

**CLEAR CREEK COUNTY  
PERSONNEL HANDBOOK**

*Adopted by the  
Clear Creek Board of County Commissioners  
on September 7, 2004*

*Effective September 7, 2004*

## **IMPORTANT NOTICE**

*Clear Creek County recognizes that sound organizational guidelines are an essential part in the process of extending quality services to the public. The contents of this handbook are not all inclusive, but are intended to provide you with a general summary of operational guidelines for actions in personnel matters.*

**THE LANGUAGE USED IN THIS HANDBOOK IS NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED.**

**THE COUNTY AND THE EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH EACH OTHER AT ANY TIME, WITH OR WITHOUT ADVANCED NOTICE.**

*Individual offices or departments may have additional guidelines due to unique statutory or operating requirements but they are in addition to, and not in place of, the County personnel guidelines.*

**THE COUNTY RESERVES THE RIGHT TO MODIFY, REVOKE, SUSPEND, TERMINATE, INTERPRET, OR CHANGE ANY OR ALL OF THESE GUIDELINES, IN WHOLE OR IN PART, AT ANY TIME, WITH OR WITHOUT NOTICE.**

*Adoption of these guidelines by the Board of County Commissioners, and Elected Officials through resolution or other formal action, will supersede all previously issued guidelines.*

# **IMPORTANT NOTICE**

## **EQUAL EMPLOYMENT OPPORTUNITY UNLAWFUL HARASSMENT**

*Clear Creek County is dedicated to the principles of equal employment opportunity in any term, condition or privilege of employment. We do not discriminate against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, veteran status, sexual orientation, or any other status protected by federal, state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.*

### **Sexual Harassment**

*Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, Clear Creek County believes it warrants separate emphasis.*

*Clear Creek County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:*

- 1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; or*
- 2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or*
- 3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.*

*All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes, but is not limited to, sexually implicit or explicit communications whether in:*

- Written form, such as cartoons, posters, calendars, notes, letters, E-mail;*
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates;*

- *Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.*

### ***EEO/Harassment Complaint Procedure***

*Clear Creek County expects employees to make a timely complaint to enable County officials to promptly investigate and correct any behavior which may be in violation of the policy. If you believe there has been a violation of the EEO policy, including harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure.*

*Report the incident to your Supervisor, Service Unit Manager or Elected Official who will promptly investigate the matter and take appropriate corrective action. Your complaint will be kept as confidential as practicable. If you feel you cannot go to any of the above individuals with your complaint, you should report the incident to the Human Resource Specialist.*

*If the County determines that an employee's behavior is in violation of this policy, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.*

*Clear Creek County prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The complaint will be promptly investigated.*

# **IMPORTANT NOTICE**

## **OPEN DOOR PROCEDURE**

***If the complaint involves a protected class issue such as race, sex, national origin, religion, or harassment, then an employee should follow the EEO/Harassment Complaint Procedure above.***

*Employees who disagree or are dissatisfied with work related matters may file a complaint with their immediate supervisor. A formal written complaint should be submitted by the employee to their immediate supervisor within five (5) working days of the incident. This complaint should include the specific nature of the complaint, any available documentation such as dates, times, places, etc., and what the employee would consider to be a satisfactory resolution.*

*If the complaint is not resolved, or if it is inappropriate to go to the supervisor, then the employee may request that the issue be reviewed by the Human Resource Specialist. The reviewing party may conduct a paper review of the complaint or schedule a hearing with the employee and the supervisor involved. The reviewing party will hold a meeting with the employee and/or supervisor involved.*

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## CHAPTER 1

### JOB POSTING & RECRUITMENT GUIDELINES

*The County supports promotions for available positions from within the organization whenever practical. To that end, the County has established a job-posting and recruitment program that gives employees an opportunity to apply for positions for which they are interested and qualified.*

**The County does not guarantee inside hiring preferences over the general at-large recruitment efforts.**

*Recruitment for position vacancies below senior management level are normally posted in the County building lobby area, the Georgetown & Idaho Springs Libraries, and on our Internet site. Postings generally include the job title, and minimum qualifications and skills. To assure that County employees are aware of position openings, all appropriate vacancies will be posted for five (5) working days.*

*In order for an employee to be considered for an open position, he or she must meet the minimum hiring requirements, qualifications and skills, and be an employee of good standing in terms of overall work record.*

### RELATIVES WORKING FOR COUNTY

*Persons who are related are not eligible for hire to a position where:*

- A. *Either would directly supervise the other; or*
- B. *Either would audit, verify, receive, or be entrusted with monies received or handled by the other; or*
- C. *Either occupies a position in which he or she has the power to affect the outcome of substantive issues of the other's employment (e.g., hiring, promotion, transfer, discipline, demotion, discharge, salary, benefits) without the consent of a peer or superior employee.*

*For purposes of this guideline, "relative" and "related" mean and refer to the relationships of spouse, significant other, parent (including step-parent), grandparent or grandchild, sibling (including step-brother and -sister), parent-in-law, and child. For purposes of this guideline, a "significant other" means a person to whom an employee is engaged or with whom the employee has a relationship which the employee equates, or is perceived by others to equate, to that of a spouse or fiancé.*

*If employees become related, and one or more of the circumstances described above apply, one of them must resign or transfer within thirty days to another division or department as long as a job opening exists. The County reserves the right to dismiss one of them, at its sole discretion, if neither resigns or transfers within that time.*

## **HANDBOOK ADDITIONS, DELETIONS AND CHANGES**

*To make the Personnel Handbook viable it must be able to adapt to change. Therefore, the following guidelines are provided for making changes to the handbook as they are necessary.*

- A. *Amendments to the Personnel Handbook can be initiated by:*
  - 1. *The Board of County Commissioners (BOCC).*
  - 2. *The Personnel Review Board (PRB).*
  - 3. *An elected official or department head through submission of proposed changes in writing to the Human Resource Specialist and/or the Board of County Commissioners.*
  - 4. *Any employee of the County through submission of proposed changes in writing to the Personnel Review Board and/or the Board of County Commissioners.*
  
- B. *When an amendment to the handbook is proposed, the Human Resource Specialist will review it for appropriateness and consistency in relation to current handbook provisions and other relevant practices. Proposed changes will be coordinated with the County Attorney when appropriate.*
  
- C. *Amendment approvals resulting in a change to the Personnel Handbook will be conveyed to all staff through a memorandum.*

## **CHAPTER 2**

### **TYPES OF EMPLOYEES (STATUS)**

#### **FULL-TIME**

*Any employee who works a regularly scheduled thirty (30) hour work week or more is considered a full-time employee.*

#### **PART-TIME I**

*A part-time I employee is one who is hired to work a regularly scheduled twenty (20) hour work week or more, but less than thirty (30) hours per week.*

#### **PART-TIME II**

*A part-time II employee is one who is hired to regularly work a schedule of less than 20 hours per week.*

#### **TEMPORARY EMPLOYEES**

*Temporary employees are workers hired for a job established for a temporary period of time or for a specific assignment or group of assignments. Temporary employees are not eligible for County benefits except those mandated by law.*

#### **EXEMPT EMPLOYEE**

*Any employee who is not eligible for overtime pay.*

#### **NONEXEMPT EMPLOYEE**

*Nonexempt employees (excluding certain Sheriff's office employees) are eligible for paid overtime at one and one-half (1½) times their regular rate of pay for all hours worked in excess of 40 hours per workweek. Sheriff's office employees should contact their supervisor for details about how overtime applies to their positions.*

## **APPOINTED OFFICIALS**

*An appointed official is an employee who is statutorily appointed by an elected public official(s) and is under the direct supervision of and has regular contact with appointing elected public official(s). An appointed official serves entirely at the discretion of the elected public officials.*

## **TEMPORARY UPGRADE**

*Employees may temporarily be reassigned to other positions and duties as required. Upon the expiration of the temporary assignment, the individual will revert to the former position and rate of pay, if changed.*

## **CHAPTER 3**

### **COMPENSATION GUIDELINES**

#### **COMPENSATION PLAN**

*The Compensation Plan is a separate document recommended by the Personnel Review Board and adopted by the Board of County Commissioners. Visit the Human Resources Specialist for more details.*

#### **PAYDAY**

*Employees are paid every two (2) weeks. Employees absent on payday will have their checks held until they return to work unless previous arrangements have been made with the elected officials, department head, or the Payroll Department.*

#### **PAYROLL ADVANCES**

*The County may consider an off schedule payroll advance to an employee if the request is an emergency, hardship, or special circumstance situation. All advance requests are limited to what the employee has earned up to the date of the advance.*

#### **OVERTIME/COMPENSATORY TIME**

*The County may require overtime from all employees in the event of increased work load or emergencies. All overtime must be approved in advance by the department head, elected official, or his/her appointed designee.*

##### *How Paid/When Paid:*

- 1. Overtime is paid by granting compensatory time off at a rate of 1½ times the number of hours worked in excess of forty (40) hours within the County's established work week. Sheriff's Office employees may be paid under different guidelines and should contact their supervisor for further details. Compensatory time off must be approved by the department head, elected official, or his/her designee.*
- 2. If a department head so chooses, overtime hours can be documented in the "overtime for pay" column on the time sheet and overtime will be paid through the normal payroll procedure. Otherwise overtime is documented in the "overtime to comp" column and is reimbursed by compensatory time. Compensatory time must be used by the end of the year following the date the overtime hours were*

*worked. Compensatory time not taken by the end of the year will be paid through the regular payroll procedure. Please contact your department head for more details in selecting this option.*

- 3. Exempt employees are not eligible for overtime pay or compensatory time off.*
- 4. Temporary employees may not receive compensatory time off, but shall be paid through the regular payroll procedure for hours worked in excess of forty (40) hours per week at a rate of 1-1/2 times the regular rate of pay.*

*Limits:*

- 1. Earned compensatory time must be used for any requested leave prior to using accrued PTO.*
- 2. Compensatory time may not exceed an accumulation of forty-eight (48) hours per employee. All overtime worked after the accumulation of forty-eight hours by a nonexempt employee will be paid through payroll.*
- 3. Employees are paid for all unused compensatory time at the time of separation from County employment.*
- 4. Elected officials and department heads may deny the request to take compensatory time off if the use of compensatory time unduly disrupts the operations of the department.*
- 5. All overtime worked by nonexempt employees must be approved in advance by their supervisor. Working overtime without supervisory approval will not be tolerated.*

**ON-CALL/CALL-OUT**

*On call/call-out guidelines vary by department. For specific information regarding on call/call-out, contact your Supervisor.*

*On-call is time spent by exempt employees, usually away from the work premises, remaining available to be called back to work or for consulting purposes, if the need arises. Typically, the on-call schedules allow sufficient freedom, response times, and infrequency that the on-call time is ordinarily not compensable except by agreement of the BOCC.*

*Nonexempt employees are subject to call-out practices as defined within their department and are paid for the time worked. The County does not pay for home-to-work travel time. However, the County grants each nonexempt employee two (2) hours of time for responding to call-out requests, which is paid at the employee's regular rate of pay and is not considered in the computation of overtime.*

*Call-out time is not paid if an employee is called in early or is required to work late.*

## **CHAPTER 4**

### **WORK GUIDELINES**

#### **HOURS OF WORK**

Hours of the Courthouse. *The hours of the courthouse are declared to be 8:30 A.M. to 4:30 P.M., daily with the exception of Saturdays, Sundays and Holidays, or such other times as declared by the Board of County Commissioners.*

Work Week. *The workweek is seven (7) consecutive days beginning at 12:01 A.M. Monday through 12:00 Midnight Sunday.*

Lunch Period. *Whenever possible, a lunch period, free from work duties, shall be scheduled in the middle of the work shift and shall be for a minimum thirty (30) minutes in length. An additional lunch period of ½ hour may also be given to employees who work in excess of four (4) hours overtime in one day. In the absence of an emergency, employees are required to take a lunch break. Working through your lunch is not compensable without Supervisor approval.*

Hours Worked. *For purposes of overtime, hours worked do not include personal time off, compensatory time taken, holiday leave, or any leave.*

Alternate Workweek. *The elected officials may impose for their staffs alternate work days or work times.*

Maximum Work Hours Per Shift. *A maximum of twelve (12) consecutive hours will be allowed during any time period worked, unless an emergency situation exists. However, CDL holders must comply with Department of Transportation hours of operation for driving commercial vehicles. A minimum of eight (8) consecutive hours will be required between any shifts worked whether previously scheduled or called out.*

Additional Breaks. *It is appropriate for the employee to take a ten minute break after two hours of work. Break times may not be accumulated to extend the lunch hour or change the work period.*

#### **ATTENDANCE/TIME RECORDS**

*Employees are expected to be on time to work. Excessive tardiness or absenteeism, in the opinion of the County, will not be tolerated. Employees expecting to be late should phone their supervisor immediately.*

*Failure to notify employer of an absence within forty-eight (48) hours is considered grounds for termination.*

*Time records must be accurately kept on County approved forms. Each employee must fill out his/her own time sheet or validate their own punch card. Falsifying a time sheet/punch card or signing in/punching in for another employee is strictly prohibited.*

*Anyone who forgets to sign in or punch in should notify his/her supervisor as soon as possible. The employee and his supervisor must sign, as accurate, the appropriate time recording form. Questions regarding this matter may be directed to the Human Resource Specialist.*

### **COMMUNITY RELATIONS**

*Each employee is expected to be courteous, impartial and considerate in dealing with the public, bearing in mind that they are acting as a representative of the County.*

### **UNIFORMS & APPEARANCE (DRESS)**

*All employees will report to work in attire suitable to their duties and that is consistent with what the County considers good taste. As a guide, dress should not be distracting to the public or to fellow employees.*

### **PERFORMANCE APPRAISAL**

*The County recognizes that supervisors continuously appraise the performance of their subordinates. To facilitate sharing how well an employee is doing in his/her job, the County endeavors to conduct annual reviews of each employee. If more than one year has passed since your last appraisal, you may request that your supervisor conduct a review.*

### **POLITICAL ACTIVITIES**

*The Board of County Commissioners encourages County employees to participate as they deem appropriate in matters of responsible citizenship as long as such activities are confined to hours when the employee is not on duty, the employee is not campaigning in official County uniform, and that the activities do not utilize County equipment or supplies, and does not impair the efficiency of other employees. Political beliefs, activities and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and political activities.*

*Employees will not:*

- 1. Use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.*

2. *Directly or indirectly coerce or command any other employee to pay, lend or contribute salary, compensation, service or anything else of value to any political party, group, organization, or candidate.*

*Any County employee, except one whose principal employment is in connection with activities financed in whole or in part by United States grants, may be a candidate for elected political office provided that his/her involvement in campaigning or performance of the office does not interfere or present a conflict of interest with his/her job. If involvement is necessary during normal working hours, the individual must take PTO or leave without pay.*

### **SMOKING**

*The County maintains a smoke free environment for its employees. Employees must refrain from smoking in all County owned or leased buildings and in all County vehicles.*

### **TELEPHONE USAGE**

*Personal calls must be kept to a minimum. Excessive personal use of the County's telephones, in terms of frequency and length of phone calls, will not be tolerated.*

*The County must be reimbursed for charges incurred for personal use.*

### **RESIDENCE TELEPHONE**

*Due to safety, all department heads and employees of the Sheriff's Office and Road and Bridge department must have a working telephone in their residence.*

### **COMPUTER, ELECTRONIC MAIL AND INTERNET USAGE**

*The electronic mail, Internet access, and computer systems used in all County offices are the property of Clear Creek County. These systems (herein after called the "Network") are provided as a means to enhance each employee's ability to conduct business for the County and serve the public. Employees are to use this "Network" honestly and appropriately, and respect the copyrights, software licensing, property rights and prerogatives of others. All electronic mail and Internet information, either generated or retrieved, on the County's Network is assumed to be County business and therefore open to inspection by supervisors.*

***Any communications through this Network should be considered public information and carry no guarantees of confidentiality.***

*If an employee is absent or expected to be unavailable, their supervisor may require the employee to disclose his or her password to the appropriate level of management. If the employee fails to honor this request, management may change the password to gain access to the employee's files.*

**Conduct** - *All Clear Creek County guidelines and procedures regarding employee conduct apply to the use of the County's Network. Employees are expected to use common sense and good judgment in all official communications and avoid any communication that is disrespectful, offensive, or threatening to others. The use of the Internet is subject to the following restrictions:*

- (1) Electronic communications, whether through electronic mail or over the Internet, should be free of comments or materials that would offend someone based on his or her age, race, sex, religion, political beliefs, veteran status, national origin, sexual orientation or disability. They should also be free of any other harassing comments as would otherwise be prohibited by County policy. Violation of this guideline will not be tolerated.*
- (2) No employee may download or distribute pirated software or data.*
- (1) No employee may upload any software licensed to the County without the explicit consent of the Information Services Director.*
- (1) No employee may download, entertainment software or games, or play games on the County's "Network" at any time.*

**Non-business use** - *Communications over the County's "Network" are dedicated to furthering the County's business and serving the public in that capacity. As such, personal use of the County's "Network" is allowed only if it is occasional, reasonable, does not incur additional costs to the County and does not interfere with the user's work performance. Provided that all the County's usage guidelines are adhered to, non-business use of the "Network" is to be done during meal times, breaks, or outside work hours.*

**E-Mail** - *E-mail, including those messages directed to the Internet, is subject to the following additional guidelines.*

- 1) E-mail should always have an appropriate "subject" line to identify the content.*
- 2) Group communications about items for sale, parties, birthdays, etc., shall be directed to the county's Intranet page designated for such postings, if any.*
- 3) The indiscriminate sending of E-mail messages or redistribution of Internet material to large groups of people is prohibited. An appropriate receiving group should always be*

identified when mail/information is sent or copied to many people.

- 4) *As the County E-mail system is interconnected with other organizations' E-mail systems and the worldwide Internet, employees should be careful to note in their communications whether their comments are personal or represent the official position(s) of the County. If personal, the sender should include a tag message which contains the sender's name, official title, E-mail Address, possibly a phone number, and a statement such as "opinions expressed represent those of the sender and not the official position of Clear Creek County."*

**Monitoring** - *Clear Creek County expressly reserves the right to monitor, access, disclose, and use communications composed, sent, or received through E-mail or the Internet. The County has software and systems in place that monitor and record all "Network" usage. Consequently, employees are advised that all E-mail messages and Internet information may be read by someone other than the intended recipient. Therefore, employees should not have any expectation of privacy or confidentiality over the County's "Network."*

**Colorado Public Records Act** - *The Colorado Public Records Act requires that all "public records" as defined in the Act be available for inspection and copying by any member of the public on demand. Under the Act, E-mail is considered 'correspondence' and, as such, may be a public record under the Public Records Law and may be subject to public inspection under C.R.S. 24-72-203. Thus, upon receipt of an inspection/copying demand, E-mail records will be reviewed and made available to the requesting party, subject to certain limitations. Each individual is the custodian of his or her incoming and outgoing E-mail. Whenever a request is made of E-mail records, the custodian will consult with the County Attorney to determine whether the requested records are public or not.*

*Note also that certain types of E-mail or content are exempt from the mandatory disclosure rules, and in some circumstances such E-mail **MUST NOT** be released to third parties. The following are examples of communications and information that are exempt from the Open Records Act (please note that this list is not exhaustive): certain communications to and from Elected Officials; legal advice; law enforcement investigations; employment tests and results; real estate appraisals; medical, psychological or sociological data or reports on individual persons; personnel files; letters of reference; trade secrets, privileged information and confidential financial or commercial information supplied by a third party; addresses, phone numbers and personal financial information received from customer/clients; and any other information the disclosure of which would harm the public interest upon determination of same by the District Court. For more information concerning exempt records, please contact the County Attorney's Office.*

**Purging and deleting E-mail & temporary Internet files** - The "Network" system has certain established schedules regarding the purging of E-mail and temporary Internet files. Temporary Internet files can take up a lot of memory and are purged every two days through individual workstations. Users may purge their temporary Internet files more frequently if desired. E-mail messages are purged from the "Network" on a regular basis and backup copies are stored by alternative methods.

**Storage** - The "Network" stores a copy of all incoming and outgoing E-mail messages on an alternative storage system and retains those files for 180 days. This system is not intended as a backup for an employee's workstation that "crashes" or is corrupted in some manner. To have messages available for workstation restoration, employees must save messages to their personal network directory. All unnecessary E-mail should be deleted from the system immediately after being read.

**Retention & Archiving** - Due to the temporary nature of electronic mail, it is the employees' responsibility to retain, archive, or purge E-mail files according to the department's/office's retention schedule from the Colorado Division of State Archive and Public Records. This Division annually sends to all County Departments an updated list of all records that must be retained, or that may be destroyed, for that year. For State retention purposes, E-mail documents should be considered 'correspondence' and will be retained according to the methods set forth in this guideline. For more information, or assistance on such requirements, the individual offices/departments should contact the County Attorney's Office and/or the County's Records Manager in the Information Services Division.

**Use of Personal Software and Equipment** - Employees will be held liable for any damage personal computer equipment or downloads cause to County owned computers. Please consult with the Information Specialist before using such equipment or downloading software.

The County is not liable for damage to personal computer equipment. Employees use personal computer equipment for County related business at their own risk.

**Downloading from Network** - Employees must check with their supervisors before downloading information from the County's computer network. All County property, including files and data should be returned upon termination of employment.

## **LEGAL FEES**

### **CIVIL ACTIONS AGAINST EMPLOYEES**

*In the event that any employee is named in a civil action suit in his or her capacity as a County employee, legal representation and any subsequent attorney's fees will be governed by the Colorado Governmental Immunity Act, C.R.S., Section 24-10-110 et seq. of the Colorado Revised Statutes. Any documents served on an employee must be copied and delivered to the County Attorney's office as soon as possible, since there are time limits for proper replies. The County Attorney will notify the employee within fifteen (15) days pursuant to Section 24-10-110 (4), C.R.S., as to whether or not the County will defend the employee in such action.*

### **LIABILITY COVERAGE**

*Employees have various liability protections under Colorado law and insurance policies held by the County. If any type of claim is made, the appropriate elected official, department head and Human Resource Specialist should be advised. If involved in an accident, please follow the accident reporting guidelines.*

### **TRAFFIC ACTIONS**

*All work related traffic matters and traffic tickets are the responsibility of the employee. If a court appearance is necessary, the employee must handle the situation on his or her own time.*

*If the traffic matter or traffic ticket results in personal injury or property damage it should be reported immediately, in writing, to the department head or elected official in charge of the department or office. That supervisor should contact the County Attorney for immediate advice regarding the accident. Injury reports should be filed with the Human Resource Specialist.*

*Employees holding a Commercial Driver's license (CDL) have ten (10) days to report an accident or moving violation to the department of Motor Vehicles, Records Division. It is the employee's responsibility to file the appropriate paperwork.*

*Scale enforcement tickets may be exempted from this guideline, if the Board of County Commissioners determines that the surrounding circumstances warrant such action.*

### **SEAT BELT RESOLUTION**

*Failure of County employees to use seat belts while operating County vehicles in accordance with the State of Colorado seat belt law is considered a violation of safety regulations, as specified under County Resolution 01-11. Applicable disciplinary*

*procedures may be enforced in addition to any civil fines or criminal penalties that the employee may face.*

## **PERSONNEL RECORDS**

*Your personnel record is maintained in the Human Resources Office. It contains information on your employment and salary history. If you wish to review your file, contact the Human Resources Specialist. It is important for you to provide us with current information regarding: name, address, telephone, insurance changes, tax exemptions, emergency contacts and other relevant information.*

## **CONDUCT & CONFLICT OF INTEREST**

*An employee shall avoid outside activities or relationships that may adversely influence independent judgement, decisions, or actions on the job.*

*An employee shall not disclose or use confidential information acquired in the course of his official duties in order to further his personal financial interests.*

*An employee shall not engage in a substantial financial transaction for his private business purposes with a person whom he inspects or supervises in the course of his official duties.*

*An employee shall not perform an official act directly and substantially affecting, to its economic benefit, himself or a business or other undertaking in which he either has a substantial financial interest or is engaged as counselor, consultant, representative or agent. Among other things, this means an employee shall not be a purchaser at any sale, or vendor in any purchase, made by him in his official capacity.*

*An employee should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he has a substantial financial interest in a competing firm or undertaking.*

*An employee should not acquire or hold an interest in any business or undertaking which he has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the County or any department over which he has substantive authority.*

*An employee should not, within six months following the termination of employment, obtain employment in which he will take direct advantage, unavailable to others, of matters with which he was directly involved during his term of employment. These matters include rules, other than rules of general application, which he actively helped to formulate and applications, claims, or contested cases in the consideration of which he was an active participant.*

*An employee that questions whether a situation is a conflict of interest, should discuss the matter with his immediate supervisor. If management does not resolve the issue, the matter should be referred to the Board of County Commissioners for final resolution.*

### **PERSONAL PROPERTY**

*The County does not carry insurance that covers the loss of or damage to personal property of employees. Employees bring personal belongings onto County property at their own risk.*

### **RIGHTS TO COPYRIGHTS AND PATENTS**

*Statistical information, maps, computer programs, a speech or presentation, a research paper, etc., prepared by an employee within the scope of employment at the County is considered the sole property of the County. In this instance, the County owns all of the rights to copyright unless the Board of County Commissioners and the employee have agreed to otherwise in a written statement signed by both.*

*Patents resulting from work in the scope of employment at the County, or with financial assistance provided by the County, shall become the property of the County and all rights thereto shall be assigned by the inventor to the County. Employees must disclose to the Human Resources Specialist all discoveries related to their sponsored research or creative endeavor which they have reason to believe may lead to patents.*

### **GIFTS AND GRATUITIES**

*County employees may not accept any compensation, gift, payment of expense, reward, gratuity, or anything of value from any source except Clear Creek County in exchange for their opinion, judgment, exercise of discretion, or other action in their capacity as a County employee. This provision does not prohibit receiving gifts or payment of expenses that have a fair market value of less than \$50.00 which may occur as a part of normal social intercourse or celebration of a holiday. Should an employee receive any compensation, gift, money, rewards, gratuities or anything of value within the framework of this guideline that cannot be practically returned, it should be turned over to the Board of County Commissioners for proper handling.*

### **OUTSIDE EMPLOYMENT**

*You may hold a job with another Company as long as you satisfactorily perform your responsibilities with Clear Creek County. Supplemental jobs must not create any actual conflict or the appearance of a conflict of interest with Clear Creek County and must not affect your ability to meet job requirements, perform competently or accept overtime hours, and subject to the following limitations:.*

1. No employee may continue to serve as a County employee if elected or appointed to a County office for which a salary is set by C.R.S. 30-2-102(2.1), as it may be amended from time to time.

2. For elective or public offices other than County elective offices, in the event that the duties of the office create a substantial conflict with the employee's duties and responsibilities, the employee must resign from the elective or public office or will be dismissed from his employment.

## **USE OF TOOLS, VEHICLES AND PROPERTY**

County employees may not use County property for their private use or the private use of another person or entity without the expressed permission of the Clear Creek County Board of Commissioners, their designee, or the supervising elected official. In addition, no alterations may be made to any equipment or County property without written permission of the department head or elected official responsible.

Use of private tools or equipment. Within certain departments employees are required to use their own tools or equipment. Under these circumstances the County may replace worn or broken tools/equipment as approved by the employee's immediate supervisor or department head.

An employee who is not required to, but chooses to use their private tools or equipment on County jobs, must inform the appropriate elected official or department head of such use in advance. The elected official or department head and employee should have a written understanding or agreement regarding the use, any reimbursement, or replacement, of the tools/equipment in use. In the absence of such an agreement, the employee uses his/her own tools or equipment at his/her own risk.

When required for the job, personal property may be covered by the County.

## **OFFICE CLOSURES**

In the case of inclement weather or emergency conditions, the Board of County Commissioners may close County facilities or suspend County operations. Employees are expected to be at their work stations unless the Board of County Commissioners declares the offices officially closed. Any employee who is absent from their work station when offices are officially open will be charged personal time off (PTO) or leave without pay for the time missed.

Employees will be paid a maximum of an "eight hour day" when offices are officially closed due to weather conditions. Hours paid to a nonexempt employee for office closures will not be counted as time worked in the computation of overtime. Employees not at work at the time of closure because of personal time off, are not eligible for closure pay, nor can they substitute closure hours for their leave pay.

*Essential employees who are required to perform their duties regardless of weather conditions are not affected by this guideline and will be paid according to standard practices. Employees who choose to work, with permission, are not eligible for closure pay.*

## **CHAPTER 5**

### **LEAVES OF ABSENCE**

#### **GENERAL PROVISIONS**

*The County provides various leaves of absence and pay continuation plans. Any request for leave of absence must be made in accordance with specific leave provisions as outlined in the following chapter.*

*Foreseeable leave requests must include notification to the appropriate department head and the Human Resource Specialist no later than 30 days prior to the effective leave date. Foreseeable leave, based on a planned medical absence, should be scheduled so as not to unduly disrupt County operations. Unforeseeable or emergency leave requests must be requested as soon as possible.*

***All leaves of absence are required to use applicable pay continuation accruals as available, unless exempted.***

*Approved leaves, with or without pay, are to be reported on the County's payroll data sheets. Official records for leave are maintained by the Human Resource Specialist.*

#### **MEDICAL & FAMILY LEAVE**

*Under the "Family and Medical Leave Act of 1993" (FMLA) the County provides up to twelve (12) weeks of job-protected leave to "eligible" employees for the following family, and medical reasons:*

A. *Medical Leave*

1. *Employee's serious health condition or pregnancy related disability.*

B. *Family Leave*

1. *Father's attendance at the birth of his child.*
2. *Parent's care of their child following birth, if completed within twelve (12) months following birth of child.*
3. *Placement of a child with an employee for adoption or foster care.*
4. *Serious health condition of an employee's child under 18 years, or older if disabled.*
5. *Serious health condition of an employee's spouse or parent.*

**Eligibility.** To be eligible for family or medical leave an employee must have worked for the County for at least one year and have worked at least 1,250 hours during the 12 months preceding the commencement of a leave of absence.

Employees requesting a family or medical leave of absence should notify the County in writing and provide appropriate documentation, as requested, to verify the reason for the leave request, starting date, expected duration, and the planned date of return. Any leave request based on a serious medical condition, whether it involves the employee or a family member, must be supported by medical certification from a licensed physician as to the nature of the condition and probable duration.

If the leave request involves an employee's medical condition, the medical certificate must specify that the employee is unable to perform the functions of their job and the duration of their work restriction. Updates on employee's condition may be requested. Short and long-term disability benefits or worker's compensation benefits may apply (see Chapter 8, Benefits, p. 33, 35).

**Failure to provide notification and appropriate medical certification in a timely manner could result in the delay of approval for a leave request.**

**Leave Duration.** Eligible employees may be granted family or medical leave for a period up to 12 weeks based on any 12-month period measured backward from the date an employee uses any FMLA leave, except where both spouses work for the County. In such cases, the spouses are limited to 12 weeks of leave in total during the eligible 12 month period unless the leave is necessitated by the serious health condition of the employee or that of the employee's spouse or child. Short or long-term disability may apply in this case (see Disability Programs p.35).

**FMLA Leave begins on the first day the employee is away due to a qualifying event, regardless of whether the absence from work is also covered by PTO or other leave. PTO and FMLA run concurrently. FMLA does not begin after PTO is exhausted.**

**Employees must use all earned personal time off accruals, unless collecting worker's compensation or disability payments, for any family or medical leave of absence. Use of leave accruals will count toward the FMLA's 12 week requirement and will not extend the leave of absence period for the eligible 12 month period.**

**Benefits During Leave.** An employee on unpaid family or medical leave of absence will be retained on the County's health insurance plan under the same conditions as all active County employees. However, the employee must make arrangements with the Human Resource Specialist for payment of employee's portion of insurance premiums during the unpaid portion of their leave. Appropriate premium deductions will be made from the employee's check during any paid leave period. The employee will not accrue any employee benefits nor are holidays granted during the period of unpaid leave.

*During any other unpaid leave, beside leave under the Family Medical Leave Act (FMLA), the employee must make specific prior arrangement for payment or continuation of any health insurance, retirement, or other benefit of any kind. Whether or not these benefits are extended, will depend on the length of the leave, applicable benefits contract language, past practice in this regard, and any other factors relating to the business necessities of the County and the employment record of the employee.*

*In the event that an employee fails to return from family or medical leave, the employee will be liable for all premiums paid by the County to maintain insurance coverage unless: (1) the employee's failure to return stems from a medically certified continuation, recurrence, or onset of a serious health condition of the employee or a family member; or (2) the failure to return involves circumstances beyond the employee's control.*

**Return from Leave.** *An employee, except for certain key employees, returning from leave will be reinstated, subject to the rules of FMLA, to the same or an equivalent position. Employees on FMLA Leave for medical conditions may be required to provide professional certification to determine if the employee is capable of returning to work.*

***FAILURE TO RETURN TO WORK ON THE DAY AFTER THE EXPIRATION OF AN APPROVED LEAVE OF ABSENCE WILL RESULT IN TERMINATION OF EMPLOYMENT.***

**Reduced work schedule/intermittent leave.** *In limited circumstances an employee who is eligible for family or medical leave may, at the discretion of his or her supervisor, be granted a reduced work schedule or receive periodic time off from work. In cases of a serious health condition of the employee or a family member, reduced leave may be permitted when certified as medically necessary. However, the County reserves the right to temporarily transfer the employee to a comparable position that better accommodates the employee's recurring periods of leave.*

*In other cases, in which an employee is eligible for family and medical leave, such as pregnancy, child care, and adoption or placement of a child, the County may review the individual circumstances involved in considering a reduced or modified schedule. Issues such as the employee's length of service, number of requests, duties, work load, and job performance may be considered prior to leave approval.*

*Any time off, based on this reduced schedule/intermittent leave section, will be treated in the same manner as absences under the family and medical leave guideline, and such absences will be applied against all permitted leave under this guideline.*

## **PERSONAL TIME OFF (PTO) GUIDELINE**

The County provides time off and limited pay continuation for leaves such as vacation, personal needs, and family/medical leave. Personal time off for full-time employees is earned every two weeks under the following schedule:

<b>Personal Time off Accrual Schedule</b>	
<b>Length of Continuous Employment Service</b>	<b>PTO Accrual Rate</b>
0 through 130 pay checks	4.62 hour per pay period (3 weeks annually)
131 pay checks to 260 pay checks	6.15 hour per pay period (4 weeks annually)
261 pay checks and beyond	7.69 hour per pay period (5 weeks annually)
<ul style="list-style-type: none"> <li>• The maximum amount an employee can bank is 2 times the annual accrual rate.</li> <li>• 26 pay checks = one year of service</li> </ul>	

Employees working less than twenty (20) hours per week are not eligible to accrue PTO. Part-time employees who work an annualized average of less than forty (40) hours per week accrue personal time off at a prorated amount from the above schedule. For example, part-time employees, working twenty (20) hours per week, accrue PTO leave at ½ the full-time rate.

Personal time off is accrued from the initial day of employment and continues during the paid time portion of the leave. Any unpaid leave will not accrue any employee benefits including PTO. If a discrepancy appears in an employee's PTO record, the employee is responsible for clarifying the error with the Human Resource Specialist. Corrections to a PTO record must occur within the year for which PTO leave was accrued or deducted. All earned unused PTO accruals are paid to employees upon termination.

Full Time Personnel of Clear Creek Ambulance working 24 - hour shifts follow separate guidelines regarding PTO, and should consult their supervisor for further information.

Approved leaves, with or without pay, are to be reported on the County's payroll data sheets. The County's 'Request for Leave of Absence' forms are to be used for Family Medical Leave of Absence and Workers Compensation leaves. Official records for leave are maintained by the Human Resource Specialist. Since PTO requests can involve other pay continuation plans such as short and long-term disability and worker's compensation, employees are expected to comply with any certification requirements

under those plans (i.e., a doctor's certification). **Failure to meet certification requirements could delay or reduce benefit amounts paid.**

**NOTE: Employees should be careful to plan for and bank time for unforeseen leave events. Failure to do so could leave an employee without supplemental pay during a severe medical or family leave crisis.**

### **Voluntary Personal Time Off Donation Program**

Clear Creek County Voluntary Personal Time Off Donation Program is created to provide a continuing income to eligible employees who require personal time off due to illness or family emergencies. The Program also gives employees the opportunity to help other employees who experience hardship(s). This may be accomplished by donating a portion of their accrued Personal Time Off (PTO) and the dollars associated with those hours to an employee in need. This program will allow the exchange of donated hours into monetary value. This program is a case by case employee anonymity system.

#### **Case By Case - Donation for Individual Employee:**

*The need for requested PTO is established as an extraordinary event such as, but not limited to: An eligible employee or family member's serious illness, injury or disability, or continuing treatment of a serious illness or injury. FMLA shall be used to establish a qualifying condition. Employees may choose to donate a portion of their PTO hours to an individual or to the program.*

#### **Process/Procedure:**

*This is a program for both the employee requesting the PTO and the employee donating the PTO have the option to be known or anonymous. The employee in need must contact their supervisor/department head. The employee shall complete, sign and submit PTO Request form to their supervisor/department head for signature. Use of this program requires prior approval of the employee's Elected Official, County Administrator, Service Unit Manager, or Department Director before the PTO hours are donated and distributed. The supervisor/department head shall be apprized of all pertinent information relating to the request; medical, family emergency, etc... The form shall be forwarded to the Human Resource Specialist, who in consultation with appropriate supervisor will make a determination regarding qualification of illness or injury. The approved form shall be attached to the employee's time sheet. The employee may appeal to the Board of County Commissioners.*

*Human Resource may require information that is considered confidential. A release, signed by the employee will be necessary for consideration of their request. All medical information shall be maintained in the Human Resource Office, in the employee's medical file.*

*Once approved, the Human Resource Specialist will issue a request, either electronically or by paper memo, informing County Employees that there is a County Employee who is in need of additional PTO. (Should there be any employee who does*

*not wish to be contacted with such type of request, they should contact the Human Resource Specialist who shall keep a list of said employee(s).) This request may be done more than once, but will not be excessive.*

*The offer to donate PTO hours will also be anonymous, but must be submitted in writing using the Request to Donate PTO form, signed by the employee, and shall be provided to the payroll clerk for data entry by the Human Resource Specialist.*

**Eligibility Rules:**

- a. Eligible employees: All full or part-time employees who accrue PTO are eligible to participate.*
- b. The employee has or will exhaust all available PTO time.*
- c. This program is not available to employees who are receiving other supplemental compensation, i.e. disability, worker's compensation, etc.*
- d. The employee is eligible for a maximum of 80 donated hours in a 12 month period.*
- e. Request for donated PTO must be in writing using the adopted Request For Donated PTO Form.*
- f. All contributions of PTO must be in writing using the adopted Request To Donate PTO Form.*
- g. The donor employee must maintain a minimum of 40 hours of accrued PTO.*

**FUNERAL LEAVE**

*Requests for funeral leave may be granted by an elected official or the department head. Each employee will be allowed up to three (3) days paid funeral leave (5 days for out-of-state) to attend funerals of members of the immediate family. The immediate family for this subject is defined as parents, spouse, spouse's parents, children, grandchildren, grandparents, grandparents-in-law, brothers, brothers-in-law, sisters, sisters-in-law, step-parents, step grand parents, step brothers, step sisters and step-children. Any additional time needed to attend a funeral will be charged against compensatory time or Personal Time Off accruals. If no leave time is available, the employee may be granted leave without pay.*

**HOLIDAY LEAVE**

*Generally, Clear Creek County follows the holiday calendar established by the Colorado State Government. The Board of County Commissioners may vary those holidays as they deem appropriate. A list of approved holidays is issued from the office of the Secretary of the Board at the beginning of each year. Holiday pay practices are as follows:*

1. *All full-time and part-time employees who work 20 hours or more are eligible for holiday pay. Part-time employees must work 20 hours or more per week to be eligible and are paid on a prorated basis. All alternate work schedules are limited to a maximum day rate of eight (8) hours per holiday.*
2. *For the purposes of calculating overtime, holiday time is not counted as time worked and is paid at the employee's regular rate of pay.*
3. *Employees on unpaid leave are not eligible for holiday pay. In addition, employees absent without approved leave or on any leave without pay, the day before or the day following a holiday, are not eligible for holiday pay.*
4. *When a holiday falls within an employee's paid authorized leave, the employee will be paid for that holiday and not charged the PTO time. An employee will not be allowed to "stack" benefit payments.*
5. *Employees scheduled to work on a holiday or called out will be paid for the time worked and paid for the holiday at the employee's regular rate of pay.*

### **DOMESTIC VIOLENCE LEAVE**

*The County provides three days unpaid leave to employees who are victims of domestic violence or victims of stalking and sexual assault to:*

1. *Obtain a restraining order to prevent domestic abuse.*
2. *Obtain medical care or mental health counseling, or both, for employee or employee's children for physical and/or mental injuries resulting from domestic abuse.*
3. *Make employees home secure from the abuser.*
4. *Seek new housing to escape from the abuser.*
5. *Seek legal assistance in connection with the abuse, stalking, or sexual assault.*
6. *Attend and prepare for court-related proceedings in connection with the abuse, stalking, or sexual assault.*

*In order to obtain domestic violence leave, an employee must exhaust all vacation, personal, and sick leave, if applicable, before seeking leave unless waived by the Board of County Commissioners (BOCC).*

## **JURY AND WITNESS LEAVE**

*The County recognizes jury duty as everyone's civic responsibility. In support of that duty, employees are paid their regular wages for the first three days while serving jury duty during scheduled work hours. For jury duty in excess of three days, employees will be paid their regular day-rate wages, up to a maximum of 20 days. To be eligible for wages, the employee must turn over all payments received from the Courts for their service. Wages will be paid on a regular, straight time, hourly basis, not to exceed forty (40) hours per week. Jury duty leave beyond this time is leave without pay.*

*An employee called to jury duty must notify the elected official or department head in advance and submit a copy of the juror service certificate. If the employee is not selected as a juror or is excused from duty, he or she must return to work promptly.*

*The County will grant court leave and pay wages to all employees subpoenaed as a witness for matters relating to their official capacity for the County. The employee will be paid a maximum of three days on a straight time, hourly basis not to exceed forty (40) hours per week. All monies received by the employee as witness fees must be signed over to the County if the employee has been paid for the normal workday.*

## **LEAVE WITHOUT PAY**

*Leave without pay may be granted to an employee when it is in the best interest of the County. Under circumstances, as determined by the employee's supervisor, an employee may be granted a leave of absence without pay for a period. A leave without pay must be for specific periods of time and upon expiration, the employee must report to work or have secured a leave extension. An employee's failure to return from leave after their expiration date will be considered grounds for termination.*

*Leave without pay will be granted only after all compensatory time and personal time off accruals have been exhausted. In the case of injury or illness, the Family & Medical Leave Act guideline will apply.*

*To apply for a leave of absence without pay, an employee must present his/her request, in writing, to his/her immediate supervisor at least ten (10) calendar days before the effective leave date. Employees do not accrue retirement or PTO benefits while on leave of absence without pay. To arrange for employee payment of medical insurance, employees must contact the Human Resource Specialist prior to taking any leave of absence without pay. Reinstatement to the same position and pay grade following a leave of absence. Furthermore, reinstatement to the same position may occur only if that position remains funded. Any appointment made to a position vacated by an employee on leave without pay shall be temporary. Leave without pay does not constitute a break in service with the County.*

### **MILITARY TRAINING LEAVE**

*Upon presenting proper military orders, an employee who is a member of the U.S. Armed Forces Reserve or National Guard is granted paid military training leave for his/her annual encampment or equivalent reserve training period. The County compensates employees based on the difference between military pay, not including travel or subsistence pay, and the employee's rate of pay for that period, up to fifteen (15) continuous calendar days, in any calendar year.*

*Upon presenting proper military orders, an employee who enters active military service will be granted military leave without pay in accordance with the laws governing veteran's re-employment rights. See the Human Resources Specialist for details.*

### **RELIGIOUS LEAVE**

*The County recognizes that some employees may wish to observe certain days that are not included in the County's holiday schedule. Employees requesting time off for such reasons should notify their supervisor as far in advance of the requested day off as possible. Employees requesting time off for religious leave must use PTO if available, or time will be unpaid.*

## **CHAPTER 6**

### **BENEFITS**

#### **GENERAL GUIDELINES**

A. Full-time Status:

*In addition to leave benefits, all full-time employees are currently granted the following County benefits:*

1. *Membership in the County's health and dental plans.*
2. *Membership in the County's short-term disability and long-term disability plans.*
3. *Coverage under Social Security (Mandatory).*
4. *Coverage under the County retirement plan (Mandatory, after one year of continuous service).*
5. *Group life insurance with the County.*
6. *Worker's Compensation (Paid by the County).*
7. *County Deferred Compensation Plan (Voluntary).*

B. Part-Time Status I:

*A part-time employee normally working twenty (20) or more, but less than thirty (30) hours per week, is granted the following benefits:*

1. *Coverage under Social Security (Mandatory).*
2. *Worker's Compensation (Paid by the County).*
3. *County Deferred Compensation Plan (Voluntary).*
4. *County Retirement Plan (Mandatory, after one year of continuous service)*

C. Part-Time Status II:

*An employee working a regular schedule of less than twenty (20) hours or less is granted the following benefits:*

1. *Coverage under Social Security (Mandatory).*

2. *Worker's Compensation (Paid by County).*
3. *Other benefits as may be required by law.*

D. Temporary Employees:

*Temporary employees are granted the following benefits:*

1. *Coverage under Social Security (Mandatory).*
1. *Worker's Compensation (Paid by County).*
1. *Other benefits as may be required by law.*

*In the event the following handbook information conflicts with the actual coverage the latter governs.*

### **HEALTH AND LIFE INSURANCE**

*Detailed information concerning these programs is furnished by the County's Human Resources Specialist.*

### **DISABILITY PROGRAMS**

*The County offers both short & long-term disability income plans for disabilities caused by accident or sickness.*

Short-Term Disability:

*Employees are currently eligible for short-term disability income on the fifteenth day of a sustained illness or injury. The plan only partially covers an employee's weekly wages and may be supplemented with any earned accruals. Applications for short-term disability should be obtained and returned to the Human Resource Specialist prior to the 15th day of a disability. During a disability period the County will continue to pay the County's portion of an employee's medical and dental premiums. **If employees are contributing to the payment of their health care premiums, they then must pay that portion of the premium to remain eligible for coverage.***

Long-Term Disability:

*An employee is currently eligible for long-term disability benefits after the 90 days of short-term disability expires. While on long-term disability the employee must pay all premium costs for medical, dental, and life insurance. Employees may be eligible to return to work on a part-time or light duty schedule depending on the requirements of*

*This page was amended on 9-14-04 per Reso #04-144*

*the job. Applications for long-term disability may be obtained from the Human Resource Specialist and should be returned prior to the end of the 90th day.*

*For a complete explanation of benefits, employees should refer to the short and long-term disability guidelines.*

### **CREDIT UNION**

*All Clear Creek County employees are eligible to join the Credit Union of the Rockies. Interested employees should contact the Credit Union personally to initiate membership. Any participating employee is eligible for payroll deduction for the Credit Union program.*

### **DEFERRED COMPENSATION**

*Employees may voluntarily join the Clear Creek County Deferred Compensation Plan established by the Board of County Commissioners. The employee should contact the Resource Specialist for more details.*

### **TRAINING**

*The County will provide reimbursement for certain training related activities that are pre-approved. Training is defined as seminars, workshops, conferences and other educational training programs. The training sessions must be job-related, promote career development by gaining technical and managerial information and enhance the County's service delivery. This type of training is generally short-term, in which a grade is not given and is not credited toward a degree program.*

*All payments for training related registration fees, lodging, meals and transportation must be in accordance with the County's travel guidelines (see County Travel Guidelines, p. 37).*

### **EDUCATION (Tuition Assistance)**

*Clear Creek County supports educational opportunities for its employees only in cases where the education gained will be of direct benefit to the performance of the employee's current job. In general, the tuition assistance program recognizes the commitment of Clear Creek County to develop its employees through continued education. When an employee desires to pursue education for the purpose of improving his or her ability to perform the duties and responsibilities of his or her job with the County, he or she can apply for tuition assistance. The County's share in the cost of the program will be determined when an employee submits a tuition assistance proposal. Tuition assistance must be approved by the Board of County Commissioners prior to registration.*

*If the employee terminates employment with the County before the award of a degree or certificate of completion, or if the employee fails to complete the course of study, the employee is required to reimburse the County for the tuition advanced.*

*An employee may be required to enter into a Tuition Reimbursement Agreement as a condition of approval of tuition assistance. Contact your supervisor for more details.*

## **RETIREMENT**

*County employees working 20 or more hours are required to participate in the County Retirement Plan upon completion of one year of continuous full-time or part-time regular employment. The employee and the County each are required to contribute an equal percentage of the employee's pay. If an employee terminates before becoming eligible for retirement, the employee is granted the amount contributed to the retirement fund and the portion contributed by the County based on a vestment formula. Full information regarding the retirement plan is available from the Human Resource Specialist.*

## **WORKER'S COMPENSATION AND SAFETY GUIDELINE**

### **JOB SAFETY - GENERAL**

*Clear Creek County recognizes that its employees are essential contributors to its public service mission. Safety in the workplace is the responsibility of each employee, supervisor, and elected official in the County. All employees are to work in a safe manner, use available safety equipment and devices, attend required safety training or make up the training, and inform supervisors of any potential hazards or unsafe practices which they observe or of which they have knowledge.*

*Safety rules for each department will be posted in a conspicuous place in each department. All safety-designated classes will be attended by all County employees and Elected Officials, if mandated by the County Commissioners. Failure to follow any posted or stated safety rule on the job may result in reduced workers' compensation indemnity for covered individuals and possible disciplinary action up to and including immediate discharge. Such disciplinary action will not interfere with any rights the employee may have under applicable workers' compensation laws.*

*To further improve and encourage safety in the workplace, a Safety Committee has been established, consisting of elected officials and employees, to identify and address safety concerns at the Clear Creek County Courthouse, and community center. Employees may report unsafe conditions they observe in writing to the safety committee after reporting the unsafe conditions immediately to their supervisor.*

## **WORK RELATED INJURIES or ILLNESS - GENERAL**

*The County is committed to returning injured or ill employees to work, within safe and healthy medical practices, as soon as practical.*

*On the job injuries or job-related illnesses are to be reported in writing immediately, if practicable, to the employee's supervisor or to the Human Resource Specialist. In no event shall a report of injury to a County supervisor, manager, or elected official be delayed beyond three days.*

*An initial report of workers' injury or illness shall be filled out by the employee or the supervisor or witness if the injured employee is unable by the end of the shift. The employee's supervisor or another County official or supervisor shall conduct an immediate inspection of the site of the injury or illness, discover the conditions' and/or behaviors leading up to the injury or illness, identify any witnesses, and determine what steps or conditions would prevent a future injury or illness of a similar nature. This information is to be included on the Supervisor's Accident/Incident Report and filed within four days or less under Colorado law.*

*If an injury or illness is determined not to be work-related, an employee may be denied workers' compensation benefits and injury leave coverage. The County reserves the right to conduct or authorize any investigations of the injury or illness or the records of the workers as deemed necessary.*

## **WORK RELATED INJURIES or ILLNESS - MEDICAL TREATMENT**

*All County employees who incur a job related injury or illness which requires medical treatment are required to report to the County's designated medical service provider.*

*In case of an emergency, treatment should be sought at the nearest emergency medical facility. The designated medical service provider should be notified as soon as possible thereafter by the employee or the supervisor, if the employee is unable to do so.*

## **WORK RELATED INJURIES or ILLNESS - EMPLOYEE RESPONSIBILITIES**

*The employee is required to:*

*Cooperate with reasonable medical treatment plans; and*

*Schedule and attend all follow-up medical appointments and therapy as required under the medical plan; and*

*Contact or visit, if possible, the supervisor promptly after each medical appointment; inform the County of their ability to return to work; and, provide a copy of the Physician's Report, keeping them informed of work status and conditions; and*

*Observe and follow all established physical and medical restrictions at all times and at all places, or return to the doctor for any necessary adjustment of those restrictions; and*

*Perform temporary modified duty for the County, if assigned, within the medical restrictions; and*

*Accurately record any time charged to workers' compensation and submit time sheets as directed; and*

*Keep in contact as needed with Human Resources to arrange for the proper paperwork to be completed; and*

*Return to work as soon as possible after the medical provider has cleared the employee to go back to work.*

### **WORK RELATED INJURIES or ILLNESS - RETURN TO WORK**

*When the employee is medically able to return to work, a written medical release from the designated medical service provider must be received by the County Human Resource department. If the medical release specifies that the employee may return to work, the employee will be returned to work immediately or as soon as practical. The medical release must be on a County approved Physician's Report form.*

*Clear Creek County reserves the right to require any treating physician to review the employee's job description, including a description of essential duties, and express an opinion whether the employee may safely perform the essential job functions, before putting the employee back to work with or without temporary modifications or more permanent accommodations.*

### **WORK RELATED INJURIES or ILLNESS - EMPLOYEE COMPENSATION**

*An employee who has an on the job injury or job-related illness will receive County pay for the balance of the work shift, time spent traveling to and from the designated provider's office including time spent waiting at the designated provider's office and time in initial diagnosis and treatment. If the physician's initial report indicated the employee can return to work then the employee is expected to work the next shift immediately following the injury. If, however, the physician's initial report indicates the employee is unable to return to regular work until a future date the County will pay not only for the balance of the day the employee was working at the time of the injury but also for any and all lost wages up to a total of three (3) days.*

*If the workers' compensation injury is deemed compensable and the period of disability lasts longer than two weeks (14 days) from the day the injured employee leaves work as the result of the injury, disability indemnity, payable as wages, shall be recoverable from the day the injured employee leaves work under CRS 8-42-103 (1)(b). Therefore, if the period of disability lasts 14 or more days and the employee has been compensated for the first three (3) days by the County, the employee will be required to*

*sign a waiver agreeing to reimburse the County for the first three (3) days for which they have received pay from both the County and by the Workers' Compensation insurer. The deduction for three (3) days will be made from the next pay check immediately following the employee's return to either temporary modified duty or that employee's regular duty, whichever comes first.*

*The employee is required to follow medical instructions, including specified behaviors or conduct, whether on or off the job, to facilitate recovery and to prevent re-injury. The only exceptions made to this guideline will be for religious beliefs of the employee.*

### **WORK RELATED INJURIES or ILLNESS - TEMPORARY MODIFIED DUTY**

*Clear Creek County is committed to returning injured employees to work, within safe and healthy medical practices, as soon as practical. If the medical release puts any limitations on the employee's physical or mental ability to fully perform the duties of the job, or limits the performance of those duties by requiring any adjustments in duties, equipment or tasks; or any adjustments in break or work times or frequencies, then the medical release must specify in detail any physical or mental conditions which the employee still has which requires the adjustments. The medical release must also specify how long those conditions are expected or predicted to last, or how frequently they may recur. If the medical provider has any suggestions regarding possible modifications for temporary conditions to enable the employee to go on temporary modified duty, those can be included in the written medical release to return to work. Temporary modified duty for purposes of this guideline does not mean "busy work" created for the purpose of keeping the employee occupied.*

*The Board of County Commissioners, Elected Official, or Service Unit Manager, may (but is not required to) grant an injured employee up to 30 days of temporary assignment for employees recovering from a work related injury or illness. Any such temporary assignment must be supported in detail by the written recommendation of the designated medical provider and have the approval of the Elected Official, or Service Unit Manager. Denials of temporary assignment should be based on the business necessity of the County.*

*This type of temporary assignment is contingent on work being available in the County and for which the employee is otherwise qualified under the usual minimum qualifications of the job. It is also strictly limited to 30 days or less. The employee is still obligated to continue to meet all employee responsibilities explained in the Handbook. If an employee on temporary assignment is not able to perform the essential functions of the job (with or without reasonable accommodations) after 30 days, the County may terminate the employee based on a consideration of County business necessities.*

## **BASIC HEALTH INSURANCE COVERAGE**

*During an employee's workers' compensation absence, the County will continue the basic health benefits of the employee to reduce the future workers' compensation costs to the County. The amount of the employee's contribution will be billed monthly and if not paid by the employee it will result in cancellation of that employee's health coverage. If the county drops health insurance coverage on an employee during the pendency of a worker's compensation claim, or due to non payment of the employee portion then workers' compensation will be notified and the County's share of medical costs will be added to the average weekly wage payments to the employee during that time.*

*Under the "Family and Medical Leave Act of 1993" (FMLA) the County provides up to twelve (12) weeks of unpaid, job-protected leave for employee's serious health condition. Workers' Compensation Absences will be counted toward the 12 weeks of FMLA leave.*

## **RETIREMENT, DISABILITY, AND OTHER BENEFITS DURING WORKER'S COMPENSATION**

*The continuation of any other insurance policies, retirement contributions, and other benefit plans depends on how each plan defines "employee" and how long the leave will be. Check with Human Resources on these matters.*

## CHAPTER 7

### COUNTY TRAVEL GUIDELINES

#### APPROVAL FOR TRAVEL

County officers and employees may be reimbursed for all business related expenses and travel when such activity is budgeted, is official County business, and has prior approval from his/her immediate supervisor or elected official. It is the responsibility of every elected official to insure that officers and employees under their jurisdiction comply with the provisions of the Clear Creek County Travel Guideline and that monies required to pay expenses are available within the individual budgets of the offices and departments concerned. Any unbudgeted, out of state travel for training or business purposes must have prior approval by the Clear Creek Board of County Commissioners.

#### REIMBURSEMENT OF TRAVEL COST

Reimbursement of actual travel expenses must be requested on a County travel voucher and submitted to the Budget Officer along with original receipts for all reimbursements requested. Employees may request a "Per diem in lieu of actual expenses" limited to thirty-five dollars (\$35.00) per day for each day of travel outside of Clear Creek County. Under the per diem request, no itemization or documentation of actual expenses for meals, tips, and miscellaneous travel costs is required. Should costs exceed (\$35.00) per day, an employee may request additional reimbursement with original receipts and explanation for the need. Approval for the additional reimbursement request will be at the discretion of the department head or elected official.

Day trips are excluded from the "Per diem in lieu of actual expenses" practice and any reimbursement requests must be submitted with original receipts. When included, employees are expected to have meals that are provided at the function they are attending. When not provided, meal reimbursement requests for day trips must be reasonable as determined by the department head or elected official. As a guide, reasonable reimbursement amounts for meals might be: \$8.00 for breakfast; \$10.00 for lunch; and \$15.00 for dinner.

Requests for advanced payment of travel costs (i.e., registration, per diem, etc.) must include **approved** documentation, as required by the County's Budget Officer, and be submitted to that office prior to the accounts payable date preceding the proposed date of travel.

## **TRANSPORTATION**

*County officers and employees must use the most cost-effective and expedient mode of transportation when traveling on official County business. Employees will be reimbursed for parking, cab fare, and coach fare when using common commercial carriers. County officers and employees may utilize rental vehicles when use is necessary as part of the mode of transportation to reach their planned destination(s). Original receipts are required for all transportation reimbursement requests.*

*When attending instate but out-of-County business activities, the County encourages employees to use County-owned vehicles when available and to car pool when more than one employee is attending the same activity. Reservations for a County pool vehicle, for departments that do not have assigned vehicles, must be made with the County Administrative Assistant. If a County employee must utilize his or her own vehicle for travel and has his/her supervisor's approval, the employee will be reimbursed at the current mileage rate allowed by the Internal Revenue Service.*

*County employees are prohibited from using County-owned vehicles for personal use, unless authorized by the Board of County Commissioners or elected official. Numerous IRS rules exist governing the use of County vehicles for both personal and business uses. Employees must consult with the County Budget Officer and have supervisor approval before using County vehicles for commuting purposes or activities outside the scope of their jobs.*

## **COUNTY CREDIT CARDS**

*County credit cards may be issued to individual Commissioners, elected officials and department heads, at the discretion of the Board of County Commissioners. County credit cards may be used for payment of charges in the conduct of official County business. Receipts must be submitted for all charges incurred and documented on the County's standardized reporting form. Detailed guidelines regarding credit card use and reporting requirements may be obtained through the County Finance Department.*

*Personal charges on the County credit card are prohibited, except in cases of emergency or when co-mingling of business and personal charges are unavoidable. In such cases, a written explanation must be provided to the Board of County Commissioners, with a copy furnished to the County Budget Officer along with reconciliation. Reconciliation of personal expenses must be reimbursed to the County within five (5) working days of the transaction or within five (5) working days of the individual's return to the County. Any transaction involving personal expenses must have the appropriate sales tax included and reimbursed back to the County.*

*Clear Creek County is a tax exempt entity and it is the County's fiscal policy to avoid tax liability on all business purchases. Consequently, the use of the County credit card should be limited and used only when other methods of payment are untimely or*

*impractical. Usage of the County's credit card should include good faith efforts to provide merchants with our tax exempt number or a copy of our tax exempt certificate.*

### **DEPARTMENTAL CHARGE ACCOUNTS**

*Personal charges on any department's dealer charge accounts are prohibited.*

### **TRAVEL FOR OTHER PURPOSES**

*Clear Creek County encourages its elected officials, department heads and other management level employees to participate in state and national organizations that directly benefit Clear Creek County. In cases where Clear Creek County employees become officers or directors of state or national organizations and travel is required in connection with those duties, support for that travel in the form of administrative leave and/or the expenses incident to travel may be allowed only when such membership proves to be a direct benefit to the County.*

*Acceptance of an office or a committee assignment in a state or national organization that will require the use of County time or resources must be approved by the appropriate elected official with the concurrence of the Board of County Commissioners. Travel not approved by the Board of County Commissioners will be at the personal expense of the requesting individual.*

### **TRAVEL TIME**

*Travel time on behalf of the County by nonexempt employees during non-work hours may be compensable and counted as hours worked. For additional explanation please contact the County's Human Resource Specialist.*

*Home to work travel time is not compensable.*

## CHAPTER 8

### DISCIPLINARY ACTIONS & EMPLOYEE COMPLAINTS

#### DISCIPLINARY ACTION & DISCHARGE

*An employee's conduct is a major factor in the County's ability to provide services to its community and impart a positive image to its citizenry. When management finds an employee's performance is unsatisfactory or becomes aware of conduct that reflects badly on the organization, the County may take disciplinary action.*

*Disciplinary actions may range from informal discussion with an employee to immediate discharge, depending on the seriousness of the situation. **Any action taken by management in an individual disciplinary case should not be assumed to establish a precedent in other circumstances.***

#### ADMINISTRATIVE REVIEW PROCEDURE

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***Important Notice: The following Administrative Review Procedures do not apply to sworn deputies, temporary employees, appointed department heads, or employees appointed by an elected official or Board, statutorily serving at the pleasure of the appointing official. The only actions that may be reviewed under this section are dismissals, suspension without pay of more than five (5) working days' duration, and involuntary demotions.***

#### **Commissioner Department Employees**

*A commissioner department employee wishing an administrative review of the above disciplinary actions must do so in writing to the department head responsible for the action in question, within five (5) working days from the date of execution. If the written request is not received in a timely fashion, the disciplinary action will stand and any future requests for review will not be considered.*

*When the written request is filed, the Board of County Commissioners (BOCC) will conduct a hearing within twenty-one (21) working days of the filing of the request. Extensions of this twenty-one (21) day time period may be granted for reasonable cause by the BOCC.*

*The hearing conducted by the BOCC will be informal to allow the employee to present his or her case. The employee may be represented, if he/she so desires. The employee may also request that a member of the Personnel Review Board be present. The BOCC will consider all the evidence presented and will consult with the Human Resources Specialist and render a decision to the department head responsible for the*

*suspension or dismissal. The decision of the BOCC will be rendered in writing to the employee. No other review will be conducted.*

**Other Elected Officials' Department Employees**  
***(This applies to the Clerk and Recorder, Sheriff, Assessor, and Treasurer Departments)***

*An elected official's department employee wishing an administrative review of the above disciplinary actions must request it in writing to the elected official responsible for the action in question, within five (5) working days from the date of execution. If the written request is not received in a timely fashion, the disciplinary action will stand and any future requests for review will not be considered.*

*When the written request is filed, the elected official for that department will consult with the Human Resources Specialist. A decision will be rendered in writing to the employee. No other review will be conducted.*

## **CHAPTER 9**

### **SEPARATION**

#### **LAYOFF - REDUCTION IN FORCE (RIF)**

*Should it become necessary to lay off employees due to lack of funds, change in department status or reorganization or any other reason, the elected officials responsible for the department shall make the final decision as to the procedures, extent and conduct of the layoff. In such cases, affected employees are given as much notice as practical.*

#### **RESIGNATION/QUIT**

*Nonexempt employees are requested to give a minimum of ten (10) working days notice prior to the effective date of resignation.*

*Exempt employees are requested to give thirty (30) days calendar notice prior to the effective date of resignation. The terminating employee will be paid for all uncompensated time worked and unused PTO.*

*Resigning employees who are members of the Clear Creek County Retirement Plan should consult the Human Resource Specialist regarding the distribution of retirement contributions, deferred benefits, etc.*

#### **RETIREMENT**

*Clear Creek County, through the County Retirement Plan and Social Security, provides for retirement benefits in accordance with the provisions of the plan. Retiring employees should advise their department heads and the Human Resource Specialist of their intent to retire as far in advance of their desired retirement date, as possible.*

#### **RETURN OF COUNTY PROPERTY**

*Any employee leaving County service, regardless of the reason, must immediately return any County property which they may have in their possession.*

#### **EXIT INTERVIEWS - SEPARATION EMPLOYEE**

*The Human Resource Specialist conducts exit interviews with employees who separate from County service. The purpose of this interview is to determine the reason for separation, and to advise the employee of benefits upon termination.*

*Approved this 7th day of September 2004, at a regularly scheduled meeting of the Clear Creek Board of County Commissioners.*

*BOARD OF COUNTY COMMISSIONERS*

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*Robert J. Poirot, Chairman*

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*Jo Ann Sorensen, Commissioner*

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*Harry Dale, Commissioner*

*Approved this 7th day of September 2004, by Clear Creek County Elected Officials:*

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*Don Krueger, Sheriff*

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*Diane Settle, Assessor*

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*Geraldine Thompson, Treasurer*

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*Pam Phipps, Clerk*