department heads may be authorized to alter the normal eight-hour day, five-day work week following the approval of the Board of Commissioners. Said authorization may be revoked on a department - by - department basis, at the sole discretion of the Board of Commissioners.

EFFECTIVE: 11/13/14

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 2/13/2024

TIME TRACKING / PREPARATION OF PAYROLL

PURPOSE: To establish guidelines for employee time tracking and preparation of County payrolls

Employees shall track daily time records in the TimeClock Plus system via computer time sheet or time clock entry. Hours to be compensated shall be broken down on a daily basis into hours worked (regular time), compensatory time earned, sick leave, vacation leave, compensatory time used, etc and must accurately reflect actual hours worked. Time shall be recorded to the nearest 1/6 of an hour (10-minute increment) if the clock in and clock out function is not being used.

Employees are paid bi-weekly, with pay day being every other Friday for the previous two weeks. Employees shall approve their scheduled time segments via the TimeClock Plus System by the end of their last scheduled shift each week. Managers shall approve employee time segments by the end of business each Monday.

Payroll changes, including changes to employee deductions, shall be processed the first pay period of the month in which 1/2 or more of the days in the pay period are in that month.

Paychecks will be distributed to the employee's department head unless other arrangements have been pre-approved. An employee's paycheck may be released to the employee's spouse, designated family member, or another person only if authorized **by the employee in writing.**

Time sheet records shall be maintained by the County for a minimum of seven years.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/05/2023

TRAVEL POLICY

PURPOSE: To allow for reimbursement of authorized expenses incurred by county employees while on official Carbon County business.

Carbon County employees shall be reimbursed for meals, lodging, and transportation according to rates established by the Carbon County Commission or Montana Legislature and stated in MCA 2-18-501.

Lodging receipts are required for reimbursement and must be submitted to accounts payable no later than 90 days after the expense is incurred

In lieu of meal receipts, a travel log will be required for reimbursement. The travel expense log denotes date, time purpose, location, and mileage for travel on County business. **No travel reimbursements will be paid without a properly completed travel log. No purchase of alcohol will be reimbursed.** Meal tips will not be reimbursed unless it is automatically added to the bill. No per-diem reimbursement will be provided for meals provided by a conference or training as part of the registration fee.

When an employee is authorized to travel by motor vehicle and chooses to use a privately-owned motor vehicle even though a County owned vehicle is available, the employee may be reimbursed only at the rate of 48.15% of the mileage rate allowed by the U.S. Internal Revenue Service for the current fiscal year (2-18-503 MCA).

On the following page is a copy of Resolution 2023-13 (Policy for Reimbursement of Travel Expenses). Travel Expense voucher, Personal Vehicle Use Authorization Form, Lodging Reimbursement Form, and Out-of-State Travel Request form can be found in Appendix J.

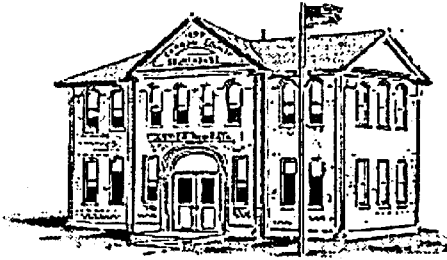
The Travel Expense log is furnished to each department head or can be picked up at the Clerk & Recorder's Office at the Administration Building.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 6/27/2023



BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

Post Office Box 887
Red Lodge, MT 59068

Phone: (406) 446-1595
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CARBON COUNTY RESOLUTION 2023-13 Resolution Establishing Per Diem Travel Rates

WHEREAS, 2-18-501 Montana Code Annotated (MCA) establishes reimbursement rates for lodging and meals while traveling on County Business within and outside the State of Montana, and

WHEREAS, 2-18-502 MCA sets forth the following provisions for the computation of meal reimbursements. In order to claim an allowance and reimbursement for a meal, you must be in a travel status for more than three continuous hours within one of the following time ranges:

12:01 a.m. to 10 a.m.	morning meal (breakfast) allowance
10:01 a.m. to 3 p.m.	midday meal (lunch) allowance
3:01p.m. to 12 a.m.	evening meal (dinner) allowance

Each time range must be considered separately. For example, if you travel from 8 a.m. to 2 p.m., you receive the allowance only for the midday (lunch) meal.

WHEREAS, the Internal Revenue Service establishes standard mileage rates for business miles driven, and

WHEREAS, 2-18-503 MCA provides for mileage reimbursement rates at 48.15% of the IRS rate for use of privately-owned motor vehicles when a government vehicle is available. Availability of a County vehicle shall be verified with Human Resources prior to the travel event.

NOW THEREFORE BE IT RESOLVED, by the Carbon County Commissioners that per-diem meal reimbursements will be set at the State rates and mileage reimbursements will be set at the Federal rate when a County vehicle is not available and at 48.15% of the IRS rate when a County vehicle is available.

NOW THEREFORE BE IT FURTHER RESOLVED, Resolution 2019-07 is hereby rescinded.

Dated this 25th day of May, 2023.

Carbon County Commissioners


Scott C. Miller
Commissioner Dist. #1

Scott Blain
Commissioner Dist. #2


Bill E. Bullock
Commissioner Dist. #3

ATTEST


Macque L. Bohlen, Clerk and Recorder

SAFETY PROGRAM

PURPOSE: To establish a policy to create and implement a workplace safety philosophy in accordance with the Montana Safety Culture Act

The Safety Culture Act enacted by the 1993 Montana State Legislature encourages workers and employers to come together to create and implement a workplace safety philosophy. It is the intent of the act to raise workplace safety to a preeminent position in the minds of all Montana's workers and employers.

All County employees will follow procedures and protocols outlined in the County Safety Program.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

DRUG AND ALCOHOL TESTING

Carbon County supports a drug free work environment for all employees in the interest of safety, good health and family unity.

The Alcohol and Controlled Substance Policy prohibits the use, possession, concealment, transportation, promotion or sale of illegal drugs, designer and synthetic drugs, prohibited drugs and drug paraphernalia. The abusive use of legal prescription drugs and unauthorized alcohol beverages on Carbon County premises or job locations is strictly prohibited.

It is the intention of Carbon County through the Alcohol and Controlled Substance Policy to assure that the risks and dangers of drug abuse as well as the resources for assistance for those adversely affected by drug abuse are known and understood by all employees. With the Alcohol and Controlled Substance Policy, management and employees will maintain a workplace free of mood-altering substances. Employment at Carbon County is contingent upon all employees abiding by our Policy. Failure to do so will result in disciplinary action that may include termination.

This policy applies to all employees of Carbon County. Employees must sign the Drug Testing Acknowledgement Form within the Policy (Appendix I herein).

EFFECTIVE: 9/16/2020

DATE: 01/11/16

APPROVAL: Carbon Co Commissioners

LAST REVISED: 07/16/2020

DRIVER'S LICENSE REQUIREMENT

PURPOSE: To establish a policy for the requirement of a valid Montana State Driver's License by employees whose jobs involve driving County vehicles

Employees whose work requires they drive County vehicles must hold a valid Montana State Driver's License, including a Montana Commercial Driver's License if applicable.

New employees who will be assigned work entailing the operation of a county vehicle will be required to submit to a Montana State Division of Motor Vehicles driving record check as a condition of employment. Periodic checks of employee driver licenses through visual and formal Division of Motor Vehicles review may be made by department heads. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Employees performing work which requires the operation of a county vehicle must immediately notify their immediate supervisor in all cases where their license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Division of Motor Vehicles.

Operation of a county vehicle without the required license may result in disciplinary action including termination of the employee involved.

CDL holders hired after June 1, 2021 are required to have a medical examination and furnish records of up to date medical examinations as a condition of employment. The County shall pay for all such medical costs.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/11/2021

EMPLOYEE PERSONNEL RECORDS

PURPOSE: To establish procedures and responsibilities for the maintenance of employee personnel records

A. Establish procedures and responsibilities for the maintenance of personnel records

1. The Clerk and Recorder or another individual designated by the County Commission is responsible for establishing and maintaining an official personnel file for each County employee.
2. All employee personnel records are confidential and access is restricted, except for an employee's title, dates and duration of employment, and salary.
3. Access to the files will only be allowed if Human Resources or a designated individual finds that merits of public disclosure override the individual's right to privacy.
4. Department heads are responsible for forwarding documents for inclusion in the personnel files of those employees assigned to their department.
5. Each employee is responsible for the verification of information contained in the personnel file through periodic audit.
6. Any employee wishing to review his/her personnel file may do so. The employee must request a review, and it shall be done at a mutually convenient time with the Clerk and Recorder or Human Resources personnel present. The employee will not be permitted to remove any information from the file but can obtain copies of desired documents.
7. Separate personnel files **shall not** be maintained by individual departments.

B. Identification of information to be included in the employee's personnel file.

1. The following permanent documents are retained in the folder throughout the association of an employee with the County:
 - a. Employee Application and resume
 - b. Job description and specification information
 - c. Job performance ratings and evaluations
 - d. Education / training information
 - e. Personnel data

- f. Personnel action forms
 - g. Documentation of disciplinary action or warning of same
 - h. Information of a confidential nature pertaining to medical information. (This information is retained in a separate file which is available only to the employee and department head.)
2. The following temporary personnel documents have limited retention of three (3) calendar years or less unless otherwise provided pursuant to labor agreement.
- a. Administrative correspondence relating to leave / vacation requests
 - b. All other administrative documents of limited informational life span.

C. Medical or Other Confidential Personal Information

The County maintains separate, confidential personal medical information files on each employee.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

EMPLOYEE LEAVE

SICK LEAVE / FUNERAL LEAVE

PURPOSE: To establish guidelines to comply with the Montana law on qualification, accrual and use of sick leave

Accumulated sick leave credits maintain an employee's income during a period of personal illness or family emergency. Sick leave credits should be carefully guarded and not dissipated or abused.

Qualification and Calculation

Employees are not entitled to be paid sick leave until they have been continuously employed for ninety (90) calendar days.

Permanent, temporary, and seasonal full-time employees earn sick leave credits from the first full day of employment at the rate of 3.6923 hours per bi-weekly pay period without restriction as to the number of working days which may be accumulated. For calculating sick leave credits, 2,080 hours (52 weeks x 40 hours) equals one year. Sick leave credits shall be earned and credited at the end of each pay period.

Permanent, temporary, and seasonal part-time employees earn prorated sick leave credits from the first full day of employment. Prorated sick leave credits are calculated by multiplying .0462 x hours worked. Credits are to be recorded by rounding to two digits beyond the decimal point and carried in each employee's account in that configuration.

Short-term workers do not earn sick leave credits.

During Leave Without Pay, Holiday, or Vacation

Employees do not accrue sick leave credits during a leave of absence without pay. Sick leave taken on a legal holiday shall not be charged to an employee's sick leave for that day.

With the department head's approval, an employee may substitute sick leave credits for annual vacation leave, if the employee becomes sick while on approved annual vacation leave.

Advancing sick leave after an employee's earned sick leave credits have been exhausted is prohibited.

Payment upon Termination

Upon termination, an employee who has worked the qualifying period shall be entitled to a lump sum payment in an amount equal to one quarter (1/4) of the available balance. Termination pay only applies to those credits earned since July 1, 1971. The pay attributed to the accumulated sick leave shall be computed on the basis of the employee's regular base rate of pay at the time of termination of county employment.

Use of Sick Leave

Employees may use sick leave credits for:

- A. Illness or injury of the employee
- B. Illness or injury in the employee's immediate* family requiring the Employees' personal attendance
- C. Quarantine for contagious disease control, provided that certification is obtained from the attending physician
- D. Maternity related disability, including prenatal and postnatal care, birth, miscarriage, abortion, or other medical care for either employee or child
- E. Doctor or dental appointments for treatment of the employee's illness, injury or preventive care (When possible, the employee's supervisor shall be notified at least 48 hours in advance)
- F. Short-term attendance to an immediate family member or, at the agency's discretion, another relative because of physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
- G. Parental leave as provided in MCA 2-18-606;
- H. Death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

Use of sick leave is only applicable during the employee's scheduled work day; schedule changes to accommodate sick absences do not entitle an employee to both a schedule change and use sick leave to earn overtime or accrue compensatory time unless approved by the department head.

Funeral Leave

To attend or make arrangements for a funeral of a member of the employee's immediate* family for a period of time not to exceed four (4) work days (32 hours) except that such leave may be extended to five (5) work days (40 hours) if the funeral which the employee attends is more than 500 miles from the workplace. Funeral leave does require use of sick leave credits for immediate family members*.

* "Immediate" family means the employee's spouse and any member of the employee's household or any parent, sibling, child, grandparent, grandchild, or corresponding in-law.

In addition to funeral leave paid by sick credits, an employee may, with their supervisor's pre-approval, use additional leave available for additional approved time off as necessary for the death of an immediate family member.

Employees under discipline for attendance issues may be required to provide documentation with regard to their bereavement leave.

Reporting

Absences which will necessitate use of sick leave shall be reported by the employee to

the supervisor or department head as soon as possible. Failure to report such leave within two (2) hours of employee's regularly scheduled starting time may be considered absence without approved leave. Absences are grounds for disciplinary action.

Abuse

Abuse of sick leave may be cause for dismissal, forfeiture of payment for accumulated sick leave, or other disciplinary action. Sick leave abuse occurs when an employee uses sick leave for unauthorized purposes or misrepresents the actual reason for charging an absence to sick leave. Abuse may also occur when an employee establishes a pattern of sick leave usage over a period of time. The employee's supervisor may require an employee to submit a medical certification signed by a licensed physician to substantiate use of sick leave.

Medical Certification

When an employee is returning to duty following an illness or absence of three (3) consecutive days or more, due to injury, or whenever the department head has reason to question the employee's ability to return to duty and perform his/her duties, the County may require a medical certification of the employee's fitness to return to duty. The County may also require medical certification that the employee does not impose a direct threat to the health or safety of themselves or others.

Sick Leave Concurrent with Other Leave

Sick leave of three (3) consecutive days or more, may run concurrently with other leave types including FMLA and Maternity leave. Intermittent sick leave for a serious health condition may also run concurrently with other leave. Please refer to those leave policies.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 08/09/2022

SICK LEAVE REQUEST / GRANT

PURPOSE: To provide for direct grants and receipt of sick leave to employees suffering an extensive illness or accident

Forms are available for a qualifying employee, who suffers an extensive illness or accident and needs additional sick leave time, to request a direct grant of sick leave from another qualifying employee who is willing to donate some of his/her accrued sick leave hours. Forms are available from the Human Resource department.

Eligibility to Make a Grant

- A. To be eligible to make a direct grant of sick leave, an employee shall have completed the ninety (90) day qualifying period to take sick leave (Section 2-18-618(1) MCA) and shall have a minimum balance of eighty (80) hours of accrued sick leave credited to their account. The minimum balance for a part-time employee shall be prorated.
- B. An employee may directly grant a maximum of forty (40) hours of accrued personal sick leave in any continuous twelve (12) month period to other employees. The twelve (12) month period is calculated from the first day an employee makes a direct grant. The employee may not reduce the leave balance below eighty (80) hours by making direct grants.

Eligibility to Receive Direct Grants

- A. An employee must have completed the ninety (90) day qualifying period to take sick leave and may receive no more than a maximum of 160 hours of direct sick leave grants in any continuous twelve (12) month period. Leave granted to a part-time employee shall be prorated. The twelve (12) month period is calculated from the first day the employee takes sick leave which is a direct grant.
- B. An employee must have been absent more than ten (10) consecutive working days and have exhausted all accrued sick leave and compensatory time, and used any annual leave balance exceeding forty (40) hours to be eligible for a sick leave grant.
- C. An employee must provide a physician's certification of their condition to be eligible for a sick leave grant. No employee is eligible to receive direct grants of sick leave without the approval of the department head or designee.
- D. If an employee is incapacitated and unable to apply for leave of absence or direct grants, another person may do so on behalf of the employee.
- E. An employee is not eligible for direct grants of sick leave if they are eligible for worker's compensation benefits.
- F. For exceptional circumstances, a variance request may be made to the Commissioners with concurrence of the Department Head.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 06/27/23

ANNUAL VACATION LEAVE

PURPOSE: To establish guidelines to comply with Montana law on qualification, accrual and use of annual vacation leave

Annual leave is calculated and credited each pay period based on years of service with any state agency or political subdivision as illustrated in the chart below, and an employee can use it only after earning it. Employees must complete a waiting period of six calendar months of continuous employment to be eligible to take annual leave or receive cash compensation for leave accrued upon termination

- A. From the first full day of employment through ten (10) years of service at the rate of 4.6154 hours per pay period.
- B. From ten (10) years through fifteen (15) years of service at the rate of 5.5385 hours per pay period.
- C. From fifteen (15) years through twenty (20) years of service at the rate of 6.4615 hours per pay period.
- D. After twenty (20) years of service at the rate of 7.6938 hours per pay period.

For calculating annual vacation leave credits, only regular hours shall be considered and 2,080 hours shall equal one year. Annual leave, sick leave, holiday leave, and compensatory leave shall be considered regular hours for the purpose of calculating overtime payments. Proportionate annual vacation leave credits shall be earned and credited at the end of each pay period.

Annual vacation leave credits shall not accrue during a leave of absence without pay.

Annual vacation leave taken on a legal holiday shall not be charged to an employee's annual vacation leave for that day. Absence from employment because of illness shall only be charged against annual vacation leave credits at the employee's request.

Annual vacation leave credits shall not be advanced after an employee's vacation leave credits have been exhausted.

Persons employed in two or more positions shall accrue annual vacation leave in each position according to the number of hours worked. Leave shall be used only from the position in which earned in proportion to the number of hours normally scheduled and must be approved by the department head in authority over the position.

Maximum Accrual

1. Employees may accumulate annual leave balances up to two times the eligible accrual rate per year in accordance with 2-18-617, MCA. Balances exceeding the two times annual limit are considered "excess." Except as provided in this policy, excess

annual vacation leave will be forfeited unless used within 90 calendar days from the last day of the calendar year in which the excess leave was earned.

2. Department heads are responsible for actively managing annual vacation leave for employees by "providing reasonable opportunity for an employee to use rather than forfeit accumulated annual vacation leave" as provided in 2-18-617, MCA.

3. To avoid forfeiture of annual leave, management is encouraged to work with employees who have excess vacation leave balances as early as possible in the 90-day grace period or at an earlier time, if the employee's leave balance is projected to exceed two times the annual vacation accrual rate.

4. Employees are responsible for making a reasonable written request to use excess annual leave during the 90-day grace period. Agency management may approve all, some, or none of the employee's request by written response within five working days from the receipt of the request. If the original request is not approved, management and the employee may negotiate alternate leave dates during the 90-day grace period.

5. If management denies all or any portion of the written request, agency management and the employee must work together to ensure that the employee may use the excess annual leave before the end of the calendar year. Any excess annual leave not used by the end of the calendar year in which the grace period was extended must be forfeited.

6. Agency human resource or payroll staff calculate excess annual leave based on reports provided by the Department of Administration. These reports are available after the pay period in which December 31 payroll is processed.

Payment on Termination

Upon termination with the County for reasons not reflecting discredit on the employee, an employee who has worked the qualifying period will be paid for unused annual vacation leave credits at the rate of pay in effect at the time of termination.

Scheduling

Scheduling of annual vacation leave shall be accomplished by an agreement between the supervisor and employee, giving consideration to the best interests of the County and the employee. Extended leave requests (leave in excess of 40 hours) should be made in writing as soon as possible, preferably at the beginning of the calendar year prior to the end of February. Please see sample leave request in Appendix E.

Permanent Full-Time

Permanent full-time employees earn annual vacation leave credits from the first day of employment. (Section 2-18-611 MCA) They are not entitled to annual vacation leave pay until they have been continuously employed for six (6) calendar months.

Permanent Part-Time

Permanent part-time employees earn prorated annual vacation leave credits from the first day of employment. (Section 2-18-611 MCA) They are not entitled to annual vacation leave pay until they have been employed for six (6) qualifying calendar months. Prorated annual vacation leave credits are calculated from the following schedule multiplied by the hours worked:

Years of Employment Completed

0 - 10 years	.0577 x number of hours
10 - 15 years	.0692 x number of hours
15 - 20 years	.0808 x number of hours
20 + years	.0923 x number of hours

Prorated annual vacation leave credits are to be reported by rounding to two digits beyond the decimal point and carried in each employee’s account in that configuration.

Temporary Full-Time

Temporary full-time employees receive the same annual vacation leave credits as permanent full-time employees provided they have been employed for six (6) qualifying months. (Section 2-18-611 MCA)

Temporary Part-Time

Temporary part-time employees receive the same prorated annual vacation leave credits as permanent part-time employees provided they have been employed for six (6) qualifying months. (Section 2-18-611 MCA)

Seasonal Full-Time

Seasonal full-time employees receive the same annual vacation leave benefits as permanent full-time employees, provided they have been employed for six (6) qualifying months. In order to qualify, they must be recalled and immediately report back for work when operations resume in order to avoid a break in service. (Section 2-18-611 MCA). A seasonal employee may use accrued annual leave, after the date of seasonal layoff, to remain in pay status until such leave is exhausted.

Seasonal Part-Time

Seasonal part-time employees receive the same annual vacation leave benefits as permanent part-time employees, provided they have been employed for six (6) qualifying months. In order to qualify, they must be recalled and immediately report back to work when operations resume. (Section 2-18-611 MCA)

Short-Term

Short-term workers do not receive annual vacation leave credits. (Section 2-18-611 MCA)

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

MILITARY LEAVE

PURPOSE: To provide for military leave of absence with pay for training or encampments and to provide for reinstatement

A. Procedures and the Montana Military Service Employment Rights Act

The Montana Military Service Employment Rights Act (MMSERA) provides paid military leave for eligible County employees. This benefit supports employees in fulfilling military obligations and compensates employees for loss of income due to time spent performing military service.

Employees who are members of the organized militia of this state or the organized or unorganized reserve corps or military forces of the United States, and are permanent, temporary, or seasonal employees or student interns become eligible for paid military leave after *six continuous months* of employment. Time spent in a leave of absence without pay status does not count toward the six-month requirement.

"Militia" means all of the military forces of Montana, whether organized or unorganized. In Montana, the organized militia is the Montana Army and Air National Guard. The unorganized militia includes persons who are either active or inactive duty members of the Armed Forces Reserves.

Eligible full-time employees earn 120 hours of paid military leave each calendar year (prorated for part-time employees). Employees cannot earn more than 120 hours of paid military leave per calendar year, and cannot accrue more than 240 hours (prorated for part-time employees). Once employees reach the maximum, they do not accrue additional paid military leave until their balance drops below 240 hours (or the prorated limit for part-time employees). Employees do not accrue paid military leave during leaves of absence without pay unless the leave is for military duty. The County does not cash out unused military leave when employees terminate employment.

Employees must request military leave in writing to their department head. Employees must provide their supervisor with a copy of the orders that direct them to report for duty, and should give as much advance notice as possible (i.e., as soon as they learn of the need to take military leave).

Employees may request and supervisors may grant paid military leave in as few as one-hour increments. Employees may also use paid military leave intermittently with leave without pay while performing military service. Supervisors may grant paid military leave only for hours the employee normally works, and may deny paid military leave if it

results in overtime. When employees are taking authorized paid military leave, they shall receive regular salary and benefits. If active duty is more than 31 days, employees need to evaluate options regarding benefits and complete an Active Duty Benefits Election Form and an Active Duty Reinstatement Form.

B. Uniformed Services Employment and Reemployment Rights Act Procedures

Reemployment guarantees for active duty service will follow the provisions of MCA 10-1-1007 and the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees have the right to be reemployed in their job if they:

- leave that job to perform service in the uniformed service and they provide advance written or verbal notice of the service;
- have five years or less of cumulative service in the uniformed services while with the County;
- return to work or apply for reemployment in a timely manner (within 40 days) after conclusion of service; and
- have not been separated from service with a disqualifying discharge or under other than honorable conditions.
- Employees who are eligible to be reemployed must be restored to the job and benefits they would have attained if they had not been absent due to military service or a comparable job. Eligible employees shall be reemployed in the position they left or a similar position in order to perform such training or service unless:
- the member is no longer qualified to perform the duties of the position, subject to the provisions of MCA 49-2-303 prohibiting employment discrimination because of a physical or mental disability;
- the member's position was temporary and the temporary employment period has expired;
- the member's request to return to employment was not done in a timely manner;
- the employer's circumstances have changed so significantly that the member's continued employment with the employer cannot reasonably be expected; or
- the member's return to employment would cause the employer an undue hardship.

Members eligible for reemployment will be restored to their position or to a position of like seniority, status, and pay unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

Relevant Information: MCA 10-1-1001, et seq., and 10-1-1007; Uniformed Services Employment and Reemployment Rights Act. (USERRA), U. S. Dept. of Labor Compliance Assistance

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/11/16

JURY DUTY OR WITNESS LEAVE

PURPOSE: To establish guidelines for jury duty and for witness leave

County employees shall be eligible, and are encouraged, to serve as a witness or on jury duty when properly subpoenaed or summoned.

An employee who receives notice of jury duty or witness service must notify their supervisor as soon as possible in order that arrangements may be made to cover the position.

An employee on authorized jury duty or witness leave shall receive his/her normal daily wage. The employee shall collect all fees and allowances payable as a result of serving on jury duty or as a witness and forward the fees to the Clerk and Recorder. Any expense or mileage allowance paid by the court shall be retained by the employee.

If an employee elects to charge juror or witness time off against annual leave or compensatory time, the employee shall not be required to remit to the county any fees or allowances paid by the court.

A part-time employee will receive prorated compensation for those hours the employee is scheduled to work.

Employees are to return to work after jury duty, although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror, the employee is expected to contact the supervisor and report to work as instructed.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

MATERNITY LEAVE

PURPOSE: To provide a policy for the uniform administration of maternity leave

Employees may request the use of annual vacation leave, sick leave, compensatory time or other appropriate paid leave, or leave without pay, for necessary absences due to maternity related disabilities.

Under Montana Law, it is unlawful for an employer to:

- A. Terminate a woman's employment because of her pregnancy
- B. Refuse to grant an employee a reasonable leave of absence for such pregnancy
- C. Deny an employee who is disabled as a result of pregnancy any compensation to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by her employer, provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform her employment duties
- D. Require that an employee take a mandatory maternity leave for an unreasonable length of time. Maternity leave shall be treated the same as any other leave, except that eligibility for maternity leave shall not require employment for any specified period of time.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

WORKSITE BREASTFEEDING

The County shall provide nursing mothers with suitable space, privacy, and time to breastfeed or express milk for at least one year after the nursing child's birth.

A. General Provisions and Management Responsibilities

Counties shall provide nursing mothers with a suitable space, other than a bathroom, that is clean, private, and reasonably close to the work area. The space will include lighting, seating, and electrical outlets for breast pumps. The County may provide an employee the ability to store breast milk as requested.

The department head or direct supervisor shall provide nursing mothers with time to breastfeed or express milk as needed, but nursing mothers should plan to use break time whenever possible. Department heads will set up a schedule that works best for everyone.

B. Pay Stipulations for Exempt and Non-Exempt Employees

If an employee is non-exempt from the FLSA, the County will not cover breastfeeding time that takes longer than the standard break period or number of breaks. Employees can use annual leave or compensatory ("comp") time to cover extra time or breaks, or the time will be unpaid. The County shall not reduce the wages of exempt employees for the time it takes to breastfeed or express milk. However, the employee may be required to use accrued leave time in certain cases.

Relevant Information: MCA 39-2-215 through 39-2-17

EFFECTIVE: 5/23/2019

DATE: 5/23/2019

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

LEAVE OF ABSENCE WITHOUT PAY

PURPOSE: To establish procedures by which an employee may request a leave of absence without pay

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave, and the date of return.

The request shall be submitted by the employee to the affected department head. The department head shall make a decision based upon the best interest of the County, giving due consideration to the reasons given by the employee and the requirements of any applicable state and Federal laws.

A department head may grant a permanent, temporary, or seasonal full-time or part-time employee a leave of absence without pay not to exceed ninety (90) calendar days. An extension of the approved leave, not to exceed ninety (90) calendar days, may be approved by the department head. No sick leave, holiday, annual vacation benefits, or any other fringe benefits shall accrue while an employee is on leave of absence without pay. An employee may continue to participate in the county insurance plan. However 100% of the premiums are to be paid by the employee for the months in which the leave was taken.

Refer to Family and Medical Leave Section of this handbook for situations involving the Family and Medical Leave Act of 1993.

Upon expiration of the approved leave of absence, the employee shall be reinstated to the same class and rate of pay, unless otherwise mutually agreed to by the County and the employee.

Employees who fail to return to work on the next working day following the expiration of the approved leave are subject to disciplinary action including termination.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 03/24/14

FAMILY AND MEDICAL LEAVE

PURPOSE: To provide a procedure for use of Federal Family and Medical Leave Act benefits for County employees

The County has adopted the following policy to establish the procedures and criteria for providing family and medical leave under the Federal Family and Medical Leave Act (FMLA) of 1993. Employees who qualify, may receive up to twelve weeks of paid or unpaid, job protected, leave for certain family and medical reasons.

Eligibility

To be eligible for FMLA leave, the employee must have worked for the County for a minimum total of twelve (12) months and for at least 1,250 hours during the twelve (12) month period immediately preceding the leave.

Duration

Eligible employees may take up to twelve (12) weeks of leave within a twelve-calendar month period. The twelve weeks of leave may be taken in a single block of time, or, if medically necessary, on an intermittent basis or on a reduced schedule. When the leave is taken for childbirth or placement of a child for adoption or foster care, intermittent or reduced leave schedules are subject to approval.

Purpose of Leave

An eligible employee will be granted up to twelve (12) weeks of FMLA leave for any of the following reasons:

- A. For the birth of a child and to care for the newborn child
- B. For the placement of a child with the employee for adoption or foster care
- C. For the care for a spouse, child, or parent with a serious health condition
- D. For a serious health condition that makes the employee unable to perform the functions of the employee's job.
- E. Any qualifying exigency (e.g. short-notice deployment, military events, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and other events which arise out of the covered member's active duty or call to active duty status) arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
- F. To care for a covered service member with a serious injury or illness sustained in the line of duty on active duty if the employee is the spouse, child, parent, or next of kin of the service member. Eligible employees are entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is a viable during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Serious Health Condition

A "serious health condition" is an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or treatment by a health care provider. "Serious health conditions" are:

- A. An illness that requires an overnight stay in a hospital or other medical care facility;
- B. An illness that keeps a person away from his/her normal activities for three (3) consecutive days and ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication).
- C. pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest).
- D. Any period of incapacity due to a chronic and serious health condition (one that requires occasional visits for treatment by a health care provider, continues over an extended period of time, and may cause episodes of illness)
- E. Treatment for a condition that could result in an illness of more than three (3) consecutive days in the absence of medical treatment, such as cancer (chemotherapy, radiation), severe arthritis (physical therapy) or kidney disease (dialysis).

Intermittent Leave or Reduced Leave Schedule:

FMLA leave will usually be taken for a period of consecutive days, weeks, or months. However, eligible employees may take FMLA leave intermittently or on a reduced leave schedule, in one-half hour increments or greater, because of:

- 1. pregnancy and related medical appointments or incapacity
- 2. a chronic and serious health conditions
- 3. a qualifying exigency or following birth or adoption, subject to supervisor approval.

Notice and Certification

Employees are required to provide advance notice of leave requests whenever possible. The County requires medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work. Thirty (30) days' notice is required when the need for leave is foreseeable. When advance notice is not possible, the employee must provide notice as soon as possible. Requests for FMLA leave must be made in writing to Human Resources. The Human Resources Department must promptly -(within five (5) business days, absent extenuating circumstances) notify the employee of the employer's response to the request for FMLA leave.

Supervisor's Responsibilities

If a Department Head or Supervisor becomes aware of an employee taking leave for a potentially qualifying event (those in the Eligibility paragraph above), or if the employee is absent from work on sick or unpaid leave for three days or more for reasons including health conditions, care of a family member, or in conjunction with a qualified military status, he/she will immediately notify Human Resource personnel, who will complete the FMLA Notice and Designation Form.

Use of Paid Leave

Employees must use accrued sick leave concurrently with Family and Medical Leave Act, if the leave meets the conditions of the County Sick Leave Policy. The hours used will be counted against the employee's Family and Medical Leave Act entitlement.

Employees may use accrued annual vacation leave and exempt compensatory time concurrently with the Family and Medical Leave Act leave. The hours used will be counted against the employee's Family and Medical Leave Act entitlement. Employees may also use non-exempt compensatory time for Family and Medical Leave Act leave. These hours will not be counted against the Family and Medical Leave Act entitlements.

Health Benefits

An employee's health insurance coverage will be continued at the same level they had prior to the use of FMLA. Employees who pay a portion of the contribution costs for dependent coverage for health benefits or other insurance coverage are required to self-pay those costs to maintain coverage during the FMLA leave. If an employee fails to return to work following a FMLA leave, the employee may be liable for repayment of health benefits contributions paid by the County during the employee's unpaid FMLA leave. Repayment may be waived in situations where the continuing serious health condition or circumstances beyond the control of the employee prevents the employee from returning to work.

Work Duties and IT System Access

An employee on FMLA leave shall not be allowed to perform work duties for the duration of their leave. In the case of intermittent leave and reduced schedules, an employee's expected hours of work should be established prior to the leave to clearly outline when an employee is expected to be working.

Reinstatement

An employee returning to work following a FMLA leave will be returned to the same or equivalent position with equivalent pay as when the leave began, provided the same or equivalent position, to which they would have been entitled exists at the time of their return pursuant to 29 C.F.R. § 825.216. The use of FMLA leave will not result in the loss of any employment benefit accrued prior to the start of an employee's leave.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 03/22/2022

PAY AND BENEFITS

SALARY INCREASES

PURPOSE: To establish a procedure for granting salary increases other than the annual cost of living and/or longevity increases.

Salary increases, other than annual cost of living increases or longevity increases, must be submitted to the County Commission for review and final approval before they will become effective. Department Heads shall make requests for salary increases part of their preliminary budget request. Changes will be effective at the start of the fiscal year or the employee's employment anniversary.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

LONGEVITY

PURPOSE: To establish guidelines for longevity

- A. All permanent full-time employees receive longevity after one (1) complete year of service. For payroll processing purposes; the longevity date shall be rounded to the first of the nearest month. The longevity is calculated at 1% of the prior year base salary. It is accumulative.
- B. Part-time employees do not receive longevity.
- C. Elected officials also receive 1% longevity of their prior year base salary.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 05/11/2021

HOLIDAYS AND BENEFITS

PURPOSE: To provide guidelines for administration of the Montana law on holidays

Legal holidays shall be observed by County employees without loss of pay.

The following are legal holidays:

- | | | |
|----|-------------------------------------|---|
| A. | New Years Day | January 1 |
| B. | Martin Luther King, Jr. Day | Third Monday in January |
| C. | Lincoln's and Washington's Birthday | Third Monday in February |
| D. | Memorial Day | Last Monday in May |
| E. | Independence Day | July 4 |
| F. | Labor Day | First Monday in September |
| G. | Columbus Day | Second Monday in October |
| H. | Veterans' Day | November 11 |
| I. | Thanksgiving Day | Fourth Thursday in November |
| J. | Christmas Day | December 25 |
| K. | State General Election Day | First Tuesday after the first Monday in November, even numbered years |

Holidays Falling on Weekends

If any holiday falls upon a Sunday, the Monday following is a holiday. When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday, except as provided for in the next paragraph.

The employee shall receive holiday benefits and pay for work performed on the day the holiday is observed, unless the employee is scheduled or required to work on the actual holiday. If the employee is scheduled or required to work on the actual holiday, the actual holiday shall be considered as the holiday for purposes of calculating holiday benefits and pay for work performed on a holiday. The employee will receive either holiday benefits for working on the day the holiday is observed or for working on the actual holiday, but not both.

Benefits and Eligibility Requirements

An eligible employee shall receive holiday benefits for legal holidays. This benefit is paid time off or pay at the regular rate. Holiday benefits shall not exceed 8 hours. If the employee would receive less pay than usual because of the holiday, the department may allow the employee to work additional hours in the same workweek or allow the employee to take annual leave or accrued compensatory time to maintain the employee's usual hours of pay for a week.

Holiday benefits are calculated based on an employee's regular schedule. For purposes of this policy, changes to an employee's schedule which extend beyond one pay period are changes to the regular schedule.

An employee must be in a pay status the last regularly scheduled working day before

and the first regularly scheduled working day after the holiday is observed to be eligible to receive holiday benefits.

An employee shall not be eligible to receive holiday benefits if:

- A. The employee is a new employee to County government and begins work on the day after a holiday is observed; or
- B. The employee is reinstated or re-employed following a reduction in force, returns to work following a leave of absence without pay of more than one pay period or a disciplinary suspension, or is called back to seasonal or temporary employment on the day after a holiday is observed.

A short-term worker is not eligible to receive holiday benefits.

Full-Time Employee Benefits

A permanent, temporary, or seasonal full-time employee, whose regular schedule calls for the employee to work on the day a holiday is observed, shall receive eight (8) hours of holiday benefits. The employee usually receives the holiday off; however, the County reserves the right to require an employee to work on the day a holiday is observed. The employee shall be compensated for work performed on a holiday in addition to holiday benefits.

A permanent, temporary or seasonal full-time employee, whose regular schedule calls for a day off on the day a holiday is observed, shall be entitled to receive a day off with eight (8) hours pay on the day preceding the holiday or on another day following the holiday in the same pay period or as requested by the employee and approved by the supervisor, whichever allows 8 hours leave in addition to the employee's regularly scheduled days off. (Section 2-18-603 MCA)

If a day off cannot be provided, the County may provide eight (8) hours of pay at the regular rate.

Part-Time Employee Benefits

Part-time permanent, temporary, or seasonal employees receive holiday benefits on a prorated basis. (Sec. 2-18-603 MCA)

Holiday benefits are figured on the number of hours the employee worked in the pay period in which the holiday falls, divided by the total regular working hours in that pay period, times the number of holiday hours in the pay period ($[\text{compensated hours} \div \text{pay period total hours (80)}] \times \text{holiday hours in pay period} = \text{PT Holiday Hours}$). Holiday hours are based on the regular 8 hour day; holiday hours in the period are calculated by multiplying the number of holidays in the period by 8.

The employee usually receives the holiday off; however the County reserves the right to require a part-time employee to work on the day a holiday is observed. The employee shall receive holiday benefits as provided in this rule and shall be compensated for work performed on a holiday as provided in the next paragraph.

Pay for Work Performed on a Holiday

An employee who is designated as non-exempt under the Fair Labor Standards Act (FLSA) and who works on the day a holiday is observed shall be paid for all hours actually worked. In accordance with the holiday benefit provided for in this rule, the employee shall receive either a paid day off at the regular rate or pay as described below, at the County’s discretion.

- A. If the holiday benefit is paid leave to be taken at a later date, the employee shall receive pay at the regular rate for every hour worked on the holiday and accrue eight (8) hours compensatory time at the straight rate.
- B. If the holiday benefit is to be pay, but no day off, the employee shall receive pay for all hours worked on the holiday at one and one-half times the regular rate plus holiday pay (at their regular rate) for all hours worked (up to eight hours) on the holiday.

Hours worked on a holiday may result in more than forty (40) hours in a pay status during the workweek. An employee shall not receive both premium pay and overtime pay for the hours worked on a holiday. If the County provides pay at the regular rate for hours worked on the holiday or paid time off on an hour-for-hour basis, the employee shall receive overtime or compensatory time for the hours over forty (40) in a workweek, in compliance with the overtime and compensatory time policy.

An employee who is exempt from the FLSA and who receives approval to work on the holiday will receive paid time off equivalent to the number of hours worked (not to exceed the maximum of 8).

Equivalent paid time off for work performed on a holiday may be taken at a later date upon request by the non-exempt employee and approval of the supervisor. When an employee requests to take the hours off and where the interest of the County requires the employee’s attendance, the County’s interest overrides the employee’s.

In the case of both non-exempt and exempt employees, when they request to use banked time but the interest of the County requires the employee’s attendance, the County’s interest overrides that of the employee.

EFFECTIVE: 01/01/15

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

OVERTIME AND COMPENSATORY TIME

PURPOSE: To establish guidelines for the recording, use and auditing of overtime and compensatory time

Nothing in this policy guarantees an employee in a nonexempt position will be allowed to work time resulting in the payment of overtime or the accrual of nonexempt compensatory time.

Non-exempt Overtime Pay

Non-exempt employees may receive overtime compensation for hours worked in excess of forty (40) hours per week at the rate of 1½ times the regular hourly rate of pay. Annual leave, sick leave, holiday leave, and compensatory leave shall be considered hours worked for the purpose of calculating overtime payments.

Non-exempt Compensatory Time

Non-exempt employees may receive compensatory time off in lieu of overtime payment if mutually agreed upon between the employee and the department head. Compensatory time for non-exempt employees shall be earned at the rate of 1½ hours for each hour worked in excess of forty (40) hours per week. Maximum number of hours that can be accrued are as follows:

1. Sheriff's Office Emergency Response Staff - four hundred and eighty (480)
[Code of Federal Regulations Title 29/Subtitle B/Chapter V/Subchapter A/Part 553]
2. All Other Employees - two hundred and forty (240)

Employees, who have accrued compensatory time and requested use of this compensatory time, shall be permitted to use the time off within a "reasonable time" after making the request, if the use does not "unduly disrupt" the operations of the County. An employee shall, upon termination of employment, be paid for unused accumulated compensatory time.

Administering Overtime and Nonexempt Compensatory Time

The department head shall have the authority to approve overtime and compensatory time. A seasonal employee may use accrued compensatory time, after the date of seasonal layoff, to remain in pay status until such leave is exhausted. No employee shall work overtime or compensatory hours without the prior approval of the department head (see form in appendix G). When administering overtime or nonexempt compensatory time, agency management may adjust the work schedule of an employee in a nonexempt position for a workweek to prevent the employee from earning overtime compensation or accruing nonexempt compensatory time.

Non-Exempt Compensatory Time Pay-out

One time per year, following the last pay period in November, employees may "cash out" compensatory time up to their comp leave balance or two hundred forty (240) hours.

Record Keeping

Department heads shall ensure **all** overtime and compensatory time earned and used is recorded on the employee's time card as it occurs.

EFFECTIVE: 07/01/04**APPROVAL: Carbon Co Commissioners****DATE: 08/26/04****LAST REVISED: 06/27/23**

WORKERS' COMPENSATION

PURPOSE: To inform employees of workers' compensation coverage and benefits

The County provides **every** employee with wage supplement and medical benefits for work-related injury or disease covered under the Montana Workers' Compensation Act or the Occupational Disease Act.

Every work-related injury must be reported immediately to the injured employee's supervisor and will be documented prior to end of the employee's scheduled work period. State law requires injuries to be reported to the supervisor within thirty (30) calendar days following the occurrence.

Benefits for compensable injuries are governed by state law, and include wages, medical, hospital and related services, and other compensation.

Wage loss benefits begin after a thirty-two (32) hour waiting period. Employees may use accrued annual or sick leave benefits to cover wage loss during the waiting period. Employees may also use accrued vacation leave to supplement the portion of their regular wage not covered by worker's compensation wage loss benefits.

Workers Compensation leave will run concurrently with Family Medical Leave Act (FMLA) leave and hours will be counted against an employee's FMLA entitlement.

Carbon County has a Return to Work (RTW) program to help employees transition back into the workplace following an injury. Carbon County may assign an employee to a "transitional duty job assignment" appropriate for an employee's abilities during recovery. The RTW program is designed to help assure effective medical care for an injured employee and to assist with their prompt return to productive work as soon as medically feasible. Carbon County believes that our employees are our greatest assets and we are committed to retaining productive people, minimizing costs, and helping employees avoid long term disabilities that may affect their careers.

A RTW program may be available to those employees injured outside the workplace at the discretion of the County with consideration to the type of medical restriction required and possible transitional duties available at the time of the request.

Employees shall notify their immediate supervisor of their use of any medications that may compromise the safety of the employee, fellow employees, or the public. It is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices.

Criminal proceedings may be initiated against a person who obtains or assists in obtaining workers' compensation benefits to which the person is not entitled.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 02/13/24

HEALTH INSURANCE

PURPOSE: To establish policy for employee health insurance benefits

Only those employees who are regularly scheduled to work an average of one hundred and thirty hours (130) per month (based on the limited assessment period of July -April) are eligible for County Health Insurance benefits. For more detailed information see Human Resources.

The County reserves the right to modify, amend, or terminate its health benefits. A sixty (60) day notice will be given to employees upon any change or termination of health insurance benefits.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 02/13/24

EMPLOYEE CONDUCT GUIDELINES FOR APPROPRIATE CONDUCT

PURPOSE: To establish a policy to inform management and employees of behavior and conduct which are prohibited and can lead to disciplinary actions

As an integral member of the County team, employees must accept certain responsibilities and adhere to acceptable business practices. This not only involves sincere respect for the rights and feelings of others but also demands that, in public life, employees refrain from behavior harmful to self, co-workers, and/or the County or which might be viewed unfavorably by the public.

Employee conduct reflects on the County. Employees are required to maintain the highest standards of professionalism at all times.

Listed below are types of performance, behavior, and conduct which are prohibited. This list is not all-inclusive. Actions the County deems inappropriate and will lead to disciplinary action include, but are not limited to:

1. Falsifying employment or other County records or making false statements
2. Violating the County's Equal Employment Opportunity Policy
3. Violating the Montana Code of Ethics (Section 2-2-101/ 1-1-304 MCA)
4. Establishing a pattern of absenteeism or tardiness, abusing sick leave, or not scheduling use of annual vacation leave or compensatory time.
5. Use of County equipment, vehicles, supplies, time, or facilities for private purposes, assigned vehicles may make stops for personal needs on commute.
6. Reporting to work intoxicated or under the influence of non-prescriptive drugs
7. Violating the Drug Free Work Place Act including, but not limited to, testing positive for drug use
8. Bringing or using alcoholic beverages on County property or using alcoholic beverages while engaged in County business away from County property
9. Failing to appear or dress in a manner acceptable for the position, including use of personal protective equipment (PPE) as needed.
10. Causing, performing, or threatening violent or bullying acts, in the workplace as outlined in the Workplace Violence and Bullying Prevention Policy herein.
11. Theft of property from County employees, the County, or the public, including removal from the premises, without proper authorization.
12. Possessing dangerous, unauthorized materials such as unauthorized firearms or explosives on County premises, in County vehicles, or while on County business
13. Disregarding safety or security regulation or procedures
14. Engaging in insubordination, which is the

- intentional refusal to follow a direct or implied order by the supervisor or defiance of authority.
15. Failing to maintain the security of confidential County information
 16. Operating county vehicles or equipment while under the influence, as defined in Section 61-8-401 MCA
 17. Failing to perform duties in a satisfactory manner
 18. Using abrasive, impolite, offensive, or bullying conduct, gestures, or language towards the public, County officials, or other employees
 19. Abusing break times and/or lunch periods
 20. Misrepresenting travel expenses
 21. Failing to possess or maintain a driver license, commercial driver license, or other license or certification when the license or certification is necessary for performance of job duties or required by the employer.
 22. Possessing or using alcohol or non-prescription drugs in County vehicles or private vehicles being used for County business
 23. Violating drug and alcohol rules and regulations established for employees required to have a commercial driver's licenses
 24. Violating the Smoke-Free Workplace policy herein
 25. Violating the Personal Telephone Calls and Personal Communication Devices policy herein
 26. Violating the Computer, Internet, and Email policy herein
 27. Failing to operate County equipment safely or in the proper manner
 28. Abuse of or failure to properly maintain County equipment or property
 29. Engage in conduct that violates the public trust as determined by the County Commissioners
 30. Retaliating against any individual that has participated in disciplinary or other human resource investigations.
 31. Any other act, failure to act, or negligence which is injurious to the County, County employees, or the general public

Violations of the above standards or other county, state, or federal rules, or conduct which is injurious to the County's interests or its employees' interests, shall result in disciplinary action which can include written or oral warnings, suspension, demotion, termination, * or other appropriate discipline. The County may initiate an investigation and discipline in the absence of action on the part of the department head.

In all cases, an employee subject to disciplinary action shall be informed by the department head in conjunction with Human Resources of the alleged violations. The employee shall be allowed to present their side of the story and evidence orally and/or in writing before discipline, if appropriate, is imposed.

Employees shall report grievances, related to violations of the above guidelines for appropriate conduct, as outlined in the Complaint Resolution and Grievance Procedures on page 9.

If the disciplinary decision is termination, Human Recourses, at discharge or within seven (7) days of the date of discharge, notify the discharged employee of the

existence of the County's "Complaint Resolution and Grievance Procedure" and provide the discharged employee with a copy of the "Procedure". (Pg 9)

* Deputy Sheriffs who have served a one-year probationary period may only be terminated for the reasons specified in Section 7-32-2107 MCA. This section provides that "gross inefficiency in the performance of official duties" is a reason for termination. Violation of County policy can constitute "gross inefficiency in the performance of official duties". (Smith v Roosevelt County, 242Mt.27)

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 10/15/2021

WORKPLACE VIOLENCE and BULLYING PREVENTION

PURPOSE: Carbon County is committed to prevent workplace violence and to maintaining a safe work environment that is free of discrimination, violence, and bullying. Carbon County has adopted the following guidelines to deal with intimidation, harassment, or other threats or actual violence that may occur on-site or off-site during work related activities.

All employees, customers, vendors, and business associates should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others, constitute bullying, or that may create a hostile work environment.

Conduct that threatens, intimidates, coerces, or bullies another employee, customer, vendor, or business associate at any time, including off-duty periods, will not be tolerated. Carbon County resources may not be used to threaten, stalk, or harass anyone at the workplace or outside of the workplace. Carbon County treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and bullying, and suspicious individuals or activities should be reported as soon as possible to a supervisor or human resources. When reporting a threat or incident of violence or bullying, the employee should be as specific and detailed as possible. Employees should not place themselves in peril or attempt to intercede during an incident.

Employees should promptly inform the human resources department of an order of protection that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. Carbon County will not retaliate against employees making good-faith reports.

Employee's Responsibilities

The County will not tolerate workplace violence or bullying of any kind. All employees are encouraged to immediately report any such misconduct or violation to their supervisors or the first level of management not involved in the violence or bullying or County Human Resources. Employees who are responsible for workplace violence or bullying may be subject to disciplinary action, up to and including termination. The severity and extent of the violence or bullying will ultimately guide the decision on how discipline will be determined.

Management's Responsibilities

All supervisors and managers are responsible for following this policy. Members of management who witness violence or bullying shall immediately take steps to stop the behavior, document the actions, and report the behavior to County Human Resources. Management shall review any report or complaint of harassment or discrimination and take appropriate action.

Carbon County will promptly and thoroughly investigate all reports of threats of violence, incidents of actual violence or bullying, and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Carbon County will not retaliate against employees making good-faith reports of violence, threats, bullying, or suspicious individuals or activities. In order to maintain workplace safety and integrity of its investigation, Carbon County may suspend employees suspected of workplace violence, threats of violence, or bullying either with or without pay, pending investigation.

Carbon County defines bullying as repeated, mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- Threatening, humiliating, or intimidating behaviors
- Work interference/sabotage that prevents work from getting done
- Verbal abuse

Examples of bullying include:

- **Verbal bullying.** Slandering, ridiculing or maligning a person or his or her family; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying.** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Gesture bullying.** Nonverbal gestures that can convey threatening messages.
- **Exclusion.** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising one's voice at an individual in public or in private.
- Using obscene or intimidating gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Assigning menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.

- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

EFFECTIVE: 05/15/2014

DATE: 05/15/2014

APPROVAL: Carbon County Commissioners

LAST REVISED: 10/05/2021

ETHICS AND CONFLICT OF INTEREST

County employees serve the people of the County and owe them a duty to uphold their trust and maintain their confidence in the integrity of public employees. These principles require employees to avoid conflicts of interest, bias and favoritism, and the appearance of impropriety (i.e., acts that appear illegal or wrongful to the average citizen). County employees must conduct themselves in adherence to the rules of conduct stipulated for public employees in MCA 2-2-104. The general provisions are outlined in subparagraph 'A' below. All employees must sign the **Ethics and Conflict of Interest Acknowledgement Form** found in **Appendix B** of this Handbook.

Every county enforces a minimum set of standards that all employees must follow. Please refer to the section above on **Guidelines for Appropriate Conduct** for a more comprehensive, yet not all inclusive, list of inappropriate conduct, as well as appropriate conduct and behavior to which all county employees must adhere. Failure to abide by or comply with any of the items in those policies or this **Employee Ethics Policy** is a basis for disciplinary action up to and including termination.

A. In General, County Ethics Standards Prevent Employees From:

1. Using public time, facilities, or resources for private business or political purposes (unless authorized by law);
2. Acts that create a conflict between public and private interests (MCA 2-2-101), which may include major financial transactions with someone an employee regulates or supervises, performing official acts to harm private competitors, performing official acts to benefit an employee's own business interests, and other conflicts of interest;
3. Disclosing or using confidential information for personal economic benefit;
4. Accepting payment for helping people to obtain a contract, claim, license, or economic benefit from the County;
5. Taking payment for overlapping hours in two or more public jobs;
6. Requesting or accepting employment with a person the employee regulates without notifying department heads; and
7. Accepting substantial gifts or economic benefits (i.e., generally anything more than \$50.00) that could influence or reward official actions.

The list above includes only some of the ethical standards and requirements that County employees must follow.

Violations of this Code of Ethics may not only result in disciplinary action, but may result in the County Attorney bringing a civil action in district court or criminal charges which may be prosecuted to the full extent of the law (MCA 2-2-144).

B. Conflict of Interest

County employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative or other party of interest (as described below) as a result of the County's business dealings.

If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a supervisor or department head as soon as possible the existence of any actual or potential conflict of interest, so that safeguards can be established to protect all parties. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

C. Seeking Guidance on Ethical Dilemmas or Issues

Before doing anything that might create an ethical problem, employees should ask their department head for guidance. Employees should also report ethical concerns to supervisors, who can advise them on how to avoid or resolve potentially serious problems. After an employee notifies a department head of a possible violation, they can also file a complaint through established County protocols.

Relevant Information: MCA 2-2-101, et. seq.; Appendix B: Ethics and Conflict of Interest Acknowledgement Form

EFFECTIVE: 01/11/16

DATE: 01/11/16

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/11/16

DRUG FREE WORKPLACE

PURPOSE: To comply with the Federal Drug Free Workplace Act

In 1988 Congress passed a variety of anti-drug legislation which included the Drug-Free Workplace Act (DFWPA). This Act requires that agencies and individuals, who receive Federal aid or who contract with the Federal government, adopt specific policies regarding the illegal possession and use of controlled substances. To comply with this Act, the County has adopted the following policy.

All County employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace. "Controlled substances" are defined in schedules I through V of Section 812 Title 21, United States Code. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants, and hallucinogens.

County employees must abide by this Policy as a condition of employment and violations of this Policy will result in disciplinary action up to and including termination. The County may also require employees who violate this policy to satisfactorily participate in a drug-abuse assistance or rehabilitation program as a condition of continued employment.

Any employee convicted of violating a criminal drug statute in the workplace or while conducting official County business must inform the employee's immediate supervisor of such conviction within five (5) days after the conviction. The supervisor must inform the department head of any such communication immediately.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

TOBACCO AND SMOKE FREE CAMPUS

PURPOSE: To establish a policy establishing Carbon County facilities as tobacco and smoke free.

STATEMENT OF POLICY

All Carbon County owned facilities, vehicles and campuses shall be smoke-free and tobacco-free as of this date. Specifically, this means the use of any tobacco or smokable product including, but not limited to, cigarettes, cigars, pipes, and smokeless tobacco will be prohibited in facilities or on properties owned by Carbon County. In addition, the use of any nicotine delivery device or product not approved for tobacco cessation by the Federal Drug Administration is also prohibited.

INTENT

Tobacco use is the leading cause of preventable death in our society and the most important public health issue of our time. This policy demonstrates our commitment to the health and safety of our employees, visitors, and the community.

SCOPE

This policy is applicable to all staff, leased or contract staff, visitors, students, volunteers, vendors, and contractors of Carbon County. "Facilities or properties" includes, but is not limited to, our office buildings, parking lots, Carbon County owned vehicles. This policy applies regardless of whether a Carbon County facility or property is owned, leased, or rented and whether or not the owner or other tenants follow similar guidelines.

PRACTICE

A. STAFF

1. Staff will be encouraged to quit tobacco and will be offered help and support through a number of staff assistance options. These options may include free cessation education classes, discounted nicotine replacement therapy, individual cessation assistance from Carbon County Tobacco Prevention department staff, and links to additional cessation resources.
2. Staff and visitors are not allowed to use tobacco on Carbon County owned property or in Carbon County owned vehicles. Staff using tobacco during paid time will be required to do so 40 feet away from Carbon County owned buildings and outside of Carbon County owned vehicles.

B. COMMUNICATION AND SIGNAGE

1. Signs announcing this policy will be posted in various locations on the campus of each facility.
2. The staff and community will be informed of the policy through a variety of communication methods which may include Carbon County newsletters, the

Carbon County website, bill inserts, paycheck enclosures, print and electronic media, meetings, and other communication materials.

3. Candidates for employment will be informed of the policy both during the application process and during the employee orientation process.

C. STAFF AND VISITORS

1. Respectful enforcement of this policy is the responsibility of all Carbon County staff and staff members working in Carbon County owned buildings and vehicles. Staff and visitors who fail to comply with this policy will be reminded that Carbon County has a tobacco-free campus.

EFFECTIVE: 01/11/15

DATE: 12/21/15

APPROVAL: Carbon Co Commissioners

LAST REVISED: 12/21/15

PERSONAL APPEARANCE

PURPOSE: To establish general guidelines related to personal appearance of county employees

It is the responsibility of all employees to represent the County to the public in a courteous, efficient, and helpful manner.

County employees should always be well-groomed and dressed in a manner suitable for the public service environment and to reflect favorably on the County's image.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

PERSONAL TELEPHONE CALLS / COMMUNICATION DEVICES

PURPOSE: To provide for control of incoming and outgoing personal telephone calls and use of personal telecommunications devices

County phones (including cell phones) are to be used for County business and may be used for personal business on a limited basis only. The use of telecommunications equipment for essential personal business (e.g., calls to children, teachers, doctors, day care centers, and family members to inform them of unexpected schedule changes and other essential business) must be kept to a minimum, and not interfere with conducting County business. It is the employee's responsibility to ensure that no cost to the County results from personal phone calls.

The use of personal communication devices such as cell phones, smart phones, tablets, PDA devices, etc., to communicate, Email, text, or interact with personal social media sites (Facebook, Twitter, etc.) during work hours is prohibited. The use of cell phones for essential personal business, must be kept to a minimum and not interfere with conducting County business.

All personal communication devices must be inaudible to other employees and members of the public.

Utilizing a computer or personal device that connects with the Internet to visit an offensive site or inappropriate material during work hours or break periods is prohibited and subject to disciplinary action. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, religion, sex, sexual orientation, national origin, age, mental or physical disability, marital status, pregnancy, creed, political beliefs, genetic information, veteran's status, or any other status protected by law. Transmitting critical or derogatory statements regarding County employees and political figures on a public social media site may be grounds for disciplinary action up to and including termination.

In order to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy rule (See Employee Personnel Records) regarding the safeguarding of confidential information, County employees must refrain from the use of Instant Messaging, cell phones, texting, unprotected Email, or any other unsecured communication (e.g., unsecured Bluetooth interfaces or unsecured Internet conferencing) to transmit confidential information regarding County employees or citizens.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

COMPUTERS, INTERNET, AND EMAIL

PURPOSE: To establish guidelines for computer, internet, and email use

Please see the department head or coordinate with the Information Technology (IT) department for instructions (and when troubleshooting is necessary) about the operation of computers, telecommunication systems, or other electronic devices used on the job. Employees must operate all IT equipment according to manufacturers' user instructions and County policy.

County internet and email use are available for conducting County business. County employees may not use the County-maintained internet, intranet, and related services or systems for activities not related to County business. The County recognizes that sometimes an employee may use County computers and internet for essential types of personal use; however, this must be kept to a minimum and not be excessive.

All County business equipment, hardware, software, network equipment, communications systems, internet, email, and data are the property of the County, and employees can use these only for authorized purposes such as conducting County business. Employees should not expect their communications using the County's systems to be private or confidential. The County may access those documents or communications when warranted by business needs or legal requirements. Also, the County can monitor its systems to ensure proper use and prevent security violations. Passwords will be made available to the Carbon County Commissioners and their Administrative Assistant.

The creation, transmission, or viewing of any data or images that may be construed to violate the County's Workplace Violence Prevention or Equal Employment Opportunity Policy is strictly prohibited. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, religion, sex, sexual orientation, political beliefs, genetic information, national origin, age, physical or mental disability, veteran's status or any other status protected by law. None of the County's information technology resources may be used to transmit critical or derogatory statements regarding employees, political figures, or any other persons.

Files transferred in should be checked for viruses before being opened.

Violations of this policy may result in restriction or loss of access to the internet, termination, and notification of appropriate authorities if there is evidence of illegal activity.

SOCIAL MEDIA AND PUBLIC SPEECH

Employees shall not express anything in any public forum as an official County position without specific permission to do so. If an employee wishes to speak in their official capacity on a matter related to County business, their statements must be approved in advance.

Social media is web-based technology that allows interactive dialogue and includes, but is not limited to, blogs, collaborative projects, content communities, and social networking sites. Use of social media shall be limited to an employee's personal time unless conducting official county business.

Content contributed to social media by County employees may not:

- Claim to represent the County; or
- Include statements that are inappropriate because they are discriminatory, threaten violence, are obscene or otherwise disparage members of the public or co-workers.

An employee's online conduct that adversely affects their job performance, the performance of fellow employees, or otherwise adversely affects the County's legitimate business interests may result in disciplinary action up to and including termination. All instances must be judged on a case-by-case basis.

Nothing in this policy should be construed as prohibiting an employee's right to engage in concerted activity or to discuss the terms and conditions of their work as permitted by the NLRA.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/23/2019

EMPLOYEE DISCIPLINE

County employees are subject to disciplinary action up to and including dismissal from employment. This may include informal and/or formal disciplinary actions, depending on the circumstances. This policy applies to employees who fail to perform job duties in a satisfactory manner, disrupt County operations or violate the County's procedures, policies, rules, or performance standards, or for any other legitimate business reasons. The following procedures shall apply:

A. Discipline shall be commensurate with the seriousness of the offense. For example, the County, at its discretion, may utilize corrective counseling or a verbal warning before more severe disciplinary action is taken. However, more significant disciplinary action, up to and including dismissal, can be taken for offenses without having prior verbal or written counseling, based on the severity of the offense. Before taking action, management shall investigate and examine each case individually, considering the impact of the offense, the extent of the damage or disruption caused, and the circumstances of the offense.

B. Each of the following disciplinary actions is independent of the others and does not necessarily follow in the order listed. Consequently, an employee may be suspended without having been given a warning, or may be dismissed without having been either given a warning or suspended. Documentation of all corrective counseling and or disciplinary actions shall be made using the form in Appendix H.

1. **Corrective counseling** is an informal action that may be used at the option of management prior to or in addition to formal discipline to deal with performance deficiencies or misconduct. It is not part of formal discipline and is not grievable.

2. A **verbal warning** will entail fully explaining and discussing the nature of the problem with the employee.

3. The **written warning** should contain a description of the specific conduct for which the employee is being disciplined. Employees may provide a response to a written warning which will be attached to the warning and included with it in their file.

4. A **suspension without pay** is for a specific work period. An employee who is suspended is to leave work for the period specified. A disciplinary suspension must include a description of the specific conduct or reason for which the employee is being suspended, and should be documented by the supervisor. Employees may provide a response to a suspension which will be attached to the documentation and included with it in their personnel file.

5. The County retains the right to reassign (e.g., **demote or transfer**) an employee in conjunction with a corrective or disciplinary action (i.e., as an alternative to termination). A disciplinary demotion must include a description of the specific conduct or reasons for which the employee is being demoted or transferred, and should be documented by the supervisor. If appropriate, a disciplinary demotion or transfer may include a plan for improvement.

6. A **dismissal** may not take place until an investigation of the employee's action has been undertaken and substantiated by the department head in coordination with Human Resources and the County Attorney's Office. The County Commission must approve dismissal of all employees.

7. Department heads may place an employee on **administrative leave with pay** pending an investigation and consultation with the Human Resources and the County Attorney's Office.

If a disciplinary decision is termination, Human Resources shall, at discharge or within seven days of the date of discharge, notify the discharged employee of the existence of the County's Employee Grievance policy and procedures, and provide the discharged employee with a copy of the policy.

EFFECTIVE: 01/11/16

DATE: 01/11/16

APPROVAL: Carbon Co Commissioners

LAST REVISED: 5/11/2021

VOLUNTARY TERMINATION / RESIGNATION RETIREMENT

PURPOSE: To specify notification dates for employee voluntary termination and resignation

Voluntary Termination / Resignation

Employees desiring to voluntarily terminate their employment relationship with the County should notify the County at least two weeks in advance of their intended termination. The notice stating final date of employment shall be given in writing to their supervisor and Human Resources. Proper notice allows the County sufficient time to calculate all accrued overtime (if applicable) as well as other monies to which the employee may be entitled and to include such monies in the final paycheck.

Failure to comply with the notice requirement may be cause for denying future employment with the County.

Retirement

Employees who plan to retire shall provide the County with a minimum of one month's written notice. This allows ample time for the processing of appropriate retirement forms. Notice shall include final work day and, if working out accrued leave, the final date of employment that accrued leave will be used on. A retired employee may continue County health insurance coverage, providing premium amounts are paid in accordance with policies established by the Plan Administrator. Employees choosing to continue County health insurance coverage shall submit a Health Insurance Change form with their retirement notice to "change to retiree status." Employees declining to continue County health insurance coverage shall submit a waiver of coverage.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/11/16

REDUCTION IN WORK FORCE

PURPOSE: To establish policy and procedure for reductions in the County work force

If a reduction in the County work force becomes necessary, consideration will be given to the programs to be carried out by the County. Temporary, seasonal and short-term workers within the classification and department(s) affected by the reduction in force will be terminated before any permanent employees will be laid off.

Permanent employees within the same classification and department will be retained, giving consideration to the general employment history of the employee with the County. The general employment history may include qualifications, experience, capabilities and disciplinary actions. If no documented difference in employment history can be determined, an employee's length of continuous service with the County will be used as the criterion for retention, with the most senior employee being retained. "Continuous service" means that the employee's service has not been interrupted by a termination of employment. An employee who has been reinstated shall not be credited with previous service time regardless of the length of the break in service.

The forgoing procedure will be utilized in all cases unless a performance appraisal system is being used. If a performance appraisal system is being used, a veteran, disabled veteran, or eligible relative whose performance has not been rated unacceptable shall be retained over other employees with similar job duties and qualifications and the same length of service. A disabled veteran with a service-connected disability of 30% or more shall be retained over other veterans, disabled veterans, and eligible relatives with similar duties, qualifications and length of service. (Section 39-29-111 MCA)

Employees should be provided with notice of the reduction in force as much in advance of the reduction as is possible.

In the event the County decides to staff the position as it had prior to the reduction in force, individuals who have been laid off shall have a preference for recall to the position they were removed from for a period of one calendar year from the effective date of lay off. In the event the County decides to fill the position within the one calendar year period, the laid off individual will be sent a written notice at their last known address. The individual shall have five (5) working days to respond to the written notice. If the individual fails to respond or declines the recall, the individual shall have no further recall rights.

EFFECTIVE: 07/01/04

DATE: 08/26/04

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

SAFETY

WORKPLACE EVACUATION PROCEDURE

PURPOSE: To establish a procedure to provide an orderly and safe evacuation of any Carbon County building in the event of an emergency such as a power outage, natural gas leak, or fire.

Employees will be directed by their immediate supervisors to the nearest County building not affected by the emergency.

1. Administration Building and Annex Building employees will, if safe to do so, evacuate to the Courthouse and meet in the District Courtroom if available.
2. Courthouse Building and Annex Building employees will, if safe to do so, evacuate to the Administration Building break room in the basement.
3. In the event neither the Administration Building nor Courthouse are available, employees should, if safe to do so, be evacuated to the Edgar Gruel building at the Carbon County Fairgrounds.

Supervisors will be responsible for keeping track of employees that were at work at the time of the emergency and record when they have been evacuated and have arrived at the evacuation shelter.

Employees wishing to leave the evacuation shelter may do so with Supervisor's permission but must provide contact information for a call to return to work.

EFFECTIVE: 3/12/2012

DATE: 3/12/2012

APPROVAL: Carbon Co Commissioners

LAST REVISED: 01/24/13

INVOLUNTARY SUSPENSION OF WORK DURING NORMAL WORK HOURS

PURPOSE: To establish pay policy in the event of an evacuation during normal work hours or in the event of adverse weather conditions

In the event of an evacuation during normal work hours, employees will remain on pay as though they had continued to work. They should evacuate to another location as outlined in the evacuation policy.

If the supervisor elects to allow employees to wait out the evacuation at another location other than those specified, they must be able to return to work within fifteen minutes of being notified the evacuation is over and it is safe to resume normal duties.

If the evacuation lasts beyond normal work hours the employee will cease to be on pay at the end of the normal work day and will remain off pay until notified to return to work on a subsequent work day.

Employees off pay due to an evacuation may use accrued vacation or comp time to receive compensation.

ADVERSE WEATHER CONDITIONS

Carbon County recognizes that employees may face adverse weather conditions such as heavy snow falls, flooding, wildfires and/or other conditions due to mother nature as they attempt to arrive to or return home from work.

While Carbon County is committed to protecting the health and safety of all employees, we must ensure that disruption caused to our services remains minimal. It is each employee's decision to determine if they can safely arrive to work and/or return home from work under the current conditions. If an employee elects not to work, the County requires the courtesy of a phone call to your Department Head advising as to your status for the day, prior to the beginning of the work day. If an employee elects to leave early, they must notify their Department Head prior to leaving for the day.

In either absence, the employee can elect to:

- 1) use any accrued vacation or comp time for the missed time (including those employees that are currently completing their probationary period), or
- 2) the employee may take leave without pay.

EFFECTIVE: 3/12/2012

DATE: 3/12/2012

APPROVAL: Carbon Co Commissioners

LAST REVISED: 4/26/2022

ACCIDENT/INCIDENT REPORTING POLICY

PURPOSE: To ensure Carbon County employees, contractors, and visitors follow safe work practices; report unsafe work conditions, promptly report accidents and incidents, and work to prevent reoccurrence. To establish procedures to report accidents and injuries for evaluation, treatment if needed, and record keeping.

DEFINITIONS

"Accidents" include all sudden or non-sudden events that cause injury to a person. Even minor injuries such as cuts, bruises, or sprains are considered accidents. If in doubt, treat a situation as if it were an accident.

"Incidents" include near-miss events that have the potential of causing personal injury. Any event that causes damage to County property is also considered an incident.

POLICY

All employees are required to report any accident/incident that occurs on County premises, or as a result of work being performed for the County, regardless of whether or not an injury was sustained.

All County personnel are responsible for following safe practices and reporting to their supervisor any conditions that they consider unsafe.

PROCEDURE

Reporting Employee Accidents Requiring Emergency Medical Care

The injured employee will be evaluated by someone trained in 1st aid and 1st aid will be administered immediately. **In the event of a serious injury, call 911 for ambulance/paramedic assistance.** Injured employees requiring treatment beyond 1st aid but not deemed to be serious will be transported to the nearest medical facility by a designated person trained in 1st aid.

The "First Report of Work Injury" form shall be completed and forwarded to the Human Resources Department within 24 hours of the incident.

Reporting Non-Emergency Employee Accidents or Incidents

Employees injured in accidents not considered emergencies must be evaluated immediately during regular business hours. If the employee requires medical attention for any injury sustained in an accident the Human Recourse office must be notified and will gather necessary information regarding the employee's treatment.

The "First Report of Work Injury" form shall be completed and forwarded to the Human Resources office within 24 hours of the accident/incident.

Reporting Visitor Accidents

Any accident/incident involving visitors to County premises must be reported to the Human Resources office as soon as it is practical. **In the event of a serious injury, call 911 for ambulance/paramedic assistance.**

The "Accident/Incident Report" form shall be completed and forwarded to the Human Resource office within 24 hours of the incident.

Accident/Incident Reporting Forms

For employee accidents/incidents, the "First Report of Work Injury" and "Accident Investigation" forms must be completed and immediately submitted to the Human Resource office.

For visitor accidents/incidents, the employee receiving notice of the event must complete an "Accident/Incident Report" form and submit the form to the Human Resource office.

After receipt of an accident/incident report, Human Resources will notify the County's Liability insurer of the event.

Accident Investigations and Follow-up

Accident Investigations are conducted initially by supervisors and or employees who witnessed the accident/incident. Detailed investigation may include interviews, photographs, training/document reviews, and preparation of a written report for all serious accidents and incidents.

Corrective Action

If the accident/incident could have been avoided, any action taken to prevent a similar accident/incident must be documented and forwarded to the Human Resource office.

EFFECTIVE: 2/25/13

DATE: 2/25/13

APPROVAL: Carbon Co Commissioners

LAST REVISED: 2/25/13

CHILDREN & VISITORS IN THE WORKPLACE

PURPOSE: To establish parameters for employee's children and visitors in the workplace and assigns responsibility that the employee must take in doing so

The County does not permit employees to bring their child(ren) to work in lieu of childcare arrangements. Employees may use leave time when childcare issues arise. Employees may occasionally bring their child(ren) to work for a minimal amount of time with advanced approval from their supervisor. The employee's work site must be hazard free and the County reserves the right to ask children to leave if they become disruptive to the workplace.

The County discourages employees from having visitors in the workplace. This does not eliminate infrequent, short visits from friends, family and children. Anything other than infrequent short visits is not permitted due to safety and other workplace concerns. The County reserves the right to ask employee's visitors to leave if they become disruptive to the workplace.

In the event that employee's children and/or visitors are in the workplace, they must not be left unattended by the employee.

If an employee is faced with unusual circumstances regarding children and/or personal visitors at work, the employee should speak with their immediate supervisor or Human Resources.

EFFECTIVE: 12/20/22

DATE: 12/20/22

APPROVAL: Carbon Co Commissioners

LAST REVISED: 12/20/22

APPENDICES

APPENDIX A: Equipment Acknowledgement Form

APPENDIX B: Ethics and Conflict of Interest Acknowledgement Form

APPENDIX C: Drug and Alcohol Free Workplace Acknowledgement Form

APPENDIX D: Computers, Internet, and Email Policy Acknowledgement Form

APPENDIX E: Leave Request

APPENDIX F: Decedent's Warrant or Paycheck Designation Form

APPENDIX G: Request for Overtime Form

APPENDIX H: HR Documentation Report

APPENDIX I: Drug and Alcohol Testing Policy and Acknowledgement Form

APPENDIX J: Travel Policy Forms

APPENDIX A: Equipment Acknowledgement Form
CARBON COUNTY
EQUIPMENT ACKNOWLEDGEMENT

I acknowledge that while I am working for the County, I will take proper care of all County equipment with which I am entrusted. I shall abide by all the guidelines set forth in this Handbook including, but not limited to; using equipment lawfully, safely, and cost-effectively; for its designed purpose; for County business only; and according to the manufacturer's specifications.

I understand that, while County equipment is in my possession, any abuse, violations of safety practices, or disregard for the proper care and maintenance of such equipment may result in disciplinary action, up to and including termination.

I further understand that, upon termination, I shall return all property of the County and that the property will be returned in proper working order. This agreement includes, but is not limited to, the following: laptops, cell phones, pagers, IT equipment, tools, personal protective gear, and any other equipment the County has provided for use with my job.

I understand that failure to return equipment shall be considered theft and will lead to criminal prosecution by the County.

Employee Name (please print)

Employee Signature

Date

APPENDIX B: Ethics and Conflict of Interest Acknowledgement Form

**CARBON COUNTY
ETHICS AND CONFLICT OF INTEREST ACKNOWLEDGEMENT**

By my signature below, I acknowledge that I have received a copy of the Ethics and Conflict of Interest Policy. I understand it is my obligation to read, understand, and comply with the stipulations, procedures, and provisions contained within this Policy. I understand that I am responsible for abiding by the County Code of Ethics contained in this Policy as I conduct my assigned duties during my term of employment.

I understand that if I am found to be in violation of the provisions set forth in the Ethics and Conflict of Interest Policy, that I am subject to discipline, suspension, termination, and/or such other action as the County deems appropriate.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

Employee Name (please print)

Employee Signature

Date

**CARBON COUNTY
CONFLICT OF INTEREST DISCLOSURE**

Employees shall be allowed to work at other jobs or pursue outside business opportunities so long as this does not materially affect performance of the employee's job, create a conflict of interest, or the appearance of a conflict of interest. It is the responsibility of the employee to assure that they do not violate this section.

Without prior disclosure to, and approval from, the Board of County Commissioners, employee may not:

- (a) Use County time, equipment, supplies, personnel, or funds for the employee's outside employment or private business purposes.
- (b) Engage in a substantial financial transaction for the employee's outside employment, private business purposes or personal gain with a person or entity with whom the employee interacts during the course of performing official county duties.
- (c) Use county time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, or the nomination or election of any person to public or private office.

Please initial each statement that applies to you:

_____ I have read and am familiar with the Conflict-of Interest Policy.

_____ I am not aware of any direct or indirect financial or other material interest or co-investment interest that is required to be disclosed under the Conflict-of-Interest Policy.

_____ I have described in the attached letter every direct or indirect financial or other material interest or co-investment interest that is required to be disclosed under the Conflict-of-Interest Policy. (Please attach a letter providing complete details of any direct or indirect financial or other material interest or co-investment interest subject to the Policy.)

Employee's printed name: _____

Employee's signature: _____

Date: _____

ADDITIONAL INFORMATION TO BE CONSIDERED

An employee must disclose any situation that has a direct or indirect financial or other material interest in a proposed or existing contract, transaction, or arrangement if he or she, or one of his or her relatives:

- (a) Has a substantial financial interest directly in the proposed or existing arrangement; or
- (b) Has a substantial financial interest in any organization that is a party to the proposed or existing arrangement, including through the provision of services in connection with an "involved organization"; or
- (c) Holds a position as trustee, director, officer, member, partner, shareholder, or employee in any such party or involved organization.
- (d) Accepts a gift in any manner having a value of over \$50

A material or substantial interest is defined as having a value of over \$50.

Involved Organizations include, but are not limited to:

- All providers of services such as banking, brokerage, actuarial, consulting and auditing
- All suppliers of materials and supplies purchased in the normal course of business

APPENDIX C: Drug and Alcohol Free Workplace Acknowledgement Form

**CARBON COUNTY
DRUG AND ALCOHOL FREE WORKPLACE ACKNOWLEDGEMENT**

As an employee of the County, I certify that I shall not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while on County property or while conducting any activity involving the County.

By my signature below, I acknowledge that I have received a copy of the Drug and Alcohol Free Policy of the County. I understand that it is my obligation to read, understand, and comply with the procedures and provisions contained within this Policy.

I understand that if I am found to be in violation of the provisions set forth in the Drug and Alcohol Free Workplace Policy in this Handbook, I am subject to suspension, termination, participation in a drug rehabilitation program, and/or such other action as the County deems appropriate.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

Employee Name (please print)

Employee Signature

Date

APPENDIX D: Computers, Internet, and Email Policy Acknowledgement Form

**CARBON COUNTY
COMPUTERS, INTERNET, AND EMAIL POLICY ACKNOWLEDGEMENT**

By my signature below, I acknowledge that I have received a copy of the Computers, Internet, and Email Policy. I understand that it is my obligation to read, understand, and comply with the stipulations, procedures, and provisions contained within this policy.

Further, I understand that this policy governs my use of all County technology and, under certain circumstances, my own technology that I might bring into the County (See Personal Telephone Calls and Personal Communication Devices).

Additionally, I understand that if I violate the policy, I am subject to discipline from the County, including suspension, termination, and/or such other action as the County deems appropriate. I also understand that some violations of this policy could result in actions against me both civilly and criminally and in both federal and state courts. I also understand that I have no expectation of privacy in any of the technology referenced in the policy, due to the access and interception rights reserved by and granted to the County.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

Employee Name (please print)

Employee Signature

Date

APPENDIX E: Leave Request

LEAVE REQUEST

NAME: _____

REQUEST DATE: _____

REQUESTED TIME OFF: _____

TOTAL DAYS: _____

SIGNATURE: _____



OFFICE USE

APPROVED NOT APPROVED

SIGNATURE DATE

APPENDIX G: Request for Overtime Form

**CARBON COUNTY
REQUEST FOR OVERTIME**

Employee Name: _____ Request Date: _____

Date: _____ Number of Hours: _____

Reason for Overtime: _____

Employee's Signature: _____

Supervisor's Signature: _____

Date of Approval: _____

APPENDIX H: HR Documentation Form

Name: _____ **Dept:** _____ **Date:** _____

Occurrence Date: _____ **Time:** _____ AM PM **Location:** _____

ACTION TAKEN:

- Coaching Written Warning Suspension ____ day(s)
 Verbal Warning Termination Other: _____

(DEPENDING ON THE NATURE OF THE OFFENSE, _____ COUNTY RESERVES THE RIGHT TO SKIP ANY STEPS AT ITS DISCRETION.)

- FIRST SECOND THIRD FINAL WARNING

DESCRIPTION OF ISSUE:

- Absence Conduct Safety Violation
 Tardiness Policy Violation Substandard Performance
 Other: _____

Explanation: _____

Goals/Corrective Behavior: _____

If this Form is being used for discipline, continued violation of policy may result in additional discipline up to and including termination.

Employee Comments:

YOU ARE FORMALLY BEING WARNED TO BRING TO YOUR ATTENTION THE SEVERITY OF THIS SITUATION. BY SIGNING BELOW, YOU ACKNOWLEDGE THAT YOU HAVE RECEIVED THIS NOTICE.

Employee's Signature

Date

Supervisor's Signature

Date

Human Resource's Signature

Date

Carbon County

“Alcohol and Controlled Substance Policy”
Requirements & General Information

Prepared By:



1302 Ave. D ~ Suite 103 ~ Billings, MT 59102

406.256.2037 * 800.597.7103 * Fax 888.979.8156

Carbon County Alcohol and Controlled Substance Policy

Program Introduction

Carbon County supports a drug free work environment for all employees in the interest of safety, good health and family unity.

The Alcohol and Controlled Substance Policy prohibits the use, possession, concealment, transportation, promotion or sale of illegal drugs, designer and synthetic drugs, prohibited drugs and drug paraphernalia. The abusive use of legal prescription drugs and unauthorized alcohol beverages on Carbon County premises or job locations is strictly prohibited.

It is the intention of Carbon County through the Alcohol and Controlled Substance Policy to assure that the risks and dangers of drug abuse as well as the resources for assistance for those adversely affected by drug abuse are known and understood by all employees. With the Alcohol and Controlled Substance Policy, management and employees will maintain a workplace free of mood-altering substances. Employment at Carbon County is contingent upon all employees abiding by our Policy. Failure to do so will result in disciplinary action that may include termination.

This policy applies to all employees of Carbon County.

Scope and Intent

Carbon County is dedicated to providing safe, dependable and economical services to our customers. Our employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment which promotes personal opportunities for growth.

In meeting these goals, it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; (2) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and (3) to encourage employees to seek professional assistance anytime personal problems, including alcohol and drug use or misuse, adversely affect their ability to perform their assigned duties.

All employees are subject to the provisions of this policy. All contractors and contractor's employees are subject to provide proof of adopting and administering a similar anti-drug and alcohol policy prior to providing products or services for Carbon County.

Carbon County is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

Purpose

The purpose of this policy is to assure worker fitness for duty and to protect our employees, customer products, and the public from the risks posed by the use of alcohol and controlled substances. The Montana State Government has enacted MCA 39-2-205 thru MCA 39-2-211 allowing controlled substance urine testing and breath alcohol testing for employees who engage in the performance, supervision or management of work in a hazardous work environment, security position, position affecting public safety, or fiduciary positions. The U.S. Department of Transportation (DOT) has also enacted 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

Prohibited Substances

“Prohibited substances” addressed by this policy include the following:

Illegal Drugs and Controlled Substance

Any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), also found in Appendix D of the Federal Motor Carrier Safety Regulations. This includes, but is not limited to: Marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U. S. Drug Enforcement Administration or the U. S. Food and Drug Administration.

Illegal uses include any illegal drugs, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

Medical Marijuana

Carbon County acknowledges marijuana as an illegal drug which is identified in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812). Montana Code Annotated 50-46-320 (4) (b) states that employer is not required to accommodate the use of marijuana by a registered cardholder. Therefore, Carbon County will not accommodate the use of marijuana for medical purposes. Also, the claimed use of CBD oil shall not be considered a medical excuse for a positive marijuana test.

Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel and medical advice must be sought, as appropriate, before performing regular work duties.

A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient’s name, the name of the substance, dosage, and the period of authorization. The misuse or abuse of legal drugs is prohibited.

Alcohol

The use of beverages or substances containing alcohol, including any medication that alcohol is present in the body while performing regular work duties is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device (EBT).

Prohibited Conduct

“Prohibited Conduct” addressed by this policy include the following:

Manufacturing, Trafficking, Possession, and Use

Employees engaging in the manufacture, distribution, dispensing, possession, or use of prohibited substances on company premises, in company vehicles, or while on company business will be subject to disciplinary action up to and including termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

Intoxication/Under the Influence

Employees performing, about to perform, or having just completed performing regular work duties, who are reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Employees found to be under the influence of a prohibited substance, who fail to pass a drug or alcohol test, shall be removed from duty and subject to disciplinary action, up to and including termination. A drug or alcohol test is considered positive if the individual is found to have a quantitative presence of a prohibited substance in the body above the minimum thresholds as defined in 49 CFR Part 40; or an employee’s refusal to test.

Alcohol Use

No subject employee should report for duty or remain on duty to perform regular work duties when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her blood alcohol concentration is 0.02 or greater. No employee shall use alcohol while performing regular work duties. No employee shall have used alcohol within four hours of reporting for duty to perform regular work duties. Violation of these provisions is prohibited and punishable by disciplinary action up to and including termination.

Complying With Test Requirements

Employees will be subject to drug and breath alcohol testing. Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately, and subject to disciplinary action, up to and including termination. Refusal can include an inability to provide an adequate specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Testing For Prohibited Substances

Carbon County affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. Information obtained through testing that is unrelated to the use of a controlled substance or alcohol must be held in strict confidentiality by the medical review officer and may not be released to the employer.

Analytical urine drug testing and breath testing for alcohol may be conducted as required by Federal and State regulations. All employees shall be subject to testing prior to employment, randomly (unannounced basis), for reasonable suspicions, and following a commercial motor vehicle accident.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Services (DHHS). All collection and testing will be conducted consistent with the procedures put forth in 49 CFR Part 40.

The urine samples will be tested for marijuana, cocaine, opioids, amphetamines, and phencyclidine. An initial drug screen will be conducted on each specimen. For those specimens that are not negative, a confirmatory gas Chromatography/Mass Spectrometry (GS/ms) test will be performed. The test will be considered positive if the amounts present are above the minimum threshold established in 49 CFR Part 40.

Tests for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT). Alcohol screening tests may be performed using a non-evidential alcohol screening device, approved by NHTSA, operated by a screening test technician (SST). Any positive alcohol screen will be confirmed using an EBT. Employees are subject to alcohol testing 4 hours prior, while on call, while performing or immediately following performance of a safety-sensitive function. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. An employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from duty for a minimum of twenty-four hours. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy.

AN EMPLOYEE WHO HAS A CONFIRMED POSITIVE DRUG OR ALCOHOL TEST (GREATER THAN 0.04) WILL BE REMOVED FROM DUTY AND INFORMED OF EDUCATIONAL REHABILITATION PROGRAMS. A POSITIVE DRUG AND/OR ALCOHOL TEST MAY RESULT IN DISCIPLINE UP TO AND INCLUDING TERMINATION OF EMPLOYMENT WITH CARBON COUNTY.

TYPES OF TESTING

Pre-Employment Testing

All applicants applying for a position shall undergo urine drug testing prior to employment. Receipt by Carbon County of a negative test result is required prior to employment. A positive drug test will disqualify an applicant for employment. Prospective employees may be required to pay for this test and will not be reimbursed if the test result comes back positive. All other reimbursements will be done following the ninety (90) day probationary period.

Reasonable Suspicion Testing

All employees may be subject to a fitness for duty evaluation, to include appropriate urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the long- or short-term effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:

1. Adequate documentation of unsatisfactory work performance or on the job behavior
2. Physical signs and symptoms consistent with prohibited substance use
3. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances
4. Occurrence of a serious or potentially serious accident that may have been caused by human error
5. Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures

Reasonable suspicion determinations will be made by a minimum of 1 manager or supervisor and one witness who are trained to detect the signs and symptoms of drug and alcohol use and who reasonably conclude that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

Post-Accident Testing

All employees will be required to undergo urine and breath testing if they are involved in an accident that included human fatality, bodily injury that requires medical treatment or property damage estimated greater than \$1,500.00 and the accident was caused by the employee's act or failure to act.

When required, following an accident, the employee will be tested as soon as possible, but should not exceed 8 hours for alcohol testing and 32 hours for drug testing. Testing not completed within 2 hours of the accident needs to have documented reasons as to why the testing was not completed within 2 hours of the accident. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he or she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to drug and alcohol testing will be considered to have refused the test and subject to disciplinary action up to and including termination.

Split Sample Testing

Any employee who questions the results of a required drug test may request that an additional test be conducted. This test may be conducted at a different testing DHHS certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are paid by the employee unless the second test invalidates the original test. The company will seek reimbursement from the employee up to withholding the costs from a paycheck. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40. The employee's requests for a retest must be made to the Medical Review Officer (MRO) within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

Negative Dilute Testing

If an employee of Carbon County receives a negative, dilute test result with a creatinine concentration greater than 5 mg/ml, and the MRO has not directed to perform an observed collection, the result will be treated as a verified negative test. The employee will not be directed to provide another test.

Canceled Testing

A Canceled Drug test means that the testing lab was unable to complete testing on the sample provided. Canceled Drug tests will cause for an immediate retest.

Observed Collection

Consistent with 49 CFR part 40, as amended, collection under direct observation (by a person of the same gender) will occur with no advanced notice if:

1. The temperature of the specimen falls out of the range of 90 – 100° F.
2. The collector identifies a donor's attempt to alter or tamper with their specimen.

3. A specimen test result is reported as invalid because there is no adequate medical explanation for the result.
4. Directed by the Medical Review Officer (MRO).
5. When a positive, adulterated or substituted test result is reported as a cancelled test because testing on the split specimen could not be performed.

The collection site will immediately notify the Carbon County DER of the occurrence and perform a second collection by direct observation. Every observed collection will be conducted by an observer that is the same gender as the employee being tested.

RESULTS OF INFRACTION

An Employee will be subject to the same consequences of a positive test if an employee:

- Refuses to test
- Adulterates or dilutes the specimen
- Substitutes the specimen with that from imposter
- Will not sign the required forms
- Refuses to cooperate in the testing process in such a way that prevents completion of the test

****Zero Tolerance****

Any employee, who violates this company's drug and alcohol policy, is subject to sanction, within federal and state regulations, up to and including termination.

Any employee that has a verified positive drug or alcohol test (greater than .04) will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be terminated. Refusal to test will be considered a positive test.

VOLUNTARY REHABILITATION

Carbon County will allow an employee one voluntary rehabilitation opportunity without being subject to disciplinary action under the following circumstances:

- The employee has not been selected for or notified of mandatory drug and/or alcohol testing and has voluntarily admitted current drug and/or alcohol use.
- The employee has not failed or refused to take a drug or alcohol test.
- The employee will utilize a Designated Employer Representative (DER) approved Licensed Addiction Counselor (LAC) for evaluation and referral.
- The employee is compliant with the treatment recommendations.
- The employee agrees to submit to follow-up testing as required by the LAC.
- The employee is responsible for all costs associated with rehabilitation.

INFORMATION AND TRAINING

All employees will be provided information concerning the effects of alcohol and controlled substances on an employee's health, work, and personal life; signs and symptoms of a problem; and rehabilitation. (Appendix A)

In addition, designated supervisors will receive a minimum of one-hour training on alcohol misuse and one-hour training on controlled substances abuse.

Copies of this policy, 49 CFR Part 40, Montana's Workforce Drug & Alcohol Testing Act, and the Federal Register are available for review from the Designated Employer Representative (DER).

COMPANY CONTACT

If you have any questions regarding this policy, contact the following Designated Employer Representative (DER):

Name: Administrative Officer
Phone: 406-446-1595

Carbon County

AWARENESS AND ACKNOWLEDGEMENT FORM

I, _____, acknowledge that I have been given information on Carbon County's Alcohol and Controlled Substance Policy in the workplace. I understand that violation of the policy may result in the imposition of discipline and/or penalties up to and including termination.

Carbon County's Alcohol and Controlled Substance Policy describe important information about my employment, and I understand that I should consult the company contact person regarding any questions that I may have. I have been provided the necessary information to reach my company contact person should I desire.

I further understand penalties up to and including termination; can be imposed for conviction of a drug related offense that occurs in the workplace.

Since the information and policies described here are necessarily subject to change, I acknowledge that revisions to this policy may occur. All such changes will be communicated through official company notices. I further understand that revised information may supersede, modify, or eliminate existing policy as directed. I understand that copies of this policy, any future revisions, and additional information are available for review from by company contact person.

I acknowledge that this policy is neither a contract of employment nor legal document. I have received, read, and it is my responsibility to comply with the company's drug and alcohol policy and any revision made to it.

Employee Signature

Date

Supervisor Signature

Date

APPENDIX A DRUG AND ALCOHOL INFORMATION

Alcohol

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

Signs and Symptoms of Use:

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy condition
- Slowed reaction rate
- Slurred speech

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

Health Effects

The chronic consumption of alcohol (average of three servings per day of beer 12 ounces], whiskey [1 ounce], or wine [6 ounce glass]) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic")
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54 percent of all birth defects are alcohol related)

Social Issues

- Two-thirds of all homicides are committed by people who drink prior to the crime
- Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes. The rate of separation and divorce in families with alcohol dependency problems is 7 times the average.

- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 times more likely to commit suicide than other segments of the population.
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

The Annual Toll

24,000 people will die on the highway due to the legally impaired driver.

12,000 more will die on the highway due to the alcohol-affected driver.

15,800 will die in non-highway accidents.

30,000 will die due to alcohol-caused liver disease.

10,000 will die due to alcohol-induced brain disease or suicide.

Up to another 125,000 will die due to alcohol-related conditions or accidents.

Workplace Issues

- It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.
- A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

Amphetamines

Amphetamines are central nervous system stimulants that speed up the mind and body. The physical sense of energy at lower doses and the mental exhilaration at higher doses are the reasons for their abuse. Although widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is now limited to a very narrow range of medical conditions. Most amphetamines that are abused are illegally manufactured in foreign countries and smuggled into the U.S. or clandestinely manufactured in crude laboratories.

Description

- Amphetamine is sold in counterfeit capsules or as white, flat, double-scored "minibennies." It is usually taken by mouth.
- Methamphetamine is often sold as a creamy white and granular powder or in lumps and is packaged in aluminum foil wraps or sealable plastic bags. Methamphetamine may be taken orally, injected, or snorted into the nose.
- Trade/street names include Biphphetamine, Delcobese, Desotyn, Detedrine, Chetrol, Ritalin, Speed, Meth, Crank, Crystal, Monster, Black Beauties, and Rits.

Signs and Symptoms of Use

- Hyper excitability, restlessness
- Dilated pupils
- Increased heart rate and blood pressure

- Heart palpitations and irregular beats
- Profuse sweating
- Rapid respiration
- Confusion
- Panic
- Talkativeness
- Inability to concentrate
- Heightened aggressive behavior

Health Effects

- Regular use produces strong psychological dependence and increasing tolerance to drug.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to spiking of blood pressure.
- Chronic use may cause heart and brain damage due to severe constriction of capillary blood vessels.
- The euphoric stimulation increases impulsive and risk-taking behaviors, including bizarre and violent acts.
- Withdrawal from the drug may result in severe physical and mental depression.

Workplace Issues

- Since amphetamines alleviate the sensation of fatigue, they may be abused to increase alertness because of unusual overtime demands or failure to get rest.
- Low-dose amphetamine use will cause a short-term improvement in mental and physical functioning. With greater use or increasing fatigue, the effect reverses and has an impairing effect. Hangover effect is characterized by physical fatigue and depression, which may make operation of equipment or vehicles dangerous.

Cocaine

Cocaine is used medically as a local anesthetic. It is abused as a powerful physical and mental stimulant. The entire central nervous system is energized. Muscles are more tense, the heart beats faster and stronger, and the body burns more energy. - The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Description

- The source of cocaine is the coca bush, grown almost exclusively in the mountainous regions of northern South America.
Cocaine Hydrochloride—"snorting coke" is a white to creamy granular or lumpy powder that is chopped into a fine powder before use. It is snorted into the nose, rubbed on the gums, or injected in veins. The effect is felt within minutes and lasts 40 to 50 minutes per "line" (about 60 to 90 milligrams). Common paraphernalia include a single-edged razor blade and a small mirror or piece of smooth metal, a half straw or metal tube, and a small screw cap vial or folded paper packet containing the cocaine.
- Cocaine Base—a small crystalline rock about the size of a small pebble. It boils at a low temperature, is not soluble in water, and is up to 90 percent pure. It is heated in a glass pipe and the vapor is inhaled. The effect is felt within seven seconds. Common

paraphernalia includes a "crack pipe" (a small glass smoking device for vaporizing the crack crystal) and a lighter, alcohol lamp, or small butane torch for heating.

- Trade/street names include Coke, Rock, Crack, Free Base, Flake, Snow, Smoke, and Blow.

Signs and Symptoms of Use

- Financial problems
- Frequent and extended absences from meetings or work assignment
- Increased physical activity and fatigue
- Isolation and withdrawal from friends and normal activities
- Secretive behaviors, frequent nonbusiness visitors, delivered packages, phone calls
- Unusual defensiveness, anxiety, agitation
- Wide mood swings
- Runny or irritated nose
- Difficulty in concentration
- Dilated pupils and visual impairment
- Restlessness
- Formication (sensation of bugs crawling on skin)
- High blood pressure, heart palpitations, and irregular rhythm
- Hallucinations
- Hyper excitability and overreaction to stimulus
- Insomnia
- Paranoia and hallucinations • Profuse sweating and dry mouth
- Talkativeness.

Health Effects

- Research suggests that regular cocaine use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing irreparable damage to critical nerve cells. The onset of nervous system illnesses such as Parkinson's disease could also occur. Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. In addition, cocaine causes spasms of blood vessels in the brain and heart. Both effects lead to ruptured vessels causing strokes or heart attacks.
- Strong psychological dependency can occur with one "hit" of crack. Usually, mental dependency occurs within days (crack) or within several months (snorting coke). Cocaine causes the strongest mental dependency of any known drug.
- Treatment success rates are lower than for other chemical dependencies.
- Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose is rapid. The fatal effects of an overdose are not usually reversible by medical intervention. The number of cocaine overdose deaths has tripled in the last four years.

Workplace Issues

- Extreme mood and energy swings create instability. Sudden noises can cause a violent reaction.
- Lapses in attention and ignoring warning signals greatly increase the potential for accidents.
- The high cost of cocaine frequently leads to workplace theft and/or dealing.

- A developing paranoia and withdrawal create unpredictable and sometimes violent behavior.
- Work performance is characterized by forgetfulness, absenteeism, tardiness, and missed assignments.

Cannabinoids (Marijuana)

Marijuana is one of the most misunderstood and underestimated drugs of abuse. People use marijuana for the mildly tranquilizing and mood- and perception-altering effects it produces.

Description

- Usually sold in plastic sandwich bags, leaf marijuana will range in color from green to light tan. The leaves are usually dry and broken into small pieces. The seeds are oval with one slightly pointed end. Less prevalent, hashish is a compressed, sometimes tarlike substance ranging in color from pale yellow to black. It is usually sold in small chunks wrapped in aluminum foil. It may also be sold in an oily liquid.
- Marijuana has a distinctly pungent aroma resembling a combination of sweet alfalfa and incense.
- Cigarette papers, roach clip holders, and small pipes made of bone, brass, or glass are commonly found. Smoking "bongs" (large bore pipes for inhaling large volumes of smoke) can easily be made from soft drink cans and toilet paper rolls.
- Trade/street names include Marinol, THC, Pot, Grass, Joint, Reefer, Acapulco Gold, Sinsemilla, Thai Sticks, Hash, and Hash Oil.

Signs and Symptoms of Use

- Reddened eyes (often masked by eye drops)
- Slowed speech
- Distinctive odor on clothing
- Lackadaisical "I don't care" attitude
- Chronic fatigue and lack of motivation
- Irritating cough, chronic sore throat.

Health Effects

- When marijuana is smoked, it is irritating to the lungs. Chronic smoking causes emphysema-like conditions.
- One joint causes the heart to race and be overworked. People with undiagnosed heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- Marijuana smoking lowers the body's immune system response, making users more susceptible to infection. The U.S. government is actively researching a possible connection between marijuana smoking and the activation of AIDS in positive human immunodeficiency virus (HIV) carriers.

Pregnancy Problems and Birth Defects

- The active chemical, tetrahydrocannabinol (THC), and 60 other related chemicals in marijuana concentrate in the ovaries and testes.

- Chronic smoking of marijuana in males causes a decrease in sex hormone, testosterone, and an increase in estrogen, the female sex hormone. The result is a decrease in sperm count, which can lead to temporary sterility. Occasionally, the onset of female sex characteristics including breast development occurs in heavy users.
- Chronic smoking of marijuana in females causes a decrease in fertility and an increase in testosterone.
- Pregnant women who are chronic marijuana smokers have a higher than normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life.
- In test animals, THC causes birth defects, including malformations of the brain, spinal cord, forelimbs, and liver and water on the brain and spine.
- Offspring of test animals who were exposed to marijuana have fewer chromosomes than normal, causing gross birth defects or death of the fetus. Pediatricians and surgeons are concluding that the use of marijuana by either or both parents, especially during pregnancy, leads to specific birth defects of the infant's feet and hands.
- One of the most common effects of prenatal cannabinoid exposure is underweight newborn babies.
- Fetal exposure may decrease visual functioning and causes other ophthalmic problems.

Mental Function

Regular use can cause the following effects:

- Delayed decision-making
- Diminished concentration
- Impaired short-term memory, interfering with learning
- Impaired signal detection (ability to detect a brief flash of light), a risk for users who are operating machinery
- Impaired tracking (the ability to follow a moving object with the eyes) and visual distance measurements
- Erratic cognitive function
- Distortions in time estimation
- Long-term negative effects on mental function known as "acute brain syndrome," which is characterized by disorders in memory, cognitive function, sleep patterns, and physical condition.

Acute Effects

- Aggressive urges
- Anxiety
- Confusion
- Fearfulness
- Hallucinations
- Heavy sedation
- Immobility
- Mental dependency
- Panic Paranoid reaction
- Unpleasant distortions in body image

Workplace Issues

- The active chemical, THC, stores in body fat and slowly releases over time. Marijuana smoking has a long-term effect on performance.
- A 500 to 800 percent increase in THC concentration in the past several years makes smoking three to five joints a week today equivalent to 15 to 40 joints a week in 1978.
- Combining alcohol or other depressant drugs and marijuana can produce a multiplied effect, increasing the impairing effect of both the depressant and marijuana.

Opioids (Narcotics)

Opioids (also called narcotics) are drugs that alleviate pain, depress body functions and reactions, and, when taken in large doses, cause a strong euphoric feeling.

Description

- Natural and natural derivatives—opium, morphine, codeine, and heroin
- Semi-synthetic opioids (i.e., hydrocodone, oxycodone, hydromorphone, oxymorphone). Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®
- May be taken in pill form, smoked, or injected, depending upon the type of narcotic used.
- Trade/street names include Smack, Horse, Emma, Big D, Dollies, Juice, Syrup, and China White.

Signs and Symptoms of Use

- Mood changes
- Impaired mental functioning and alertness
- Constricted pupils
- Depression and apathy
- Impaired coordination
- Physical fatigue and drowsiness
- Nausea, vomiting, and constipation
- Impaired respiration

Health Effects

- IV needle users have a high risk for contracting hepatitis and AIDS due to the sharing of needles.
- Narcotics increase pain tolerance. As a result, people could more severely injure themselves or fail to seek medical attention after an accident due to the lack of pain sensitivity.
- Narcotics' effects are multiplied when used in combination with other depressant drugs and alcohol, causing increased risk for an overdose.

Social Issues

- There are over 500,000 heroin addicts in the U.S., most of whom are IV needle users.
- An even greater number of medicinal narcotic-dependent persons obtain their narcotics through prescriptions.
- Because of tolerance, there is an ever-increasing need for more narcotics to produce the same effect.
- Strong mental and physical dependency occurs.
- The combination of tolerance and dependency creates an increasing financial burden for the user. Costs for heroin can reach hundreds of dollars a day.

Workplace Issues

- Unwanted side effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the legitimate user and abuser at higher risk for an accident.
- Narcotics have a legitimate medical use in alleviating pain. Workplace use may cause impairment of physical and mental functions.

Phencyclidine (PCP)

Phencyclidine (PCP) was originally developed as an anesthetic, but the adverse side effects prevented its use except as a large animal tranquilizer. Phencyclidine acts as both a depressant and a hallucinogen, and sometimes as a stimulant. It is abused primarily for its variety of mood-altering effects. Low doses produce sedation and euphoric mood changes. The mood can change rapidly from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity and a blank stare with the eyelids half closed. Sudden noises or physical shocks may cause a "freak out" in which the person has abnormal strength, extremely violent behavior, and an inability to speak or comprehend communication.

Description

- PCP is sold as a creamy, granular powder and is often packaged in one-inch square aluminum foil or folded paper "packets."
- It may be mixed with marijuana or tobacco and smoked. It is sometimes combined with procaine, a local anesthetic, and sold as imitation cocaine.
- Trade/street names include Angel Dust, Dust, and Hog.

Signs and Symptoms of Use

- Impaired coordination
- Severe confusion and agitation
- Extreme mood shifts
- Muscle rigidity
- Nystagmus (jerky eye movements)
- Dilated pupils
- Profuse sweating
- Rapid heartbeat

- Dizziness

Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP is potentiated by other depressant drugs, including alcohol, increasing the likelihood of an overdose reaction.
- Misdiagnosing the hallucinations as LSD induced, and then treating with Thorazine, can cause a fatal reaction.
- Use can cause irreversible memory loss, personality changes, and thought disorders. There are four phases to PCP abuse. The first phase is acute toxicity. It can last up to three days and can include combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distance perception are common. The second phase, which does not always follow the first, is a toxic psychosis. Users may experience visual and auditory delusions, paranoia, and agitation. The third phase is a drug-induced schizophrenia that may last a month or longer. The fourth phase is PCP-induced depression. Suicidal tendencies and mental dysfunction can last for months.

Workplace Issues

- PCP abuse is less common today than in recent years. It is also not generally used in a workplace setting because of the severe disorientation that occurs.

Employee Assistance Information

Alcoholics Anonymous	http://www.aa.org
Al-Anon (families of alcoholics)	800.356.9996
American Council on Alcoholism	800.527.5344
National Cocaine Hotline	800.COCAINE
Marijuana Anonymous	800.766.6779
National Institute on Drug Abuse	800.662.HELP

Carbon County

Policy Overview on Illegal Drugs, Controlled Substances and Unauthorized Items

Purpose

Carbon County is committed to the establishment and maintenance of a safe and efficient work environment for all employees free from the effects of alcohol, illegal drugs, other controlled substances and prohibited items. This policy establishes the basis for the Program that is applicable to all company operations.

Policy

This policy prohibits the use, possession, manufacture, concealment, transportation, promotion or sale of the following items or substances on Company premises:

- Illegal drugs**
- Designer and synthetic drugs**
- Prohibited drugs and drug related paraphernalia**
- Controlled substances such as medications when usage is abused**
- Unauthorized alcoholic beverages**

NOTE: Company premises refer to all property, offices, facilities, land, buildings, structures, fixtures, installations, aircraft, automobiles, vessels, trucks and all other vehicles and equipment-whether owned, leased or used.

Employees who violate this policy or the established Alcohol and Controlled Substance Policy will be subject to disciplinary action up to and including termination.

Substance abuse awareness and control is a management responsibility. Supervisors are to be trained in a Drug and Alcohol Education Program.

The Alcohol and Controlled Substance Policy established by Carbon County subjects all employees to testing for the presence of drugs within their body system, the evidence thereof being considered misconduct in regard to the stated policy.

The types of testing conducted under the policy involve Pre-Employment testing, Random testing, for reasonable suspicions, and Post-Accident testing. The purpose of the drug testing program is to assist in the identification of those individuals who may have substance abuse problems.

If you have questions, please talk to your supervisor.

POST ON EMPLOYEE BULLETIN BOARD

Carbon County
Alcohol and Controlled Substance Policy
Approval and Adoption Form

We, The Board of Commissioners for Carbon County agree to the terms and conditions outlined in this policy and approve the adoption of this policy.

Policy Approval Date 7/16/2020
Policy Adoption Date 9/18/2020



[Authorized Representative]

7/16/2020

Date

[Authorized Representative]

Date



[Authorized Representative]

7-16-2020

Date

Please return a signed copy of the Approval and Adoption form to:
The Chemnet Consortium
1302 Ave D – Suite 103
Billings, MT 59102
(P) 406-256-2037
(F) 888-979-8156

STATE OF MONTANA

**PERSONAL VEHICLE USE
AUTHORIZATION FORM**

1) Agency Number/Name		2) Division	
3) Org Number	4) Name of Person(s) Traveling/Employee ID#		
5) Justification for personal vehicle use			

Driver of a personal vehicle on state business who is reimbursed mileage must comply with the applicable sections of the Motor Vehicle Insurance Responsibility and Verification Act, Title 61, Chapter 6, Part 1 and Title 61, Chapter 6, Part 3, MCA, and must be aware of personal vehicle usage liability as provided by the DOA Risk Management and Tort Defense Division.

6) Trip Itinerary (include dates)

7) Estimated Trip Miles

Use of a personal vehicle on state business is reimbursed at the standard mileage rate unless one of the conditions listed below is met. Refer to the Employee Travel Policy for conditions and rates.

8) Rate Requested.

Standard Rate * High Rate ≤1,000 miles/mo * Low Rate >1,000 miles/mo

* If requesting reimbursement at the high or low rate, check the applicable reason below:

1. A motor pool vehicle or other state-owned or leased vehicle is not available; or

2. The use of a personal vehicle is in the best interest of the state; or

3. Legislator or member of the public on official state business.

9) Traveler's Signature	Title	Date

Approval to be Completed by Agency Authorized Personnel

Rate Approved Standard High Low Not Approved

Authorized Agency Official	Title	Date

Upon approval, the person(s) named above is granted authority to use a personal vehicle in the conduct of official State business (in accordance with ARM 2.6.201 through ARM 2.6.214) within the basic confines of the itinerary and approximate total mileage noted above.

REVISED 10/17

STATE OF MONTANA

**REQUEST FOR LODGING
REIMBURSEMENT AT ACTUAL COST**

1) Agency Number/Name		2) Division	
3) Org Number	4) Name of Person(s) Staying at Lodging Facility/Employee ID#		

5) Itinerary
 Destination:
 Travel Dates:
 Hotel:
 Hotel Phone Number:
 Details:

6) See Lodging Rates Policy on the Employee Travel Website

In-State Lodging <input type="checkbox"/>		Out-of-State Lodging <input type="checkbox"/>	
In-State Room Rate Offered	\$	Out-of-State Room Rate Offered	\$
Lodging per diem Rate per State policy.	\$	Lodging per diem Rate per Federal policy	\$

7) Justification for Hotel Selection (Please elaborate here and check appropriate box below.)

- Lodging rates provided by State Lodging Rates Policy are unavailable within a reasonable distance from the travel destination. Employee inquired with multiple lodging facilities searching for acceptable State or GSA Federal rates.
- There is reasonable cause to believe personal safety could be at risk in the available lodging facilities that comply with State or GSA Federal rates.
- It is necessary to stay at a specific hotel for a conference, meeting, or for purposes of accessibility, security, or other logistical reasons relating to the employee's travel.

8) Submitted By	Title	Date

Approval of Authorized Agency Personnel per Department Policy

Supervisor	Date	Administrator	Date
Dept. Head/Designee	Date		

NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.

REVISED 10/17

STATE OF MONTANA

**REQUEST AND JUSTIFICATION
FOR OUT-OF-STATE TRAVEL**

1) Agency Number/Name		2) Division	
3) Org Number	4) Name of Person(s) Traveling/Employee ID#		
5) Justification			

6) Itinerary

Destination:

Travel Dates:

7) Estimated Costs

Transportation \$	Meals \$	Lodging \$	Other \$
Total estimated cost \$			

Provide details to support estimated costs:
(Example: registration, taxi, etc. Provide Hotel Name and Phone Number if your Agency requires this information)

8) Submitted By	Title	Date

Approval of Authorized Agency Personnel per Department Policy

Supervisor	Date	Administrator	Date
Dept. Head/Designee	Date		

NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.

REVISED 11/17