

**CARROLL COUNTY**

**PERSONNEL**

**REFERENCE GUIDE**

**2013**



Department of Human Resources, PO Box 152, Ossipee NH (603)539-1803

**A brief message from the Board of  
Commissioners of Carroll County:**

Hello, and Welcome to Carroll County!  
We hope that your tenure with us will be long and mutually satisfactory. Toward that end, we hope this reference guide will assist you in becoming familiar with the policies, procedures and practices of Carroll County employment.

This guidebook should not be construed as a full and complete manual of policies for the County. Rather, the policies shown here are intended to help answer many of your questions and provide a continuing source of information during your career with us. Within these pages, we anticipate that you will find information about our expectations and of your responsibilities as an employee of the County.

No employee reference guide can anticipate every circumstance or question about policy. Because no two employee situations are ever exactly alike, our policies must have flexibility, and are intended to serve only as guidelines. It is our goal as an employer to treat each employee as a respected member of the organization, and in doing so we reserve the right to modify the policies summarized here on those occasions when it is determined that a particular circumstance warrants individualized consideration.

The provisions of this guidebook are not contractual, but are intended solely for your information and guidance and may be unilaterally changed by the County at any time. Every employee may be subject to any change, addition, or

deletion made in the handbook, regardless of the employee's date of hire.

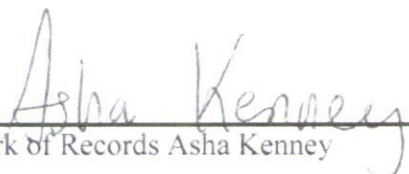
In all cases, the terms and conditions of a Collective Bargaining Agreement shall supersede the policies stated herein. Any employee covered by a Collective Bargaining Agreement should always refer to that Bargaining Agreement.

*Neither the materials found in this guidebook, nor any policy or procedure statement of the individual facilities, or of the County Complex as a whole, should be construed as a contract of employment or as a contract guaranteeing continued employment. This guidebook and its contents do not alter an employee's at-will status.*

Again, Welcome to our staff, and may you find success during your employment with Carroll County!

  
Commission Chairman David Sorensen

 3/2/2013  
Vice-Chairman David Babson

  
Clerk of Records Asha Kenney

*Signed March 29, 2013*

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## Section 1

# Human Resources





## Human Resources Policy Statement

*Employment with Carroll County is governed by the “employment at will” doctrine.*

Our offices are open to all employees, and we are dedicated to assisting the County with providing a workplace that is positive, productive and professional.

The County’s “Open Door” process is one which encourages employees to go directly up their chain of command with work-related questions and with possible resolutions to workplace concerns. Work related questions and concerns should first be brought to the attention of the employee’s Supervisor or the Supervisor on duty. If the situation is not resolved, the employee should then speak with his/her Department Head. If the situation is then not resolved, the employee should speak with Human Resources. Finally, if still not resolved, the employee should submit a request to speak with the Board of Commissioners.

All questions and concerns will be handled as promptly as possible and in as confidential a manner as possible. Information provided to our offices will be disclosed only on a need-to-know basis for the purpose of resolving the issue at hand.

This policy prohibits retaliation against any employee who brings good faith questions or concerns to Human Resources pursuant to this policy.

## PERSONNEL RECORDS ACCESS POLICY

**PURPOSE:** To provide each employee with information on how to appropriately request to inspect his/her personnel records.

**POLICY:** Specific personnel information must be maintained by Carroll County in order to operate efficiently and comply with legal requirements. Carroll County attempts to protect employees' privacy by restricting the accessibility of confidential data to only authorized personnel requiring it for specific business-related purposes. Current or former employees, or their authorized representative, shall have reasonable opportunity to inspect and/or request copies of items in their personnel record upon making a written request to Human Resources.

**PROCEDURE:**

Personnel records that are accessible for review by current or former employees include any document which has been used or which is intended for use in determining the employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action.

Documents **not** subject to access by employees include but are not restricted to:

1. Medical Records of individuals other than the employee
2. Letters of Reference
3. Examinations or Board documents (results will be made available)
4. Information from or about another person
5. Records that are confidential or privileged under State or Federal law
6. Investigatory records that pertain to any matter that did not result in disciplinary action
7. Materials used for management planning or staffing
8. Records relating to institutional security

Any current or former employee who wants to inspect their personnel record must make a written request to Human Resources. An appointment will be scheduled for the employee to access their records, generally within seven (7) administrative working days of the receipt of the request.

Any employee who is involved in a complaint or union grievance can designate, in writing, a representative to inspect only those items in the employee's personnel records which may have bearing on the resolution of the complaint or union grievance. A release of information must be signed by the employee, and valid identification must be presented by the employee's designated representative before being allowed access to the records or documents.

Personnel records must be viewed in the presence of Human Resources staff and may not be removed from the County Complex, or copied, without the proper authorization as required by law. The Board of Commissioners may review, retrieve or copy a current or former employee's personnel file after a majority vote of the Board.

Employees may have a single photocopy of any document inspected. The County reserves the right to charge a reasonable fee for copies. If a personnel file is readily accessible because the employee is actively employed, the fee shall be ten (.10) cents per page. Former employees shall

be charged a fee of one (\$1) dollar per page to cover the cost of retrieval, copying, and returning the file to the archives.

In order to correct or remove information from a personnel record there must be mutual agreement to do so between the employee and the employee's Department Head or Human Resources. Disciplinary actions may be removed as written in current Collective Bargaining Agreements for employees covered under those Agreements.

In the event that there is a mutual agreement to remove a disciplinary action from an employees personnel file, a Notice of Removal will be substituted for the original document. The Notice of Removal shall indicate the type of item being removed, the reason for removal, and the signatures of the parties agreeing to the removal. In the event that a mutual agreement is not made, an employee may dispute any document in the file by attaching an explanatory statement to the document.





## Section 2

# Employee Conduct



## CODE OF CONDUCT AND ETHICS

The Commissioners, Delegation, and Taxpayers of Carroll County have the expectation that every employee will exhibit honesty, respect, social responsibility and ethical conduct at all times. Our employees must assist us in maintaining a harmonious and productive working environment that fosters mutual respect, teamwork, and professionalism. County government shall actively pursue an environment that is free from all forms of harassment and/or violence.

### **Employees Standards of Conduct and Ethics include, but are not limited to:**

1. All employees shall extend professional courtesy and deal fairly and honestly at all times with each other, persons under the care of the County, communities, and the general public.
2. All employees shall devote their full time and attention to performing their job function during regular hours of employment.
3. Vulgarity, abusive language and profanity are prohibited.
4. Harassment of, or by employees, or sexual misconduct, will not be tolerated.
5. The use of or being under the influence of alcohol or illegal drugs while at work is prohibited.
6. Workplace violence or the threat of violence (expressed or implied), intimidation, bullying, or other abusive behaviors are strictly prohibited.

### **OUR PLEDGE**

- I. We will treat our co-workers, communities, those under the care of the county, the general public and vendors with respect and dignity in all interactions.
- II. We offer all employees the opportunity to build their careers.
- III. We will enhance the trust and satisfaction of our employees through an inclusive environment.
- IV. We shall maintain an environment that respects people, regardless of differences.

### **Employment Classifications:** There are four (4) employment classifications as follows:

1. **Regular exempt** – exempt employees are expected to work as necessary to the full accomplishment of their job duties. Exempt employees are generally compensated on a salary basis.
2. **Regular Full Time Non-exempt** – normally scheduled to work a schedule of at least 35 hours per week. Full time non-exempt employees are generally compensated on an hourly basis and are paid overtime wages for overtime over 40 hours.
3. **Regular Part Time Non-exempt** – normally scheduled to work for less than 35 hours per week. Part time non-exempt employees are usually compensated on an hourly basis and are paid overtime wages for overtime over 40 hours.
4. **Per Diem** – employee is scheduled to work at least one weekend per month and 2 holidays per year (either Thanksgiving or Christmas, *and* either 4<sup>th</sup> of July or Labor Day, alternating each year).

## PERSONAL APPEARANCE POLICY

All staff shall adhere to the uniform policies, if any, for department in which they work. All others must dress in a manner that appears well maintained and acceptable for his/her work environment. Please consult with your Supervisor or Department Head for additional information regarding your specific departments' dress code requirements as there may be unique needs specific to that work area. General guidelines are as follows:

1. No article of clothing may display obscene language or graphics that could be considered offensive by the public, residents, other employees, or those under the care of Carroll County
2. Hair, including facial hair, must be kept clean and neatly trimmed
3. Heavy perfumes or colognes should not be worn to work
4. Good personal hygiene is required at all times by all employees
5. Footwear should be suitable for the particular job performed, and in accordance with specific department safety standards
6. Shirts shall meet the waistline of pants when arms are raised, or shall be tucked in
7. Clothing (dresses/shorts) more than 2 inches above the knee is not appropriate work attire
8. Low cut or unbuttoned tops that reveal excessive cleavage are not appropriate work attire

Employees who do not comply with County policy regarding personal appearance standards may be required to leave the premises to correct the issue. Repeated violations or refusal to comply with these standards could result in disciplinary action, up to and including termination.



## UNACCEPTABLE CONDUCT AND JOB PERFORMANCE

This policy identifies three categories of unacceptable performance or conduct. Certain kinds of actions or conduct are obviously unacceptable, but no list of standards can possibly cover every circumstance.

**Class “A”** violations include the most serious misconduct and repeated job performance problems. These serious violations normally result in termination of employment. Examples include, but are not limited to:

- a. Harassment or sexual harassment (see harassment policy)
- b. Racial, ethnic, age, disability or other derogatory or degrading slurs
- c. Hostile written or graphic material in the workplace
- d. Dishonesty of any type
- e. Unauthorized disclosure of confidential County information
- f. Verbal or physical abuse, threats, intimidation or other abuse toward co-workers or other persons lawfully on County property
- g. Use, sale, distribution or possession of illegal drugs or alcohol while on County business or premises at any time, including breaks or meal breaks
- h. Reporting to work in an unfit condition
- i. Destruction or damage to County property or the property of other employees, visitors, or any other person lawfully on County property
- j. Unauthorized use of County property
- k. Falsification of County records
- l. Insubordination
- m. Failure to comply with local, state, and federal laws
- n. Job abandonment
- o. Refusal to fully cooperate in any investigation
- p. Removing or attempting to remove County property or records without proper authorization
- q. Misrepresentation on an application for employment or other report, including but not limited to omission of prior employers or falsification of any documents submitted during the employment process regardless of when the misrepresentation actually occurred
- r. Communicating any type of threat (express or implied) toward any individual including but not limited to other employees, any person under the care of the County, or a threat involving County property or facilities
- s. Violation of the Internet Resources or Social Networking policies

**Class “B”** violations include serious acts, which indicate a disregard of the established rules and/or standards of conduct which may not result in termination. Class “B” violations normally result in a written warning for a first offense, final warning for a second offense, and termination for a subsequent offense.



Depending on the severity of the infraction and past work history, termination may be appropriate for the first offense. An employee may commit multiple Class "B" violations that are not serious when considered separately, but when grouped together indicate a pattern of unacceptable behavior. Examples may include, but are not limited to:

- a. Uncooperative behavior
- b. Unproductive behavior, inefficiency and/or negligence in the performance of assigned duties
- c. Failure to perform duties in a satisfactory manner
- d. Failure to complete work in a timely manner

**Class "C"** violations generally result in an initial warning. However, an employee may commit multiple Class "C" violation that, when considered together, are grounds for more serious disciplinary action up to and including termination. Examples may include, but are not limited to:

- a. Consuming food, drink, or using tobacco products, including smoking, in unauthorized areas
- b. Failure to notify and receive permission from supervisor before leaving assigned work area during work time with the exception of prearranged breaks and meal periods
- c. Use of personal cell phones or other communication devices during work hours (must be limited to meal or break periods). If there is an emergency, the employee should take the necessary and appropriate steps to discretely excuse themselves to a private location to handle the emergency situation.
- d. Personal business conducted on County time during work hours is prohibited except as stated above (during breaks and meal periods)
- e. Lack of adequate personal hygiene
- f. Inappropriate footwear or clothing that is revealing or contains offensive sayings, slogans, or images
- g. Excessive absenteeism

***Where there is a Collective Bargaining Agreement in place, the terms and conditions of that Bargaining Agreement shall supersede this policy. Union members should always refer to their Bargaining Agreement.***

## Section 3

# General Policies



## ATTENDANCE POLICY

All employees are expected to be punctual in reporting to work for all scheduled shifts. Shift changes must be approved in advance by the Supervisor or Department Head

It is understood that employees have unforeseen circumstances that may require an unexpected absence from time to time. Please be cognizant of the fact that unplanned absences cause additional workload for your co-workers and last minute staffing challenges. All employees are expected to return to work as soon as medically able to do so.

If a medical condition requires you to be absent from work for three or more days/shifts, you will be required to furnish a doctor's note prior to returning to work. Failure to produce a doctor's note will result in your being sent home until your absence and clearance to return to work is documented by your medical care provider. Excess absenteeism may result in disciplinary action. Continued absenteeism may result in additional disciplinary action up to and including termination. FMLA and approved Personal Leave absences are not subject to the Attendance Policy.

Excessive tardiness (late for a shift by more than 10 minutes) more than three (3) times in a month or more than 12 times in a calendar year may result in disciplinary action (including verbal warning, written warning, suspension/final warning, and termination).

*Union members should always refer to their Bargaining Agreement.*

## CELL PHONE USAGE POLICY

**PURPOSE:** To allow cell phone usage within the Carroll County Complex in a manner that is not disruptive to the professional work environment of the county.

**POLICY:** Carroll County acknowledges the need for employees to use cell phones for business or personal use. Certain job positions require communications via cell phone and there are other job positions that do not require the use of cell phones during working hours.

*Specific facilities and/or departments may have a different policy in place according to that facility/departmental need. Please inquire with your Department Head or Supervisor regarding the cell phone policy in practice at your specific workplace.*

### **PROCEDURE:**

While at work, employees are expected to exercise the same discretion in using personal cell phones as they are expected to use with County phones. Excessive personal calls and texting during the work day interferes with employee productivity and be distracting to others. Employees should restrict making or receiving personal calls during work time, and should use personal cell phones only during scheduled breaks or lunch periods in non-working areas.

To avoid the disruption of meetings, trainings or presentations, employees are asked to leave all cell phones and other electronic devices in an appropriate place away from the meeting, or to silence the phone during the meeting, training, or presentation. Phones brought in to confidential or non-public meetings will not be permitted outside the meeting for any reason as long as the meeting remains under way.

An employee whose personal phone is the cause of repeated disruptions of the normal professional work environment may be required to leave the phone in a personal locker or personal vehicle until that employees scheduled break or lunch period.

An employee's inappropriate use of cell phones in such a manner that could be construed as harassment is prohibited on County property. Such can be grounds for discipline up to and including termination.



## COMPLAINT POLICY

**Policy:** Carroll County intends resolve employee complaints at the lowest appropriate supervisory level. Carroll County encourages its employees and Supervisors/Department Heads to discuss disputed issues in an informed and informal manner to attempt to resolve problems promptly and directly, prior to an employee filing a complaint.

There will be no retaliation against any employee who, in good faith, files a complaint, or any employee who assists in the investigation or resolution of a complaint.

Frivolous complaints, or complaints made with malice or in bad faith, as determined by the Commissioners, will not be tolerated. Any employee filing a frivolous, malicious or bad faith complaint may face appropriate disciplinary action up to and including termination.

*PLEASE NOTE: TO THE EXTENT THAT THE SUBJECT OF A COMPLAINT IS A SUSPENSION, REMOVAL OR DISCHARGE, AND THE EMPLOYEE IS SUBJECT TO THE PROVISIONS OF RSA 28:10-a, THEN RSA 28:10-a SHALL GOVERN. SEE RSA 28:10-a.*

**Procedure:** For the purposes of this procedure, “working days” are defined as Administrative working days, Monday through Friday.

### **A. Intra-Departmental Hearing of Facts:**

Employees must present their complaint in writing to their Supervisor for consideration.

1. A complaint must be received within seven (7) calendar days after the event on which the complaint is based.
2. The Supervisor will schedule a meeting with the employee within five (5) working days after receiving the complaint to hear the specifics of the complaint. The Supervisor will consider the facts of the complaint, and may seek additional information including obtaining information through conducting interviews or obtaining documentation where the Supervisor deems additional fact-finding is necessary and desirable.
3. A written decision will be presented by the Supervisor to the employee within ten (10) working days of the meeting.

### **B. Administrative Hearing:**

If the employee disagrees with the decision rendered by the Supervisor, an employee may request a Department level Administrative Hearing.

1. A written request for a hearing may be submitted to the Department Head, within five (5) working days following the receipt of the written decision of the Supervisor.
2. The Department Head will schedule a hearing within five (5) working days after receiving the written request. At the Administrative Hearing, the Department Head will consider the facts of the original complaint, provide the complaining employee an

opportunity to be heard and the Supervisor with an opportunity to explain the reasons for the Supervisor's decision.

3. A decision in writing will be presented by the Department Head to the Supervisor and to the complaining employee within ten (10) working days of the hearing.

### **C. County Commissioners Appeal**

If the employee disagrees with the decision rendered by the Department Head, the employee may request an appeal to the County Commissioners.

1. A written request for an Appeal may be submitted to the County Commissioners within five (5) working days following receipt of the written decision of the Department Head.
2. The County Commissioners will review the facts and may, at their discretion, request witnesses or documentation in order to render an informed decision.
3. Within ten (10) working days after receiving the written request the Commissioners will either render their Appeal decision, or schedule a Commissioners Hearing.
4. The Commissioners may, at their discretion, hold either a formal or informal Hearing. The hearing procedure for a hearing before the Commissioners is contained in a separate policy and available for review. This action may result in a delay of final resolution.
5. The Commissioners reserve the right to appoint a Hearing Officer at their discretion.
6. The Commissioners reserve the right to retain legal counsel, at their discretion. This action may result in a delay in final resolution.
7. The Commissioners are not required to retain legal counsel or to request an outside investigation of fact-finding where, in the Commissioners' discretion, such steps are not deemed necessary or appropriate.
8. The Commissioners reserve the right to hold a public hearing where the employee filing the complaint has made his/her complaint public and/or has requested a public hearing, taking care to protect the security of the facilities and the privacy of any third parties, and the confidentiality of confidential information to the extent possible. The requesting employee will be required to sign an authorization agreement to hold such hearing.
9. The Commissioners will render a written decision within fifteen (15) working days after the hearing.
10. A decision rendered by Board of Commissioners will be considered final.
11. The Commissioners reserve the right at all times to conduct their review of an appeal based on the individual fact pattern of the complaint presented to them, in accordance with the laws, rules, and regulations concerning the matter at hand, and in the best interests of Carroll County.



## **DISCHARGE-SUSPENSION POLICY(RSA 28:10-a)**

### **POLICY:**

Any employee of Carroll County who has been employed for at least one year shall not be discharged from employment except for dishonesty, intoxication, immoral behavior, or other misconduct, neglect of duty, negligence, willful insubordination, lack of cooperation, inefficiency, incapacity or unfitness to perform their duties, or for the good of the facility in which they are assigned, or for violating any of the rules under the Discipline Policy, and subject to the following conditions:

A) Prior to the discharge or removal of any such employee, based upon justification for such action by an elected/appointed department head, a statement of the grounds and reasons for the discharge or removal shall be prepared by the County Commissioners and signed by a majority of the County Commissioners. Notice of the grounds and reasons shall be given to the employee not less than ten (10) days or more than thirty (30) days prior to the effective date of discharge or removal. The Commissioners may discharge or remove an employee for stated cause without prior warning or hearing.

B) Any employee may be suspended at any time, without prior notice, for a period not to exceed ten (10) days. The elected/appointed department heads have been delegated the authority to suspend an employee without notice for a period not to exceed ten (10) days. The elected/appointed department head will present recommendations to Commissioners for action within the ten (10) day period.

Within thirty (30) days of receipt of the notice under subparagraph A, or within ten (10) days of the first day of suspension under subparagraph B, the employee may request in writing a public hearing on such notice or suspension before the County Personnel Committee, consisting of the Chairperson, Vice-Chairperson, and the Clerk of the County Delegation. If, upon such hearing, said Committee finds good cause for discharge, removal, or suspension of the employee, they shall approve their discharge, removal or suspension as ordered or approved by the County Commissioners. The County Personnel Committee may establish reasonable rules for procedure and admission of evidence and shall keep a record of all proceedings under this Section. Any action or decision made under this Section shall be subject to rehearing and appeal as provided in RSA 541. The County Personnel Committee, when acting under the provision of the Section, shall be deemed a Commission within the meaning of RSA 541:1.

The salary of said employee shall terminate or be suspended on the effective date of their discharge, removal or suspension, provided, however, that if the employee has been discharged, removed, or suspended without good cause, they shall be reinstated to their former position without loss of pay for the period of suspension and shall be reimbursed for their legal costs and reasonable attorney fees as determined by the County Personnel Committee, or, in the event of appeal from its ruling, by the Superior Court. This section shall not apply to county employees laid off by reasons of abolition of a position, change in organization, lack of work, or insufficient funds.

## DONATED SICK TIME POLICY

**PURPOSE:** To assist employees with sick leave time for FMLA and Medical Leave purposes.

**POLICY:** Carroll County acknowledges the desire for employees to help each other in times of need. Therefore, employees will be allowed to donate sick time to other employees for FMLA and Medical Leave purposes. The total number of hours donated shall not exceed twelve (12) weeks of FMLA at the employees regularly scheduled hours.

**PROCEDURE:** The employee receiving the donation must be on an approved FMLA and/or Medical Leave and have insufficient amount of sick, vacation and holiday time to cover the full leave. The employee receiving the donation must exhaust all of his/her sick, vacation and holiday leave time prior to a donation being made. The donated leave time and the existing leave time cannot exceed the amount of FMLA to which the employee receiving the donation is entitled.

A request form to donate time can be obtained through your supervisor or through Human Resources. The completed form must be sent to Human Resources, who, in conjunction with payroll, will ensure that the requested amount of time is donated and does not exceed the amount of time to which the employee receiving the donation is entitled.

If multiple employees donate sick time and the amount donated exceeds the allowable amount, the donated time will be deducted proportionately from each of the donors.



## HARASSMENT POLICY

**Purpose:** Carroll County believes every employee has the right to work in an environment free from harassment of any kind. Employees are expected to conduct themselves with courtesy, respect, and professionalism.

**Policy:** Harassment includes, but is not limited to, unreasonable conduct or behavior which is personally offensive or threatening, impairs morale or interferes with the effectiveness of the employee. Harassment of any person or group – based on age, sex, race, color, national origin, religion, marital status, familial status, physical or mental disability, sexual orientation, and/or any other characteristic protected by State or Federal law - is a serious violation of County policy and will not be tolerated. Derogatory or demeaning racial, ethnic, religious, age-related, sexual or other inappropriate remarks, slurs, or jokes, cartoons, or pictures will not be tolerated. This policy applies to all activities, anywhere on the County Complex whether indoors or outdoors, and also includes business travel and business related social events. Carroll County property such as, telephones, copy machines, fax machines, computers, and computer applications including, email and internet may not be used to engage in any conduct that may be perceived as a violation of this policy.

### **Procedure:**

Carroll County takes allegations of harassment very seriously and will respond promptly to complaints of any form of harassment. If it is determined that such inappropriate conduct has occurred, we will act promptly to correct the conduct and impose disciplinary action where appropriate.

### **Harassment Defined:**

1. Each employee must exercise good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of harassment include, but are not limited to:
  - a. Verbal: sexual innuendoes, racial or sexual insults, derogatory slurs, off-color jokes, propositions, threats, suggestive or insulting sounds;
  - b. Visual/Non-verbal: derogatory posters, cartoons, or drawings, suggestive objects or pictures, graphic commentaries, leering; or obscene gestures;
  - c. Physical: unwanted physical contact, including touching, interference with an individual's normal work movement, or assault;
  - d. Retaliation: making or threatening reprisals as a result of a negative response to harassment.

### **Sexual Harassment Defined:**

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:



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

#### **Complaint Reporting Procedure:**

Any employee who observes, becomes aware of, or is subjected to harassment must report it to their immediate Supervisor or Department Head or Human Resources. In the event that the Supervisor or Department Head is named as the perpetrator, Human Resources should be contacted.

Harassment by others with whom Carroll County has a business relationship with, including the public, customers and vendors, must be reported as soon as possible so that appropriate action can be taken.

Although reports may be made verbally, employees are strongly encouraged to make any reports of harassment in writing. This will assist in the investigation process.

#### **Complaint Investigation:**

All complaints will be investigated promptly, impartially and as discreetly as possible. Interviews will be done with the employee filing the complaint, the accused and any other employee that may have relevant knowledge of the incident. Carroll County's goal is to conduct a thorough investigation, to determine whether harassment has occurred, and to determine what action to take against the offending individual. Upon completion of the investigation the appropriate parties will be notified and corrective and/or preventative actions will be taken. Any employee found to have acted in violation of this policy is subject to disciplinary action up to and including termination.

#### **Retaliation:**

Carroll County prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint investigation. Anyone found to have engaged in such retaliation against a person who has filed a complaint under this policy or to have retaliated against anyone for assisting in the investigation of a complaint, will be subject to disciplinary action up to and including suspension or termination.

## INFORMATION TECHNOLOGY/ ELECTRONIC COMMUNICATIONS POLICY

**Purpose:** To ensure that all employees utilize the County computer systems, leased or owned, and any and all other electronic devices provided by the County in an effective, efficient, ethical and lawful manner.

**Policy:** Computers, computer networks and files, e-mail systems, voice mail systems, Internet access, PDA's (Blackberries, etc.), cell phones and other electronic devices and software furnished to employees by Carroll County (collectively referred to in this policy as "County IT Resources") are the property of Carroll County and are intended for business use only. Deleting, altering, or sharing any confidential, proprietary, or any other information during employment or after separation of employment is prohibited, unless the employee has prior management authorization. All employees are obligated to use County IT Resources lawfully and responsibly in the best interests of Carroll County. *No employee should have any expectation of privacy in their use of County IT Resources or with respect to any information stored, created, received, or sent using County IT Resources. Employees should also note that the use of User ID's and passwords does not create a right of privacy or diminish Carroll County's right to access and/or monitor County IT Resources.*

### **General Use:**

**ID's/Passwords** - Each employee will be given a User ID and password to access the computer issued to the employee and the County's network. User ID's and passwords are strictly confidential. *Never share passwords with ANYONE* including the Network Administrator. No employee shall use any other employees User ID and/or password, access another person's files, or access or retrieve any stored communication or email, other than his/her own, without first obtaining appropriate authorization. User ID's and passwords also shall not be shared with anyone outside the organization. Unauthorized access of another employee's emails, stored files, storage devices, or software will be considered a breach of this policy. It is every employee's responsibility to immediately shut down the computer issued to them if it is found to be logged on under another employee's ID, and to immediately report the incident to their Supervisor. It is expected that every employee with access to the County's IT Resources shall log off their personal account any time they are not actively working, and should shut down their computer at the end of their shift.

**E-mail** – E-mail is a communication tool to be used for business purposes. It may not be used to solicit others for commercial ventures, to contact outside organizations (except to conduct Carroll County business), or for other non-business matters. In general, employees should not put anything into an e-mail that would not also be appropriate for a formal memo. E-mail messages and other electronic communications sent or received should be written with the same care, judgment, and responsibility as would be used with business correspondence on Carroll County letterhead and in the same professional and business-like manner. Threatening, harassing, discriminatory, libelous, racially and/or sexually motivated or explicit messages are strictly prohibited.



**Monitoring** – Carroll County reserves the right to access and review, at any time, all information in any Carroll County IT Resources. Carroll County reserves the right to install filters and/or monitor employee use of County IT resources with or without notice. This may also include monitoring of deleted files, metadata, and other electronic information stored on Carroll County's central back up systems and end users computers. Employees should not hold any expectation of privacy in their use of Carroll County computers, e-mail systems, Internet, or any other County IT Resources.

**Internet Use** – Access to the Internet is intended for business use only. The use of the County's internet service to access internet based social networking sites is prohibited except as required by law enforcement officers in the performance of their duties.

**Harassment Compliance** – Carroll County prohibits the use of its IT Resources as a means of harassment or bullying as defined by County policy. Downloading, displaying or transmitting sexual images, messages, cartoons or off-color jokes, ethnic or religious slurs, racial comments or jokes, or other items that may be construed as harassment or bullying are prohibited.

**Software** – Carroll County computers, software, and other County IT Resources are important assets of Carroll County and are to be used only in full compliance with the laws and only for the purposes required by Carroll County. Software licensing and/or copyright violations can result in substantial civil and criminal penalties. Unauthorized use, copying, manipulation or transfer of software is prohibited.

The guidelines listed below are to be observed by all Carroll County employees whether or not their County-issued computers or other County IT Resources are located on Carroll County property.

- No employee may install or store any software (this is to include free software or software paid for by another party) on the hard drive of any Carroll County computer or other County IT Resource without the prior written approval from the Network Administrator.
- No employee may move or copy any software acquired for use by Carroll County. The only exception is copies that are required for backup or archival purposes.
- No employee of Carroll County may lend the original or any copy of any software to other County departments or other parties without prior written approval from the Network Administrator.
- No employee may remove any software disks, CD's, drives, acquired for use by Carroll County from the County premises, to run this software on an employees personal computer or other non-county computer or device without prior written approval from the Network Administrator.
- No employee may install personal software, data or content (e.g. media, web content) or attach personal media such as floppy diskettes, CD/DVD or USB drives to run on a Carroll County computer or other County IT Resource without written approval from the Network Administrator.
- No employee may access or attempt to gain access to a file, computer or other County IT Resource to which the employee is not authorized.

**Sabotage** – Destruction, theft, alteration, or any other form of sabotage of Carroll County's IT Resources is prohibited. Breaking into and/or intentionally corrupting any County IT Resource and/or hacking into a third party IT Resource using Carroll County's IT Resources is prohibited. Viruses, worms, destructive programs and/or any suspected vulnerability in Carroll County's IT Resources should be reported to the Network Administrator immediately.

**Termination of Employment** – Upon separation from employment, any County IT Resources belonging to Carroll County including, but not limited to, computers or other business equipment, CD's, disks, Zip drives, USB portable drives, PDA's, and other removable drive devices, and KRONOS cards must be returned with the appropriate User ID's, passwords and any other information necessary for Carroll County to continue using this equipment.

**Violation of Electronic Communication Policy** – Any violation of this Policy must be reported to the employee's immediate Supervisor, Department Head or Human Resources, who in turn will notify the Network Administrator. Any violation of this policy may lead to disciplinary action up to and including termination of employment, where appropriate.

## PRIVATE OR PRIVILEGED COMMUNICATIONS

**PURPOSE:** To provide guidance with regard to the illegality of eavesdropping, recording, wiretapping or disclosure of any oral, electronic or telecommunication presumed to be private or privileged in nature.

**POLICY:** The deliberate interception, recording, and/or willful disclosure of any communication normally and usually considered to be private is prohibited, except as provided for by, and in accordance with, RSA 570:A.

**PROCEDURE:**

A person is guilty of a Class B felony if he/she knowingly intercepts or records or willfully discloses the contents of any telecommunication, electronic communication or oral communication, including the recording or taping of private conversations to which that person is not a part, without the consent of all parties involved in the communication. A person is guilty of a misdemeanor if he/she knowingly intercepts or records or willfully discloses a telecommunication or oral communication when that person is a party to the communication, or with the prior consent of one of the parties to the communication, but without the approval required by law. Either action is a violation of NH RSA 570:A, and may be punishable under the full effect of the law.

Any person whose telecommunication or oral communication is intercepted or disclosed has a civil cause of action against any person who unlawfully obtains such communication and is entitled to recover actual damages at a rate of \$100 per day or \$1,000, whichever is greater, punitive damages and reasonable attorney fees or other litigation costs.

Please note that there are certain exceptions to this statute, including but not limited to, law enforcement and attorney interviews and interrogations. Also excepted from the statute are audio and video taping of public meetings which cannot be considered private or privileged in nature. Please refer to NH RSA 570 for the full context of the statute.



## SOCIAL MEDIA/NETWORKING POLICY

**Purpose:** This policy is intended to guide employee conduct as it relates to their representations of employment through the numerous social networking venues. The purpose of this policy is to establish written guidelines concerning these venues and to ensure employees use appropriate discretion in the use thereof, so as not to discredit or disrespect Carroll County or its departments or employees, including the Administration Offices, County Attorney's Office, Registry of Deeds, Jail and House of Corrections, Sheriff's Office, Communications Center, County Farm, or Mountain View Community (hereafter collectively referred to as "the County").

**Policy:** For the purpose of this policy, social networking sites are those that use internet services to allow individuals to construct a public or semi-public profile within the system and includes comments posted on any of those sites. The type of network and its design varies from site to site. Examples of internet based social networking sites include, but are not limited to: blogs, networking sites, photo sharing, video sharing, micro-blogging, podcasts and Listserv. The absence of, or lack of, explicit reference to a specific site does not limit the extent of the application of this policy.

### **Procedure:**

- A. Employees may identify themselves as employees of the County on social networking sites. However, the employee must be cognizant that if they do, their postings and actions may be considered reflective of the County.
- B. Employees are encouraged to honor the privacy rights of other current and former employees by seeking their permission before writing about or displaying internal County happenings that could be considered a breach of their privacy and confidentiality. Employees at all times shall comply with the law in regard to copyright and plagiarism. Posting someone else's work without permission is not allowed (other than short quotes that comply with the "fair use" exceptions). Other relevant laws that need to be complied with include those related to libel and defamation of character.
- C. Employees must recognize that they are legally liable for anything they write or present online. Employees can be disciplined for negative commentary, content or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can otherwise create a hostile work environment. The County will not assume responsibility for the legal defense of any employee accused or found guilty of such conduct, or for damages that may be awarded if an employee is found guilty of such conduct.
- D. Any employee/s with direct or assumed supervisory authority over any other employee/s should exercise extreme caution when networking with other employees. Supervisors may be held personally responsible for offensive communication or photos that occur on social media sites between co-workers outside the workplace on personal equipment. Conduct outside the workplace that is related to, or interferes with another employee's ability to perform his/her job duties may be actionable. Even something as simple as

“Liking” or “Disliking” someone or something creates a public record that is discoverable.

- E. Any photographs or video taken while at work that has a relationship to any work related incident, that are not otherwise already in the public domain, shall not be posted on social network sites. Furthermore, no photographs will be taken, printed, downloaded, or distributed for any employee’s personal use and/or beyond the scope of an employee’s official capacity or duty assignment.
- F. Employees must take proper care not to purposely or inadvertently disclose any information that is confidential or sensitive. Employees without the authorization of the appropriate Department Head are prohibited from disclosing information or details including but not limited to:
  - 1) Criminal or traffic stops or investigations
  - 2) Administrative investigations or actions
  - 3) Official agency training, calls for service, vehicle crashes and/or other contacts with citizens
  - 4) Personnel issues, including disciplinary actions, transfers, etc.
- G. Employees are expected to use common sense in all communications, particularly on a website or social networking site accessible to the public. Violations of this policy may result in disciplinary action up to and including termination.



## WORKPLACE VIOLENCE POLICY

**Purpose:** Carroll County is concerned about the well-being and personal safety of its employees and anyone doing business with the County. Therefore, acts or threats of violence, whether expressed or implied, which involve or affect County personnel or which occur on County property will not be tolerated. The stated purpose of this policy is to define violent and threatening behavior in the workplace and establish an effective process for identifying, preventing, reporting and investigating violence and threats of violence in the workplace.

The prohibition against threats, bullying and acts of violence applies to all persons involved in the operation of the County, including but not limited to elected officials, employees, contract and temporary workers, vendors, and anyone in the care of the County or on County property.

Violations of this policy by any individual on County property is considered misconduct and will lead to disciplinary action up to and including termination for employees, direction to stay away from County property, and/or criminal prosecution.

All reports of incidents will be taken seriously and will be addressed appropriately. The County will take appropriate action and/or steps necessary to protect employees in the workplace in cases where violent behavior or credible threat of violent behavior is directed at an employee or elected official.

Any elected official, employee, contract or temporary worker who applies for or obtains a protective or restraining order which lists County property locations as being protected areas **must** provide the Department of Human Resources with a copy of the petition and declarations used to seek the order, a copy of the temporary protective or restraining order which was granted, and a copy of any permanent protective or restraining order.

Carroll County prohibits retaliation in any form against an individual who, in good faith, alleges or makes a report of violence or bullying, or who assists in the investigation of such a report. However, any individual who knowingly makes false allegations or reports of violence or bullying will be subject to prompt and appropriate disciplinary action up to and including termination.

**Definitions:** For the purpose of this policy, the following definitions will apply as guidelines:

**A.** Threats or acts of violence include conduct that is sufficiently severe, offensive, or intimidating enough to create a reasonable concern for fear of physical safety. Examples of workplace violence include but are not limited to:

1. Hitting or shoving an individual
2. Threatening an individual or his/her family, friends, associates, or property with harm regardless of the relationship of the parties involved, or engaging in behavior that causes reasonable fear of harm
3. The intentional damage or destruction, or threat of damage or destruction of County property, or of an individual's personal property located on County property

4. The unintentional damage or destruction of County property or an individual's personal property through an act of violence
5. Harassing or threatening verbal, physical, written or electronic communications, including but not limited to verbal statements, phone calls, emails, letters, faxes, website materials, diagrams or drawings, gestures and any other form of communication that causes a reasonable fear or intimidation response in others
6. Threatening surveillance or stalking (defined as a pattern of conduct over time, however short, which evidences a continuity of unwanted or intrusive purpose and includes physical presence, telephone calls, emails, and any other type of correspondence sent by any means)
7. The suggestion or intimation that violence is appropriate
8. Domestic violence which includes a pattern of coercive tactics carried out by one intimate partner toward another with the goal of establishing and maintaining power and/or control over the victim
9. Any threats or acts of violence resulting in the conviction of an employee or agent of the County, or of an individual performing services for the County on a contractual or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the interests and goals of the County

**B. Bullying** is unreasonable behavior by an individual or group, directed toward an individual or group, that deliberately demeans, degrades, demoralizes, undermines, or humiliates, or which creates a risk to the health or safety of the individual or group. Examples of bullying include, but are not limited to:

1. Abusive or offensive language, yelling, or swearing
2. Insults or unreasonable criticism or blame
3. Creating or spreading rumor or innuendo
4. Teasing about appearance, habits, associations/affiliations, or personal limitations
5. Physical or verbal intimidation
6. Deliberate exclusion or isolation of an individual or group from normal work interaction

**Procedure:** Any individual who observes or becomes aware of workplace violence or bullying should immediately contact his/her Supervisor, Department Head, or Human Resources for assistance. Every employee has a duty to notify his/her immediate Supervisor, Department Head, or Human Resources of any threats or acts of violence, aggressive behavior, hostility, intimidation or bullying which he/she reasonably believes is a threat against another individual. All suspicious individuals or activities should be reported as soon as possible.

In the event a credible threat or actual act of violence occurs, all employees should remain calm and either activate their departmental panic button or call 911 for emergency assistance, and notify management. All staff should move to an area that reduces risk of contact with the potentially violent individual, if it is possible to do so safely.

The County will promptly and appropriately investigate all reports of workplace violence under this policy. The reporting and the information disclosed in the internal investigation will remain confidential to the extent possible, but may be disclosed on a need to know basis in order to thoroughly investigate and effectively resolve the matter. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the

integrity of its investigation, the County may suspend employees, either with or without pay, pending the outcome of an investigation.

Carroll County encourages all employees to bring their disputes or differences with other employees to the attention of their Supervisor or Department Head, or to the Human Resources Department before a situation escalates into potential violence.





## Section 4

# Employee Benefits

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## HEALTH and RETIREMENT BENEFITS

**PURPOSE:** To keep all employees informed about their options regarding medical and dental benefits, and about their contributions to the New Hampshire Retirement System.

Benefits elections cannot be changed or revoked until the Open Enrollment period, unless that change or revocation is consistent with a change in employment status or other qualifying event as determined by the Plan Administrator.

During the annual Open Enrollment period, you will be offered the opportunity to change benefit elections for the following year. If you do not complete and return a new election form at that time, you will be treated as having elected to continue your benefit then in effect for the new plan year. Deduction authorization will continue by its terms in the amount of the required contribution for the elected benefit elections.

### **MEDICAL INSURANCE:**

The current medical policy is a Harvard Pilgrim HMO plan, administered by New Hampshire InterLocal Trust. The County pays 80% of the premiums, while the employee is only responsible for the remaining 20%. All employees working at least 32 hours per week will be eligible for coverage the 1st of the month following completion of 90 days of employment.

The County has contracted with Concepts in Benefits for a Health Reimbursement Account. This is an employer funded account that pays the deductible for our employees. Please contact Human Resources to ensure you are signed up for this no-cost benefit.

In addition to the standard HMO, Carroll County offers all employees the opportunity to enroll in a Flexible Spending Account (FSA), also through Concepts in Benefits. Each individual employee determines the amount of the fund they would like, up to \$2,500. A bi-weekly payroll deduction is set up to reimburse that amount over the course of one year. An FSA works much like a savings account, except that the funds are immediately available, and the funds can only be used for medical or dental goods or services. Please contact Human Resources for a list of goods and services eligible under the FSA, as the list lengthy.

In accordance with the COBR Act of 1986, HB 790 (2007), and the ADA, Carroll County does have a Dependent Eligibility Policy to address coverage questions regarding an employees spouse/civil union partner, divorced or legally separated spouse, dependent child/ren under the age of 26, and dependents with disabilities. Please contact Human Resources to discuss your specific dependent eligibility questions.

### **DENTAL INSURANCE:**

Our current dental policy is through NorthEast Delta Dental. All employees working at least 20 hours per week will eligible the 1st of the month following completion of 90 days of

employment. There is no cost for single employee coverage. Please contact Human Resources for current rates for a two-person or family plan.

**NOTE:** *All new employees have 60 days to file completed new hire enrollment paperwork. However, if the deadline for payroll deductions passes prior to the receipt of your enrollment form, you will have to “catch-up” deductions from your paychecks to bring your premium payments up to date.*

### **RETIREMENT:**

All employees working at least 35 hours per week are required to participate in the New Hampshire Retirement System. Employee contributions are made by payroll deduction as shown:

- 1) Group I                                7% of earnings  
(Mountain View, Registry of Deeds, County Atty’s Office, Administration, Maintenance)
- 2) Group II                                11.55% of earnings  
(Sheriff’s Office and House of Corrections employees)

The New Hampshire Retirement System maintains a website that keeps all members informed about changes in legislation that may affect retirement benefits. Additionally, the NHRS has a MY ACCOUNT option which allows all members to create their own log-in and ID to access personalized information about their accounts and to predict the amount of their retirement based on their contributions. Please visit [www.nhrs.org](http://www.nhrs.org) for more information regarding the NHS.



## HOLIDAY POLICY

**Purpose:** Carroll County recognizes the desire for employees to spend their holidays with their families and friends.

**Policy:** Carroll County will recognize the following holidays for all non-union employees working in the Administrative Offices, Maintenance, and the County Farm. Understanding that individual departments recognize other holiday schedules, the combination of holidays and personal days will not exceed a total of thirteen (13) days within a calendar year. Holidays and personal days must be used within the calendar year and not rolled over into the following year.

New Years Day  
President's Day  
Civil Right's Day  
Memorial Day  
Independence Day  
Employee's Birthday

Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day  
(2) Personal Days

Probationary employees do not accrue holidays during their (6) month probationary period. Employees are eligible for paid holidays and personal days beginning six (6) months after hire.

If a holiday falls on an employee's approved vacation or paid leave, the holiday will not be charged against vacation or leave time.

**Mountain View Employees** – Employees may request their holidays either in the month prior to, the month of, or the month after a recognized holiday. When a shift bridges two calendar days, one of which is a holiday, the shift that begins on the holiday will be recognized as the holiday and the employee will be given a scheduled work day off with pay within the same or following month. With at least thirty (30) days advanced written notice, an employee may choose to receive holiday pay in lieu of a day off, not to exceed five (5) holidays a year.

*Non-union employees in the Registry of Deeds or the County Attorney's Office are required to check with their respective Department Head for a list of the recognized holidays in that department.*

*Mountain View employees will need to review their specific facility policy regarding holidays.*

*Union employees please refer to your Union Contract for specifics on holidays.*

## PERSONAL DAYS POLICY

**Purpose:** Carroll County understands that employees and their family members occasionally face unexpected life events that cannot always be anticipated or scheduled.

**Policy:** It is the policy of the County to provide each employee with personal time to deal with unexpected life events that may not qualify as illness or injury. Paid personal time will be granted along the guidelines shown below.

### Mountain View Community:

Non-union employees will receive 2 personal days per calendar year.  
Union employees can convert up to 3 sick days to personal days per calendar year.  
Employees at Mountain View Community may not take personal leave during holidays as defined in Section 5.1 of the Collective Bargaining Agreement. In addition, personal leave days may not be taken on Easter Sunday, Mother's Day and Father's Day.

### House of Corrections:

Administrative or non-union employees will receive 2 personal days per calendar year.  
Union employees will receive 1 personal day per calendar year, and may convert up to 3 sick days into personal days per calendar year.

### Sheriff's Office:

Union and non-union employees may convert up to 3 sick days into personal days per calendar year.

### County Attorney's Office:

Administrative and non-union employees will receive 2 personal days per calendar year.

### Registry of Deeds:

Administrative and non-union employees will receive 2 personal days per calendar year.

### Administrative Offices/Maintenance:

Administrative and non-union employees will receive 2 personal days per calendar year.

***Where there is a Collective Bargaining Agreement in place, the terms and conditions of that Bargaining Agreement shall supersede this policy. Union members should always refer to their Bargaining Agreement.***



## SICK DAYS POLICY

**Purpose:** Carroll County understands that employees and their family members sometimes face wellness challenges, and that wellness and the appointments necessary to promote wellness, cannot always be anticipated or scheduled.

**Policy:** Employees who are regularly employed between twenty (20) hours and forty (40) hours per week shall be entitled to earn paid sick time. Sick time will be accrued up to a maximum of twelve (12) days per year based on regularly scheduled hours worked. Sick time will be paid, at the employee's regular base rate of pay, due to illness or non-work related injury of the employee or an immediate family member. Sick time will be deducted from the employee's available sick time balance and can not be substituted for vacation or holiday time.

Probationary employees do accrue sick time during the six (6) month probationary period. However, they are not eligible to use paid sick time until the probationary period has ended. In the event that a probationary employee falls ill, the probation period for that employee may be extended in order to provide the employee's Supervisor sufficient time to observe his/her job performance and progress prior to the completion of said probation.

**Procedures:** *Sick time will not be paid unless it has been accrued.* It is the employee's responsibility to verify his/her sick time benefit.

1. If an employee is unable to report to work due to illness or injury, he/she is required to call in each day he/she will be out.
2. Employees must call in at least 2 hours prior to the start of their scheduled shift.
3. If an employee is absent more than three (3) consecutive days, a physician's note certifying the illness and clearing the employee's return to work may be required by the Supervisor or Department Head.
4. Where there is suspected abuse of this policy, a physician's note of certification of illness may be required prior to three (3) consecutive days absence.
5. Full time and part time employees may accrue up to a maximum of 65 days of sick leave.

***Where there is a Collective Bargaining Agreement in place, the terms and conditions of that Bargaining Agreement shall supersede this policy. Union members should always refer to their Bargaining Agreement.***

## VACATION POLICY

**Purpose:** It is the intent of the County to reward the hard work and dedication of all of our employees with adequate time away from work in order to refuel, refresh, and recharge.

**Policy:** Employees that are regularly employed between twenty (20) hours and forty (40) hours per week shall be entitled to vacation time at the current rate of base pay. Every full-time employee with vacation time accrued shall be afforded the opportunity to get as much as twelve consecutive days off, if possible. Employees scheduled to work weekends must meet their weekend schedules; or if they wish to take more than twelve consecutive days off, they must find a replacement to work on their scheduled weekend.

Vacation time will not be paid if it is not accrued. Unpaid time may be taken at the Department Head's discretion.

Every effort will be made to accommodate vacation requests, without compromising staffing needs.

*All employees covered under a Collective Bargaining Agreement should consult the Agreement in effect at his/her facility for the terms and conditions of their vacation accrual and use. The Collective Bargaining Agreement in effect will supersede this policy*

For all non-union personnel, vacation time shall be accrued according to the following schedule:

**40 HOUR WEEK:**

Years of Service	#Days Accrued	Max. #Days Accrued
0 – 5	10	15
6 – 10	15	20
11 – 15	20	30
16 – 20	25	35

Vacation hours for those working less than 40 hours per week, but more than 20 hours per week, accrue at varying rates. Please call or visit Payroll in the County Business Office for your accrual rate.

**\*\* Note --** All employees leaving employment with the County with appropriate 2 weeks notice, will receive 100% of their accrued time, paid out on the final check.



## Section 5

# Leaves of Absence



## **FAMILY MEDICAL LEAVE POLICY-FMLA**

**PURPOSE:** It is the intent of Carroll County to meet the need of our employees to care for themselves and their families. Carroll County recognizes that employees may occasionally need to take time away from work to care for their own medical needs or the medical needs of a family member.

**POLICY:** Carroll County will accommodate any employee eligible for FM Leave by allowing that employee to take time off to address his/her own serious health condition, or the serious health condition of his/her family member in accordance with Federal law. Initial eligibility (one year of employment, at least 1250 hours) must be established through the Human Resources Department by written request, and Certification by Health Care Provider will be required. Supervisors and Department Heads must be notified at least 30 days in advance of the start of FM Leave wherever possible, in order to accommodate staffing needs. At all times, the Federal guidelines will apply.

Carroll County reserves the right to designate FM Leave any time an eligible employee requests time off for a qualifying reason. For example, if an eligible employee suffers a non-work related injury that qualifies as a serious health condition, Carroll County has the right to designate any time away from work as FM Leave. The County will notify an employee by letter when it designates FM leave.

### **A. REASONS FOR LEAVE:**

Eligible employees may take family/medical leave for any of the following reasons:

- 1) the birth of your child and in order to care for the child
- 2) the placement of a child into your home for adoptive or foster care
- 3) to care for a spouse, parent, minor child, or adult child with a serious health condition
- 4) the employee's own serious health condition which renders the employee unable to perform the essential functions of his or her position

### **B. AMOUNT OF LEAVE AVAILABLE:**

An eligible employee may take up to 12 weeks of leave in a rolling 12 month period, depending on their employment status. A rolling 12-month period is 12 months measured backward from the date leave is first used. Human Resources will advise an employee of the amount of leave he/she has available.

### **C. NOTIFICATION OF LEAVE BY EMPLOYEE:**

Employees must notify their Supervisor and Human Resources, by written application, at least 30 days in advance of a foreseeable leave, such as leaves for planned medical treatment or the birth of a child. For unforeseen events, such as accidental injury causing a serious health condition, premature birth, or a sudden change in the employee's health, the employee must notify their Supervisor for their need for leave as soon as it is reasonable and practical.

Failure to give notice as required may result in delay or denial of FM Leave. In the case of failure to notify of foreseeable leaves, the County may delay the start of leave for up to 30 days from the date the employee provided the required notification.

#### **D. MEDICAL CERTIFICATION:**

An employee must submit a medical certification from a certified health care provider no later than 15 business days following approval of the FM Leave request.

The County reserves the right to have an employee examined by another Healthcare Provider (and possibly a third healthcare provider, if the first two medical opinions are inconsistent) at its expense. The County also reserves the right to request periodic additional medical certification during the term of the FM Leave.

#### **F. INTERMITTENT OR REDUCED SCHEDULE:**

Where there is a documented need by a certified medical provider, FM Leave may be taken on an intermittent or reduced schedule basis. Intermittent or reduced schedule leave will be counted on a four-hour basis. The employee must notify their Supervisor of their anticipated unavailability and the reasons for the proposed schedule.

A Supervisor may require the employee to temporarily work in a different position or on a different schedule during intermittent or reduced schedule leave to better accommodate the staffing needs. The alternative position will have the same pay rate and benefits as the position held prior to the start of the FM Leave.

The County reserves the right to deny any intermittent or reduced schedule leave for the birth or placement of a child.

#### **G. PAY AND BENEFITS:**

1. It must be understood that FM Leave is an unpaid leave of absence. Employees are required to utilize all accrued leave time during FM Leave.
2. Employees must exhaust all accrued leave time before receiving donated time.
3. Employees do not accrue any benefits while out on FM Leave.
4. While on FM Leave, the employee may not receive government compensation (unemployment, etc.) or work for another employer.
5. To continue coverage under the County's group health or dental insurance plan, the employee must continue to pay their portion of the premium. Failure to maintain payment of premiums will result in the loss of coverage. Coverage may not be reestablished until Open Enrollment.
6. If the County learns that the employee does not intend to return to work, or the employee simply does not return at the end of their approved FM Leave, insurance coverage for the employee will be discontinued.

In some cases, the County may recover its share of the premium for maintaining coverage for the employee during FM Leave if the employee fails to return to work for reasons other than a continued medical condition or other reasons beyond the employees control.

#### **RETURN TO WORK:**

An employee returning to work from FM Leave for their own medical illness must



provide written medical certification clearance to their Supervisor prior to returning. The County will make every effort to return an employee to the same or equivalent position. However, due to business necessity, this cannot be guaranteed. An employee will not lose any seniority or benefits for taking FM Leave.

Carroll County reserves the right to request a Fit for Duty Evaluation for any employee who requests an extension of their approved leave, or for any employee requesting accommodations in the workplace.

Failure to return to work at the end of the approved FM Leave may be considered as a voluntary resignation by the employee.

**FAILURE TO COMPLY WITH POLICY:**

If an employee fails to comply with the guidelines of this policy or falsifies any information related to the medical certification required to obtain the leave, the leave may be delayed, denied or discipline may result, up to and including termination of employment.

## GENERAL LEAVE OF ABSENCE POLICY

**POLICY:** There may be an occasion when an employee is faced with an emergency or special circumstance that requires the employee to take a paid or unpaid personal leave of absence. The Department Head/Elected Official may grant a personal leave of absence without pay, although the employee may be required to use his or her earned time.

**PROCEDURE:**

Requests for a general leave of absence will be evaluated on a case by case basis, taking into consideration the employee's length of service, staffing needs, and reason and length of the requested leave. To qualify for a general leave of absence, the employee must be classified as a full-time employee (32 or more hours per week) and must have completed at least one (1) year of full-time service at the time of the request.

Employees may apply for a general leave of absence by submitting a written Leave of Absence request to their Department Head/Elected Official or Human Resources at least 30 days prior to the start date of the leave requested. The request must include the reason for the leave, the dates the employee expects to be away from work, and the date the employee intends to return to work. If the leave is emergent in nature, the 30 day requirement may be waived by the Department Head/Elected Official or Human Resources. In all cases, the following will apply:

1. A general leave of absence shall not exceed thirty (30) days. An extension of leave may be granted under extreme or urgent circumstances.
2. Intermittent general leaves of absence will only be granted on a case by case basis at the joint recommendation and approval of both the employee's Department Head/Elected Official and Human Resources, and only in the most extreme and unusual circumstances.
3. Employees who are granted a general leave of absence will be required to exhaust their accrued time.
4. Employees will not continue to accrue time while on a leave of absence.
5. When a general leave of absence is approved the employee's benefits, such as health insurance, may be affected. It is the employee's responsibility to contact the Finance Office to determine how to address their continued benefits.
6. The County will make every reasonable effort to return an employee who has been out on a leave of absence to his or her same or comparable position and same or comparable rate of pay, without guarantee.
7. Failure to report back to work on the first day after expiration of the general leave of absence will be considered a voluntary termination of employment.

**Please visit Human Resources to discuss your questions regarding other special types of leave, such as Maternity, Jury Duty, Military, or Bereavement.**

## JURY DUTY LEAVE POLICY

**PURPOSE:** Carroll County recognizes that the performance of Jury Duty is an important civic duty. It is the County's intent to facilitate this civic obligation.

**POLICY:** An employee may be granted leave without loss of pay while on jury duty or when subpoenaed to appear before a court, a public body, or a public commission. In each instance, the employee shall submit a written notification in advance of performing such jury-type duty except in any unusual situation where an advance notice may be impractical. In such instance, a verbal request may be made to be followed up with written documentation that employee did perform jury-type duty.

It will be the responsibility of the employee to obtain documentation of the dates he/she was required to perform this civic service.

During such leave, the County will pay the difference between any compensation received for such service and the regular net pay of the employee.





## Section 6

# Job Related Injuries And Illnesses



## WORKER'S COMPENSATION POLICY (RSA 281-A)

**POLICY:** ALL ACCIDENTS OR INJURIES, NO MATTER HOW MINOR THEY MIGHT SEEM, MUST BE REPORTED TO YOUR SUPERVISOR IMMEDIATELY.

Workers' Compensation is an insurance program that pays medical and disability benefits for work-related injuries, illnesses and diseases. If an employee is injured on the job, and the injury is determined to be causally related to the performance of the job, an employee's medical treatment costs will be paid. If disabled following an on-the-job injury, the employee will also receive a percentage of weekly income until the employee is able to return to work. Carroll County's Worker's Compensation insurance is administered through PRIMEX (NH Public Risk Management Exchange).

**PROCEDURE:** A First Report of Injury form must be completed immediately and given to the injured employee's Supervisor. After ensuring that all information requested on the form has been provided, but within 24 hours of the accident or illness or disease, the Supervisor must forward the form to Human Resources for reporting. It is the employee's responsibility to seek further medical care if needed, and to notify their Supervisor within 24 hours of seeking such treatment.

Employees absent from work as a result of a legitimate and compensable Worker's Compensation injury:

1. will be immediately placed on FMLA to run concurrent with the Worker's Compensation (this will not affect the employee's accrued earned time)
2. are eligible for reinstatement to the employee's former position within eighteen (18) months of the date of the injury, provided that:
  - a. The employee requests reinstatement.
  - b. The employee is capable of performing the essential functions of the position, as determined by a qualified physician; and
  - c. The employee's original position exists and is available.

The County will provide Transitional Alternative Duty as determined by Supervisor, Department Head, and/or Human Resources, said opportunities being consistent with the employee's limitations, as certified by a qualified physician, and the appropriate provisions of RSA 281-A:64, and rules promulgated by the New Hampshire Department of Labor.

## **TRANSITIONAL ALTERNATE DUTY (TAD) POLICY**

**POLICY:** In compliance with RSA 281-A:23-b, Carroll County will provide temporary transitional or alternative work opportunities to all employees temporarily disabled by a compensable work-related injury or illness.

**PURPOSE:** Carroll County understands the importance of providing meaningful work during the time of healing and strengthening following a work-related illness or injury; to retain the knowledge and expertise of the employee and maintain the dignity and respect of the employee associated with their respective positions.

Transitional Alternate Duty is meant to be temporary and transitional in nature to return the employee back to full duty. The employee must progress towards a successful recovery from the injury within a twelve (12) week period. TAD will not be provided after twelve (12) weeks unless there is demonstrated and predictable progression to full recovery. Employees not progressing in recovery after a twelve (12) week period will not be permitted to work until such time as they are able to perform all duties of their original position, but no longer than eighteen (18) months.

This program is not intended to address those situations in which an employee has been deemed to be permanently disabled and unable to resume their previous position.

### **PROCEDURE:**

- a) The injured employee shall have the treating physician complete the NH Worker's Compensation Medical Form (75WCA-1), based on the findings during the initial examination. Upon completion, the injured employee will be responsible for returning the form to Supervisor and a copy will be sent to Human Resources.
- b) The Department Head will work with Human Resources and the employee to facilitate a safe return to work program with limitations listed by the treating physician. If a job description is needed by the treating physician to determine limitations, the employee will notify the Supervisor or Human Resources for a copy. If necessary, and with the permission of the employee, the Supervisor or Human Resources may contact the treating physician if additional information is needed regarding the employee's limitations.
- c) The employee will be responsible for obtaining an updated medical form completed by the treating physician following every medical appointment, but in intervals of not longer than thirty (30) days, and returning the form to their Supervisor.
- d) Additional modifications will be made to the TAD program as necessitated by the treating physician's NH Worker's Compensation Medical Form. The Supervisor and Department Head, with Human Resources, will be responsible for reviewing the appropriateness of continuing the program or duty assignments as necessary.
- e) Steps A through D may be repeated until such time as the employee is able to return to their normal position or has been deemed to be permanently or indefinitely disabled.



## Section 7

# Federal Protection Policies



## AMERICANS WITH DISABILITIES ACT (ADA)

**PURPOSE:** It is the policy and practice of Carroll County to ensure equal employment opportunities for all qualified persons with disabilities. Carroll County is committed to ensuring non-discrimination in the application process as well as in all terms, conditions and privileges of employment. All employment practices and activities, whether provided or conducted by Carroll County or any other entity on the County's behalf, will be conducted on a non-discriminatory basis.

**POLICY:** The County will make reasonable accommodations for qualified individuals with disabilities to ensure equal opportunity in the application process, to enable employees to perform essential job functions, and to enable disabled employees to enjoy the same benefits and privileges of employment as are enjoyed by employees without disabilities

Employees should notify the Department of Human Resources if, because of a disability, he/she requires an accommodation to perform the essential functions of his/her job. The employee may be asked to provide medical documentation about the disability and the types of reasonable accommodation that may be effective for the employee. The employee will be expected to promptly provide this information and engage in an interactive process with us so that the County may evaluate whether the employee qualifies for accommodation and determine appropriate reasonable accommodations.

The County may decline to provide accommodation in certain circumstances including, but not limited to when:

- a) The requesting employee is not a qualified individual with a disability within the meaning of State or Federal law
- b) The accommodation would pose an undue hardship to the County or our employees
- c) The employee may cause a direct threat to his/her own health or safety or the health or safety of others, even with the benefit of reasonable accommodation.

The County will maintain all medical information in a confidential manner, and will release it only to those with a legitimate need to know.

Employees with questions or concerns about disability discrimination or harassment must report the matter to the Department of Human Resources, the employee's Department Head, or the Commissioners.

## EQUAL EMPLOYMENT OPPORTUNITY

**PURPOSE:** This policy sets forth Carroll County's commitment to equal employment opportunity and ensures compliance with State and Federal laws and regulations in these areas.

**POLICY:** Carroll County is committed to promoting equal employment opportunity as part of its mission to provide fairness and equity in its employment practices. Equal employment opportunities will be provided for all employees and applicants. The County will make employment decisions based on merit, qualifications, abilities and other legitimate business considerations. We seek to maintain a cordial, professional work place where the dignity and respect of individuals is promoted and protected.

There are certain non-merit characteristics for which it is strictly prohibited to illegally discriminate against any individual with respect to his/her recruitment, examination, appointment, compensation, retention, benefits, upgrading, training, and transfer opportunities, discipline, or any phase of employment. These characteristics include sex, race, color, national origin, political opinions, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation or genetic information or any other legally protected category.

No employee or applicant will be subject to unlawful discrimination, segregation, limitations, classifications, or deprivation in any way which would adversely affect his/her status as an employee or applicant because of the above stated personal characteristics.

Consideration of a protected status such as age or disability may occur only in cases where specific job requirements constitute a bona fide qualification necessary to proper and efficient administration. These conditions of employment will be made available to the applicant.

**PROCEDURE:** Any applicant or employee who feels that he/she has been discriminated against in violation of this policy may file such a complaint with the Human Resources Department or the Commissioners. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of discrimination in violation of this policy or retaliation against an employee who has made a complaint or participated in any investigation under this policy will be subject to disciplinary action up to and including immediate termination.



## **DISCLAIMERS**

### **1) EMPLOYMENT AT WILL:**

New Hampshire is governed as an “employment at will” state. Neither the materials found in this reference guide, nor any policy or procedure statement of the individual facilities that make up the County, or of the County Complex as a whole, should be construed as a contract of employment or as a contract guaranteeing continued employment. ***This reference guide and its contents do not alter an employee’s at-will status.***

### **2) COLLECTIVE BARGAINING AGREEMENTS (Union Contracts):**

The County recognizes that some facilities/departments are bound by active negotiated Collective Bargaining Agreements. In all cases, the terms and conditions of current Collective Bargaining Agreements shall supersede the policies stated herein. Any employee covered by a Collective Bargaining Agreement should always refer to that Bargaining Agreement. ***If you are unsure if you are covered by a Collective Bargaining Agreement, please see either your Union Steward or Human Resources.***

### **3) EMPLOYEE REFERENCE GUIDE:**

The policies and procedures outlined in this Reference Guide are being provided to you to help answer some of our most frequently asked questions, and to help guide you during your career with Carroll County. These policies should in no way be considered the only employment policies in effect in the County. There are many more facility and County policies, New Hampshire RSA’s, and State and Federal Department of Labor regulations by which the County is governed. If you have a question that you do not see addressed in this Reference Guide, please feel free to ask your Supervisor or Department Head, or visit us at Human Resources. Our offices are open Monday through Friday, from 8:00am to 4:30pm, or you can call us at 539-1803 or 539-1721.