

BENTON COUNTY
EMPLOYEE HANDBOOK

AMENDED JULY 18, 2005

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() I ELECT TO TAKE COMPENSATORY TIME OFF FOR WORK IN EXCESS OF 40 HOURS PER WEEK.

() I ELECT TO BE PAID FOR WORK IN EXCESS OF 40 HOURS PER WEEK.

CHAPTER 1
DEFINITIONS

AS USED IN THESE POLICIES AND REGULATIONS, UNLESS THE CONTEXT INDICATES OTHERWISE;

ABSENCE WITH PAY: MEANS AN ABSENCE FROM DUTY WHICH HAS BEEN APPROVED BY THE DEPARTMENT HEAD, AND FOR WHICH COMPENSATION IS RECEIVED.

ABSENCE WITHOUT PAY: MEANS ABSENCE FOR WHICH COMPENSATION IS NOT PAID.

ABSENCE WITHOUT LEAVE: MEANS ABSENCE FROM DUTY WHICH WAS NOT AUTHORIZED OR APPROVED AND FOR WHICH NEITHER A LEAVE REQUEST WAS MADE OR SUCH REQUEST WAS DENIED.

COMPENSATORY TIME: MEANS THAT TIME CREDITED TO EMPLOYEES IN LIEU OF OVERTIME WHEN REQUIRED TO WORK IN EXCESS OF THEIR NORMAL WORKWEEK.

DEPARTMENT: MEANS A MAJOR FUNCTIONAL UNIT OF THE COUNTY GOVERNMENT.

DEPARTMENT HEAD: MEANS A PERSON APPOINTED/ELECTED IN ACCORDANCE WITH THE LAW AND WHO IS RESPONSIBLE FOR ADMINISTERING THE FUNCTIONS OF A DEPARTMENT.

EMPLOYEE: MEANS ANY PERSON WORKING IN THE PAID SERVICE FOR THE COUNTY GOVERNMENT. (ALSO SEE FULL-TIME, PERMANENT, PART-TIME, TEMPORARY, SEASONAL AND PROBATIONARY EMPLOYEE UNDER DEFINITION OF EMPLOYEE).

EMPLOYER: ELECTED OR APPOINTED COUNTY OFFICIALS AND/OR DEPARTMENT HEADS.

HIRING AUTHORITY: MEANS THAT OFFICER OR BODY HAVING AUTHORITY UNDER THE LAWS OF THE COUNTY TO MAKE APPOINTMENTS TO THE POSITIONS.

INJURY LEAVE: MEANS THAT LEAVE WHICH IS GRANTED TO ANY EMPLOYEE INJURED IN THE LINE OF DUTY.

LEAVE OF ABSENCE: MEANS THE EXCUSED ABSENCE OF AN EMPLOYEE FOR A PERIOD OF TIME DURING WHICH HE RETAINS THE RIGHT TO RETURN TO HIS/HER POSITION.

MATERNITY LEAVE: MEANS THAT TIME TAKEN AT EMPLOYEE'S DISCRETION IN CONNECTION WITH PREGNANCY.

OVERTIME: MEANS AUTHORIZED TIME WORKED IN EXCESS OF A REGULAR WORKWEEK.

PERFORMANCE: MEANS THE WAY IN WHICH AN EMPLOYEE EXECUTES HIS/HER ASSIGNED DUTIES AND RESPONSIBILITIES.

POSITION: MEANS A GROUP OF CURRENT DUTIES AND RESPONSIBILITIES ASSIGNED OR DESIGNATED BY APPROPRIATE AUTHORITY, REQUIRING THE SERVICES OF A FULL-TIME OR PART-TIME EMPLOYEE.

PROBATIONARY PERIOD: MEANS THAT DESIGNATED PERIOD OF TIME AFTER AN APPLICANT IS EMPLOYED OR AN EMPLOYEE IS PROMOTED IN WHICH THE EMPLOYEE IS REQUIRED TO DEMONSTRATE HIS/HER FITNESS FOR THE POSITION BY THE ACTUAL PERFORMANCE OF THE DUTIES.

RESIGNATION: MEANS A SEPARATION FROM THE COUNTY SERVICES AT THE REQUEST OF THE EMPLOYEE.

SICK LEAVE: MEANS THAT ABSENCE DUE TO ILLNESS APPROVED BY THE DEPARTMENT HEAD OR SUPERVISOR.

WORK WEEK: (FAIR LABOR STANDARDS ACT) AN EMPLOYEE WILL BE PAID A REGULAR WEEKLY SALARY WHICH COVERS ALL HOURS WORKED UP TO FORTY (40) DURING EACH WORK WEEK. THE WORK WEEK WILL BEGIN AT 12:01 A.M. ON MONDAY AND END AT MIDNIGHT ON SUNDAY.

DEFINITION OF EMPLOYEE

EMPLOYEE: ANY PERSON WORKING IN THE PAID SERVICE OF THE COUNTY GOVERNMENT.

FULL-TIME: ANY PERSON WORKING FULL TIME WHO WAS APPOINTED/HIRED/ELECTED INTO A REGULAR POSITION WHICH REQUIRES A NORMAL WORK WEEK AND ANY ADDITIONAL TIME REQUIRED TO FULFILL THE DUTIES OF THE POSITION HE/SHE HOLDS.

PERMANENT: ANY PERSON HIRED/APPOINTED INTO A REGULAR JOB WHO IN FULL-TIME CAPACITY HAS COMPLETED A SIX (6) MONTH PROBATIONARY PERIOD OF SUCCESSFUL WORK.

PART-TIME: ANY PERSON WHO IS NORMALLY ASSIGNED TO WORK LESS THAN A NORMAL WORK WEEK BUT IS EMPLOYED FOR A MINIMUM OF SIX (6) MONTHS CONSECUTIVELY IN A TWELVE (12) MONTH PERIOD.

TEMPORARY: ANY PERSON WHO IN A GIVEN CALENDAR YEAR WORKS LESS THAN SIX CALENDAR MONTHS, OR WHO IS EMPLOYED TO WORK FULL TIME FOR A FIXED PERIOD OF TIME WHICH DOES NOT EXCEED SIX CALENDAR MONTHS AT A TIME, OR WHO IS ENGAGED FOR A SPECIFIC PROJECT INVOLVING A PERIOD OF TIME OR MORE THAN SIX (6) MONTHS.

PROBATIONARY: ANY PERSON HIRED OR APPOINTED WHO IN A FULL TIME JOB CAPACITY HAS NOT COMPLETED A SIX (6) MONTH PERIOD OF SUCCESSFUL PERFORMANCE AT WORK.

CHAPTER 2

LEAVE POLICIES

VACATION TIME:

IT IS THE POLICY OF BENTON COUNTY TO PROMOTE EMPLOYEE EFFICIENCY IN HEALTH AND MORALE THROUGH PERIODIC INTERRUPTION FROM ONES DUTIES. ACCORDINGLY, EMPLOYEES SHALL BE GRANTED PAID LEAVE AS FOLLOWS:

- ONE YEAR'S EMPLOYMENT.....1 WEEK'S VACATION
- TWO YEAR'S EMPLOYMENT.....2 WEEK'S VACATION
- TEN YEAR'S EMPLOYMENT.....3 WEEK'S VACATION

AFTER FIFTEEN YEARS EMPLOYMENT ADDITIONAL VACATION TIME SHALL BE AT THE DISCRETION OF THE DEPARTMENT HEAD.

ANNUAL LEAVE MAY BE USED ONLY AT TIMES APPROVED IN ADVANCE BY YOUR IMMEDIATE SUPERVISOR. THE COUNTY WANTS YOU TO TAKE YOUR VACATION, BUT IT MUST BE TAKEN AT THE CONVENIENCE OF YOUR DEPARTMENT.

IN SO FAR AS SERVICE REQUIREMENTS PERMIT, VACATION MAY BE TAKEN ANY TIME DURING THE CALENDAR YEAR. THE DEPARTMENT HEAD WILL ENDEAVOR TO SCHEDULE VACATION FOR THE CONVENIENCE OF THE EMPLOYEE, BUT THE NEEDS OF THE DEPARTMENT MUST BE THE CONTROLLING FACTOR. IF TWO EMPLOYEES DESIRE THE SAME VACATION DATES AND THE WORKLOAD IS SUCH THAT BOTH EMPLOYEES MAY NOT BE ABSENT FROM WORK, SENIORITY WILL BE THE DECIDING FACTOR.

IF THERE IS ANY VACATION TIME REMAINING AT THE END OF THE CALENDAR YEAR, IT SHALL BE AT THE DISCRETIN OF THE DEPARTMENT HEAD AS TO WHETHER THE TIME SHALL BE CARRIED OVER TO THE NEXT CALENDAR YEAR.

IF AN EMPLOYEES HAS VACATION TIME THAT HAS NOT BEEN TAKEN WHEN LEAVING EMPLOYMENT, THE EMPLOYEE SHALL BE PAID FOR THE REMAINING VACATION TIME.

VACATION PAY:

PAYCHECKS FOR VACATION PAY SHALL BE COMPUTED ON THE REGULAR PAYROLL DAY AND WILL BE AVAILABLE FOR THE EMPLOYEE AT THE NORMAL TIME AND PLACE. NO CHECKS WILL BE ISSUED IN ADVANCE FOR VACATIONS. VACATION TIME CANNOT BE WORKED FOR PAY IN ADDITION TO REGULAR SALARY.

THERE WILL BE EXCEPTIONS TO THIS FOR EMPLOYEES AT THE BENTON COUNTY AIRPORT, THE BENTON COUNTY CONVENIENCE CENTER AND THE BENTON COUNTY ANIMAL SHELTER DUE TO THE FACT THAT THERE ARE ONLY ONE TO TWO EMPLOYEES AT THESE LOCATIONS.

SICK LEAVE:

SICK LEAVE IS EARNED AT THE RATE OF ONE (1) DAY PER MONTH TWELVE (12) DAYS PER YEAR. UNUSED SICK LEAVE MAY BE ACCUMULATED UP TO A MAXIMUM OF SIXTY (60) DAYS. ACCUMULATED SICK LEAVE HAS NO VALUE EXCEPT FOR THE PURPOSE GRANTED, AND IN THE EVENT OF RETIREMENT OR SEPARATION, ALL UNUSED SICK LEAVE SHALL BE FORFEITED, EXCEPT CONCERNING THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM.

IN THE EVENT THE EMPLOYEE IS OUT FOR MORE THAN THREE (3) DAYS THE IMMEDIATE SUPERVISOR WILL REQUIRE A PHYSICIAN'S STATEMENT TO VERIFY THE ILLNESS. ABUSE OF SICK LEAVE WILL NOT BE TOLERATED AND MAY BE GROUNDS FOR TERMINATION.

FAMILY & MEDICAL LEAVE POLICY (FMLA):

UNDER THE FEDERAL FAMILY AND MEDICAL LEAVE ACT OF 1993 (FMLA) ELIGIBLE COUNTY EMPLOYEES ARE ENTITLED TO UP TO TWELVE (12) WORK WEEKS OF UNPAID LEAVE DURING EACH 12-MONTH PERIOD BEGINNING JANUARY 1 FOR THE BIRTH OF A CHILD, THE PLACEMENT OF A CHILD FOR ADOPTION OR FOSTER CARE, A SERIOUS HEALTH CONDITION OF THE EMPLOYEE THAT MAKES THE EMPLOYEE UNABLE TO PERFORM THE FUNCTIONS OF HIS OR HER JOB, OR THE SERIOUS HEALTH CONDITION OF A SPOUSE, SON, DAUGHTER OR PARENT WHICH REQUIRES THE EMPLOYEE'S PRESENCE. BOTH MALE AND FEMALE EMPLOYEES ARE ELIGIBLE FOR LEAVE IN CONNECTION WITH THE BIRTH OR PLACEMENT OF A CHILD OR A FAMILY ILLNESS, BUT SPECIAL RULES MAY APPLY IF BOTH HUSBAND AND WIFE ARE COUNTY EMPLOYEES. SUBJECT TO CERTAIN CONDITIONS, ACCRUED PAID LEAVE MAY BE SUBSTITUTED FOR UNPAID FMLA LEAVE.

ELIGIBLE EMPLOYEES ARE THOSE WHO HAVE BEEN EMPLOYED BY THE COUNTY FOR AT LEAST TWELVE (12) MONTHS, AND WHO HAVE WORKED AT LEAST 1,250 HOURS DURING THE TWELVE (12) MONTH PERIOD IMMEDIATELY BEFORE LEAVE IS REQUESTED.

AN EMPLOYEE MUST PROVIDE AT LEAST THIRTY (30) DAYS ADVANCE NOTICE OF THE NEED TO TAKE FMLA LEAVE UNDER NORMAL CIRCUMSTANCES. MEDICAL CERTIFICATION ALSO MAY BE REQUIRED.

IT IS THE POLICY OF BENTON COUNTY TO GRANT ITS EMPLOYEES LEAVE IN ACCORDANCE WITH THE REQUIREMENTS OF THE FAMILY AND MEDICAL LEAVE ACT. ALL EMPLOYEES SHOULD HAVE A COPY OF THE FMLA FACT SHEET, AND EMPLOYEES MAY OBTAIN ADDITIONAL COPIES OF THE PUBLICATION AS WELL AS ADDITIONAL INFORMATION ABOUT THE FMLA AND THEIR RIGHTS AND OBLIGATIONS UNDER THAT LAW FROM THEIR SUPERVISOR, OR BY CONTACTING THE COUNTY EXECUTIVE'S OFFICE.

IN ADDITION TO THE FMLA, TENNESSEE HAS A MATERNITY LEAVE LAW (T.C.A. 4-21-408) WHICH APPLIES TO ALL EMPLOYERS WHO EMPLOY 100 OR MORE FULL-TIME EMPLOYEES AT A JOB SITE OR LOCATION. THIS STATE LAW ALLOWS EMPLOYEES WHO HAVE BEEN EMPLOYED FOR TWELVE (12) MONTHS TO TAKE UP TO FOUR (4) MONTHS OF UNPAID LEAVE FOR PREGNANCY, CHILDBIRTH AND NURSING THE INFANT. TO BE ELIGIBLE FOR THIS LEAVE THE EMPLOYEE MUST GIVE AT LEAST THREE (3) MONTHS ADVANCE NOTICE EXCEPT IN CASES OF MEDICAL EMERGENCY. THIS LEAVE WILL RUN CONCURRENTLY WITH ANY LEAVE TO WHICH THE EMPLOYEE MAY BE ENTITLED UNDER THE FMLA OR OTHERWISE.

ANY EMPLOYEE WHO HAS BEEN EMPLOYED FOR A FULL YEAR WILL BE ELIGIBLE FOR SIX (6) WEEKS PAID MATERNITY LEAVE.

MILITARY LEAVE:

FULL-TIME EMPLOYEES WHO ARE MEMBERS OF ANY MILITARY RESERVE COMPONENT WILL BE GRANTED MILITARY TRAINING LEAVE FOR SUCH TIME AS THEY ARE IN THE MILITARY SERVICE ON FIELD TRAINING OR ACTIVE DUTY FOR PERIODS NOT TO EXCEED FIFTEEN (15) WORKING DAYS PER CALENDAR YEAR. THIS TIME MAY NOT BE USED FOR WEEKEND DRILLS. SUCH REQUESTED LEAVE SHALL BE SUPPORTED WITH COPIES OF THE ARMED FORCES ORDERS.

FULL TIME EMPLOYEES WHO ARE MEMBERS OF A MILITARY RESERVE UNIT WHO HAVE COMPLETED THEIR MILITARY TRAINING DUTY FOR THE CALENDAR YEAR, AND ARE REACTIVATED FOR ADDITIONAL TRAINING WILL BE ALLOWED AN ADDITIONAL FIFTEEN (15) DAYS MILITARY LEAVE IF THE ADDITIONAL MILITARY TRAINING:

1. OCCURS DURING THE SAME CALENDAR YEAR; AND
2. FULFILLS THE EMPLOYEE'S MILITARY TRAINING OBLIGATION FOR THE SUBSEQUENT CALENDAR YEAR.

DURING SUCH TIME THAT THE EMPLOYEE IS ON MILITARY TRAINING LEAVE, THE EMPLOYEE WILL RECEIVE FULL PAY AND BENEFITS TO WHICH HE OR SHE WOULD OTHERWISE BE ENTITLED.

FUNERAL LEAVE:

IN THE CASE OF A DEATH IN THE EMPLOYEE'S IMMEDIATE FAMILY, THE EMPLOYEE WILL BE GIVEN UP TO THREE (3) DAYS LEAVE WITH PAY. THE IMMEDIATE FAMILY IS DEFINED TO MEAN HUSBAND, WIFE, PARENT, MOTHER-IN-LAW, FATHER-IN-LAW, BROTHER-IN-LAW, SISTER-IN-LAW, BROTHER, SISTER, CHILDREN, GRANDPARENTS, GRANDCHILDREN, STEP-PARENTS AND STEP-CHILDREN OF THE EMPLOYEE. ANY OTHER FAMILY MEMBERS WOULD BE AT THE DISCRETION OF THE OFFICE HOLDER.

IN THE EVENT OF THE LOSS OF A SPOUSE OR CHILD THE EMPLOYEE WILL BE GIVEN AN ADDITIONAL TWO (2) DAYS WITH PAY.

THESE DAYS WILL NOT BE TAKEN FROM VACATION NOR SICK LEAVE DAYS OF THE EMPLOYEE.

COURTHOUSE POLICY FOR FUNERALS:

WHEN A DEATH OCCURS TO AN ELECTED OR APPOINTED OFFICIAL THE COURTHOUSE SHALL CLOSE FOR A FULL DAY.

WHEN A DEATH OCCURS TO A MEMBER OF THE COUNTY LEGISLATIVE BODY THE COURTHOUSE SHALL CLOSE FOR A HALF DAY OR 4 HOURS.

WHEN A DEATH OCCURS TO THE SPOUSE, PARENTS OR CHILDREN OF AN ELECTED OR APPOINTED OFFICIAL THE COURTHOUSE SHALL CLOSE A HALF DAY OR 4 HOURS.

WHEN A DEATH OCCURS TO AN EMPLOYEE OR THE IMMEDIATE FAMILY OF AN EMPLOYEE IT SHALL BE AT THE DISCRETION OF THE DEPARTMENT HEAD.

JURY AND COURT DUTY:

THE EMPLOYER ENCOURAGES ALL EMPLOYEES TO FULFILL THEIR DUTY TO SERVE AS MEMBERS OF JURIES OR TO TESTIFY WHEN CALLED TO LOCAL, FEDERAL AND STATE COURTS. THEREFORE, THE FOLLOWING PROCEDURES SHALL APPLY WHEN AN EMPLOYEE IS CALLED FOR JURY DUTY OR SUBPOENAED TO COURT:

1. UPON RECEIVING A SUMMONS TO REPORT FOR JURY DUTY, THE EMPLOYEE SHALL ON THE NEXT DAY HE/SHE IS WORKING, SHOW THE SUMMONS TO HIS/HER SUPERVISOR.

2. THE EMPLOYEE WILL BE GRANTED A LEAVE OF ABSENCE WHEN THE EMPLOYEE IS SUBPOENAED OR DIRECTED BY PROPER AUTHORITY TO APPEAR IN COURT AS A WITNESS OR JUROR.

3. THE EMPLOYEE WILL RECEIVE HIS/HER REGULAR COMPENSATION DURING TIME SERVED ON JURY DUTY OR WHEN SUBPOENAED AS A WITNESS LESS THE AMOUNT RECEIVED BY THE EMPLOYEE FROM THE COURT FOR HIS/HER SERVICE. COMPENSATION FOR TIME IN COURT DOES NOT APPLY IF EMPLOYEE IS INVOLVED IN PRIVATE LITIGATION.

4. IF THE EMPLOYEE IS RELIEVED FROM JURY DUTY DURING WORKING HOURS AFTER SERVING LESS THAN THREE HOURS, THE EMPLOYEE MUST REPORT BACK TO THE EMPLOYER. IF THE EMPLOYEE IS RELIEVED FROM BEING A WITNESS DURING WORKING HOURS, THE EMPLOYEE WILL REPORT BACK TO THE EMPLOYER.

IN-LINE-OF-DUTY INJURY LEAVE:

ANY EMPLOYEE SUSTAINING AN INJURY OR AN ILLNESS DURING THE COURSE OR SCOPE OF HIS OR HER EMPLOYMENT WHICH IS DETERMINED TO BE COMPENSABLE UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION LAW SHALL BE ENTITLED TO RECEIVE IN-LINE-OF-DUTY INJURY LEAVE. THIS LEAVE SHALL NOT BE COUNTED AGAINST ANY ACCRUED SICK LEAVE WHICH THE EMPLOYEE HAS ACCUMULATED. BENEFITS WHICH ARE RECEIVABLE BY THE EMPLOYEE WILL BE DETERMINED BY THE PROVISIONS OF THE WORKERS' COMPENSATION LAW.

HOLIDAYS:

THE FOLLOWING HOLIDAYS WILL BE DECLARED OFFICIAL HOLIDAYS, AND EMPLOYEES WILL BE EXCUSED FROM WORK WITHOUT CHARGE TO LEAVE:

NEW YEAR'S DAY	JANUARY 1
MARTIN LUTHER KING, JR. DAY	3RD MONDAY IN JANUARY
PRESIDENTS DAY	3RD MONDAY IN FEBRUARY
GOOD FRIDAY	
MEMORIAL DAY	LAST MON. IN MAY
INDEPENDENCE DAY	JULY 4
LABOR DAY	1ST MON. IN SEPT.
COLUMBUS DAY	2 ND MONDAY IN OCTOBER
VETERAN'S DAY	NOVEMBER 11
THANKSGIVING DAY	4TH THURS. IN NOV.
FRIDAY AFTER THANKSGIVING	4TH FRIDAY IN NOV.
CHRISTMAS EVE	DECEMBER 24
CHRISTMAS DAY	DECEMBER 25

WHEN A HOLIDAY FALLS ON SATURDAY, THE FRIDAY PRIOR TO THE HOLIDAY IS SUBSTITUTED. WHEN A HOLIDAY FALLS ON SUNDAY, THE MONDAY FOLLOWING THE HOLIDAY IS SUBSTITUTED. ON THE OCCASIONS WHEN CHRISTMAS DAY FALLS ON MONDAY, THE CHRISTMAS EVE HOLIDAY WILL BE OBSERVED ON FRIDAY PRECEDING CHRISTMAS DAY. ON THOSE OCCASIONS WHEN CHRISTMAS FALLS ON SATURDAY, THE CHRISTMAS HOLIDAY WILL BE OBSERVED ON THE SUBSEQUENT MONDAY. IN THE EVENT THAT CHRISTMAS VACATION FALLS WITHIN THE WEEK IT SHALL BE LEFT UP TO THE DESCRETION OF THE DEPARTMENT HEAD.

EVERY EFFORT WILL BE MADE TO ALLOW ALL EMPLOYEES OFF ON EACH DESIGNATED HOLIDAY. IF IT IS NECESSARY FOR AN EMPLOYEE TO WORK ON A HOLIDAY, THE EMPLOYEE WILL BE COMPENSATED AT A RATE WHICH IS ONE AND ONE HALF TIMES THE EMPLOYEE'S REGULAR RATE OF PAY FOR THE HOURS ACTUALLY WORKED.

ADMINISTRATIVE LEAVE:

ABSENCE WITH PAY FOR ADMINISTRATIVE PURPOSES MAY BE GRANTED BY THE DEPARTMENT HEAD. SUCH LEAVE MUST BE FOR GOOD CAUSE AS DETERMINED BY THE DEPARTMENT HEAD. THIS LEAVE SHALL NOT BE GRANTED UNLESS EXCEPTIONAL CIRCUMSTANCES EXIST. ADMINISTRATIVE LEAVE SHALL INCLUDE ACTS OF NATURE SUCH AS SNOWSTORMS, ICESTORMS, TORNADOES, ETC.

CHAPTER 3

WAGE AND HOUR POLICIES

WORK WEEK:

THE WORK WEEK FOR EMPLOYEES OF BENTON COUNTY BEGINS AT 12:01 A.M. ON SUNDAY AND ENDS AT MIDNIGHT ON SATURDAY EACH WEEK. THE REGULAR WORK WEEK FOR BENTON COUNTY EMPLOYEES IS FORTY (40) HOURS. EMPLOYEES WHO ARE PAID ON AN HOURLY BASIS WILL RECEIVE COMPENSATION AT THEIR REGULAR RATE OF PAY FOR ALL HOURS WORKED UP TO AND INCLUDING FORTY (40) IN THE WORK WEEK. THE SALARY PAID TO SALARIED EMPLOYEES IS COMPENSATION FOR ALL HOURS WORKED BY SUCH EMPLOYEES UP TO AND INCLUDING FORTY (40) IN THE WORK WEEK. THE ACTUAL WORK SCHEDULE FOR EACH EMPLOYEE WILL BE ARRANGED BY THAT EMPLOYEE'S SUPERVISOR.

PAYROLL POLICY AS OF JULY 1, 2005:

THERE WILL BE THREE LEVELS OF BEGINNING SALARY:

\$16,000--HIGH SCHOOL DIPLOMA OR EQUIVALENT AND BASIC OFFICE SKILLS

\$17,000--HIGH SCHOOL DIPLOMA OR EQUIVALENT, BASIC OFFICE SKILLS, 2 YEARS EXPERIENCE.

\$18,000--HIGH SCHOOL DIPLOMA OR EQUIVALENT, ASSOCIATE OR TECHNICAL DEGREE

ON NOVEMBER 15TH OF EACH YEAR BONUSES WILL BE GIVEN ACCORDING TO THE FOLLOWING SCHEDULE:

10-20 YEARS	\$300.00
21-30 YEARS	\$500.00
OVER 30 YEARS	\$800.00

TEMPORARY/PART-TIME PERSONNEL

WHEN HIRING TEMPORARY/PART-TIME PERSONNEL UNTIL THE POSITION IS FILLED WITH FULL-TIME EMPLOYEE THE SCALE FOR THE TEMPORARY/PART-TIME PERSONNEL WILL BE AS FOLLOWS:

6.50 PER HR-HIGH SCHOOL DIPLOMA OR EQUIVALENT

7.00 PER HR-HIGH SCHOOL DIPLOMA OR EQUIVALENT AND 2 YEARS EXPERIENCE

7.50 PER HR-HIGH SCHOOL DIPLOMA OR EQUIVALENT, 2 YEARS EXPERIENCE AND DEGREE

OVERTIME:

ALL EMPLOYEES SHALL BE PAID OVERTIME OR GIVEN COMPENSATORY TIME (SUBJECT TO ALLOWABLE LIMITS) FOR ALL HOURS WORKED OVER FORTY (40) DURING THE WORK WEEK.

HOURLY RATE EMPLOYEES WHO WORK OVERTIME WILL RECEIVE OVERTIME PAY AT A RATE OF ONE AND ONE-HALF THEIR REGULAR PAY. FOR SALARIED EMPLOYEES, THE EMPLOYEE'S ANNUAL SALARY DIVIDED BY 52 WEEKS DETERMINES THE WEEKLY SALARY. THE WEEKLY SALARY IS THEN DIVIDED BY THE NUMBER OF HOURS IN A NORMAL WORK WEEK TO DETERMINE THE REGULAR HOURLY RATE OF PAY. THE RATE WILL THEN BE MULTIPLIED BY ONE AND ONE-HALF TO DETERMINE THE OVERTIME RATE OF PAY. THE OVERTIME RATE FOR BOTH HOURLY AND SALARIED EMPLOYEES APPLIES ONLY TO THOSE HOURS WORKED OVER FORTY (40) DURING A WEEK. FOR SALARIED EMPLOYEES, NO ADDITIONAL COMPENSATION WILL BE PAID FOR HOURS WORKED UNDER FORTY (40). FOR HOURLY RATE EMPLOYEES, THE OVERTIME RATE WILL APPLY ONLY TO HOURS WORKED OVER FORTY (40) AND THE REGULAR RATE WILL APPLY TO HOURS WORKED UNDER FORTY (40).

EMPLOYEES WHO ARE REQUIRED TO WORK IN EXCESS OF FORTY (40) HOURS PER WEEK MAY RECEIVE COMPENSATORY TIME OFF IN LIEU OF OVERTIME. THE DECISION TO TAKE OVERTIME OR COMPENSATORY TIME SHALL BE AT THE DISCRETION OF THE EMPLOYEE AT THE DATE OF EMPLOYMENT OR IF ALREADY EMPLOYED, THE DATE THE EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM IS SIGNED.

COMPENSATORY TIME SHALL BE EARNED AT A RATE OF ONE AND ONE-HALF HOURS FOR EACH HOUR OF EMPLOYMENT WORKED OVER FORTY (40) HOURS PER WEEK. AN EMPLOYEE CANNOT ACCRUE MORE THAN 240 HOURS OF COMPENSATORY TIME. ANY EMPLOYEE WHO HAS ACCUMULATED 240 HOURS OF COMPENSATORY TIME SHALL BE PAID FOR ANY ADDITIONAL OVERTIME THAT IS WORKED.

RECORDKEEPING REQUIRMENTS:

FOR NONEXEMPT EMPLOYEES THE FLSA (FAIR LABOR STANDARDS ACT) REQUIRES THAT CERTAIN PERSONNEL RECORDS BE MAINTAINED SUCH AS PERSONAL INFORMATION WHICH INCLUDES NAME, AGE, SEX, ETC.

ALSO REQUIRED ARE TIME RECORDS, RECORDS FOR COMPENSATORY TIME AND SICK LEAVE. SICK LEAVE RECORDS SHALL BE THE RSPONSIBILITY OF EACH INDIVIDUAL DEPARTMENT HEAD.

THESE RECORDS WILL BE MAINTAINED IN THE OFFICE OF EACH DEPARTMENT HEAD OR COUNTY OFFICIAL.

CHAPTER 4

NON-DISCRIMINATION AND SEXUAL HARASSMENT POLICIES

NON-DISCRIMINATION/EQUAL EMPLOYMENT OPPORTUNITY:

IT IS THE POLICY OF BENTON COUNTY TO PROVIDE EQUAL EMPLOYMENT OPPORTUNITIES TO ALL INDIVIDUALS REGARDLESS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, DISABILITY, STATUS AS A VIETNAM-ERA VETERAN OR SPECIAL DISABLED VETERAN, OR STATUS IN ANY OTHER GROUP PROTECTED BY LAW. THIS POLICY EXTENDS TO ALL TERMS AND CONDITIONS OF EMPLOYMENT, INCLUDING BUT NOT LIMITED TO, HIRING, PLACEMENT, PROMOTION, TERMINATION, LAYOFF, RECALL, TRANSFER, LEAVE OF ABSENCE, COMPENSATION AND TRAINING. IT IS THE POLICY OF BENTON COUNTY TO MAKE REASONABLE ACCOMODATIONS FOR QUALIFIED INDIVIDUALS WITH KNOWN DISABILITIES UNLESS DOING SO WOULD RESULT IN UNDUE HARDSHIP.

EMPLOYEES OR APPLICANTS WITH QUESTIONS OR CONCERNS ABOUT ANY TYPE OF DISCRIMINATION IN THE WORKPLACE ARE ENCOURAGED TO BRING THESE ISSUES TO THE ATTENTION OF THE IMMEDIATE SUPERVISOR OR DEPARTMENT HEAD. EMPLOYEES CAN RAISE CONCERNS AND MAKE COMPLAINTS WITHOUT FEAR OF REPRISAL AND WITH THE ASSURANCE OF PROTECTION FROM HARASSMENT OR RETALIATION.

ANYONE FOUND TO BE ENGAGING IN ANY TYPE OF UNLAWFUL DISCRIMINATION WILL BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

HIRING PRACTICES:

BENTON COUNTY DOES NOT DISCRIMINATE IN ITS HIRING PRACTICES ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, DISABILITY, STATUS AS A VIETNAM-ERA VETERAN, OR SPECIAL DISABLED VETERAN OR STATUS IN ANY OTHER GROUP PROTECTED BY LAW. IN ORDER TO GIVE ALL INTERESTED PARTIES AN OPPORTUNITY TO APPLY FOR POSITIONS AS THEY BECOME OPEN, JOB OPENINGS WILL BE POSTED IN THE COURTHOUSE ON THE MAIN BULLETIN BOARD FOR A PERIOD OF FIVE (5) WORKING DAYS. ALL QUALIFIED APPLICANTS ARE URGED TO APPLY. APPLICANTS MUST APPLY FOR A SPECIFIC JOB OPENING. EMPLOYMENT APPLICATIONS WILL NOT BE ACCEPTED UNLESS A SPECIFIC POSITION IS OPEN AT THE TIME THE APPLICATION IS SUBMITTED. APPLICATIONS ARE NOT RETAINED AFTER THE POSITION FOR WHICH THE APPLICATION WAS SUBMITTED HAS BEEN FILED. ANYONE APPLYING FOR A SUBSEQUENT OPENING MUST SUBMIT A NEW APPLICATION.

EMPLOYEES ARE EMPLOYED AT WILL BY THE EMPLOYER (ELECTED OR APPOINTED OFFICIAL AND/OR DEPARTMENT HEAD).

THIS WILL INCLUDE THE FOLLOWING DEPARTMENTS:

COUNTY EXECUTIVE
ASSESSOR
CIRCUIT COURT CLERK
ELECTION COMMISSION
AIRPORT

COUNTY CLERK
REGISTER OF DEEDS
GENERAL SESSIONS CT.
SHERIFF'S DEPT.
SENIOR CITIZENS CENTER

TRUSTEE
CLERK & MASTER
JUVENILE COURT
ANIMAL CONTROL
CONV. CENTER

UNLAWFUL HARASSMENT IN THE WORKPLACE:

IT IS THE POLICY OF BENTON COUNTY TO MAINTAIN A RESPECTFUL WORK AND PUBLIC SERVICE ENVIRONMENT. BENTON COUNTY PROHIBITS AND WILL NOT TOLERATE ANY FORM OF UNLAWFUL HARASSMENT BY OR TOWARDS ANY EMPLOYEE OR OFFICIAL ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, DISABILITY, STATUS AS A VIETNAM-ERA VETERAN OR SPECIAL DISABLED VETERAN, OR STATUS IN ANY OTHER GROUP PROTECTED BY LAW. ANY EMPLOYEE OR OFFICIAL WHO ENGAGES IN SUCH BEHAVIOR IS SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

ONE PARTICULAR KIND OF HARASSING BEHAVIOR IS SEXUAL HARASSMENT. SEXUAL HARASSMENT, WHICH CAN CONSIST OF A WIDE RANGE OF UNWANTED AND UNWELCOME SEXUALLY DIRECTED BEHAVIOR, IS DEFINED AS:

- (1) SUBMITTING TO THE CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN INDIVIDUAL'S EMPLOYMENT OR OF OBTAINING PUBLIC SERVICES; OR
- (2) SUBMITTING TO OR REJECTING THE CONDUCT IS USED AS THE BASIS FOR AN EMPLOYMENT DECISION AFFECTING AN INDIVIDUAL'S EMPLOYMENT OR PUBLIC SERVICES; OR
- (3) SUCH CONDUCT HAS THE PURPOSE OR RESULT OF UNREASONABLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE OR OFFENSIVE WORKING ENVIRONMENT.

NEITHER SEXUAL HARASSMENT NOR ANY OTHER FORM OF UNLAWFUL HARASSMENT WILL BE TOLERATED IN THE WORKPLACE. EMPLOYEES ARE URGED TO REPORT ALLEGED INCIDENTS OF UNLAWFUL HARASSMENT.

DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE:

DISCRIMINATION, INCLUDING HARASSMENT, IN THE WORKPLACE ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, DISABILITY, STATUS AS A VIETNAM-ERA VETERAN OR SPECIAL DISABLED VETERAN, OR STATUS IN ANY OTHER GROUP PROTECTED BY LAW IS ILLEGAL. IF ANY EMPLOYEE BELIEVES THAT HE OR SHE HAS BEEN SUBJECTED TO ILLEGAL DISCRIMINATION OR HARASSMENT RELATED TO EMPLOYMENT WITH BENTON COUNTY, THE EMPLOYEE SHOULD REPORT THE INCIDENT PROMPTLY TO THE COUNTY OFFICIAL OR DEPARTMENT HEAD UNDER WHOSE DIRECTION THE EMPLOYEE WORKS.

IF THE PROBLEM IS NOT RESOLVED WITHIN A REASONABLE TIME, OR IF FOR ANY REASON THE EMPLOYEE FEELS UNCOMFORTABLE REPORTING THE PROBLEM TO THE COUNTY OFFICIAL OR DEPARTMENT HEAD, THEN THE EMPLOYEE SHOULD REPORT THE INCIDENT TO THE COUNTY EXECUTIVE UNLESS THE COUNTY EXECUTIVE IS THE OFFENDER, THEN THE EMPLOYEE SHOULD REPORT THE INCIDENT TO THE GENERAL SESSIONS JUDGE.

NO ADVERSE PERSONNEL ACTION WILL BE TAKEN AGAINST AN EMPLOYEE FOR REPORTING A BONA FIDE INCIDENT OF DISCRIMINATION OR HARASSMENT OR FOR ASSISTING THE INVESTIGATION OF A COMPLAINT. HOWEVER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST ANY INDIVIDUAL PROVIDING FALSE INFORMATION IN CONNECTION WITH A COMPLAINT.

CHAPTER 5

DRUG FREE WORKPLACE

BENTON COUNTY RECOGNIZES THAT ALCOHOL AND DRUG ABUSE IN THE WORKPLACE HAS BECOME A MAJOR CONCERN. WE BELIEVE THAT BY REDUCING DRUG AND ALCOHOL USE WE WILL IMPROVE THE SAFETY, HEALTH AND PRODUCTIVITY OF EMPLOYEES. THE OBJECT OF THE COUNTY'S ALCOHOL AND DRUG POLICY IS TO PROVIDE A SAFE AND HEALTHY WORKPLACE FOR ALL EMPLOYEES, TO COMPLY WITH FEDERAL AND STATE HEALTH AND SAFETY REGULATIONS AND TO PREVENT ACCIDENTS.

THE USE, POSSESSION, SALE, TRANSFER, PURCHASE OR BEING UNDER THE INFLUENCE OF INTOXICATING LIQUOR, ILLEGAL DRUGS OR OTHER INTOXICANTS BY EMPLOYEES ANYTIME ON COMPANY PREMISES OR WHILE ON COMPANY BUSINESS IS PROHIBITED. THE ILLEGAL USE OF ANY DRUG, NARCOTIC OR CONTROLLED SUBSTANCE IS PROHIBITED. EMPLOYEES MUST NOT REPORT FOR DUTY OR BE ON COMPANY PROPERTY WHILE UNDER THE INFLUENCE OF, OR HAVE IN THEIR POSSESSION WHILE ON COMPANY PROPERTY, ANY INTOXICATING LIQUOR, MARIJUANA OR ILLEGALLY OBTAINED DRUG, NARCOTIC OR OTHER ILLEGAL SUBSTANCE.