



CHESTER COUNTY EMPLOYEE HANDBOOK

March 2024 (precedes all previous versions)

IMPORTANT NOTICE

NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY SEPARATE POLICY OF CHESTER COUNTY (“THE COUNTY”) SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT. ALL EMPLOYEES OF THE COUNTY ARE EMPLOYEES “AT WILL” WHOSE EMPLOYMENT MAY BE TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. ONLY THE COUNTY ADMINISTRATOR AS APPROVED BY COUNTY COUNCIL HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT REGARDING LENGTH OF SERVICE OR GROUNDS FOR TERMINATION AND ANY SUCH AGREEMENT MUST BE IN WRITING AND SIGNED BY THE COUNTY ADMINISTRATOR AS APPROVED BY COUNTY COUNCIL.

EVERY EMPLOYEE NEEDS TO UNDERSTAND THAT THE POLICIES SET FORTH IN THIS HANDBOOK ARE MERELY GENERAL GUIDELINE POLICIES WHICH MAY NOT APPLY TO EVERY EMPLOYEE IN EVERY SITUATION. WHEN IT IS NOT PRACTICAL OR DESIRABLE TO FOLLOW THESE GENERAL GUIDELINE POLICIES, THE COUNTY WILL HANDLE THESE SITUATIONS, AS THE COUNTY DEEMS APPROPRIATE.

I UNDERSTAND THAT THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT.

(Signature)

Date

Printed Name

THIS IS NOT A CONTRACT

GUIDELINES LIMITATIONS AS TO ELECTED OFFICIALS AND THEIR EMPLOYEES

PURSUANT TO S. C. CODE OF LAW SECTION 4-9-30(7) AMENDED, COUNTIES ARE EXPRESSLY AUTHORIZED TO DEVELOP PERSONNEL POLICIES AND PROCEDURES REGULATING COUNTY EMPLOYEES. EMPLOYEES OF ELECTED OFFICIALS ARE NOT SUBJECT TO THE COUNTY'S POLICIES AND PROCEDURES AND THE EMPLOYMENT, DISCHARGE AND SUSPENSION AUTHORITY OF THE COUNTY DOES NOT EXTEND TO ANY PERSONNEL EMPLOYED IN DEPARTMENTS OR AGENCIES UNDER THE DIRECTION OF AN ELECTED OFFICIAL OR AN OFFICIAL APPOINTED BY AN AUTHORITY OUTSIDE COUNTY GOVERNMENT. S. C. CODE ANN §4-9-30(7) (LAW. CO-OP. 1976). ELECTED AND/OR APPOINTED OFFICIALS MAY VOLUNTARILY ELECT TO UTILIZE THESE PERSONNEL POLICIES AND PROCEDURES.

AS AN ELECTED/APPOINTED OFFICIAL OF CHESTER COUNTY, I AGREE TO ABIDE BY THE CONTENTS OF THE CHESTER COUNTY EMPLOYEE GUIDELINES. I UNDERSTAND THAT I MAY EXPRESSLY RESCIND THIS AGREEMENT AT ANY TIME AND WILL IMMEDIATELY NOTIFY THE HUMAN RESOURCES OF MY RESCISSION.

Print Name

Date

Signature

Special Note: For ease of readability, these policies follow the traditional English practice of referring to unidentified individuals using masculine pronouns. Whenever such a pronoun is used, it is intended to apply to both males and females.

PREFACE

THE POLICIES IN THIS HANDBOOK HAVE BEEN ADOPTED BY RESOLUTION BY THE CHESTER COUNTY COUNCIL ON (DATE), AS THE CURRENT EMPLOYEE POLICIES FOR ALL COUNTY EMPLOYEES. THIS HANDBOOK SUPERCEDES ALL PREVIOUS POLICIES AND ALL PREVIOUS EMPLOYEE HANDBOOKS AND SHALL BE RECOGNIZED AS THE EMPLOYEE HANDBOOK AND EMPLOYEE POLICIES IN FORCE UNTIL SUCH TIME AS ANY AMENDED POLICIES AND/OR HANDBOOKS ARE ADOPTED BY THE COUNCIL. THIS MEANS ALL PREVIOUS POLICIES ARE NO LONGER APPLICABLE UNLESS INCORPORATED INTO THIS UPDATED VERSION OF THE EMPLOYEE HANDBOOK. THIS INCLUDES, BUT IS NOT LIMITED TO, THE COUNTY POLICY ON EMPLOYEE AND RETIREE BENEFITS, DISCIPLINARY ACTIONS, AND LEAVES OF ABSENCE.

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THIS IS NOT A CONTRACT

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Administrative

Effective Date: April 2024

SUBJECT: COUNTY GOVERNMENT AND ADMINISTRATION

Chester County operates under the Council/Administrator form of government. Under this form of government, the Council is composed of six (6) members who are elected from single member districts and one (1) member who is elected at-large in the County. The County Council employs a County Administrator to be the administrative head of the county government. The County Administrator is responsible for the administration of all departments of County government that Council has the authority to control.

The County Administrator is responsible for the administration and interpretation of County policies and procedures. The County Administrator may delegate authority for administering policies and procedures to the Director of Human Resources or other County officials. To the extent practical, such interpretation will be based upon specific policy wishes of the Council that exist or upon the principles expressed in established policies or procedures. Any policy or procedure may be amended, waived, or modified by the County Administrator. The County Administrator is authorized to establish such administrative rules and procedures as reasonably necessary to carry out these policies.

The policies set forth in this Handbook are intended to establish consistent personnel policies for the County and to establish guidelines governing employees of the County. Accordingly, these policies shall not apply to employees of any outside agency that may receive appropriations from the County.

These personnel policies and procedures shall apply to all employees except those who are specifically exempted by law and who have not opted to have them apply. Employees who work for constitutionally appointed or elected officials may be subject to policies and procedures that are not included in this Handbook.

Chester County recognizes that its employees are the most important resource for accomplishing the County's objectives of providing quality public services to Chester County citizens. These policies are designed to promote consistent human resource management of all covered County employees. It is intended that these policies enable all employees to know what is expected of them in the workplace when conducting County business and to provide employees with information as to what they can expect from the County as an employer.

Chester County adheres to the provisions outlined in the South Carolina Freedom of Information Act, as amended.

SECTION I- GENERAL PROVISIONS

COUNTY OF CHESTER PERSONNEL MANUAL

EMPLOYEE RELATIONS

POLICY NUMBER 1-1

Effective Date: March 20, 2024

SUBJECT: EQUAL OPPORTUNITY EMPLOYMENT

Chester County is an equal opportunity employer and complies with applicable state and federal employment practices. Chester County does not discriminate against employees or applicants because of race, color, religion, sex, national origin, age, protected disability, veteran status, genetic information, political affiliation, or any other characteristic protected under applicable federal, state, or local laws except where sex, age or physical ability is a bona fide occupational qualification. Opportunity for employment with Chester County depends on factors such as qualifications and performance. Chester County is committed to complying with affirmative action requirements and will do so where required by applicable federal, state, and local laws.

This policy applies to all phases of employment including without limitation, recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws. Chester County will endeavor to make reasonable accommodations, as required by law, for known and obvious physical and mental disabilities of otherwise qualified applicants and employees, unless an accommodation would impose an undue hardship on the County.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 1-2

Effective Date: March 20, 2024

SUBJECT: AFFIRMATIVE ACTION

In support of our policy of providing equal opportunity employment to all persons, Chester County shall engage in the practice of affirmative action in the hiring and placement of eligible employees.

The County Administrator appoints by memorandum the Human Resource Director as the Equal Employment Opportunity / Affirmative Action Coordinator. The EEO/AA Coordinator shall be responsible for the administration and coordination of EEO/AA activities in the employment practices of the County.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 1-3

Effective Date: March 20, 2024

SUBJECT: NON-DISCRIMINATION/ANTI-HARRASSMENT

Chester County's policies, as well as various laws and regulations, generally prohibit employment decisions from being made based on race, gender, religion, national origin, age, disability, genetic information, sexual orientation, veteran status, political affiliation, or similar protected distinctions. In addition, it is our policy to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

While it is not easy to define what harassment is, it generally includes verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of protected attributes and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment as defined by law; or (2) has the purpose or effect of unreasonably interfering with an individual's work performance, or (3) otherwise adversely affects an individual's employment opportunities. Conduct that occurs off premises or during non-working hours that impacts on the workplace can be considered in determining whether this policy has been violated.

Examples of conduct that may constitute harassment because of a protected category including without limitation, race, color, religion, sex, national origin, age, protected disability, veteran status, genetic information, or any other characteristic protected under applicable federal, state, or local laws, would include:

1. Verbal: Comments that are not flattering or are unwelcome regarding a person's race, color, religion, sex, national origin, age, protected disability, veteran status, genetic information, or any other characteristic protected under applicable federal, state, or local laws, epithets, slurs, negative stereotyping can be forms of verbal harassment.
2. Nonverbal: Distribution, display, or discussion of any written or graphic material including without limitation, emails, text messages, Internet postings, etc. , that ridicules, denigrates, insults, belittles or shows hostility or aversion toward an individual or group because of race, color, religion, sex, national origin, age, protected disability, veteran status, genetic information, or any other protected characteristic.

Any employee that believes that they are being subject to unlawful discrimination by someone they have come into contact on the job, regardless of whether it is by a

fellow worker, a supervisor, or a member of the general public, must immediately report the incident either to their Supervisor, their Department Head, the Human Resources Director, the County Administrator, or any other member of management with whom the employee feels comfortable. If the employee is unsure where to raise an issue or if an employee has not received a satisfactory response within five (5) business days after reporting an incident of what the employee perceives to be unlawful discrimination, the employee must go directly to the County Administrator who will make sure that an investigation is immediately conducted by an appropriate investigator and that a response is provided by the County.

Employees and applicants will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that an employee believes may violate this policy. Employees and applicants also shall not be subjected to harassment, intimidation, threats, coercion, discrimination or retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal employment opportunity; or (4) exercised any other right protected by federal, state or local law requiring equal employment opportunity. The County will not tolerate retaliation against employees who come forward with concerns regarding the conduct of other employees. Conversely, the County will not tolerate false reports given by employees.

In the event you believe that the County Administrator of Chester County is the alleged harasser, you MUST IMMEDIATELY contact the Council Chair or Vice Council Chair.

Chester County will investigate the facts and circumstances of any claim of perceived discrimination as confidentially as possible. Due to the sensitivity of the issues involved in an investigation, employees interviewed by the County during the investigation must treat the information discussed as confidential. Disclosure of such information is a violation of the County's policies and procedures and may lead to disciplinary action. Anyone, regardless of position or title, whom the County determines has violated this policy may be subject to discipline up to and including termination.

Employees, including supervisors, who are determined to have violated this policy, may be subject to disciplinary action up to and including termination, commensurate with the seriousness of the conduct.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 1-4

Effective Date: March 20, 2024

SUBJECT: GENETICS INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA)

Prohibits employers and other entities covered by GINA from requesting or requiring genetic information of employees or their family members. To comply with this law, please do not provide any genetic information when responding to a request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Any employee who feels that they have been discriminated against under GINA must immediately file a report with the Human Resources Department and the County Administrator.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 1-5

Effective Date: March 20, 2024

SUBJECT: ANTI-SEXUAL HARASSMENT

Chester County has taken special steps to prevent employees from being subjected to inappropriate conduct in the workplace. The County believes that all employees desire a professional, productive, and pleasant work environment. Providing such a work environment necessarily requires the cooperation of all employees.

The County's "Non-Discrimination/Anti-Harassment" policy addresses all forms of harassment in a single policy. The County wishes to highlight in this policy a particular form of harassment, which is often described as "sexual harassment."

Sexual harassment includes, but is not limited to any inappropriate behavior, which, because of an individual's gender, has the effect of creating a hostile, intimidating, or otherwise unpleasant work environment. The following, in no order, are some of the more obvious types of behavior that the County considers to be highly inappropriate conduct in the workplace:

- Displays of sexually explicit pictures or objects.
- Demands or requests for sexual favors.
- Sexually oriented banter, jokes, or commentary.
- Repeated social invitations.
- Compliments of a sexual or suggestive nature.

Sexual harassment can be either verbal, physical, auditory, or visual. It can be either subtle or overt. Sexual harassment refers to behavior that is not only unwelcome, but which can also be personally offensive, fails to respect the rights of others, lowers morale, and interferes with work effectiveness or violates a person's sense of well-being.

Both men and women can be the victims of sexual harassment and it can occur in situations where one person has authority (or the appearance of authority) over another and can also occur between peers.

Managers, supervisors, department heads and employees with the appearance of authority shall not threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual harassment will in any way affect the employee's employment, evaluations, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Harassment by co-workers

is also unlawful and prohibited both by applicable federal and state laws, even though the loss to the victim may not involve the tangible benefits discussed herein.

If you feel that you have been subjected to any of the above conduct or otherwise made to feel uncomfortable in the workplace because of your gender, you MUST IMMEDIATELY report this conduct to the County. You must report the incident either to your Supervisor, your Department Head, Human Resource Director, County Administrator, or any member of management with whom you feel comfortable. Your complaint will be kept as confidential as possible, consistent with its effective investigation.

In the event you believe that the County Administrator of Chester County is the alleged harasser, you MUST IMMEDIATELY contact the Council Chair or Vice Chair.

Employees who report inappropriate conduct may do so without fear of reprisal for their report. The County will not tolerate retaliation against employees who come forward with concerns regarding the conduct of other employees. Conversely, the County will not tolerate false reports given by employees.

The County commits itself to take necessary action to deter sexual harassment in the workplace. However, the fulfillment of this commitment will, in large part, depend on the willingness of employees to report prohibited behavior. A timely response to sexual harassment is essential to protect victims from further unwelcome behavior. It also ensures that the person responsible for objectionable behavior understands its impact on others. A timely report provides the best opportunity for the employer to address the matter expeditiously and effectively with the least possible adverse impact on all parties concerned.

Employees, including supervisors, who are determined to have violated this policy, may be subject to serious disciplinary action up to and including termination, commensurate with the seriousness of the conduct.

Department Heads and Supervisors shall review this policy with all employees annually. Employees will be required to sign an acknowledgment confirming that the policy has been presented to them and attest to their understanding of this policy.

Special Note: Listed above are general descriptions of some of the types of conduct which may constitute sexual harassment, or which can lead up to sexual harassment, depending upon the circumstances. Importantly, not all the prohibited conduct listed above rises to the level of what would meet the legal definition of this term. The County, however, does not want you to have to worry about whether conduct, which makes you feel uncomfortable, meets, or does not meet a particular legal definition. What the County wants, and insists upon, is that you notify the

County immediately in the event someone else's conduct offends you or otherwise makes you feel uncomfortable.

- Training on the County's policy regarding sexual harassment will be conducted annually and documentation provided in the employee's personnel record.
- Legal Counsel will review this policy bi-annually. A signature herein verifies that this policy has been reviewed and any changes approved.

Upon receipt of a complaint, the County Administrator shall ensure that an investigation is conducted by an appropriate investigator. Further, the County Administrator shall ensure an investigation is conducted when any instance of sexual harassment comes to his attention, even in the absence of a formal complaint.

Within five (5) working days of the receipt of a complaint, the investigator shall issue begin the investigation by written notices to complainants, victims, and those accused of sexual harassment and interviews shall be conducted. The investigator may find tangible evidence when investigating a complaint of sexual harassment. Examples may include, without limitation, documents used in committing sexual harassment or that memorialize such acts, and non-documentary evidence. Reasonable and prudent measures should be taken to preserve all evidence.

Chester County will investigate the facts and circumstances of any claim of perceived sexual harassment as confidentially as possible. Due to the sensitivity of the issues involved in an investigation, employees interviewed by Chester County during the investigation must treat the information discussed as confidential. Disclosure of such information is a violation of the County's policies and procedures and may lead to disciplinary action.

At the conclusion of the investigation, a final report shall be issued to the County Administrator and the County Attorney for consideration and review. The final report will not be provided to the alleged victim(s), the employee(s) accused of wrongdoing, or any other witness involved in the investigation. The victim will be provided with notice that the investigation has been completed and be informed without specificity that appropriate action was or will be taken, where relevant. The Human Resources Director will identify and take such steps to promptly remedy any sexual harassment and prevent its recurrence.

Any intimidation, harassment, or interference for filing a complaint or assisting in an investigation and/or intentionally filing a false complaint of sexual harassment will be subject to disciplinary action, up to and including termination.

ATTORNEY SIGN-OFF

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COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 1-6

Effective Date: March 20, 2024

SUBJECT: WORKPLACE VIOLENCE AND BULLYING

The purpose of this policy is to communicate to all employees, including Directors and supervisors, that Chester County will not tolerate bullying behavior. Chester County defines bullying as *“repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”*

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when determining discipline. As in sexual harassment, it is the effect of the behavior upon the individual which is important. Chester County considers the following types of behavior examples of bullying:

- **VERBAL BULLYING:** slandering, ridiculing, or maligning a person or his family; persistent name calling which is hurtful, insulting or humiliating; using a person as the basis of cruel jokes; abusive and offensive remarks.
- **PHYSICAL BULLYING:** pushing, shoving, kicking, tripping, assault, or threat of physical assault, damage to a person’s work area or property.
- **GESTURE BULLYING:** non-verbal threatening gestures.

Any employee that believes he is being subjected to bullying must report the alleged conduct to his Supervisor, Director or the Director of Human Resources, or any member of management with whom he is comfortable reporting. Any employee who displays a tendency to engage in violent, bullying, abusive or threatening behavior, or who otherwise engages in behavior that the County, in its sole discretion, deems offensive or inappropriate, will be counseled by his immediate supervisor or may be referred to the Employee Assistance Program. Such employees may also be subject to disciplinary action, up to and including discharge.

Chester County will investigate the facts and circumstances of any claim of perceived bullying as confidentially as possible. Due to the sensitivity of the issues involved in an investigation, employees interviewed by Chester County during the investigation must treat the information discussed as confidential. Disclosure of such information is a violation of the County’s policies and procedures and may lead to disciplinary action.

COUNTY OF CHESTER PERSONNEL MANUAL

AMERICANS WITH DISABILITIES ACT/AMENDMENTS ACT

POLICY NUMBER 1-7

Effective Date: March 20, 2024

SUBJECT: DISABILITY ACCOMMODATION

Chester County is committed to complying fully with the Americans with Disabilities Act (ADA), as amended, and ensuring equal employment opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position with or without reasonable accommodation.

A disability is defined as physical or mental impairment that substantially limits one or more major life activities, having a record of such impairment or being regarded as having such an impairment.

Chester County may provide reasonable accommodation to the known disability of an employee if such accommodation is required for the employee to perform the essential functions of the employee's job and the accommodation would not cause undue hardship. If such a situation exists, an employee will need to submit a written request to the Human Resources Director detailing the request and need for the accommodation. The Human Resources Director will work with the employee on an interactive basis to review the request, to determine if additional information or documentation is required and whether the request can be granted or denied.

Chester County will also adhere to the Pregnant Workers Fairness Act (PUMP) and reasonably accommodate pregnant workers who have temporary work restrictions. This could include without limitation, more frequent rest periods, closer parking, flexible hours, permission to sit or drink water, additional bathroom and meal breaks, help lifting, being excused from strenuous activities, and taking time off to recover from childbirth. While Chester County will engage in an interactive process to arrive at reasonable accommodation, the County will not require pregnant employees to take leave if another reasonable accommodation would enable the employee to continue working.

SECTION II- COMPENSATION, SCHEDULES, AND TIMEKEEPING

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-1

Effective Date: March 20, 2024

SUBJECT: UNIFORM POSITION CLASSIFICATION PLAN

EMPLOYEE CLASSIFICATION:

1. INTRODUCTORY EMPLOYEE

New employees, including former employees who have been rehired, are on an introductory period for at least the first six (6) months of their employment. After undergoing and successfully completing the six-month introductory period and approval of his evaluation by the Department Head, they may occupy a regularly established position. The supervisor may also, at his discretion, recommend extending the introductory period for a minimum of an additional ninety (90) days for a particularly difficult or highly technical position. The introductory period is merely a continuation of the initial selection process. It is a time during which the employee should make extra efforts to prove that he is well suited for the position. The Introductory Period is not a guarantee of length of employment and the employee always remains in an at-will status, both during and after the Introductory period has expired.

Employees in this status accumulate annual leave, which can be taken after the six-month introductory period. They also accumulate sick leave, which can be used during the six-month introductory period. They are eligible for other benefits, as outlined in the benefits section of this manual. All employees are subject to the County's policies.

Employees who do not receive a satisfactory evaluation by the end of the Introductory Period may be granted an additional thirty (30) days, with the approval of the County Administrator, should there be extenuating circumstances that prohibited the employee from successfully completing the initial training. The employee shall be provided with a copy of the notice of completion of the introductory period. Human Resources will prepare this notice. Due to specialized training for a position, certain departments may require a longer introductory period which must be approved by the County Administrator and must be for a defined period of time. The employee must be notified in writing of the reason for and the length of the extension prior to the initial introductory period expiration. Human Resources will prepare this notice.

Introductory status will be discussed with the employee at the time of hire.

Supervisors may recommend the termination of a newly hired employee at any time. Such a recommendation should be provided in writing to Human Resources no less than two (2) weeks prior to the conclusion of the Introductory Period and must be substantiated with written reprimands, documentation of performance discussions and any other evidence of poor performance by the employee.

Transferred or promoted employees who are unable to perform satisfactorily in their new jobs may, at the discretion of the County Administrator, be returned to their original position if a vacancy exists or may be terminated. Prior to returning them to their original position, where possible, the County Administrator and the Human Resources Director will meet with the supervisors for both the original position and the transfer/promotion position to discuss performance issues.

If an emergency arises during an employee's introductory period which requires a leave of absence, or a call to military duty, such time off, where granted, will not be considered as time worked. The introductory period will automatically be extended for a period equivalent to the time on leave. The employee should be notified that the introductory period will be extended when the leave is approved. If an employee is on leave for less than a full pay period, or for occasional and sporadic absences, it is at the discretion of the County Administrator whether the introductory period will be extended, and the employee will be notified accordingly.

Special Note: The introductory period is not to be construed as a minimum guarantee of employment. All employees of the County are employed "at will" which means that both the employee and the County can terminate the employment relationship at any time, with or without notice.

2. REGULAR FULL-TIME EMPLOYEE

This is defined as an employee who has successfully completed a six-month introductory period, who occupies an established full-time position performing essential job functions that are an integral part of the life and health of the County, and who usually and consistently works a normal or regular workweek of the standard County's normal hours, A regular full-time employee is eligible for all benefits. All employees are subject to the County's policies.

3. REGULAR PART-TIME EMPLOYEE

An employee who has successfully completed a six-month introductory period, who occupies an established part-time position and who usually and consistently works less than 75 percent of the normal workweek hours. A regular part-time employee is not

eligible for any County benefits other than those required by law. All employees are subject to the County's policies.

4. TEMPORARY FULL-TIME EMPLOYEE

Employees who were hired for short-term employment of a specified period or completion of a specified event to fulfill a temporary need; they are not eligible for any fringe benefits other than those required by law. All employees are subject to the County's policies.

5. TEMPORARY PART-TIME EMPLOYEE

Employees who were hired for short-term, intermittent employment to fulfill a temporary need may work a varied number of hours a week and are often called as needed. They are not eligible for any fringe benefits other than those required by law. All employees are subject to the County's policies.

6. ELECTED AND APPOINTED POSITIONS

These are positions that are excluded from the classified service by statute and are generally filled through the elective or appointive process.

FLSA CLASSIFICATIONS:

1. EXEMPT EMPLOYEE

An exempt employee is an executive, administrative, or professional employee, who is exempt from the overtime provisions of the FLSA and is paid on a salary basis as defined by FLSA. Exempt employees must meet the salary basis and duties tests to qualify under FLSA Exemption categories. Exempt employees are paid based on overall responsibilities rather than on the number of hours worked. Exempt employees are not eligible for overtime or compensatory time. Exempt status is not determined by Chester County. It is defined by law.

2. NON-EXEMPT EMPLOYEE

A nonexempt employee is an employee, generally paid by the hour, who is eligible for overtime pay according to the provisions of FLSA. Overtime premium pay is for those hours worked which exceed forty (40) hours per week for non-law enforcement or fire employees, and the rate of pay is 1 ½ times the employee's regular hourly rate. Prior approval by the supervisor is required for a nonexempt employee to work more than 40 hours a week.

Note: All employment with Chester County, regardless of the classification, is at-will.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-2

Effective Date: March 20 , 2024

SUBJECT: HOURS OF WORK

1. WORKWEEK

- a. The work period or workweek consists of seven (7) days, beginning at 12:00 a. m. on Saturday and end at 11:59 p. m. on Friday except for official County holidays.
- b. The regular or normal work hours consist of 37.5 or 40 working hours for all employees except for the Sheriff, EMS, and 911. At the time of hire, an employee will be notified of scheduled work hours for their specific position in the County. Directors may temporarily adjust the employee work schedules when it is determined that the adjustment will benefit County operations and public services. Should an employee need to change their schedule, the employee must first discuss this with the Director and seek written approval before the hours can be changed. Any permanent exceptions to these hours must be approved in advance by the County Administrator and a new Terms of Employment created and executed.

2. WORKDAY

a. Meal Period:

The normal lunch period is for 60 minutes (1 hour). Meal periods are provided to County employees for the purpose of rest and refreshment and must be taken as uninterrupted time for non-exempt employees. This means the employee is prohibited from performing any county work during their lunch breaks, including but not limited to even minimal work-related tasks such as answering the office phone. The lunch period is not to be used for overtime or compensatory time accumulation or to reschedule the employee's regular work hours.

b. Rest Breaks:

Breaks are a voluntary benefit provided for our employees by the County. **They are not required** by federal, state or any other laws. Department Heads may voluntarily grant a break period that does not exceed a total of two (2) per day and for no longer than fifteen (15) minutes each break. The Department Head may determine the specific time to ensure sufficient personnel are available to staff the department. Breaks are not

to be used as an excuse to report to work late or to leave early or to make up any missed time. Break time does not accumulate from day to day. Abuse of break time may result in disciplinary action. Smoking breaks are included in this time; they are not separate break times available for employees who smoke. County employees are reminded of the County ordinance that prohibits smoking within fifty (50) feet of the entrance to a County owned or leased facility.

c. Breaks for Lactating Mothers:

In accordance with 29 U. S. C. §207(r)(1), employers with fifteen or more employees must provide reasonable unpaid break time to lactating mothers to express breast milk up to one year following the birth of a nursing child provided that such break time does not unduly disrupt operations. Chester County will make reasonable efforts to provide a private location other than the restroom facilities as required under the law. Employees will not be retaliated against for exercising their rights under this policy.

Employees should discuss their nursing/pumping schedule with their supervisor to ensure understanding and the least possible interruption of work. Employees should identify a location in which expressed breast milk can be safely stored during work hours. The employee must clearly label any milk that is stored in a common area.

Supervisors may not deny these breaks as they are protected under federal law. What is not protected, however, is the abuse of this break time. Supervisors who believe they may have an employee who is taking unnecessary breaks should consult with Human Resources before taking any adverse employment action against that employee.

3. PAYDAY AND PAY PERIODS

Employees are compensated based on a 26 bi-weekly (every two weeks) pay period per calendar year. The normal pay period covers the preceding two work weeks. Normally pay will be deposited on alternating Thursdays by the close of normal business. A payroll stub will be issued electronically to the employee reflecting the deposit and applicable withholdings.

Chester County makes every effort to ensure that its employees are paid correctly. Occasionally, however inadvertent mistakes can happen. Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. If any discrepancies are noted, or if an employee has questions or concerns, the employee must immediately notify in writing, the Department Director, Payroll, or the Director of Human Resources. If the employee does not advise in writing of the concern within fourteen (14) days of the date on which the employee knew or should have reasonably believed known that the employee failed to receive a benefit or proper wage in accordance with County policy, the employee could forfeit all rights to such benefit(s) or wages.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-3

Effective Date: March 20, 2024

SUBJECT: TIMEKEEPING

Chester County is required by federal and state laws to keep accurate records of time worked to calculate employee pay and benefits. Accurate recording of time worked is the responsibility of every County employee.

Time worked, is all the time spent on the job performing assigned duties. Non-exempt employees should accurately record the time they begin and end their work as well as any departure from work for lunch, personal reasons, or approved leave. The employee must review and sign off on their time and submit that to the immediate supervisor or Department Head according to the established protocol. By signing the time sheet or card, the employee is certifying that the time sheet accurately reflects hours worked.

It is a violation of Chester County policy for any employee to falsify a time sheet or timecard. Altering, falsifying, tampering with time records or recording time for another employee is also a violation of County policy, **no matter who directed the employee to alter reported time**. Either activity may result in disciplinary action, up to and including termination. Employees who report alleged violations of this policy or who cooperate in the County's investigation of such report may not be subject to any retaliation for such report/cooperation.

Failure to submit a time sheet when required or submitting a fraudulent time sheet may result in disciplinary action.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-4

Effective Date: March 20, 2024

SUBJECT: OUTSIDE OR SECONDARY EMPLOYMENT

1. It is the policy of the County to consider all full-time employees to be engaged in a primary employment relationship with this entity. Any additional/outside employment by these employees will be considered secondary employment.
2. All full-time employees must notify their department heads and secure approval prior to engaging in any secondary employment.
3. Department heads will decide if the additional employment has any adverse effect. Secondary employment will be prohibited or suspended if:
 - a. It will result in a conflict of interest, create the appearance of a conflict of interest, or when such employment or service is incompatible with the employee's duties for the County.
 - b. It will affect the ability of the employee to the extent he will not be able to perform all assigned duties.
 - c. It will affect the health, welfare, or safety of other employees or the public.
 - d. If the secondary employment will result in a conflict with the normal work hours for the employee with the County; this is not applicable under circumstances that constitute an emergency, so long as a report detailing the circumstances is later prepared by the County Supervisor and submitted to County Council.
 - e. No employee shall have employment with a business or concern when the employee's influence within the County or knowledge of the County's activities could possibly place the business or concern in a more favorable position than its competitors to do business with the County.
 - f. Approval of secondary employment can be denied or reversed at any time. Chester County will provide the employee with a two-week notification of denial/reversal during which the employee may provide notification to the employer they plan to terminate.

4. the County will not assume any responsibility for employees engaging in secondary employment during the hours of that employment with the secondary employer, nor will it accept any liability for any illnesses, injuries or damages incurred while in the execution of secondary employment duties. This includes travel to and from secondary employment. As part of the submission and approval process, employees engaged in secondary employment will be required to execute a form releasing the County from all liability for claims resulting from illnesses, injuries or damages resulting from secondary employment.
5. It is the responsibility of the employee to obtain insurance if required by the secondary employer for coverage while working in the secondary employment position. **Outside employment is NOT covered under the County of Chester's Workers' Compensation Insurance.** As part of the submission and approval process, employees engaged in secondary employment will be required to execute a form releasing the County from all liability for claims resulting from illnesses, injuries or damages resulting from outside employment. False claims filed by an employee or sanctioned by a supervisor will be met with disciplinary action, up to and including termination.
6. Employees are prohibited from working secondary employment while on personal or medical leave from Chester County.
7. County employees may not use County property, equipment, or material in the conduct of approved secondary employment, unless provided under state law.
8. This policy does not apply to a County Employee who becomes a public official with the County. Employees of the County are prohibited from being both a County Employee and a County Official.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-5

Effective Date: April 1, 2024

SUBJECT: POLITICAL ACTIVITY

Employees who are paid either in full or in part by federal monies are covered under the Federal Hatch Political Activity Act, as amended by Section 401 of the Federal Election Campaign Act, Amendments of 1974, and will be required to conform to the regulations of those acts. The Hatch Act restricts the political activities of employees who work in a program financed in whole, or in part, by federal loans and grants. The Hatch Act also covers employees while they are on annual leave, sick leave, leave without pay, or similar types of leave.

The source of an employee's salary is not necessarily determined jurisdiction under the provisions of the Hatch Act. Jurisdiction is based on whether the employee's position and duties relate to a federally financed activity. An employee who works in a program which receives federal funds and whose position related to the purpose for which the federal funds were granted, would be subject to the Hatch Act whether or not his salary is derived from the federal funds.

Employees of the County are subject to the following conditions:

- a. Employees may express their opinion on political subjects and candidates, display stickers or posters on their cars or houses. Employees may wear buttons and badges, only when not in the performance of County responsibilities.
- b. Employees may not directly or indirectly coerce, attempt to coerce command, or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for political purposes.
- c. No employee may use County facilities, equipment, or personnel at any time to further his/her own candidacy or the candidacy of any other candidate or candidates.
- d. Employees may serve at the voting polls as a checker or watcher for a political party candidate in a partisan election, provided the employee is on approved leave.

- e. **County employees may participate in both partisan and nonpartisan political activities other than County elections unless the employee is subject to the Hatch Act. Employees are prohibited from taking part in any political campaign or referenda while on duty. Failure to adhere to this policy may result in disciplinary action up to and including termination.**

All employees shall devote their full time, attention, and efforts to their office of employment for the County during their hours of duty. Permitted activities may be engaged in during non-working hours and off County property. Employees should check state and federal laws **before** engaging in any political activity, particularly those employees who may be subject to the Hatch Act.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-6

Effective Date: March 20, 2024

SUBJECT: ETHICS

It is the policy of Chester County that all employees shall conduct themselves according to the highest standards of legal and ethical behavior. **Employees are prohibited from engaging in an activity, practice, or act which conflicts with, or appears to conflict with, the interest of the County, its residents, or its suppliers. Employees are also expected to comply with the South Carolina Ethics Act. Since it is impossible to describe all the situations which may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and only include the most common examples:**

1. County employees shall comply with all Federal, State, and local laws and regulatory mandates. Employees shall consult the County Attorney for interpretation or clarification of legal and regulatory requirements. Employees shall immediately report known or suspected violation of Federal, State, or local law and supply copies of all documentation in their possession to support such claims. Reports of this nature shall be made directly to the Department Head, Human Resource Director, County Administrator using the Policy Violation Complaint form described in the Complaint Procedure herein. The employee may also file their report with the South Carolina Ethics Commission.
1. County employees shall truthfully and completely respond to supervisory inquiries, management investigations, and/or supervisory or management requests for documentation related to inquiries or investigations.
2. County employees shall accurately report absences, leave time and hours worked. They shall not misrepresent or falsify any document, report or statement relating to County funds or property or to their employment with the County.
3. County employees shall not accept fees, services, or gifts that could appear to influence professional objectivity and/or the exercise of poor business judgment.
4. County employees shall not use positional influence for personal gain or to gain advantage for personal causes, nor shall they use or attempt to use

political influence with the County Council to gain employment advantage and/or to avoid disciplinary action.

5. County employees shall not use County property or equipment for personal reasons. Additionally, employees shall not participate in outside business enterprises where such participation involves or may involve business relationships that could appear to compromise the ability of employees to impartially execute their official County duties.
6. County employees shall accurately record all payments, receipts, and organizational transactions in accordance with County policy and accepted accounting principles. No undisclosed or unrecorded organizational accounts shall be established for any purpose, nor shall County funds be placed in a personal or non-organizational account.
7. Employees shall immediately report any suspected violation of this policy in accordance with the complaint procedure outlined herein.
8. County employees shall accurately record all payments, receipts, and organizational transactions in accordance with County policy and accepted accounting principles. No undisclosed or unrecorded organizational accounts shall be established for any purpose, nor shall County funds be placed in a personal or non-organizational account.
9. Employees shall immediately report any suspected violation of this policy in accordance with the complaint procedure outlined herein.
10. Any employee who has a financial interest in a business or activity that he has a reason to believe may be affected by his official actions or by the actions of the County, shall make full and immediate disclosure of the exact nature and value of his interest. This disclosure must be made in writing to the County Administrator in order that an opinion regarding the priority of the interest can be officially obtained. Any employee who has such an interest shall dis-quality himself from participating in any official action directly or indirectly affecting this interest.
11. No employee shall make use of or reveal confidential information acquired through his position with the County for his own private gain or for the private gain of any other persons or groups.
12. For additional information, employees may reference S. C. Code Title 8, Chapter 13.

COMPLAINT PROCEDURE

Department management shall initiate necessary and prudent action on an initiative-taking basis to ensure adherence to this policy. Supervisors shall hold employees accountable for potentially unethical behavior using appropriate disciplinary action. Employees shall utilize the Violation Complaint Form to notify management when they become aware of potential ethics policy violations involving co-workers or supervisors.

An employee who feels a violation of this policy has occurred shall immediately report the matter by submitting a Policy Violation Complaint Form to the Department Head, Human Resource Director, **or** County Administrator specifying an ethics policy violation as the basis for the complaint. The Policy Violation Complaint Form may be obtained from the Human Resource Department.

In the event you believe that the County Administrator of Chester County is in violation, you MUST IMMEDIATELY contact the Council Chair or Vice Chair.

INVESTIGATION

Upon receipt of a complaint alleging a possible ethics policy violation, the Human Resource Director shall coordinate with the Department Head and County Administrator to conduct and/or direct a timely and impartial investigation. If the Department Director is, or maybe a party to the complaint, the County Administrator will assist in conducting or directing the investigation. If the Human Resource Director may be a party to the complaint, the County Administrator shall conduct or direct the course of the investigation. If the County Administrator may be a party to the complaint, the Counsel Chair or Vice Chair shall designate the appropriate investigator(s) and direct the course of the investigation. Outside investigators shall be utilized as necessary to ensure a complete investigation. Relevant evidence shall be obtained and evaluated, and a recommendation shall be made regarding the appropriate remedy and/or discipline. Both the complainant and the charged party shall be notified of investigation findings once the investigation is complete.

County employees shall fully cooperate with inquiries regarding potential violations of this policy and shall truthfully disclose what they know about matters under investigation.

CONFIDENTIALITY

Reports of Ethics Policy violations shall be treated with confidentiality to the maximum extent consistent with rigorous enforcement of the policy, and in accordance with applicable laws.

RETALIATION

No employee shall be subjected to any form of retaliation for appropriately reporting an Ethics Policy violation. Any employee or supervisor who initiates or participates in retaliatory activity may be subject to discipline up to and including dismissal. Employees who believe they have been subjected to retaliation must immediately report the matter to the Department Head, Human Resource Director, and County Administrator. The employee may also file their report with the South Carolina Ethics Commission.

FALSE INFORMATION

If, after investigating an Ethics Policy violation complaint, the County determines that intentionally false or malicious information has been provided, disciplinary action may be taken against the individual(s) who gave the intentionally false or malicious information.

CONFLICT OF INTEREST

1. The County is dedicated to its role of serving its citizens and has an obligation to ensure that there is public confidence in the integrity of County employees. Therefore, it is essential that the County of Chester establish appropriate ethical standards to guide its personnel in the performance of their duties, so that there shall not exist, or appear to exist, a conflict between private interest and public responsibilities. Violations may be subject to discipline up to and including termination
2. The following rules shall guide County employees in the discharge of their responsibilities:

- a. Gifts and Favors

No employee shall request or receive a gift, favor, or loan of anything of value to himself or another person, if it appears to influence his opinion or judgments in the performance of his official duties. If at any time you are uncertain as to what is appropriate, ask for guidance from the County Human Resource Director or the South Carolina Ethics Commission.

- b. Confidential Information

No employee shall make use of or reveal confidential information acquired through his position with the County for his own private gain or for the private gain of any other persons or groups.

c. Acquiring an Interest

No employee shall acquire an interest in any contract at a time when he has reason to believe that his interest will be affected either by his own official actions or by the official actions of the County.

d. Disclosure and Disqualification

An employee who has a financial interest in a business or activity that he has reason to believe may be affected by his official actions or by the actions of the County shall make disclosure of the exact nature and value of his interest in writing to the Chester County Council. Any employee who has such an interest shall disqualify himself from participating in any official action directly affecting this interest.

e. Contracts with Employees

The County shall not enter into any contract for services or property with an employee. The County also shall not enter into any contract with a business in which an employee has an interest if that interest might be, or might appear to be, affected by the contract. This section is not applicable under circumstances that constitute an emergency situation, so long as the County Administrator later prepares a report detailing the circumstances and submits it to the County Council.

f. For additional information employees may reference S. C. Code Title 8, Chapter 13.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 2-7

Effective Date: March 20, 2024

SUBJECT: PERSONAL APPEARANCE AND GENERAL WORK HABITS

DRESS CODE

County employees are expected to maintain high personal, moral, and ethical standards. Each employee's dress, grooming and personal hygiene should be appropriate to their own work situation. Safety will always be the primary determining factor in appropriateness. Any employee who is improperly dressed upon arriving at work may be asked to return home to change and will not be paid for the time that they are absent from their job. Repeated violations may result in disciplinary action.

All employees are expected to always present a professional image. In compliance with this policy, the following are examples of unacceptable attire:

- Backless garments, strapless tops, halter tops or midriff blouses
- Shirts with slogans, advertising, foul language, or obscene images
- Torn, patched, wrinkled, faded or dirty clothing.
- Exercise clothing, sweatpants/shirts, shorts, or clothing that is see-through or provocative in any manner.
- Jewelry must be limited to a reasonable amount, and dangling jewelry, including earrings, may be prohibited in certain work areas.
- Offensive tattoos shall not be exposed.

The County may use its discretion in determining what is offensive or excessive.

Uniform personnel are expected to keep their uniforms clean and neat, and to be worn according to their respective department policies and regulations. Uniforms are not to be worn during off duty hours unless specifically permitted by the County. An employee who is designated to wear a uniform and who reports to work out of uniform will not be permitted to sign in, will be sent home and will not be paid for the time he is away from work.

Employees required to wear safety shoes receive an allowance yearly to defray the cost of purchase of the shoes. Any amount over the allowed amount will be the responsibility of the employee.

CASUAL FRIDAY

Even though it is a casual Friday, be mindful of the activities taking place in your department. Citizens are still forming opinions about your capabilities, sense of judgment and taste. Be casual but do not go overboard since all employees are expected to utilize good grooming habits and to always exercise good personal hygiene. Jeans are acceptable on casual Friday, but must be in good condition without holes, embellishments, or areas of fading. Make sure whatever you wear is clean, ironed, and presentable to the public. Refrain from wearing flip flops, t-shirts, shorts, tank tops, sweatpants, sweatshirts, spandex, or clothing that is provocative in any manner. Tennis shoes are acceptable.

It shall be the responsibility of the Department Head to ensure that employees under his supervision dress in a safe, efficient, and professional manner to project a positive professional image of Chester County.

WORK HABITS

Employees are expected to arrive on time and work until the established closing hour. Personal work or use of County tools, equipment and facilities during County time is prohibited. Employees are expected to spend working hours performing County work.

Personal phone calls should be limited to those that are necessary and should be brief. Frequent personal calls that are received or made by the employee may result in disciplinary action. Personal cell phones should be set on "silent" or "vibrate" while at work. Unusual or emergency situations should be discussed with the supervisor. Personal phone calls on any phone may not be accepted while waiting on the public. Placing long distance calls on the County phone is prohibited.

Employees must cooperate with the mailroom by not using County facilities for mailing personal letters, packages, papers, or magazines. Also, all personal mail must be addressed to the employee's home.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 2-8

Effective Date: March 20, 2024

SUBJECT: WORKPLACE PRIVACY AND COMPUTER INTERNET USE

The workplace is intended to be a place of work. An important part of work is communications and record keeping. Employee communications on County information systems are not private. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in the individual workplaces. Each employee must understand that personal items and personal communications received or stored on County premises are not entitled to a guarantee of privacy.

The County reserves the right to search for County property and documents in employee desks, lockers, file cabinets, etc. The County will not be responsible for the damage or loss of personal items or personal communications received or stored on County premises or equipment.

Employees are prohibited from using recording devices while conducting County business.

Use of the Internet by the employees of Chester County is permitted and encouraged where such use supports the goals and objectives of the business. However, access to the Internet is a privilege and all employees must adhere to the policies concerning Computer, Email, and Internet usage.

COMPUTER, EMAIL, AND INTERNET USAGE

- County employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.
- Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role.
- All Internet data that is composed, transmitted and/or received by Chester County's computer systems belongs to Chester County and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.
- The equipment, services and technology used to access the Internet are the property of Chester County and the County reserves the right to monitor

Internet traffic and monitor and access data that is composed, sent, or received through its online connections.

- Emails sent via the company email system shall not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.
- All sites and downloads may be monitored and/or blocked by Chester County if they are deemed to be harmful and/or not productive to business.
- The installation of software is strictly prohibited.
- The law requires retainage of certain information under the Freedom of Information Act. Department Heads and public officials may not delete any emails except those that are marked as spam or junk, The use of external hard drives or USB flash drives is strictly forbidden unless specifically approved in writing by the Department Head.
- Portable devices such as laptops or tablets which are connected to the County's network will have encrypted hard drives or the data files will be encrypted by the third party.

The following list of activities are examples of conduct that is prohibited by the County but is not meant to be an all-inclusive list of activities that are prohibited, and may be subject to disciplinary action up to and including termination:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via the County's email service
- Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request that material.
- Creating or forwarding "chain letters," "Ponzi," or other "pyramid" schemes of any type.
- Downloading any material that is not relevant to County business.
- Using computers to perpetrate any form of fraud, and/or software, film, or music piracy.
- Stealing, using, or disclosing someone else's password without authorization.
- Downloading, copying, or pirating software and electronic files that are copyrighted or without authorization.
- Utilizing the County equipment and/or systems for commercial purposes.
- Sharing confidential material, trade secrets, or proprietary information outside of the organization
- Revealing your account password to others or allowing use of your account by others not authorized. This includes other employees, family members, and any other people or persons.

- Hacking into unauthorized websites
- Circumventing user authentication or security of any host network or account.
- Attaching any County-owned device to any network, wired or wirelessly, other than the County network.
- Sending or posting information that is defamatory to the County, its products/services, colleagues and/or customers.
- Introducing malicious software onto the County network and/or jeopardizing the security of the organization's electronic communications systems
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Passing off personal views as representing those of the organization
- Sending or soliciting sexually oriented messages or images is prohibited.

If an employee is unsure about what constituted acceptable Internet usage, then he should ask his supervisor for further guidance and clarification.

Employees are individually liable for all damage incurred because of violating company security policy, copyright, and licensing agreements.

The County has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software.

CONFIDENTIALITY OF ELECTRONIC MAIL

Electronic media raises similar issues. The County provides electronic and telephone communication and, when necessary, computers for employees. Although assigned to the employee, these items are the property of the County. Similarly, any computer files created on the County computer belong to the County. Employees are prohibited from using County computers for personal business without the express written permission of the County Administrator. This includes but is not limited to the transmission of mass or bulk emails and any non-County related materials. The County reserves the right to review and monitor voice mail, electronic mail, computer files, and other electronic information generated by or stored in County electronic systems. The release of specific information is subject to applicable state and federal laws and County rules, policies, and procedures on confidentiality.

Electronic mail is always subject to monitoring, and the release of specific information is subject to applicable state and federal laws and the County's rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared

with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of Company policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others, unless such access is related to that employee's job duties. Employees found to have engaged in such activities will be subject to disciplinary action up to and including termination.

ELECTRONIC MAIL TAMPERING

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

BRING YOUR OWN DEVICE (BYOD)

Personal electronic devices such as laptops and tablets, which are owned by the employee, are authorized to be used to access certain County data such as email and cloud-based storage. Chester County is not responsible for loss or damage of personal items.

MOBILE DEVICE MANAGEMENT (MDM)

Any Smartphone which is used to access County data systems will be authenticated via the County's MDM software. All smartphones owned by the County must be authorized through the MDM. Part of the authorization process allows the remote "wiping" of all County data.

Should you enter a prohibited site in error, you must notify the System Administrator immediately.

Employees who use County vehicles in the course of their job or employees who may have the occasional need for a County vehicle should be aware that Chester County may deploy GPS and/or AVL devices in some or all its vehicles. Employees who attempt to disconnect or tamper in any way with these devices may be subject to discipline up to and including termination.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 2-9

Effective Date: March 20, 2024

SUBJECT: SOCIAL MEDIA

PURPOSE: This policy provides general guidance regarding Internet use by Chester County Personnel who are authorized to use County resources, subject to any supplemental policies where applicable. This policy covers all Internet services, including but not limited to, use of the World Wide Web, e-mail, file transfer, remote computer access, news services, social media, social networking, instant messaging, blogs, wikis, and video and other file sharing sites. The policy applies whether the Internet use is from County facilities or from remote locations.

This policy is not intended or designed to prohibit or limit the lawful exercise of employees' rights under applicable federal or state law.

Where the term "personnel" is used in this policy, it applies to employees, contractors, associates, and others who are authorized to use County resources.

This policy applies to activity performed on and off duty, whether using County equipment or personal equipment and whether the activity occurs on or off the premises of the County.

DEFINITIONS: Social media - various forms of discussion and information sharing including but not limited to social net, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include picture sharing, wall-postings, e-mail, instant messaging, and music-sharing to name a few. Examples of social media applications include but are not limited to Google and Yahoo Groups (reference, social networking), Wikipedia (reference), My Space (social networking), Facebook (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/bloggng.

Social Networking - the practice of expanding the number of one's business and/or social contacts by making connections through web-based applications. Social networking may include joining clubs and organizations or staying connected through phone conversations and written correspondence such as letters. Examples of web sites dedicated to social networking include but are not limited to Friendster, Myspace, and Facebook.

The County Administrator will review department requests to use social media sites and may advocate using Social Media to help a department reach their stated goals through the use of appropriate social media outlets. Any department approved to use social media is responsible for complying with applicable federal, state and county laws, regulations, and policies. This includes but is not limited to adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), HIPPA, First Amendment, Title VII, privacy laws and information security policies established by the County.

Departments approved to use social media outlets must always conduct themselves professionally as representatives of the County. Personnel failing to use social media outlets in an appropriate manner may be subject to disciplinary action, up to and including termination. Employees who do utilize social media outlets as part of their job performance for the County are reminded that as a representative of the County, everything posted has the potential to reflect on the County and its image. If employees identify themselves as County employees on personal blogs or other personal posts, they must also post a disclaimer making it clear that any opinion they express is solely that of the author and does not represent the view of the County or its Council. Some social sites allow its members to write recommendations or referrals for friends and associates. Employees giving such referrals must also deny that the reference provided is their personal recommendation and does not necessarily reflect that of the County or its Council.

Employees who are permitted to use County equipment for social media outlets are prohibited from using County resources, including email for the following activities during working or non-working hours:

- Pursuit of private commercial business activities or profit-making ventures.
- Engage in activities working for the success or failure of a political party, candidate for partisan political office, or partisan political group, or in support of political fundraising.
- Any prohibited direct or indirect lobbying.
- Use that could create a charge or expense to the County that is not expressly authorized.
- Unauthorized creation, downloading, viewing, storage, copying, or transmission of sexually explicit or sexually oriented material or other materials that are illegal or discriminatory.

All employees are prohibited from posting any information that:

- Is confidential to the County or any third party or discloses personal data or information regarding County personnel that is exempt from the Freedom of Information Act.
- Is illegal.
- Links an individual's blog/personal web page to the County website.

The County seal and any trademark or service mark of the County may not be used without expressed, written authorization.

Unless prohibited by law, the County monitors the Internet activity of employees. If monitoring reveals evidence of possible misconduct or criminal activity, such evidence may be referred to law enforcement or other officials for appropriate action.

The County will only view or monitor Internet activity when it has a legitimate business-related interest. The County may monitor sites including social networking profiles and similar sites. Legitimate business-related interests include, but are not limited to:

- Protecting County assets, reputation, and resources
- Maintaining employee productivity
- Employee morale and security
- Protecting the County against litigation
- Securing confidential information of the County and its employees where it is exempted under the Freedom of Information Act

Without express authorization to use social media sites during working hours, such activity is prohibited. Employees who violate this policy may be subject to discipline, up to and including termination.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 2-10

Effective Date: March 20, 2024

SUBJECT: TRANSPORTATION AND TRAVEL

SECTION I – POLICY

When employees of the county are required to travel on official business, the county will pay reasonable amounts of transportation, meals, and lodging. Overnight travel is not allowed to destinations within a 60-mile radius of the employee’s normal work location.

All employees must complete a Chester County Training/Travel Request Form and have prior approval of the Department Director or County Administrator before travel will be processed.

The Training / Travel Request Form will document all related travel costs for a travel event. The Department Director / Supervisor will be responsible for event registration and making travel arrangements. Please refer to the Chester County Purchasing Card Policy and Procedures Manual for P-Card procedures. Please see the Training / Travel Request Form instructions for information on how to complete the form. To process per diem and mileage advanced payments this form needs to be submitted (10) days prior to departure. A copy of the itinerary or certificate of completion and a copy of the hotel bill must be submitted upon return from travel within (5) days.

1. Meals

- a. In accordance with the daily per diem established by the County Council, employees shall be provided with a daily per diem for meals for overnight travel. ½ per diem will be provided for travel days. No reimbursements for meals for same day travel. The Training / Travel Request Form should document departure and return days. If there is an event cancellation where the employee received advanced payment, the employee shall reimburse the County within (5) days.

2. Lodging

- a. When lodging is required, employees are expected to utilize standard, medium-priced hotels, and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, they may stay at the hotel or motel where the meeting is held with advanced Department Director approval. In all cases, the county will pay no more than the regular single occupancy rate and government rates must be requested. The Department Director / Supervisor will be responsible for the procurement of Lodging using the County P-Card.

3. Transportation

- a. When feasible, a county vehicle shall be utilized. If the employee's vehicle must be utilized, the County will pay mileage at the current published IRS rate. If driving a personal vehicle, the employee will document the # of miles on the Training / Travel Request Form and get approval from the Department Director or County Administrator. Employees utilizing County vehicles must have taken the most recent Defensive Driving course offered by the County.
- b. Mileage between an employee's home and place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from home and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at their residence. If there is an event cancellation where the employee received advanced payment, the employee shall reimburse the County within (5) days.
- c. Employees may be reimbursed upon proper receipt for all public transportation, parking, and toll fees. This should be documented on the Travel Request Form.
- d. Commercially rented vehicles and other special conveyances shall be allowed only when the use of other available modes of transportation will not be more advantageous to the County and such rental is approved in advance.
- e. The County may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in tourist class whenever possible and request government rates.
- f. The County will NOT assume responsibility for traffic violations incurred during the operations of a county vehicle or a privately owned vehicle or assume responsibility for traffic accidents involving use of privately owned vehicles on county business.
- g. When public transportation is used, expenses for local transportation such as taxicabs and bus fare will be permitted wherever such transportation is necessary for the conduct of business. Reimbursement for such fares will be contingent upon the submission of proper receipts.

USE OF COUNTY VEHICLES

The use of County automobiles will result in the least costly method of transportation. County automobiles will be used unless circumstances dictate travel by other conveyance for reasons of cost, efficiency, or work requirements.

1. Authorized County employees are required to successfully complete a Defensive Driving Course in order to operate a County vehicle or equipment. Employees must complete this course every three (3) years from the date of their last course certification. If an employee is involved in a chargeable accident, appropriate action will be taken.
2. County owned vehicles will be used for official County business only.
3. No passengers are permitted unless they are on official business or traveling with a County employee who is on official business. The transport of an individual under the age of (18) eighteen in a County owned vehicle is prohibited.
4. No Smoking will be permitted in County vehicles.
5. Must be 18 years of age or older and possess a current, valid driver's license to drive a County vehicle. The County will periodically review the employee's drivers' license through the Department of Motor Vehicles.
6. Supervisors and Department Heads may request a driving record at any time from employees that operate a county vehicle or equipment.
7. If an employee is charged or convicted of a serious moving violation, such as DUI, driving privileges will be suspended pending internal investigation.
8. The County will not be responsible for any ticket or fine received while driving or parking a County-owned vehicle. Employees must report any tickets or fines, or other violations received while driving a County-owned vehicle. Failure to report infractions or repeated violations of traffic and safety laws may result in a loss of driving privileges for County-owned vehicles.
9. Employees are responsible for any vehicle or equipment assigned to them and are expected to keep the vehicle or equipment free of debris and trash.
10. Employees are required to obey all traffic laws when operating a County vehicle including but not limited to the wearing of a seat belt for the driver and any passengers in the vehicle.
11. Vehicles are to be driven in a manner that creates a favorable impression with the public.
12. Chester County prohibits employees from using cell phones while they are driving. If you are driving and need to use the phone, you should pull off the road and stop before you place a call or talk on the phone. You may use hands-free equipment for cell phone use and continue driving. Talking on the phone while performing tasks is dangerous to you and those around you. Violations to

this policy may result in disciplinary actions up to and including termination.
This policy includes telephone calls, texting, blogging, instant messaging, etc.

13. A recent eye exam and hearing test are also required for new hires that are required to drive County vehicles.
14. No vehicle will be operated if any control mechanism is not in proper working condition. Report improper mechanical conditions immediately to a supervisor or to the County Motor Pool.
15. No employee may use the vehicle assigned to them for personal business, except for incidental purposes such as meals.
16. When a vehicle is not being used for County business purposes, it is to be kept on County property except as specifically exempted by a Department Head or County Administrator.
17. No County vehicle will be allowed to be driven to an employee's home unless the employee is subject to frequent/emergency duty after normal working hours.
18. Where operators fill County vehicles with gasoline, charge receipts for gasoline must be for gasoline only. Any other purchase will be deducted from the following paycheck of the individual who signed the receipt. Vehicle mileage should be noted on each charge receipt. Repeated incidents of inappropriate charging may result in disciplinary action.
19. Employees under the influence of intoxicants or any other controlled substances are prohibited from operating a County vehicle. Additionally, intoxicants may not be transported in a County owned vehicle unless it is for law enforcement purposes. Anyone under the influence of intoxicants or other controlled substances are prohibited from riding in a County vehicle. (Emergency services and law enforcement are exempted from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.)
20. Employees who drive a vehicle for County business or operate equipment for the County must inform their supervisors of any changes (i. e. , any limitation, restriction or revocation of the employee's drivers' license, any medical problem or condition affecting the employee's cognitive motor skills, and any medication that when taken by the employee, adversely affects the employee's ability to operate a vehicle or equipment) that may affect their ability to meet the standards of this policy.

21. OPERATORS AND PASSENGERS MUST WEAR SEAT BELTS AT ALL TIMES.

Exceptions to this policy must be made with the approval of the County Administrator.

ACCIDENTS

If a vehicle is involved in an accident, the driver's first duty is to stop the vehicle. Regardless of the situation, the following procedures must be followed in the event of an accident:

1. Immediately notify the local law enforcement agency to obtain their accident investigation and report, as well as report any emergency needs. Events of the accident should not be discussed with anyone other than the appropriate authorities: law enforcement, county insurance carrier, immediate supervisor, or human resource. The employee must remain at the scene of the accident until it has been properly investigated by the appropriate law enforcement agency.
2. Notify Supervisor/Department Head immediately of any accident or injuries no matter how minor the accident may seem. It will be the responsibility of the Department Head to notify Motor Pool and the Risk Technician within 24 hours.
3. Complete a County accident report form within 24 hours and the Driver Report of Accident in the glove compartment of the vehicle. This report along with the law enforcement agency's report must be turned into the Human Resources Department. **Employees are not to directly contact the County's insurance carrier under any circumstances.**
4. The County Motor Pool will be responsible for obtaining (2) two estimates for damage costing more than \$800.
5. Failure to promptly report accidents and provide the necessary information may result in a loss of County driving privileges, suspension, demotion, or dismissal.
6. If the accident investigation and report determine the employee was negligent or at fault, the employee will be responsible for payment of the deductible. If an employee is found to have contributed to an accident with a County vehicle (a "no-fault" report included), he may be responsible for payment of the County's deductible and disciplinary action, up to and including termination may occur.
7. Any unauthorized personal use of such an assigned vehicle is forbidden and may subject the employee to disciplinary action.
8. Operators must be responsible for all fines or damages resulting from their own negligence.

9. Operators must possess a valid and appropriate driver's license for the vehicle being driven. Employees whose jobs may require them to operate a motor vehicle are **required to notify Chester County immediately** if any restriction or revocation is imposed on an employee's ability to legally operate a motor vehicle. If possession of a valid and current driver's license is an essential function of the position as held by the employee, failure to possess such a driver's license may result in administrative action by the County up to and including termination.
10. Immediately following any accident in a County vehicle, a drug and alcohol test will be conducted. Employees must report when instructed. Failure to submit to drug and alcohol testing may result in discipline up to and including termination.

MAINTENANCE AND CARE OF COUNTY VEHICLES

Maintenance

- a. A vehicle number is assigned by the County Motor Pool and is visible on both sides of the vehicle. All County-owned vehicles must display the County seal on the doors of the vehicle.
- b. Each employee assigned a County-owned vehicle is responsible for making an appointment and ensuring periodic maintenance of the vehicle at the County Motor Pool. The driver is obligated to schedule the appointment when the vehicle mileage is within five hundred (500) miles of the next service.
- c. Repairs other than scheduled maintenance, which are non-safety or non-essential, must be submitted on a maintenance request form. These will normally be completed at the next scheduled maintenance interval or at the discretion of the Motor Pool Department.
- d. Emergency repairs during normal working hours will be completed by the County Motor Pool, with EMS and Sheriff's deputies given top priority.
- e. In the event of a mechanical failure, employees will call the County Motor Pool to report the need for service and a wrecker.
- f. Special equipment (fire extinguisher, flashlights, first aid kits, gas cards, etc.) must stay with the vehicle at all times. Important documents should also remain with the vehicle at all times. Drivers are responsible for the security of these items.
- g. The driver is responsible for ensuring that mechanical fluid levels are maintained, including gasoline, engine oil, transmission fluid, radiator fluid, washer fluid, etc.
- h. For other maintenance requirements, drivers are required to contact County Motor Pool for directives.

SECTION III – EMPLOYMENT PROCESS

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 3-1

Effective Date: March 20, 2024

SUBJECT: RECRUITMENT

SECTION I – POLICY

1. JOB VACANCY ANNOUNCEMENTS

Only the County Administrator or designee is authorized to expend funds for the advertisement of vacancies or for any other purpose related to the recruitment of applicants.

2. CLOSING DATE OF ANNOUNCEMENT

Job announcements will remain open for a minimum of five (5) workdays for internal job postings. External job announcements will remain open until the position has been filled. All jobs are posted concurrently for internal and external applicants.

3. DISTRIBUTION OF JOB VACANCY ANNOUNCEMENTS

a. Announcements Open to Current Employees.

In recognition of the benefits associated with offering promotions from within, job announcements to current employees will be distributed to internal locations posted on the official bulletin board and such other places, as the Human Resources Director deems appropriate.

b. Announcements Open to the General Public.

It is our policy to ensure the widest publicity possible for job announcements that are open to the general public. Advertising will include announcements at the Department of Employment and Workforce, newspaper ads, the County website, or the website of the S. C. Association of Counties or other appropriate venues as approved.

c. Advertisements

All advertisements must carry the statement “An Equal Opportunity Employer. Disabled applicants requiring assistance should notify the Chester County Human Resources Director.

4. PROCEDURES

Department Heads will notify the County Administrator or designee immediately upon learning that a vacancy will occur. The County Administrator or designee will then take steps necessary to attract qualified candidates. Where the request is for a new position, appropriate approvals must be obtained through the County Administrator and County Council for changes to the organization charts.

5. APPLICATIONS

Human Resources will receive employment applications for vacant positions. Applicants must apply on-line or at the Human Resources Department, so documentation can be maintained of all applicants for a specific position. Applications will only be accepted for posted positions.

Human Resources is responsible for maintaining compliance with state and federal laws for the employment application form.

All applicants who wish to apply for a position vacancy with the County must complete and submit a job application to Human Resources, either in person or online through the County’s website. The entire application must be completed for consideration for employment. Applicants who submit only a resume or cover letter will not be considered to have submitted a completed application.

Hiring managers may not consider applicants who submit resumes, applications, or cover letters directly to them in lieu of using the Human Resources Department or the website for applying. Applicants must apply for individual job requisitions on or before the closing date as published and be found eligible for consideration. Late applications will not be considered.

Applicants making false statements of material fact, including responses to screening questions, which misrepresent the applicant’s qualifications, may be disqualified from each posting for which they have applied.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 3-2

Effective Date: March 20, 2024

SUBJECT: PRE-EMPLOYMENT REFERENCE CHECKS

SECTION I – POLICY

1. GENERAL POLICY

The Human Resource Department is responsible for checking the references of those applicants who have been interviewed and are being considered for the vacancy.

SECTION II – POLICY

2. SOURCES OF PRE-EMPLOYMENT REFERENCES

- a. Current employer (with permission of applicant).
- b. Previous employers.
- c. Personal character references provided by the applicant.
- d. School teachers/instructors (for current/recent students).
- e. Schools and Universities.
- f. Local law enforcement offices.
- g. Department of Motor Vehicles (checking ONLY the driving record of individuals who will be operating County vehicles).

3. PRE-EMPLOYMENT SCREENING

- a. Pre-employment drug screening required.
- b. Pre-employment physical required.
- c. A statewide Criminal Background Check is required.

- d. An immigration status review required.

NEUTRAL REFERENCE POLICY

1. No one other than the County Administrator of Chester County or his designee is authorized to provide job references or employment-related information regarding current or former employees. Such inquiries must immediately be directed at one of these individuals. Violation of this policy may result in disciplinary action up to and including termination.
2. The County's general policy is to provide only neutral references in response to inquiries by prospective employers seeking information about current or former employees. This means that the County normally will provide prospective employers only the following information: the beginning and ending dates of employment, position(s) held, and confirmation of a former employee's compensation rate or range at termination.
3. Special Note: This policy is not intended to prohibit County employees who are listed as personal references on an application form from responding to inquiries from prospective employers, provided the County employee who is asked to provide the reference did not/does not supervise, directly or indirectly, the current or former County employee who is the subject of the reference.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 3-3

Effective Date: March 20, 2024

**SUBJECT: NEW EMPLOYEE PROCESSING, ORIENTATION AND
INTRODUCTORY PERIOD**

SECTION I – POLICY

1. PROCESSING OF NEW EMPLOYEES AND ORIENTATION.

It is our policy to provide a planned orientation program for all new employees. This program will provide necessary in-processing for bringing a new employee on board and to provide information concerning County expectations.

All potential new hires must complete and pass a pre-employment physical, **E-Verify immigration review and criminal background appropriate for the position applied prior offer of employment.**

All new employees shall participate in a mandatory orientation session within one (1) week of their hire unless they have a delayed starting time. The orientation shall include, without limitation, an explanation of the function of the department where they will be working and their relationship to the rest of the County. The orientation shall also provide an opportunity for the employee to receive the Employee Handbook and to receive and execute any other pertinent employment information. Supervisors who prohibit or discourage employees from attending this orientation may be subject to disciplinary action, up to and including termination. Employees who fail to attend a scheduled orientation without a valid reason may be subject to disciplinary action, up to and including termination.

Supervisors are responsible for on-the-job training or recommending special training programs that may be unique to the position. The County will provide special training in health and safety matters when considered necessary or as required by State or Federal regulations.

2. INTRODUCTORY PERIOD

a. Introductory period. All new employees, including former employees who have been rehired, will be on an introductory period for at least the first six

(6) months of their employment. This “trial” period is an extension of the selection process and is designed to provide the new employee with the opportunity to demonstrate that he is well suited for the job and that the job is well suited for him.

The supervisor will conduct periodic reviews during the Introductory Period to provide performance feedback during this time and to advise the employee of expectations of performance and employment issues such as attendance. If the immediate supervisor concludes during the introductory period that the new employee is not well suited for the position into which he was hired, the employee may be administratively terminated. The supervisor may also, at his discretion, recommend extending the introductory period for a minimum of an additional ninety (90) days for a particularly difficult or highly technical position. The employee must be notified in writing of the extension and the reason it is being granted. Human Resources will prepare this notice.

The introductory period will end when the supervisor evaluates the new employee in writing, and the supervisor recommends the employee’s change in status from “introductory” to “regular.”

Special Note: The introductory period is not to be construed as a minimum guarantee of employment. All employees of the County are employed “at will” which means that both the employee and the County can terminate the employment relationship at any time, with or without notice.

- b. **Promotions.** All newly promoted employees will be considered to be on an introductory period in their new jobs for three (3) months after they begin working in the new job. This “trial” period is an extension of the selection process and is designed to provide the newly promoted employee with an opportunity to demonstrate that he is well suited for the job and that the job is well suited for him.

The supervisor will conduct periodic performance evaluations and will share the feedback and expectations with the employee throughout. If the supervisor concludes during the introductory period that the newly promoted employee is not well suited for his new position, the employee may be removed from that position. If there is a vacancy in his former position, the employee in most cases may be returned to it following a discussion between the supervisor for the original position and the supervisor for the transfer/promotion. If there is no such vacancy, he may be considered for the filling of other vacancies for which he is qualified. If

no other position is found for him, the employee may either be placed on a personal leave of absence or terminated.

If an emergency arises during an employee's introductory period which requires a leave of absence or a call to military duty, such time off, where granted, will not be considered as time worked. The introductory period will automatically be extended for a period equivalent to the time on leave. The employee should be notified that the introductory period will be extended when the leave is approved. If an employee is on leave for less than a full pay period or for occasional and sporadic absences, it is at the discretion of the County Administrator whether or not the introductory period will be extended, and the employee will be notified accordingly.

This introductory period is not to be construed as a minimum guarantee of employment. All County employees are employed on an "at-will" basis.

3. ADMINISTRATIVE REQUIREMENTS

The following personnel shall live in the County limits of Chester, unless otherwise approved by County Council:

- a. Elected Officials
- b. The County Administrator
- c. Economic Development Director
- d. Department head officials hired after March 12, 2015

All other employees will be encouraged to live in the County.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 3-4

Effective Date: March 20, 2024

SUBJECT: IMMIGRATION

Chester County is committed to employing individuals who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

Chester County complies with the South Carolina Illegal Immigration and Reform Act of 2008 and will verify the legal status of all new employees through the E-Verify federal work authorization program administered by the U. S. Department of Homeland Security as outlined in the statute. The County will also require its subcontractors and affiliates to comply with the South Carolina Illegal Immigration and Reform Act.

The County complies with the federal immigration laws, namely the Immigration Reform and Control Act of 1986, and as a result, every new employee is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility. The I-9 form was developed for verifying that persons are eligible to work in the United States. The County should have a completed Form I-9 on file for everyone hired after November 6, 1986.

It is imperative that all newly hired employees and the rehire of former employees be processed through Human Resources in order to remain compliant with these laws. If employees are brought into the workplace without the knowledge of Human Resources, it is quite possible that the County will be found in violation of these laws. Supervisors who disregard this requirement may be subject to disciplinary action, up to and including termination.

If you leave the County and are rehired, you must complete another Form I-9 if the previous I-9 with the County is more than three years old, or if the original I-9 is no longer accurate or if we no longer have the original I-9.

If you have questions or want information on the immigration laws, contact the Human Resources Director. If you ask questions or want to complain about the immigration law, the County will prohibit any form of retaliation against you for this protected activity.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 3-5

Effective Date: March 20, 2024

SUBJECT: NEPOTISM

1. Employees in the same immediate family will not be employed or continue to be employed if one directly or indirectly supervises another or has responsibility for reviewing the work of the other family member. For purposes of this policy, immediate family includes spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law within the immediate family of each other for this policy. Step-relatives are considered family members under this policy.
2. If employees become related by marriage and create a situation prohibited by this policy, one of the employees must give up his position. If the employees cannot choose which of them it will be, the employee having the lowest budgeted annual compensation will be removed. The County will try to find another position for the removed employee for which the employee is qualified and if the acquiring Department Head approves the reassignment, but the County does not guarantee the result of such an effort.
3. Unrelated employees residing together in a romantic relationship will be treated as being within the immediate family of each other for the purposes of this policy.
4. Only the County Administrator of Chester County has the authority to make an exception to this policy.

SECTION IV – PERSONNEL ACTIONS

COUNTY OF CHESTER PE MANUAL

POLICY NUMBER: 4-1

Effective Date: March 20, 2024

SUBJECT: PAYMENT OF WAGES

Employees will be paid every other Friday (bi-weekly) at 9 a. m. at the Chester County Government Complex, 1476 J. A. Cochran Bypass, Chester, South Carolina, unless the County makes other arrangements with a particular employee or department.

Employees receiving a 'live' check may not designate another individual to receive their check. In the case of an emergency situation, supervisors should confer with Human Resources to determine the best method of forwarding an employee's paycheck. The County will not release a remittance stub from a direct deposit or a live check to anyone other than the employee unless there are mitigating circumstances that would prohibit the County from giving the employee this directly. In the unfortunate event of the death of an employee, the final paycheck(s) will be made payable to the estate and sent to the Personal Representative for the estate.

In addition to legally mandated deductions for taxes and social security, the County will deduct from employee paychecks for employee authorized benefit payments (insurance, retirement, etc. .).

Cash, debts owed by the employee to the County, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, beepers, computers, and other items belonging to the County or issued to an employee and not repaid or returned by him at the time of termination are considered "advance of wages," the value of which will be deducted from the employee's final paycheck(s). By accepting or continuing employment, the employee authorizes these deductions.

Failure to receive proper pay/benefits

If an employee does not submit a grievance or otherwise complain in writing within fourteen (14) calendar days of the date on which he knew or reasonably should have known that he failed to receive a benefit(s) or proper wages in accordance with County policies, he forfeits all rights to such benefit(s) or wages. If there is an error in payment of pay or benefits, employees will be compensated within one (1) week of written notification.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 4-2

Effective Date: April 1, 2024

SUBJECT: OVERTIME AND COMPENSATORY TIME

1. GENERAL POLICY

The County recognizes that occasionally employees may be required to work overtime in order to provide essential government services or in the conduct of routine operations. It is our intent that employees who are required to work overtime be compensated appropriately for their extra efforts. Since uncontrolled overtime can result in a substantial financial liability, we must ensure adequate management is instituted.

It is the policy of the County to abide by the Fair Labor Standards Act (FLSA) and any amendments of the Act, including without limitation those amendments passed in 2008 that required guidance for exempt employees on deductions from wages.

- a. Compensatory time (comp time) is the means of compensating employees who are required to work overtime hours in excess of their normal work period or workweek schedule. Compensatory time is authorized to be used for Chester County employees in lieu of overtime cash payments.
- b. Employees must complete a "Request for Leave" form indicating compensatory time used. Approval authority for compensatory time is vested with department heads. Except in an emergency, approval must be granted prior to the actual performance.
- c. Compensation for overtime payments will be held to an absolute minimum. All non-exempt, regular employees will be paid overtime at a rate of one and one-half times normal hourly rate for all approved hours worked over forty (40) hours in any work week. The County Administrator is the approving authority for payment of overtime.
 - (1) No employee shall be permitted to work overtime without prior approval of the Department Head and the County Administrator. If an employee works overtime without prior approval, they may be subject to disciplinary action up to and including termination.

- (2) This provision is not intended to replace a Department Head's responsibilities for management of their budget.
- d. When an employee works more than his scheduled hours on one day, he may be scheduled off for a corresponding number of hours in the same workweek or overtime compensation period.
- e. The County Administrator is responsible for determining which positions are exempt and which are non-exempt within the definitions of the Fair Labor Standards Act and will be guided by those definitions.

2. POLICY APPLICATION FOR EXEMPT EMPLOYEES

The FLSA does provide exemptions from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales employees, and certain computer employees. To qualify for exemption, employees must meet certain tests regarding their job duties and be paid on a salary basis of a minimum of the published minimum weekly salary. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the FLSA regulations. Employees will be classified as an exempt or a non-exempt employee upon employment with the County. The job title and its corresponding duties may be re-evaluated periodically to determine exempt status. Exempt employees are not eligible for compensatory time or overtime pay.

3. POLICY APPLICATION FOR NON-EXEMPT EMPLOYEES

- a. Overtime hours, record keeping, and the Fair Labor Standards Act (FLSA) regulates the use of compensatory (comp) time. This defines overtime hours as:
 - (1) All actual hours worked over forty (40) hours per week. (Public safety employees have a different schedule and are not subject to this definition.)
- b. All overtime hours, as defined above, must be compensated at a rate of one and a half hours per hour of overtime actually worked, regardless of if compensation is in the form of cash or comp time. Actual hours worked are computed on a work period basis (a week for non-public safety personnel), and each workweek stands alone. Hours for non-public safety employees worked cannot be averaged between two workweeks, even if they fall within the same pay period.

- c. Under the FLSA, hours worked which exceed the normal duty hours per work period, but less than the hours listed in paragraphs 3a are not considered overtime under the FLSA and not subject to the premium rate of time and one-half.
- d. Compensatory time is not transferable to any other type of leave and may not be used in place of other leave time unless provided for by law. All accumulated unused compensatory time is paid to an employee upon separation at the next regularly scheduled payroll date. An employment separation date may not be moved forward or back to compensate for any accumulated compensatory time off.
- e. The limit of compensatory hours a non-public safety employee may accumulate is forty (40). EMS employees may accumulate up to forty-eight (48) hours of comp time. The limit for public safety employees is forty (40). **Compensatory time must be used within 30 days of the acquisition date whenever possible, unless otherwise approved by the County Administrator or the employee will be scheduled for time off using the recorded compensatory time.** EMS employees must use their accumulated comp time within ninety (90) days of the acquisition date, or the employee will be scheduled for equivalent time off.
- f. Reporting of hours and computing overtime.
 - (1) Supervisors and Department Heads are responsible for ensuring all hours worked and leave, comp time, and holiday hours used, are reported on each employee's time sheet. Justification and documentation of compensatory hours worked must be submitted with the time sheet. Compensatory time must be reported on the time sheet for the week during which it was accumulated and must then be reported on the time sheet for the week during which it was used.
 - (2) Holiday, vacation, sick or funeral hours (days) taken WILL NOT be counted as hours worked when computing overtime or compensatory time. When this is the situation, these hours will be paid at the regular rate of pay or one hour of compensatory time for each hour in excess of the normal maximum straight time (40 hours for non-public safety employees)
- g. Except in cases of unpreventable circumstances, emergencies, or essential necessity, unauthorized working of overtime by employees is considered a violation of policy and the employee may be subject to disciplinary action up to and including termination.

- h. Employees who refuse to work overtime or fail to appear when notified and scheduled to work overtime may be subject to disciplinary action.
- i. Law enforcement and Correctional Personnel—Hours worked in excess of 171 during a 28-day cycle will be counted toward overtime compensation. Justification and documentation of all overtime hours worked must be submitted with the time sheet. When possible, compensatory time shall be given to all non-exempt employees who work more than their prescribed hours.

4. SALARY BASIS POLICY

It is the policy of the County to comply with the Fair Labor Standards Act (“FLSA”). The FLSA is a federal law which requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. The FLSA does provide exemptions from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales employees, and certain computer employees. To qualify for exemption, employees must meet certain tests regarding their job duties and be paid on a salary basis of a minimum of **the published minimum weekly salary** per week. In order for an exemption to apply, an employee’s specific job duties and salary must meet all the requirements of the FLSA regulations. You will be classified as an exempt or a non-exempt employee upon your employment with the County.

“Salary basis” is defined as a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employees’ work. Subject to exceptions that follow, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, because of the business necessity, that employee is not paid on a “salary basis.” If the employee is ready, willing, and able to work, deductions may not be made for times when work is not available.

Deductions from pay are permissible when an exempt employee is (a) absent from work for one or more full days for personal reasons other than sickness or disability; (b) for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; (c) to offset

amounts employees receive as jury or witness fees, or for military pay, or (d) for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. The County is not required to pay the full salary for the initial week of employment where the employee has not worked the entire work week, nor in a week where the employee has been terminated and has not worked the entire work week; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. Under these circumstances, either a partial day or full day deduction may be made.

Improper deductions are prohibited from the salaries of exempt employees or any other such deductions that violate the FLSA. If you believe that an improper deduction has been made to your salary, you must report this information immediately to your Supervisor or the County Administrator. Reports of improper deductions will be promptly investigated, and if it is determined that an improper deduction has occurred, you will be promptly reimbursed.

CHESTER COUNTY PERSONNEL MANUAL

POLICY NUMBER: 4-3

Effective Date: March 20, 2024

SUBJECT: WITHIN GRADE PAY INCREASES

1. GENERAL POLICY FOR WITHIN GRADE PAY INCREASES

- a. The County's financial resources and goals determine the types of increases and amounts.
- b. Employees on the introductory period due to substandard performance of duties are not considered to be performing satisfactorily. Eligibility for within grade pay increases is suspended during this period.
 - (1) If at the end of the introductory period the employee's performance improves to the level of meeting standards, his eligibility for within grade pay increases is reinstated. The employee's review date will be adjusted, using the day following the last day of the introductory period to compute the new review date.
 - (2) If the employee is moved to another position, his eligibility is reinstated. The employee's review date will be adjusted, using the effective date of assignment to the new position to compute the new review date.
 - (3) If the employee is placed in a training program aimed at teaching the employee the skills and knowledge required to perform satisfactorily, then eligibility for a pay increase will be reinstated at the completion of the training. His review date will be adjusted using the date training was completed to compute the new review date.

2. TYPES OF WITHIN GRADE PAY INCREASES

- a. The type of pay increases are:
 - (1) General Adjustments: The County Council approves general adjustment increases. When an increase is granted, salaries will be adjusted to reflect the increase.

- (2) Promotions: Increases in employee pay may occur due to promotion to a position with a higher salary range.
- (3) Increases due to a comparability study: Increases in employee pay may occur as a result of a comparability study. The study may show this position is underpaid compared to comparable positions. The County may increase the pay for this position in order to retain or attract qualified people. Budgetary limitations and County objectives/priorities are considered in granting such increases.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 4-4

Effective Date: March 20, 2024

SUBJECT: WAGE AND SALARY INCREASE WITH PROMOTIONS

1. GRADE DETERMINATION

Each classified job within the County service is assigned a grade level based on the nature of the job itself, as specified in the classification and compensation plan. This grade level is assigned a minimum, mid-range, and maximum salary level. Promoted employees will be assigned to the grade level associated with their new position.

2. GRADE PAY RATE INCREASES

Promoted employees will normally receive an adjusted rate of pay based on the job requirements and qualifications.

3. WORKING OUT OF CLASSIFICATION

- a. If an employee is temporarily assigned to work in a position with a higher pay grade designation for fifteen (15) calendar days or less, there will be no change in the employee's salary. If the employee works more than fifteen (15) calendar days, the employee may receive a pay increase to the minimum rate of the higher classification or 5% above his current salary, whichever is greater. This rate change would be retroactive to the date of the position assignment. When the temporary assignment is concluded, the employee reverts to his salary prior to the assignment. Temporary assignments will normally not exceed six (6) months.
- b. If an employee is assigned to work temporarily in a position with a lower pay grade, the employee's hourly rate normally will not be reduced during the assignment. If the temporary assignment exceeds thirty (30) calendar days, the County Administrator will review the needs of the department. Any such assignment must be approved by the County Administrator.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 4-5

Effective Date: March 20, 2024

SUBJECT: PROMOTIONS/TRANSFERS FROM WITHIN

SECTION I – POLICY

1. DEFINITIONS

A promotion is defined as a favorable personnel action resulting in an employee being selected to fill a position which is authorized to have a higher grade or rate of pay.

A transfer involves placing an employee in a different position within the same organization.

2. STATEMENT OF GENERAL POLICY

- a. It is the policy of the County to fill vacancies with the best qualified person, regardless of age, race, religion, genetic information, sexual orientation, color, sex, national origin, citizenship, or disability, except where it has been determined that sex or age is a bona fide occupational qualification.
- b. It is also the desire of the County to utilize each employee to their fullest potential and to encourage and foster personal development and advancement. To this end, selection officials shall fully consider all qualified employees.

SECTION II – PROCEDURES

3. PROMOTIONS/TRANSFERS FROM WITHIN

- a. If feasible, job vacancies may be filled from within. This will have a positive effect on morale, demonstrate a desire to recognize employee loyalty, and encourage personal development of employees. All vacancies shall be posted internally for equal opportunity.
- b. All internally promoted/transferred employees will be subject to a three-month (3) introductory period following promotion.

- c. A position may be filled by transferring an employee from a position of the same class or similar class with essentially the same basic minimum qualifications and having the maximum salary rate. Both Department Heads affected, along with the County Administrator, must approve interdepartmental transfers. The relinquishing department may delay the transfer for a maximum of thirty (30) calendar days in order to obtain a replacement.

- d. **If the supervisor concludes during the introductory period that the newly promoted/transferred employee is not well suited for his new position, the employee may be removed from that position. If there is a vacancy in his former position, he may be considered for the filling of other vacancies for which he is qualified. If no other position is found for him, the employee may either be placed on a personal leave of absence or terminated but may be eligible to re-apply for employment.**

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 4-6

Effective Date: March 20, 2024

SUBJECT: REDUCTION IN GRADE

SECTION I - POLICY

1. DEFINITION

A reduction in grade involves an employee being reassigned to a position which is authorized either at a lower grade or lower rate of pay. It may be a result of the choice of the employee, inefficiency in performance, or better utilization of individual ability.

2. DEMOTION AS A MANAGEMENT TOOL

If there is a recommendation for demotion, and there is either a vacant position the employee is qualified for, can become qualified to perform within a reasonable time, or such a position is projected in the relative near future, then the following procedures will apply.

- a. If the employee's Department Head is the selection official for the lower-level position, then he may approve the demotion. His recommendation and decision will be forwarded to the Human Resources Department for review and required administrative action.
- b. If the lower-level position is in another department, the department head will forward his recommendation to the Human Resource Department, who will hold a meeting with the two Department Heads to discuss the demotion. Since the meeting is a result of a thorough review of the employee's performance and a sincere belief that the employee can make a worthwhile contribution to the County in a position of lower responsibilities, the gaining Department Head should be willing to make reasonable accommodations. If there is disagreement between the two Department Heads, the County Administrator will make the final decision.

SECTION II – PROCEDURES

1. GRADE DETERMINATION

Employees will be reduced to the grade allocated to the specific position or job the employee is moved to, as specified in the classification and compensation plan. Employees will not be granted a higher or lower grade than the position they are assigned.

2. WITHIN GRADE RATE

- a. When an employee is demoted to another position and his current salary falls within the range of the lower graded position, then the rate of pay will not be adjusted. An exception is in the case when an employee is promoted and subsequently demoted within one year, then the rate of pay will be adjusted to the previous level before promotion plus any increases that would have been granted had the promotion not occurred.
- b. If the employee's current salary is above the maximum for the lower position, then the individual's salary will be reduced to the maximum for the new position, except as provided for in paragraph 3 below.

3. REDUCTIONS IN GRADE DUE TO RECLASSIFICATION, REORGANIZATION, REDUCTION IN FORCE AND SIMILAR ACTIONS

If actions of this type of result in an employee being reassigned to a lower-level position where the maximum pay rate is below current salary, then the rates of pay will remain at current levels and remain at that level until the pay range catches up to their pay rate.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER 4-7

Effective Date: March 20, 2024

SUBJECT: LAYOFFS

1. STATEMENT OF POLICY

- a. If it becomes necessary to reduce the work force, consideration for retention may be based on the following criteria:
 - (1) Those employees with the best record of performance and who possess essential skills and abilities.
 - (2) Those employees with the best records of performance.
 - (3) Those employees with the greatest seniority.
- b. Recall. Employees who have been separated because of layoffs may be eligible for reinstatement to future vacancies for one year after separation and in accordance with availability of positions for which the employee is qualified to perform. Consideration will be based on the criteria listed above.

2. WRITTEN NOTIFICATION

The Human Resources Director is responsible for preparing written notification of separation. If the employee is not available at the workplace, the notification will be forwarded to the last known address by certified mail.

SECTION V – EMPLOYEE BENEFITS

COUNTY OF CHESTER PERSONNEL MANUAL

Policy Number 5-1

Effective Date: March 20, 2024

SUBJECT: HOLIDAYS

1. OBSERVANCE

- a. Prior to the beginning of each year, the County Administrator will publish the schedule of paid holidays the County will observe during each calendar year. Those holidays may include:

<u>HOLIDAY</u>	<u>WHEN OBSERVED</u>
New Year’s Day	January 1 st
Martin Luther King, Jr. Day	Third Monday in January
President’s Day	Third Monday in February
Easter	Friday before Easter Sunday
Memorial Day	Last Monday in May
Juneteenth Day	June 19 th
Independence Day	July 4 th
Labor Day	First Monday in September
Veteran’s Day	Federally Observed
General Election	General Election Day
Day before Thanksgiving Day	Fourth Wednesday in November
Thanksgiving Day	Fourth Thursday in November

Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24 th
Christmas Day	December 25 th
Day after Christmas	December 26 th
Personal Day	One day at the discretion of the employee

- a. The County does reserve the right to amend this list.
- b. Holidays occurring on Saturday are observed on the preceding Friday, and holidays occurring on Sunday are observed on the following Monday. Public Safety employees observe the calendar holiday.
- c. The personal day must be scheduled in advance with as much notice as possible to the supervisor and must be approved by the supervisor. **All holidays must be taken as a full day and cannot be carried over from one calendar year to the next.**
- d. **Employees working 12- or 24-hour shifts will be granted twelve (12) hours pay for a holiday.**

2. ELIGIBILITY

All regular employees may receive paid holidays.

- a. Holidays occurring while an employee is in annual leave status are not charged against annual leave.
- b. When illness occurs on a holiday, an employee may not charge the day to sick leave.
- c. Terminated employees whose last day of employment falls on a holiday do not receive holiday pay unless they actually worked that day. **Upon termination, employees will not be reimbursed for unpaid holiday pay.**
- d. Employees do not receive holiday pay when the first day of leave without pay starts on a holiday or the day following, or if the leave without pay period ends on a holiday or the preceding day.

- e. Employees are required to work the day before and the day after a scheduled holiday unless the employee is on approved leave. **An approved absence is a day of paid vacation or paid short-term absence. If an employee is absent on one or both of these days because of an illness or injury, the County reserves the right to verify the reason for the absence before approving holiday pay.**
- f. Holiday hours are not considered as hours worked for overtime purposes.

3. EMPLOYEES WHO DO NOT WORK A REGULAR WORK WEEK

The following procedures apply to employees who do not work a regular workweek (i. e. shift workers).

- a. If a holiday occurs on a scheduled workday, non-exempt employees are credited with the actual hours worked and the holiday hours.
- b. If a holiday occurs on a scheduled day off, non-exempt employees will be paid for one regular time of holiday hours.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-2

Effective Date: March 20, 2024

SUBJECT: ANNUAL LEAVE

1. Eligibility

- a. Annual leave is used by employees who have successfully completed their six-month introductory period and who are:
 - (1) A regular full-time employee.
 - (2) Part-time employees who work more than 30 hours per workweek.
- b. Newly employed individuals who successfully complete their introductory period (including any extensions) begin to accumulate annual leave credit from their hire date.
- c. Elected officials are not eligible for annual leave.

2. Accumulation Rate

- a. Leave year. The leave year runs from January 1st through December 31st.
- b. All accumulation will take place on the last day of each month.
- c. Annual leave for all full-time employees is accumulated at the rate indicated below. 66

3. Standard Leave Day

Chester County utilizes a standard leave day for **holiday**, bereavement leave, sick leave accrual, annual and sick leave carry over, emergency declarations and inclement weather. A standard leave day for a shift employee is proportionate to an eight (8) hour day for a 40-hour week non-shift employee.

- a. Non-Shift Employees – For regular full-time, non-shift employees and administrative Law Enforcement employees scheduled to work seven and one-half (7.5) hours per workday, a standard leave day is seven and one-half (7.5) hours. For regular full-time, non-shift employees scheduled to work eight (8) hours per workday, a standard leave day is eight (8) hours.
- b. Emergency Medical Services Employees – For regular full-time non-exempt Emergency Medical Services employees scheduled to work twenty-four (24) hour shifts, a standard leave day is 11.1 hours.

- c. Certified Law Enforcement and Central Communications (E-911) Employees – For regular non-exempt full-time Certified Law Enforcement and Central Communications (E-911) employees scheduled to work twelve (12) hour shifts, a standard leave day is 8.4 hours.

<u>Years of Service</u>	<u>Number of Workdays Accumulated Each Month</u>
Zero-to-1-year	1/2 day
One to Four Years	1 day
Five to Nine Years	1.5 days
Ten to Fourteen Years	2.0 days
Fifteen to Nineteen Years	2.5 days
Twenty or More Years	3.0 days

- d. Part-time employees who are scheduled to work more than thirty (30) hours in a regular workweek shall accumulate credit for paid vacation at a rate based on the appropriate schedule and in proportion to the percentage of the regular workweek that they are scheduled to work. All accumulations will take place on the last day of each month.
- e. Part-time employees who are scheduled to work less than thirty (30) hours in a normal workweek and employees hired to fill temporary or seasonal positions shall not receive credit for or be paid any vacation time.
- f. Employees on full-time leave without pay for more than ten (10) consecutive workdays shall not receive credits for paid vacation while on leave status.
- g. Employees on leave of absence other than a military leave of absence are required to use all accumulated paid vacation time concurrently as part of the leave.

4. Accumulation

- a. Employees may carry the equivalent of 45 days of unused annual leave from one calendar year to the next not to exceed the maximum accumulation authorized.
- b. When a recognized holiday falls during an annual leave period, that day will not be counted as a day of annual leave.
- c. Newly hired employees shall accumulate full annual leave credit for any month (pay period) in which they are in a pay status for at least half of that period.
- d. **Annual leave must be taken in a minimum of one (1) hour increments for non-exempt employees.**

Procedures

5. Granting Leave to Employees

- a. An employee desiring to take scheduled vacation must receive prior approval from their Supervisor or Department Head **at least one week in advance.**
- b. In an emergency, or when circumstances make a written/advance request impractical, a verbal request and approval may be made. Documentation will be accomplished at the earliest practical time.
- c. Department Heads:
 - (1) Approve the leave request of their employees.
 - (2) Work requirements, scheduling, and shift operations, etc. will be taken into consideration.
- d. The County Administrator or designee is the leave approving authority for department heads.
- e. Approved leave request forms will be forwarded with the appropriate time sheet prior to the first day of leave or with the appropriate time sheet.
- f. **While the County endeavors to allow employees to take paid annual leave at times most convenient to them, not all requests for leave will be approved and requested leave is not guaranteed. The Department Head will make the determination as to who may take leave based on the needs of the County. Annual leave may not be taken prior to the actual accumulation.**

6. Resignation

- a. Employees giving and working a two-week calendar notification of their resignation will be eligible to receive their accumulated but unused annual leave pay. Whether the employee will be required to work on that notice is at the discretion of Chester County. In the event of the death of an active employee, payment shall be made to his legal representative.
- b. Employees who do not give and work the proper notice or who are terminated for disciplinary reasons will not be paid accumulated but unused annual leave. **Should an employee terminate service while under introductory status, all accumulated annual leave is forfeited.**
- c. No paid annual leave will be granted during the two-week resignation notice.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-3

Effective Date: March 20, 2024

SUBJECT: SICK LEAVE

SECTION I POLICY

1. ELIGIBILITY

- a. Sick leave is accumulated and used by employees who are:
 - (1) A regular full-time employee
 - (2) A regular part-time employee working more than thirty hours per workweek
 - (3) An introductory employee
- b. Elected officials do not accumulate sick leave.
- c. Employees are granted sick leave for:
 - (1) Periods when he is unable to work due to personal illness or injury or when the employee's presence may endanger the health of fellow workers. For the purpose of this policy, any disability that is caused by pregnancy or other childbearing complications shall be treated the same as any other illness or injury.
 - (2) Medical and dental appointments, optical examinations (including fitting for glasses), or other treatment by recognized practitioners and counseling associated with emotional, mental illness, alcoholism, and drug problems.
 - (3) Exposure to a contagious disease that can be transmitted to others.
 - (4) **An employee may, with the approval of the County Administrator and their Department Head, use a designated number of their accumulated sick leave for an immediate family member. Immediate family members are defined as the spouse, children, parents, grandparents, great-grand parents, brothers, sisters, grandchildren, of either the employee or the spouse, stepchildren, and stepparents. A physician certificate is required if sick leave exceeds three days or at the discretion of the department head.**
 - (5) Sick leave shall run concurrently with Family and Medical Leave Act in cases where the employee is eligible for such leave.

2. EARNING RATE

- a. Leave year. The leave year runs from January 1st through December 31st.
- b. Sick leave is accumulated at the rate of one workday per month.
- c. Employees placed on the payroll on or before the fifteenth of the month will accumulate one working day for that month. Employees placed on the payroll after the fifteenth of the month will not accumulate a day for that month.

3. ACCUMULATION

- a. Employees are authorized to carry over a maximum of 90 regular working days unused sick leave per calendar year. Upon separation from employment, all sick leave accumulated by an employee shall be recorded in his personnel records. **No payment for sick leave will be made.**
- b. When a recognized holiday falls during a sick leave period, that day will not be counted as a day of sick leave.
- c. When an employee becomes sick during annual leave, he may substitute sick leave to cover the period of illness. Upon return from annual leave, individuals must promptly report their situation to their immediate supervisor and submit a written request for substitution. A physician's certificate is required if sick leave exceeds three days or at the discretion of the department head.
- d. **Sick leave may not be taken prior to being accumulated.**

4. PHYSICIAN'S CERTIFICATION

A physician's certificate verifying that an employee was incapacitated due to illness or injury is required if the absence exceeds three consecutive working days. Where there is sufficient reason, the County may also require evidence of good health and ability to perform the essential functions of the job without risk to self, co-workers, or the public as a condition of returning to work. The County may also require an employee to be examined by a physician of the County's choice and expense, for the purpose of determining the employee's fitness for duty.

5. NOTIFICATION OF ILLNESS

Employees are required to notify their immediate supervisor (or representative if the supervisor is not available) at least thirty (30) minutes before your workday is scheduled to begin. In an emergency, notification should be made

as soon as it is practical and may be made by someone other than the employee. Failure to provide notification within two hours after the start of work, without a reasonable excuse, is grounds to refuse approval of sick leave. Employees are required to call every subsequent day of absence to keep their supervisor informed of their situation and anticipated date of return.

False claims or falsification of any written evidence relating to sick leave by any employee shall be cause for disciplinary action up to and including termination. Such employee shall be subject to action by the County for remedies under the law for recovery of all monies paid to such employee.

6. EMERGENCY TREATMENT OF EMPLOYEES INJURED DURING WORK HOURS

Initial emergency medical treatment provided to employees who are injured while on the job shall be considered as hours worked (up to one regular duty day).

SECTION II-PROCEDURES

1. GRANTING OF LEAVE TO EMPLOYEES

- a. Department Heads:
 - (1) Approve leave requests for their employees.
 - (2) Will designate a reasonable time frame for submission of leave requests, considering work requirements, scheduling, and shift operations, etc.
- b. The County Administrator is the leave approving authority for department heads.
- c. No paid sick leave will be granted during the two-week resignation notice.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-4

Effective Date: March 20, 2024

SUBJECT: LEAVE OF ABSENCE

Military Leave

The County is committed to protecting the job rights and benefits of employees who are absent on military leave. This policy provides County employees with the opportunity to fulfill their military obligations without penalty or retaliation.

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

1. Types of Leave

INACTIVE DUTY LEAVE – Employees who are members of the Reserves or National Guard shall be granted leave without pay for scheduled inactive duty training or service (IDT) or equivalent unless they elect to use accumulated unused annual leave to cover such absences.

SHORT TERM MILITARY LEAVE – Eligible employees who are members of the Reserves or National Guard shall be allowed military leave with pay, at their regular base salary for up to a maximum of ten (10) workdays, scheduled by military authority, in any Federal Fiscal Year, for any authorized active-duty training or service. All benefits will continue during an employee’s temporary military leave.

EXTENDED MILITARY LEAVE – Eligible employees who are members of the Reserves or National Guard shall be granted a military leave of absence without pay for any authorized active duty, or active duty for training or other similar military service more than ten (10) workdays in any Federal Fiscal Year, for a period of up to five (5) years. Employees who are inducted into the Armed Forces by draft or voluntary enlistment for active service shall also be granted a military leave of absence without pay for a period of up to five (5) years. In accordance with USERRA, periods of service for certain types of military duty may be excluded from counting toward the five (5) year period.

2. Use of Military Leave

The employee shall provide his immediate supervisor with notice that the employee will be engaging in military service, including, where feasible, a copy of the orders directing the military duty, unless the employee is prevented from doing so by military necessity. Employees are requested to provide such notice within thirty (30) days of active military service. Failure to provide adequate notice may render the employee ineligible for the rights and benefits described in this policy, unless the employee can show it would have been precluded by military necessity, or otherwise impossible or unreasonable.

To request a temporary or extended military leave of absence, the employee should, unless prevented by doing so by military necessity, submit a request for leave in writing to the Human Resources Director. The Human Resources Director will review the request, provide necessary information regarding the continuation of health insurance coverage, generate other applicable documents and process necessary personnel actions. Employees on temporary or extended military leave may, at their option, use any or all accumulated unused annual leave, compensatory time, or sick leave during their absence.

3. Benefits

If an employee is absent from work due to military service, benefits will continue as follows:

- An employee on extended unpaid military leave may elect to continue group health insurance coverage for the employee and covered dependents. Continuation of coverage shall be at the normal co-insurance premium share rate and may continue until the employee's return from active duty.
- Employees do not accumulate annual, personal, or sick leave while on unpaid military leave of absence status.

4. Reemployment

Upon an employee's prompt application for reemployment as defined herein, an employee will be reinstated to employment in the following manner depending on the length of the employee's military service:

Military Service of 1 to 90 days

- In a position the employee would have held had his employment not been interrupted by military service, provided the employee is qualified for the position.

- If found not qualified, in the position in which the employee had been employed prior to military service.
- In a position that is the nearest approximation to the positions described above which the person can perform with full seniority, if the employee cannot become qualified for either position described above even after reasonable effort by the County.

Military Service of 91 days or more

- In a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or
- If proved not qualified after reasonable effort by the County, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.
- In a position that is the nearest approximation to the positions described above (in that order) which the person can perform, with full seniority, if the employee cannot become qualified for either position described above even after reasonable effort by the County.

Employee with a service-connected disability

If after reasonable accommodation efforts by the employer, an employee with a service—connected disability is not qualified for employment in the position he would have attained or in the position that he left, the employee would be employed in:

- Any other position of equivalent seniority, status and pay for which the employee is qualified or could become qualified with reasonable effort by the County; or
- If no such position exists, in the nearest approximation consistent with the circumstances of the employee’s situation.

5. Reporting Back to Work

An employee who has engaged in military service must, to be entitled to the reemployment rights set forth herein, request reemployment according to the following schedule. The employee’s request may be written or verbal.

- a. If service is for 1 to 30 days (or for the purpose of taking an examination to determine fitness for service) – the employee must report for work at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee’s residence.

- b. If service is for 31 days to 180 days – the employee should submit a written request for reemployment to the Human Resources Director, no later than 14 days following the completion of service.
- c. If the service lasts for 181 or more days – the employee should submit a written request for reemployment to the Human Resources Director, no later than ninety (90) days following the completion of the service.
- d. If the employee is hospitalized or convalescing from a service-connected injury – the employee should submit a written request for reemployment to the Human Resources Director, no later than two (2) years following completion of service.

6. Exceptions to Reemployment

An employee is not entitled to reinstatement as described herein if any of the following conditions exist:

- a. The employee fails to apply for reemployment in a timely manner.
- b. The County’s circumstances have changed so much as to make reemployment impossible or unreasonable. This decision must be made in conjunction with the County Administrator and the County Attorney.
- c. The employee’s employment prior to military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would continue indefinitely or for a significant period.
- d. The employee did not receive an honorable discharge from military service.

7. General Benefits upon Reemployment

Employees who are reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits that the employee would have attained with reasonable certainty had the individual remained continuously employed. However, employees will not accumulate leave benefits while on an unpaid leave of absence. In addition, an employee’s time spent on active military duty will be counted toward his eligibility for Family and Medical Leave Act leave once he returns to his job with the County.

Physical Disability and Personal Leave (Applies Only to Employees Employed Less Than 12 Months, to Employees Who Have Worked Fewer Than 1250 hours in the Preceding 12 Months, and to Longer-Term, and to Regular Employees Whose Reasons for Leave are Not Covered by the Family And Medical Leave Act (FMLA)).

- 1. An employee who has completed his initial Introductory Period (and any extension thereof) is able to request a leave of absence for up to six months

when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for a leave of absence for personal reasons. Personal leave is granted only at the discretion of the County Administrator upon recommendation by the employee's supervisor. Employees still in their probationary periods who are absent for more than five consecutive scheduled workdays because of any physical incapacity may be administratively terminated but will be eligible for rehire.

2. Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.
3. Accumulated unused paid leave will be used concurrently with this unpaid leave.
4. Physical disability leaves will begin on the first day of absence.
5. After the employee has exhausted his personal and annual leave, as a general rule, an employee on leave of absence is not subject to wages or fringe benefits and does not accumulate fringe benefits. Certain exceptions may be established by law.
6. An employee desiring to return to work from an unpaid leave of absence should notify the Human Resources Director in writing at least ten (10) days prior to his desired date of return. The County may require a fitness for duty examination. If the County finds that the employee is fit to resume his duties, the employee may be recalled to his former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be recalled to any job in which there is a vacancy which is to be filled and for which he is qualified. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee who has been reinstated within six (6) months following the commencement of a leave of absence may be terminated. This action shall not affect the employee's eligibility to be considered for hire as a new employee at some future time.

Family and Medical Leave

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12 week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

Eligibility for FMLA Leave

Employees are eligible for FMLA leave if they:

1. Have worked for the County for at least 12 months.
2. Have worked at least 1,250 hours for the County during the 12 calendar months immediately preceding the request for leave; *and*
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

Employees with any questions about their eligibility for FMLA leave should contact Human Resources for more information.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during a 12-month period for one of the following reasons:

1. To care for the employee's child after birth or placement for adoption or foster care.
2. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition.
3. For incapacity due to the employee's pregnancy, prenatal medical or childbirth; or
4. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Married Couples

In cases where a married couple is employed by the same County, the two spouses together may take a *combined total* of 12 weeks' leave during any 12-month period for reason #1, or to care for the same individual pursuant to reason #4.

Military Family Leave

There are two types of Military Family Leave available.

1. **Qualifying exigencies leave.** Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active-duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:
 - Short-notice deployment (up to 7 days of leave)
 - Attending certain military events
 - Arranging for alternative childcare
 - Addressing certain financial and legal arrangements
 - Periods of rest and recuperation for the service member (up to 5 days of leave)
 - Attending certain counseling sessions
 - Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active-duty status)
 - Other activities arise out of the service member's active duty or call to active duty and agreed upon by the County and the employee.

2. **Leave to care for a covered service member.** There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

When both husband-and-wife work for the same employer, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12- month period.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's

own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

Pay, Benefits, and Protections During FMLA Leave

Leave is unpaid.

Family medical leave is unpaid leave (although employees may be eligible for short- or long-term disability payment and /or worker's compensation benefits under those insurance plans) if leave is taken because of an employee's own serious health condition.

Coordination of Paid Time Off for Unpaid Leave.

An employee who must be absent for an FMLA-qualifying reason will be paid for time lost from work from accumulated paid time off balances, if any. Leave taken under this policy counts toward the employee's 12 weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid. An employee's family medical leave runs concurrently with other types of leave, i. e. , paid vacation.

For leave taken for a qualifying exigency, the employee must use paid personal, vacation, or family leave time concurrent with unpaid FMLA leave. The same rules apply if the employee took FMLA leave to care for a family member with a serious health condition or for the birth or placement of a child.

For leave to care for a seriously injured or ill family member in the military an employee must use paid personal, vacation, family leave, sick, or medical leave time concurrent with unpaid FMLA leave. The same rules apply as if the employee took leave for his or her own serious health condition. The employer will not provide paid sick leave or paid medical leave in any situation in which the employer would not normally provide any such paid leave.

Medical and Other benefits

During an approved family medical leave, the County will maintain the employee's health benefits as if the employee continued to be actively employed. Where paid leave is used concurrently with unpaid family medical leave, the County will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his or her portion of the premium by submitting payment through Human Resources on the same day that payroll would have been received by the employee.

An employee's healthcare coverage will cease if the employee's premium payment is more than **30** days late. If the payment is more than **15** days late, the County will send the employee a letter to this effect. If the County does not receive the co-payment within **15** days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee will be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

Return to Job at End of FMLA Leave

Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. **The County reserves the right to require a second medical opinion before an employee returns to work after an extended period of time.**

Employee Responsibilities When Requesting FMLA Leave

If the need to use FMLA leave is foreseeable, the employee must give the County at least 30 days' prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Requests for FMLA leave must be submitted to the Human Resources Director. When submitting a request for leave, the employee must provide sufficient information for the County to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or containing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

When an employee requests leave, the County will inform the employee whether he or she is eligible under the FMLA. If the employee is, the employee will be given a

written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, the County will provide the employee with a written notice indicating the reason for ineligibility.

If leave is designated as FMLA-protected, the County will inform the employee in writing and provide information on the amount of leave that will be counted against your 12- or 26-week entitlement.

An employee's employment will automatically terminate if he does not return to full active employment status at the conclusion of his leave of absence or the exhaustion of all paid leave time accumulated but unused.

Key Employees (salaried employees in highest paid 10% of all employees) may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

Secondary employment (otherwise known as "moonlighting") while out of work on FMLA or medical leave of absence without the express written permission of the County Administrator is prohibited.

This policy does not create contract rights. In no case will an employee have a greater right to a job than he would have had if he had not taken leave under this policy.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-5

Effective Date: March 20, 2024

SUBJECT: RETURN TO WORK/ TEMPORARY LIGHT DUTY

1. Purpose

- a. The County guarantees “light duty” to no one. As a general rule, an employee who is unable to perform all of the essential functions of his job will not be permitted to work. However, in limited circumstances and on a case-by-case basis, the County may choose to permit an employee who has been injured on the job to perform temporary light duty functions, provided the County determines that there is a legitimate need and to do so would be in the best interests of the County. The County shall determine compensation, duties, and hours as approved by the treating physician.
- b. The purpose of the Return to Work/Temporary Light Duty Program is to temporarily place employees who have sustained work-related injuries in positions consistent with the medical restrictions prescribed by an authorized treating physician. Ideally, the employee will work within his or her own department. However, it may become necessary to place the employee in another department and/or adjust work hours to accommodate their medical restrictions. Employee training that has been scheduled prior to any sustained on-the-job injury may also qualify as a Temporary Light Duty assignment if the training does not exceed five (5) days.
- c. The goal of the program is to promote psychological recovery and to minimize lost time by encouraging appropriate levels of activity for injured employees.
- d. Chester County Human Resource staff will be responsible for managing the Return to Work/Temporary Light Duty Program. The employee’s Department Head/Supervisor and Human Resources will make decisions concerning placement of injured and recovering employees jointly.

2. Scope

- a. The Return to Work/Temporary Light Duty Program is designed to help regular employees of Chester County who have received on-the-job injuries.

3. General Guidelines

- a. Temporary Light Duty is an alternate assignment for an employee recovering from an on-the-job injury. Work assignments are subject to the work restrictions determined by the authorized treating physician. The duration of a temporary light duty assignment may range from one day to a maximum of twelve weeks. If necessary for the employee to remain in the temporary assignment for twelve weeks, the Risk Office will consult with the authorized treating physician as to the necessity of continuing a light duty assignment beyond twelve weeks. However, a temporary light duty assignment cannot be extended beyond six months.
- b. A Return-to-Work Authorization stating any physical activity/limitations, signed by the authorized treating physician, must be submitted to Human Resources before an employee may return to work after an illness or injury (work related or otherwise). The County reserves the right to require a second medical opinion before an employee returns to work after an extended period of time.
- c. Departments may request temporary light duty assistance by submitting the Request for Temporary Light Duty Assistance to the Risk Technician. Departments should be innovative in developing and assigning meaningful tasks that will allow the employee to utilize their experience, education, and physical capability.
- d. Work schedules will be arranged to permit injured employees to keep physician appointments and any prescribed physical therapy sessions.
- e. The temporary light duty employee's home department (the department in which the employee worked at the time of the injury) is responsible for all salary expenses associated with the employee for the duration of their temporary duty status.
- f. If an employee chooses not to work in an assigned temporary duty position within the medical restrictions prescribed, then workers' compensation indemnity benefits will not be paid.

4. Responsibilities

- a. Risk Office/Human Resources

- (1) Maintain a list of available temporary duty positions requested by departments.
- (2) Assign the employee, under the advisement of the health care provider, to a temporary position that meets the employee's medical restrictions. Consideration will be given to the employee's home department, assignment, shift, etc. However, if temporary duty cannot be arranged within the employee's home department, the employee will be assigned to a different department, if available. The employee's Department Head/Supervisor and Human Resources staff will make placement decisions jointly.
- (3) Obtain status reports from the authorized treating physician concerning employee's health status/restrictions.
- (4) Notify employee's home department of the employee's temporary placement and provide updates regarding changes in the employee's medical restrictions.
- (5) Maintain contact with supervisor of assigned departments regarding employee's performance.
- (6) Maintain contact with employees regarding temporary assignment and overall health condition.

b. Employee

- (1) Adhere to the temporary limitations identified by his/her authorized treating physician.
- (2) Follow the policies of the assigned department. If the employee's work habits are not conducive to the overall effectiveness of the assigned department, then the assigned supervisor may request that the temporary employee be placed elsewhere. This request must be submitted in writing to the Risk Technician.
- (3) Inform assigned Supervisor and Risk Technician if assigned responsibilities fall outside of medical restrictions.
- (4) Return to full duty in home department upon receipt of Return to Work authorizing full duty from authorized physician.
- (5) Provide copies of all doctor's notes to supervisor after each medical appointment.

- (6) Communicate any change in doctor's orders with the county Risk Technician as soon as changes are received.
- (7) Report to work at designated time unless there is a physician's written document stating not to return.
- (8) In such situations, the County will require clearance from the treating physician that the employee is able to perform the proposed temporary light duty functions. Light duty assignments MUST be approved prior to the employee's return to work.
- (9) As required under the Health Insurance Portability and Accountability Act (HIPAA), the employee will be required to sign a release form to authorize the doctor to discuss any limitations with regard to the injury. If the employee refuses to sign this form, the County may not consider the employee for the light duty position. The County, in its discretion, shall determine the duration of the temporary light duty period. If, at the conclusion of the period of temporary light duty, the employee is unable to perform the essential functions of his regular job, then he will be returned to leave of absence in accordance with the County policy.
- (10) Any law enforcement employee requests for light duty will be shared with the Sheriff and reviewed by the Sheriff for appropriateness.

c. Assigned Supervisor

- (1) Ensure that employees in temporary duty assignments work within the identified medical restrictions.
- (2) Coordinate employee's work schedule and leave, making provisions for medical appointments.
- (3) Submit employee's time sheets to the Risk Technician no later than 10:00 AM on Monday of payroll week.
- (4) Inform the Risk Technician of changes in the status of the temporary assignment.
- (5) Complete and submit weekly to the Risk Technician the Time Lost Due To On-The-Job Injury Form. Submit immediately when the status of the employee changes.

5. Returning to Full Duty

- a. Once the authorized treating physician notifies the employee and the Human Resource staff in writing that the employee is released to return to full duty, the employee must return to their home department on the release day, unless changed by the supervisor.
- b. Employees should not come to work without written approval for a full release given by their physician.

6. Definitions

- a. Assigned Department - department where injured employee is placed pending full medical release to job where injury occurred.
- b. Authorized Treating Physician - physician who is authorized by the Risk Technician and the insurance to provide treatment to injured employees.
- c. Home Department – department in which employee worked at time of injury.
- d. Indemnity Benefits – benefits paid to an injured worker to replace part of wages lost as a result of a work injury. Indemnity benefits could also be paid to Chester County for reimbursement of sick/annual leave if employees choose to continue receiving regular wages, using sick and/or annual leave for lost time in lieu of temporary total compensation.
- e. Return to Work Authorization – written authorization, from the authorized treating physician, allowing the injured employee’s return to duty.
- f. Temporary Light Duty Assignment – temporary job assignment that meets the medical restrictions as prescribed by an authorized medical physician. Assignment is not to exceed six months.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-6

Effective Date: March 20, 2024

SUBJECT: BEREAVEMENT LEAVE

1. ELIGIBILITY

Upon request, a regular employee shall be provided leave with pay, in the event of the death of a member of the immediate family as stated below.

- a. For the purposes of this policy, an immediate family member is defined as a spouse, parents, brothers, sisters, children, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, sister-in-law/, brother-in-law, and grandparent-in-law of the employee. "Step" relatives will be considered relatives within the meaning of this policy if the employee and the step relative lived in the same household for a substantial period of time.
- b. An employee will be paid for time actually lost from straight time scheduled work up to three (3) consecutive workdays for bereavement leave for the death of a member of his immediate family. Bereavement leave must be taken within five (5) days preceding or after the death or at the time of the funeral or memorial service. If the employee must travel out of town and exceeds the granted leave time, he may use unused but accumulated leave time to cover additional time.
- c. When a death occurs in the employee's family while he is on annual or sick leave, the period of such leave shall be extended accordingly. In unusual circumstances additional leave time can be granted upon the approval of the Department Head.

2. PROCEDURES

- a. The employee will notify his immediate Supervisor/Department Head as soon as possible, providing the name and relationship of the family member. A leave request form will be submitted immediately upon return to duty.
- b. The supervisor should notify the Department Head immediately, being sure to give the dates the employee is absent from work due to death of family members.

- c. The supervisor must get the full name of the deceased. This step is especially important if the deceased is not a resident of Chester County. In addition, the employee must complete the leave request form. This form should be completed before the leave is taken, when possible, but must be submitted no later than the day after the employee returns to work.
- d. The Department Head will authorize the payroll department to include the funeral leave pay in the employee's check.
- e. Bereavement leave is not part of the calculation for hours worked to determine overtime.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-7

Effective Date: March 20, 2024

SUBJECT: COURT LEAVE

SECTION I POLICY

1. JURY DUTY EXEMPTIONS

Section 14-7-850 of the South Carolina Code of Laws provides that local government officers are exempt from jury service while in the actual discharge of their duties as such officers. Notary Publics are not considered as state officers for the purpose of this exemption.

2. ELIGIBILITY

Any employee of the County, who is non-exempt from jury service, as specified above, shall be eligible for court leave with pay for a maximum of fourteen (14) days when summoned to serve as a jury member.

- a. The employee shall retain any travel payments received.
- b. Jury fees received by the employee shall be the employees.
- c. Any employee who is exempt under the provision of the State Law and who elects to serve as a jury member shall be charged annual leave or leave without pay for the period of the service.
- d. When an employee is excused from jury duty for a period exceeding two hours, he shall return to duty unless returning to duty would create a hardship to shift operations schedule or distance to duty location. If the employee does not return to duty, the time shall be charged leave without pay.
- e. If jury duty occurs on a scheduled day off, the employee shall not receive additional time off.
- f. Court leaves with pay is only available for employees who are actively at work for the County and not out on any type of leave, including but not limited to, annual leave.

3. COURT ATTENDANCE AS AN OFFICIAL EMPLOYEE

All time spent in court as a witness in connection with an employee's official duties shall be counted as hours worked and included in the total hours worked per week. Court attendance occurring on a day off or holiday shall be treated in the same manner as employees who work on their day off or a holiday.

4. PERSONAL LITIGATION

Court leave is not authorized for employees involved in personal litigation. The absence of an employee due to private litigation may be charged to unused accumulated annual leave or leave without pay. The employee is expected to provide the same notification to his immediate supervisor as is required for paid court leave.

SECTION II- PROCEDURES

5. NOTIFICATION AND APPLICATION

An employee will notify his immediate supervisor when jury duty or witness appearance is scheduled and the anticipated duration.

- a. Application for appropriate leave status will be completed by the employee and submitted to his Supervisor/Department Head.
- b. The Supervisor/Department Head will verify the requirement by reviewing the summons or subpoena.
- c. Upon release by the court, the employee will provide his Supervisor or Department Head with relative statements issued by the Clerk of Court, documenting dates, times, and amounts paid. If any fees paid to the employee are required to be turned over, they will be collected upon return to duty.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-8

Effective Date: March 20, 2024

SUBJECT: ADMINISTRATIVE LEAVE

1. GENERAL

- a. Chester County recognizes that from time to time, there may be a need to grant employee absences for purposes which are not solely for the benefit of the employee. The nature of these absences is generally characterized by one of the following:
 - (1) Direct or indirect benefits to the County that would otherwise not be available.
 - (2) In the best interest of government.
 - (3) Promotes or contributes to the public interest or welfare of the citizens of the community.
- b. Administrative leave is granted at the discretion of management, after considering the benefits gained and work requirements of the employee, except as indicated in paragraph 2 below.
- c. The Department Head has the responsibility and authority to make the determination of the appropriateness of granting administrative leave under this policy.

2. VOTING

Employees who live such a distance from their work locations that would prevent them from voting are allowed up to two (2) hours administrative leave in order to vote.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-9

Effective Date: March 20, 2024

SUBJECT: HAZARDOUS WEATHER

- a. The County Administrator has the discretion to authorize the closing of County offices or a delayed opening in the event of hazardous weather conditions or emergencies that dictate such action and will make every effort to make this announcement by 7:00 a. m. It is rare that such conditions will exist, but even during those rare times, the employee is responsible for reporting to work unless the County Administrator does announce closure or delay.
- b. Non-employees who are not essential personnel will be granted up to three (3) days of inclement weather pay that is payable **only** when the County Administrator makes the decision to close County offices.
- c. Employees will be notified by either their supervisor and/or the television news broadcasts as early as possible. If there is any question as to whether to report to work, employees should be proactive and contact their immediate supervisors. Employees should not contact co-workers for this information and should not rely on what co-workers tell them with regard to a closure or delay.
- d. This policy will not apply to emergency personnel such as law enforcement, EMS, 911 and public service workers due to the nature of their jobs.
- e. There may also be rare occasions where weather conditions become so severe during the workday and advisories to return home are broadcast, employees may be notified by their supervisor to leave work.
- f. In the event the County makes the decision to close or delay the opening of County offices, non-exempt employees will be paid by the County for the hours of the shut-down or delay. Where County offices remain open, but an employee feels they are not comfortable driving in inclement weather, non-exempt employees may charge the time lost against accumulated vacation or compensatory time.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 5-10

Effective Date: March 20, 2024

SUBJECT: BENEFITS

SECTION I - RETIREMENT SYSTEM

All regular full-time employees of the County are required to participate in the following retirement program:

- A. South Carolina Retirement System
- B. South Carolina Police Officers Retirement System

1. CREDITS FOR PREVIOUS SERVICE

- a. Personnel with prior service in the regular state retirement programs are eligible for reinstatement of previous service.
- b. Rules and regulations for credit for military service for eligible employees shall be set in accordance with the requirements of the South Carolina Retirement System. Additional information may be obtained from the South Carolina Retirement System.
- c. Details for prior credit of service are contained in publications produced by the State Retirement System. In addition, any questions concerning benefits or eligibility for membership should be directed to the Human Resources Department or from the South Carolina Retirement System (1-800-868-9002) or their website at www.retirement.sc.gov.

2. PART-TIME AND TEMPORARY EMPLOYEES

Part-time and temporary employees who are members of one of the retirement systems because of other full-time employment will make appropriate contributions to the retirement system from salaries paid during their employment status with Chester County.

3. COLLECTION OF CONTRIBUTIONS

- a. Regular full-time employee contributions are set at the state established percentage.
- b. Law enforcement full-time employee contributions are set at the state established percentage.

4. EMPLOYEE ORIENTATION OF RETIREMENT BENEFITS

At the time of initial processing, all new employees eligible for coverage under the retirement system will be briefed on the provisions of the system, cost and benefits.

SECTION 2 - GROUP HEALTH INSURANCE

1. BASIC COVERAGE OF EMPLOYEES

a. It is the policy of Chester County to provide group health/medical, vision, dental, life, accident and dismemberment insurance to all regular full-time employees and current council members. Employee contribution rates are designated by the insurance carrier and regulated by the County Council. Contributions for employees and dependents are payroll deducted. Failure to pay premiums may result in a lapse or termination of coverage.

2. OPTIONAL COVERAGE FOR DEPENDENTS

a. All employees eligible for coverage may elect to purchase coverage for their dependents. Dependent coverage may be added or discontinued in accordance with the group policy provisions.

3. RETIREE PREMIUM REIMBURSEMENT ACCOUNT

Retired employees that were employed prior to July 1, 2008, are eligible to gain access to their Retiree Premium Reimbursement Account after twenty (20) years of continuous service with Chester County and must have reached the minimum age of sixty (60). Upon gaining access to the Retiree Premium Reimbursement Account, retirees may use the funds as outlined in the Retiree Premium Reimbursement Account Plan Document.

If an employee is terminated or resigns prior to retirement eligibility, as established by the County, County funds deposited in the Retiree Premium Reimbursement Account will revert back to the County. (Those employed after July 1, 2008, are not eligible for retiree insurance benefits.)

Retirees are required to pay all premiums by the 10th of each month. Failure to pay premiums may result in a lapse or termination of coverage.

4. ENROLLMENT PROCEDURES

At the time of initial processing, all eligible employees will be provided the forms necessary for enrollment in all insurance programs and information

brochures explaining coverage benefits. Dependent coverage will also be explained, brochures and enrollment forms provided, method and amount of payments for coverage explained. All forms must be completed and returned to Human Resources thirty (30) days from date of hire.

5. Notice of Right to Health Care Continuation Coverage

Federal law provides that most employers sponsoring a group health plan offer covered employees and their covered dependents the opportunity for a temporary continuation of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

A notice is provided to all new employees at orientation to inform them, in a summary fashion, of their rights and obligations under the continuation coverage provisions of the federal law. Both the employee and his covered spouse should take the time to read this summary notice carefully. A more detailed notice will be provided separately.

Continuation coverage under the group health plan at the employee's expense is available if you become ineligible for coverage under the plan due to the occurrence of one of the following events:

- a. The covered employee's voluntary or involuntary termination (other than by reason of gross misconduct) of employment or loss of eligibility to participate in the plan due to reduced hours.
- b. The covered employee's death.
- c. The covered employee's divorce or legal separation.
- d. The covered employee's dependent child ceases to be a dependent (as that term is defined by the plan);
- e. The covered employee becomes eligible to receive Medicare benefits.
- f. Bankruptcy proceedings of the employer under Title 11.
- g. As provided under USERRA.

If you elect continuation coverage, the employer is required to offer group health insurance, which as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or dependents. The full cost of the insurance is passed on to the employee plus an administrative fee as determined by the insurance carrier.

Health Insurance Marketplace Under COBRA

There may be other coverage options for employees and their families in addition to COBRA coverage. When key parts of the health care law take effect, employees will be able to buy coverage through the Health Insurance Marketplace. In the Marketplace, employees could be eligible for a new tax credit that lowers their monthly premiums, and they will be able to see what their premium, deductibles and out-of-pocket costs will be before they decide to enroll. Being eligible for COBRA does not limit eligibility for coverage for a tax credit through the Marketplace. Additionally, employees may qualify for a special enrollment opportunity for another group health plan for which they are eligible, such as a spouse's plan, even if the plan generally does not accept late enrollees, if the employee requests enrollment within thirty (30) days.

1. New Health Insurance Marketplace Coverage Options and Your Health Coverage

Under the Affordable Care Act, there is a new way to buy health insurance: the Health Insurance Marketplace. To assist employees as they evaluate options for themselves and their family, this notice provides some basic information about the new Marketplace.

2. What is the Health Insurance Marketplace?

The Marketplace is designed to help locate health insurance that meets the needs and fits the budget of the employee. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. Employees may also be eligible for a new kind of tax credit that lowers their monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October for coverage starting as early as January 1st.

3. Can Employees Save Money on Health Insurance Premiums in the Marketplace?

Employees may qualify to save money and lower their monthly premium, but only if the employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that employees may be eligible for depends on their household income.

4. Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If employees have an offer of health coverage from their employer that meets certain standards, they will not be eligible for a tax credit through the Marketplace and may wish to enroll in their employer's health plan. However, employees may be eligible for a tax credit that lowers their premium, or a reduction in certain cost-sharing if the employer does not offer coverage to the employee at all or does not offer coverage that meets certain standards. If the cost of a plan from the employer that would cover the employee (and not any other members of the employee's family) is more than 9.5% of the employee's household income for the year, or if the coverage the employer provides does not meet the "minimum value" standard

set by the Affordable Care Act, employees may be eligible for a tax credit. An employer-sponsored health plan meets the “minimum value standard” if the plan’s share of the total allowed benefit costs covered by the plan is not less than 60 percent of such costs.

Note: If an employee purchases a health plan through the Marketplace instead of accepting health coverage offered by the employer, then the employee may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as the employee contribution to employer-offered coverage- is often excluded from income for Federal and State income tax purposes. Employee payments for coverage through the Marketplace are made on an after-tax basis.

5. How Can Employees Get More Information?

The Marketplace can help employees evaluate their coverage options, including their eligibility for coverage through the Marketplace and its cost. Employees should visit HealthCare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in their area.

6. Information about Health Coverage Offered by Chester County

If employees choose not to enroll in the health care plan sponsored by Chester County, the employee and their family may be able to obtain health coverage through the Marketplace, with a new kind of tax credit that lowers their monthly premiums and with assistance for out-of-pocket costs.

If an employee decides to complete an application for coverage in the Marketplace, they will be asked to provide the following information. Please note that this information is numbered to correspond to the Marketplace application.

1. Employer Name: Chester County
2. Employer Identification Number (EIN):
3. Employer Address: Post Office Box 580
4. Employer Phone Number: 803-385-5133
5. City: Chester
6. State: South Carolina
7. ZIP Code: 29706

6. Medical Information

This policy describes how health information about you may be used and disclosed and how you can get access to this information. If you have any questions, ask your Supervisor or Human Resources.

Chester County is committed to keeping our employees' personal information private. This policy of privacy applies to our health plans that are covered by state or federal law, for example: health benefit plans, dental plans, employee assistance plans, and pharmacy benefit programs. We will refer to all of these plans in this policy as the Benefit Plans.

The Benefit Plans are required by federal and state law to protect the privacy of your health information and other personal information, and to provide you with notice about our policies and protections. When the Benefit Plans use or disclose your protected health information, the Benefit Plans promise to respect the privacy of that information.

The Benefit Plans will not use your protected health information or disclose it to others without your permission, except for the following reasons:

- * Treatment
- * Payment
- * Health Care Operations
- * Disclosure to Employer or Operating Company
- * Disclosure to Health Care Vendors and Accreditation Organizations
- * Public Health Activities
- * Health Oversight Activities
- * Research
- * To Comply with the Law
- * Judicial and Administrative Proceedings
- * When required by Law Enforcement Officials
- * Health or Safety
- * Government Functions
- * Workers' Compensation

The Benefit Plans may also disclose your protected health information when necessary to file claims with other insurance carriers.

The Benefit Plans will not use or disclose your protected health information for any purpose other than the purposes described in this policy without your written agreement. You may take back an authorization that you gave before by sending a written request to Human Resources but not about any actions the Benefit Plans have already taken.

The Benefit Plans may disclose protected health information about you to a relative, a friend or any other person you identify, provided the information is directly relevant to that person's involvement with your health care or payment for your care. For example, if a family member or a caregiver calls us with knowledge of your protected health information, we may confirm it or answer questions about it.

You have the right to stop or limit this type of disclosure by contacting Human Resources. If you are a minor, you also may have the right to block your parents' access to your protected health information, if permitted by state law.

You have the right to additional restrictions on who can see your protected health information. While the Benefit Plans will consider all requests for restrictions carefully, they are not required to agree to a requested restriction.

You have the right to confidential communications about your protected health information. While the Benefit Plans will consider reasonable requests carefully, the Benefit Plans are not required to agree to all requests.

You have the right to see and copy your protected health information. If you ask for copies, the Benefit Plans may charge reasonable copying and mailing costs.

You have the right to request corrections to your protected health information. If your doctor or another person created the information that you want to change, you should ask that person to change the information.

You have the right to know who your protected health information is disclosed to. If you request an accounting more than once during any 12-month period, the Benefit Plans will charge you a reasonable fee for each accounting statement after the first one.

If you want to make any of the requests listed above, you must contact the Human Resources Director.

If you want more information about your privacy rights, do not understand your privacy rights, are concerned that the Benefit Plans have not respected your privacy rights, or disagree with a decision that the Plans made about who can see your protected health information, you may contact Human Resources. You may also file written complaints with the Secretary of the U. S. Department of Health and Human Services. We will not take any action against you if you file a complaint with the Secretary of Health and Human Services or Human Resources.

Finally, the Benefit Plans may change this policy at any time. If the policy is changed, the Benefit Plans may make the new policy effective for all of your protected health information that the Benefit Plans maintain, including any information created or received before the new policy. If the Benefit Plans change this policy, you will be notified of the change.

The County complies with the privacy laws concerning protected health information as established under The Health Insurance Portability and Accountability Act (HIPAA).

SECTION 3- ADDITIONAL EMPLOYEE BENEFITS

1. 125 CAFETERIA PLAN

Chester County participates in a 125 plan. Medical and dental plan premiums can be deducted from gross income before taxes. Employees who elect health insurance coverage have the option to participate in the 125 plan.

2. DEFERRED COMPENSATION PLANS

Chester County employees can participate in two deferred compensation plans: 401K and 457 offered through the State of South Carolina Employee Deferred Compensation Program. These plans are basically retirement plans and defer a portion of your earnings from taxes until the time you will actually be receiving monthly income from the proceeds.

3. EMPLOYEE ASSISTANCE PROGRAM

Chester County provides an Employee Assistance Program for employees to help with problems that may affect their well-being and job performance. The EAP is also available for use by dependent(s) of the employee. First Sun EAP is the provider for Chester County employees. The program is designed to help with a variety of "life problems." Some of the situations commonly dealt with include, but are not limited to:

Family and marital problems	Grief
Alcohol and drug problems	Personal conflicts
Legal and financial difficulties	Family financial planning
Emotional and psychological problems	Health and wellness issues
Stress	Depression

If the employee and/or dependent(s) need to talk with an Employee Assistance Professional, they simply call **1-800-968-8143 (toll free)**. The program is

available 24 hours a day for emergencies. Appointments may be made during normal business hours, Monday – Friday.

All contact with the Employee Assistance Program is **CONFIDENTIAL**. If an employee chooses to call or make an appointment, no one will know that EAP was contacted. Information regarding an employee will not be released unless the employee has given prior written permission.

The cost is free to employees and/or dependents and paid by the County. Employees are encouraged to take advantage of this benefit.

4. Health Insurance Marketplace Coverage

There may be other coverage options for employees and their families in addition to COBRA coverage. When key parts of the health care law take effect, employees will be able to buy coverage through the Health Insurance Marketplace. In the Marketplace, employees could be eligible for a new tax credit that lowers their monthly premiums, and they will be able to see what their premium, deductibles and out-of-pocket costs will be before they decide to enroll. Being eligible for COBRA does not limit eligibility for coverage for a tax credit through the Marketplace. Additionally, employees may qualify for a special enrollment opportunity for another group health plan for which they are eligible, such as a spouse's plan, even if the plan generally does not accept late enrollees, if the employee requests enrollment within thirty (30) days.

New Health Insurance Marketplace Coverage Options and Your Health Coverage

Under the Affordable Care Act, there is a new way to buy health insurance: the Health Insurance Marketplace. To assist employees as they evaluate options for themselves and their family, this notice provides some basic information about the new Marketplace.

What is the Health Insurance Marketplace?

The Marketplace is designed to help locate health insurance that meets the needs and fits the budget of the employee. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. Employees may also be eligible for a new kind of tax credit that lowers their monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October for coverage starting as early as January 1st.

Can Employees Save Money on Health Insurance Premiums in the Marketplace?

Employees may qualify to save money and lower their monthly premium, but only if the employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that employees may be eligible for depends on their household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If employees have an offer of health coverage from their employer that meets certain standards, they will not be eligible for a tax credit through the Marketplace and may wish to enroll in their employer's health plan. However, employees may be eligible for a tax credit that lowers their premium, or a reduction in certain cost-sharing if the employer does not offer coverage to the employee at all or does not offer coverage that meets certain standards. If the cost of a plan from the employer that would cover the employee (and not any other members of the employee's family) is more than 9.5% of the employee's household income for the year, or if the coverage the employer provides does not meet the "minimum value" standard set by the Affordable Care Act, employees may be eligible for a tax credit. An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is not less than 60 percent of such costs.

Note: If an employee purchases a health plan through the Marketplace instead of accepting health coverage offered by the employer, then the employee may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution -as well as the employee contribution to employer-offered coverage- is often excluded from income for Federal and State income tax purposes. Employee payments for coverage through the Marketplace are made on an after-tax basis.

How Can Employees Get More Information?

The Marketplace can help employees evaluate their coverage options, including their eligibility for coverage through the Marketplace and its cost. Employees should visit HealthCare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in their area.

Information about Health Coverage Offered by Chester County

If employees choose not to enroll in the health care plan sponsored by Chester County, the employee and their family may be able to obtain health coverage through the Marketplace, with a new kind of tax credit that lowers their monthly premiums and with assistance for out-of-pocket costs.

If an employee decides to complete an application for coverage in the Marketplace, they will be asked to provide the following information. Please note that this information is numbered to correspond to the Marketplace application.

1. Employer Name: Chester County

2. Employer Identification Number (EIN):
3. Employer Address: Post Office Box 580
4. Employer Phone Number: 803-385-5133
5. City: Chester
6. State: South Carolina
7. ZIP Code: 29706

5. WORKERS COMPENSATION INSURANCE

Chester County shall maintain Workers' Compensation Coverage on all employees as prescribed by the SC Workers' Compensation Law. The County will investigate all claims of workers' compensation and will not support any fraudulent claims or claims occurring from non-job-related injuries or activities.

A. Procedures for filing a workers' compensation claim.

1. All on-the-job injuries must be reported to the Risk Department of Human Resources immediately, usually within 24 hours. If an employee fails to report an injury in a timely manner, his benefits under workers' compensation may be denied.
2. All employees who are injured and require medical treatment, and those involved in any accident involving equipment/vehicles if damage is sustained as outlined in the Drug and Alcohol testing policies, will be taken by a supervisor to the designated facility for a drug/alcohol testing as soon as is practically possible. Refusing to submit to a drug/alcohol test may subject the employee to disciplinary action, up to and including termination.
2. The County has a designated workers' compensation doctor. If an employee elects to use a different physician without authorization by the Risk Office, the employee is responsible for all charges and the findings of the doctor may be disregarded. If the designated physician is not available, (i. e. after hours) the employee may visit the emergency room.
3. As soon as the employee is able, but no later than one day following the incident being reported, the following forms must be submitted to their Supervisor and the Risk/Benefits Office:
 - a. Workers' Compensation First Injury Report Form

This must be completed by the injured employee or their supervisor and turned in within 24 hours of the accident.

b. Workers' Compensation Injury Statement Form

This form must be completed by the injured employee detailing the accident and must be turned in by the second day of injury. The employee is required to describe in as much detail as possible all events relevant to the accident.

c. Chester County Injury Report Form

This form must be completed by the injured employees' supervisor and handed in the second day.

d. Chester County Injury Report Cause

This form should be completed by the injured employee's supervisor and handed in the second day.

4. It is the employee's responsibility to submit return-to-work status information to their Supervisor and to the Risk Office. Prior to returning to work after medical treatment is rendered, the employee must present to the Risk Office the doctor's release to either full duty or restricted duty. If this occurs when the business offices are closed, the employee's supervisor may accept the release and submit it to the Risk Office the next business day. For employees who are released on restricted duty, **while the treating physician may have released the employee for light duty with restrictions, this does not ensure that the County will have the appropriate light duty available.**
5. Chester County does not retaliate against any employee claiming to be injured on the job. The county is committed to investigating each claim independently and to treating each employee without bias. However, employees who continually violate safe working practices may be subject to disciplinary actions up to and including termination.
6. Section 42-9-200 of the SC Code of Laws 1976 provides no compensation will be allowed for the first seven (7) calendar days of disability resulting from injury, except medical treatment and supplies. If the injury results in disability of more than 14 days, compensation is allowed from the first date of disability. During the first seven (7) days, the employee will be permitted to use sick leave. If the disability is more than fourteen (14) days, the sick leave charged to the employee during the first seven (7) calendar days of disability will be restored to the employee's time upon payment to the County of the amount of compensation paid under Workers' Compensation Law for each day of sick leave taken by the employee. In no event will employees be allowed to use workers' compensation pay and sick leave at the same time. The rate of tax-free employee compensation through workers'

compensation is . 6667% of the gross salary from four quarters preceding the injury. Checks will be administered through the workers' compensation carrier.

7. Disabled employees will be kept on the County's benefits program until declared fit to return to work, become permanently disabled, or fail to pay their premium. After the initial fourteen (14) days, (when the employee is no longer receiving a paycheck), the employee must submit payment for their portion of health insurance and desired dependent coverage within 10 days of the missed payroll date.

SECTION VI – EMPLOYEE RELATIONS

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-1

Effective Date: March 20, 2024

SUBJECT: GRIEVANCE POLICY AND PROCEDURES

1. GENERAL

This procedure is adopted in accordance with the “County and Municipal Employees Grievance Procedure Act,” Section 8-17-110, et seq. , Code of Laws of South Carolina, 1976, as amended.

2. DEFINITION

A grievance is defined as an employee’s expressed dissatisfaction, presented in writing, with aspects of employment or working conditions or the discriminatory application of a rule or regulation, which has not been resolved to a satisfactory result through informal discussion with immediate supervisors. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion, and demotion. In most cases compensation is NOT a proper subject for consideration under this procedure. This process is not intended to undermine the authority of the supervisor.

3. PROCEDURE

Step 1. The employee must present the written grievance to his immediate supervisor within five (5) days of the grievable action. If his supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2.

Step 2. The employee must follow the chain of command in his department, appealing to each successive level of supervision. Step 1 and Step 2 appeals must be presented in written form. At each level each supervisor shall have four (4) business days to render a written decision. If no decision is made within this time, the grievance shall be considered denied. If a supervisor at a particular level is unavailable to

consider the grievance, it shall be considered denied and the employee shall appeal to the next level of supervision.

3. the department head, along with the Human Resources Director shall review the grievance and may choose to meet with the employee and/or others who might have a work-related interest in the grievance. Within two (2) days following receipt of the grievance, the Department Head or the Human Resources Director will respond in writing to the employee's grievance. If no decision is made within the two-day period, the grievance is considered denied. **The decision of the Department Head for Introductory employees is final.**

4. Employees must submit a written request to Human Resources for review by the Employee Grievance Committee regarding the denial of their grievances by filing a written request for appeal within seven (7) working days of the time at which the denial became available to the employee. The written request for appeal must include the following information:
- The purpose of the appeal and what recommendation is requested of the Employee Grievance Committee; and
 - A statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.

Since not all of the employees of the County may utilize the Employee Grievance Procedure, the Human Resources Director shall verify the eligibility of the employee requesting the hearing.

The hearing must be scheduled by the Chair of the Employee Grievance Committee within ten (10) days of the Human Resources Department's receipt of this request.

The Human Resources Director will provide the Committee with the packet of information no less than seven (7) days prior to the hearing.

The employee may be relieved of his duties pending the hearing.

5. PROCEDURES FOR APPOINTING A GRIEVANCE COMMITTEE

The County Council shall appoint a Committee composed of seven (7) employees (must have 3 exempt and 3 non-exempt) and two (2) alternates to

serve for terms of three years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third (1/3) of the terms shall expire each year. A member shall continue to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of County Council. All members shall be selected on a broadly representative basis from among county employees. Members employed in the same department as the grieving employee and members having formed an opinion on the issues prior to the hearing, shall not participate in the employee's hearing.

All members of the Committee shall take an oath of confidentiality regarding any and all matters that are brought to their attention in their role on the Committee. A breach of this oath must be brought to the attention of the Human Resources Director. A violation of the oath of confidentiality shall subject a member to immediate removal from the Committee and disciplinary action up to and including termination.

The Committee shall select its own chair annually from among its members for a one (1) year term. The chair shall serve as the presiding officer at all hearings which he attends but may designate some other member to serve as presiding officer in his absence. The chair shall have authority to schedule and to re-schedule all hearings.

A quorum shall consist of at least 4 members, and no hearings may be held without a quorum.

The presiding officer will have control of the proceedings. He shall take whatever action is necessary to ensure an orderly and expeditious hearing. Parties shall abide by his decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

The Committee shall have the authority to call for files, records, and papers which are pertinent to any investigation, and which are subject to the control of the County to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the services of a recording secretary in its discretion. The Committee shall have no authority to subpoena witnesses, documents, or other evidence, nor shall any County employee be compelled to attend any hearing. Witnesses, other than the grieving employee and the department

representative, shall be sequestered when not testifying. All witnesses shall testify under oath.

All hearings shall be held in closed session unless the grieving employee requests at the beginning of the hearing that it is held in open session. The official minutes of all hearings shall be subject to the control and disposition of the County Administrator.

Neither the grieving employee nor the department may be assisted by advisers or by attorneys during the hearing itself. However, the Committee shall have the County Attorney available to it at any and all times it considers necessary.

In disciplinary actions by Department Heads and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions that are the basis for the disciplinary action. This notice may be amended at any time 24 hours or more before the commencement of the hearing. The department must demonstrate that the disciplinary action is for the good of the county.

The department shall make the first presentation. The employee will then be given the opportunity to present their response.

In all grievances, the grieving employee and the department shall each be limited to one (1) hour of initial presentation. The party required to make the first presentation may give a ten (10) minute rebuttal of the other party's presentation. The chair shall appoint himself or another member of the Committee as timekeeper.

In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or un-sworn signed statements from witnesses, by records, other documentary evidence, photographs, and other physical evidence. Presentations shall be made by the grieving employee (with reading assistance from Human Resources if requested) and by a managerial employee of the affected department. Only committee members may call witnesses or question the other party.

Except as provided below, the Committee shall, within 20 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator. If the County Administrator approves, the recommendation of the Committee shall be his decision and copies of the decision shall be transmitted by the Committee to the employee and to the head of the particular department involved. If however, the County Administrator rejects the decision of the Committee, the County Administrator shall make his own decision without further hearing, and that decision shall be

final. Copies of the decision shall be transmitted by the Committee to the employee and to the head of the particular department involved.

In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official, or an official appointed by an authority outside county government, the Committee shall, within 20 days after hearing an appeal, make its findings and a recommendation and report such findings and recommendation to such official. If the official approves, the recommendation of the Committee shall be his decision and the Committee to the employee shall transmit a copy of the decision. If, however, the official rejects the decision of the Committee, the official shall make his own decision without further hearing, and that decision shall be final. A copy of the decision shall be transmitted to the employee.

Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the county or an elected or appointed official to terminate any employee when the county or respective elected or appointed official considers such action necessary for the good of the county.

This policy does not apply to employees working under the direction of an Elected Official.

Special Note: Nothing in this policy shall be construed to prohibit an employee from bringing a problem or concern to the attention of a superior outside the normal chain of command. However, all employees should understand that the superior may direct the complaining employee to attempt to first solve the situation through his immediate supervisor or to follow the established grievance procedure framework.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-2

Effective Date: March 20, 2024

SUBJECT: EMPLOYEE CONDUCT AND DISCIPLINE

Consistent with South Carolina law, all employees are employed “at will,” which means that the employee has the right to terminate his employment at any time, with or without notice or cause, and that the County retains that same right. exceptions to the policy that all employees are employed “at will” may be made only by written agreement signed by the County Administrator.

As is the case with all organizations, instances arise when an employee must be reprimanded, suspended, or discharged. When this happens a supervisor should fill out an Employee Warning Form in which he outlines the circumstances involved and the action being taken oral warnings should also be in written form for the personnel file. The supervisor is to show the report to the employee for his signature with the understanding that his signature only acknowledges that the employee has seen the report. The employee’s signature does not necessarily indicate agreement with the contents of the report, or the action taken, nor does it prevent appealing the action.

If the employee refuses to sign the report he is suspended from work without pay and, if he does not sign the report by 5:00 p. m. or at the end of his second fully scheduled workday, the County may presume that the employee has quit his job.

1. Types of Disciplinary Action

The following are types of disciplinary actions that can be utilized to align employee behavior with reasonable job expectations. In most cases, a Step Progressive **Discipline** process is applied, however, the county reserves the right to administer discipline according to the situation and the **severity of the incident.**

- a. Note to File (Informal documented counseling)
- b. Step 1: Oral Warning (documented)
- e. Step 2: Written Warning
- f. Step 3: Final Written Warning
- g. Step 4: 3-day Suspension prior to final Dismissal

2. Examples of Conduct Warranting Disciplinary Action

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is administered for any particular act or acts of misconduct depends on a number of factors including without limitation the length of the employee's service, the quality of that service, the employee's prior disciplinary record, the seriousness of the misconduct, and the impact of the misconduct on others. The decision rests in the sole discretion of the County Administrator. The following list is merely a guideline of some of the more obvious types of misconduct that may in disciplinary action.

THE DISCIPLINARY ACTION THAT IS ADMINISTERED FOR ANY PARTICULAR ACT OR ACTS OF MISCONDUCT RESTS IN THE SOLE DISCRETION OF THE COUNTY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS. ALL DISCIPLINARY DOCUMENTATION WILL BE INCLUDED IN THE EMPLOYEE'S PERSONNEL FILE.

- a. Conviction or a plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense which affects the County's reputation, or which could create concern on the part of fellow employees or the citizens.
- b. Incompetence
- c. Unauthorized absence; tardiness.
- d. Insubordination, including disrespect for authority, or other conduct that tends to undermine authority.
- e. Failure or refusal to carry out instructions.
- f. Unauthorized possession or removal, misappropriation, destruction, theft or conversion of County property or the property of others.
- g. Violation of safety rules, neglect, or engaging in unsafe practices.
- h. Interference with the work of others.
- i. Threatening, coercing, or intimidating fellow employees, including "joking" threats.
- j. Dishonesty.
- k. Tardiness or absenteeism.
- l. Failure to provide information, misrepresentation, or falsification of information for County records.
- m. Failure to report personal injury or property damage.
- n. Neglect or carelessness.
- o. Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is presumed to be "under the

influence” if he has any detectable amount of any such substance in his system.

- p. Unsatisfactory performance.
- q. Violation of policies and procedures.
- r. Any other reason that, in the County’s sole discretion, warrants disciplinary action.
- s. Sleeping on duty or giving the impression of sleeping while on duty.

ABSENTEEISM/TARDINESS

If you find it necessary to be absent from work, you must notify your supervisor at least thirty (30) minutes before your workday is scheduled to begin. Employees must call their supervisor on each subsequent day of absence. Likewise, if you are tardy, you must contact your supervisor immediately to let him know that you will be late for work. In the case of an emergency, a family member may call but the employee must call at some point thereafter.

Any employee who fails to report to work as scheduled or to call in for three (3) consecutive days will be deemed to have voluntarily abandoned his job. Such an employee will not be eligible to receive pay for unused, accumulated vacation, and may be ineligible for rehire.

A doctor’s release slip may be required if you are absent from work for more than three days.

Excessive absence or lateness may result in disciplinary action up to and including termination.

EMPLOYEES MAY BE DISCIPLINED OR DISCHARGED FOR ANY REASON WHICH, IN THE COUNTY’S SOLE DISCRETION WARRANTS DISCIPLINE OR DISCHARGE. THE COUNTY RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-3

Effective Date: March 20, 2024

SUBJECT: TERMINATION OF EMPLOYMENT

Ordinarily, termination of employment with the County may occur under the following five general conditions:

1. **Voluntary Termination.** All employees of the County are at-will and employees may terminate their employment with or without reason, and with or without notice. Employees giving **and** working a two-week notification of their resignation will be eligible to receive their accumulated but unused vacation pay. Whether the employee will be required to work on that notice is at the discretion of the County. Employees who do not give **and** work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused vacation.
2. **Involuntary Termination.** All employees of the County are at-will and employees may be terminated involuntarily by the County. The value of an employee's accumulated but unused leave will be paid to the employee at termination only if: (1) the employee gives and satisfactorily completes a two week notice of resignation; or (2) in the case of the employee's discharge by the County, the employee is not discharged for disciplinary reasons as determined by the County.

Department Directors should always confer with Human Resources and the County Administrator prior to suspending or termination of an employee.

3. **Financial Exigency Termination.** The County may terminate the employment of any individual whose position is dependent upon funding by an agency other than the County wherein such funding is declined, withheld, or withdrawn. The County may also terminate the employment of any individual whose position is funded by the County's annual operating budget, but where funding for the position is eliminated, redesigned, withheld, or withdrawn by action of the Chester County Council because of financial exigency.
4. **Layoff or Reduction in Work Force Termination.** The County may terminate the employment of an individual when financial exigency, reallocation of resources, job obsolescence, or other conditions necessitate or warrant a layoff or reduction in the County work force.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-4

Effective Date: March 20, 2024

SUBJECT: EMPLOYEE ALCOHOL USE AND ALCOHOL TESTING

The abuse and misuse of alcohol is a very serious problem and is especially dangerous in the workplace. The County is committed to maintaining a safe and productive work environment. It is the policy of the County to establish and maintain alcohol free workplaces, to comply with applicable government regulations, and to prohibit the unauthorized, improper, or unlawful use of alcohol on County premises or time.

Any employee reporting to work under the influence of either alcohol or drugs may be terminated immediately.

General Rule

Effective immediately, all employees of Chester County are prohibited from using or possessing alcoholic beverages on County premises or at the time. (The term "County premises or time" includes County vehicles and private vehicles on County premises; parking lots and recreation areas; and any circumstances in which an employee is representing the County, such as attending off-premises business meetings or conferences.)

Furthermore, all employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. **(An employee shall be considered to be "under the influence of alcohol" if he has any detectable amount of alcohol in his system as determined by the published Federal Guidelines.)**

Current Employees

Effective immediately, all employees will be subject to alcohol testing where "particularized suspicion" of alcohol use in violation of this policy exists.

1. Particularized suspicion is deemed to exist when:
 - a. Information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant.

- b. A serious accident occurs due to the apparent fault of an employee. "Serious accident" is defined as: 1) an accident involving a fatality; 2) an accident-causing bodily injury which requires medical care away from the scene of the accident; 3) an accident causing total aggregate property damage of \$1,000 or more based on reliable estimates; or 4) an accident involving one or more Commercial Motor Vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.
 - c. An employee exhibits behavior consistent with alcohol use such as but not limited to:
 - (1) Erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.).
 - (2) The apparent odor of an alcoholic beverage on an employee's breath.
 - (3) Other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - d. An employee has admitted violating the County's alcohol policy.
 - e. An employee is arrested for or convicted of an alcohol related offense.
 - f. An employee has tested positive for alcohol in violation of this policy within the past five (5) years.
2. Particularized suspicion testing shall not be conducted without the approval of the County Administrator or his designee.

If an employee refuses to submit to an alcohol test when directed to do so, the employee shall be terminated.

Testing Procedure

- 1. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
- 2. Alcohol tests will be conducted to determine if an employee has violated this policy.
- 3. The County shall use only approved non-evidential screening devices or blood alcohol testing pursuant to this policy.

4. A non-evidential screening device will normally be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the County, then a confirmatory test will be conducted utilizing an EBT device, if available, or through blood alcohol level testing.
5. The EBT confirmatory test will be conducted by an individual properly certified to use the equipment.
6. A confirmatory test result generated through the use of an EBT which indicates a presence of alcohol in violation of this policy will be conclusive for purposes of this policy.

Notice To Employees

The County shall attempt to distribute to all present employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees that he will abide by the policy as a condition of employment.

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. The County may terminate an introductory employee who violates this policy.
- B. The County shall impose discipline up to and including discharge for a non-introductory employee who violates this policy.
 1. The County, in lieu of terminating an employee who has violated this policy, may suspend the employee, and condition his continued or future employment upon the successful completion of an alcohol counseling/rehabilitation program.
 2. If the County, after considering all of the relevant circumstances, allows an employee who has violated this policy to continue as a County employee, the County will do the following:
 - a. Refer the employee to a Substance Abuse Professional (SAP) for assessment and require the employee to follow the SAP's prescribed program of counseling/treatment.
 - b. Require the employee to execute a Second Chance Agreement.
 - c. Require the employee to authorize the Employee Assistance Program or other facility to report periodically to the County during the course of counseling/treatment.

- d. Conduct a Return-to-Work conference following the prescribed course of counseling/treatment.
 - e. Retest the employee for alcohol use in violation of this policy before allowing the employee to return to duty.
 - f. Require the employee to submit to unannounced follow-up alcohol testing for a period not to exceed five years. (The employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.); and
 - g. Employees who are offered participation in this program will be required to provide an authorization for the Privacy Officer in Human Resources and the County Medical Director under HIPAA. Without this authorization, employees will not be considered for the program.
- C. Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.
- D. An employee whose return-to-duty alcohol test indicates that the employee is in violation of this policy will be terminated.

Coming Forward with Alcohol Abuse Problems

Employees who have alcohol abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined but will be subject to Section (B) (2) of this policy.

If an employee admits to a violation of this policy or tests positive for use of alcohol in violation of this policy but seeks counseling and remains an employee of the County, the employee will be discharged if he again either admits to a violation of this policy or tests positive for alcohol in violation of this policy.

Confidentiality

Any alcohol test results or information supplied by employees as part of the County's alcohol testing program will be kept as confidential as possible, consistent with the purposes of this policy.

Testing Costs

Chester County will pay the costs of all alcohol tests to which the County requires an employee to submit. However, the employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to Section (B) (2) of this policy.

Not A Contract

Nothing contained in this policy or in any other policy creates a contract right. Consistent with South Carolina law, all employees are employed "at will," which means that the employee has the right to terminate his or her employment at any time, with or without notice or cause, and that the County retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the County Administrator following a proper vote by the County Council.

Employee Assistance Program

To prevent the negative effects of alcohol abuse, Chester County has implemented the above policy and made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations.

Periodically, the County will make available to employees' information regarding alcohol abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material. Information about the Employee Assistance Program is available through the County Human Resources Department or the First Sun EAP.

The use of illegal drugs and the abuse of alcohol are a serious threat to our nation's collective health, safety, and welfare. Alcohol use in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. To prevent these consequences of alcohol use and abuse, the County has implemented this policy. If you feel that you have a substance abuse problem, you need to get help.

For additional information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

1. National Clearinghouse on Alcohol and Drug Information: 1-800-729-6686.
3. National Council on Alcoholism: 1-800-622-2255.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-5

Effective Date: March 20, 2024

SUBJECT: Employee Drug Use and Drug Testing Policy

It is well recognized that drug abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of Chester County to comply with the Drug Free Workplace Act, to comply with applicable government regulations, to establish and maintain drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

For these reasons, the County adopts the following policy:

General Rule

Effective immediately, all employees of Chester County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.), synthetic drugs and prescription drugs which are not prescribed for the employee's use. This prohibition applies to use at any time, both on-the-job and off-the-job. County law enforcement employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Applicants for Employment

Effective immediately, the County will conduct pre-employment drug tests for all applicants tentatively selected for employment. The County shall not hire any applicant tentatively selected for employment who refuses to submit to a drug test or who tests positive for use of illegal or unauthorized substances. Any applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate he is no longer a user of any unlawful substances. (This may include participation in and successful completion of a rehabilitation program as well as a **negative drug test result**. Applicants will be required to provide an authorization under HIPAA. Applicants who fail to provide this authorization will not be considered for employment.

Current Employees

Effectively immediately, all County employees will be subject to drug testing by urinalysis where “particularized suspicion” of drug use in violation of this policy exists or under other lawful conditions.

Particularized suspicion is deemed to exist when:

- Information that an employee has used illegal drugs or substances is provided by a reliable informant.
- A serious accident occurs due to the apparent fault of the employee as determined by the County.

“Serious Accident” is defined as:

- An accident involving a fatality.
- An accident-causing bodily injury which requires medical care away from the scene of the accident.
- An accident resulting in aggregate property damage of \$1,000 or more based on reliable estimates.
- An accident in which one or more motor vehicles incurs disabling damage because of the accident, requiring the towing of one or more of the vehicles from the scene by a tow truck or other vehicle.

An employee exhibits mental or physical symptoms including but not limited to:

- Extreme mood swings
- Slurred speech
- Unusual clumsiness
- Staggering
- Dilation of pupils
- Sleeping on the job, giving the appearance of sleeping on the job or lethargy
- Excessive unexplained sweating
- Other aberrational behavior

An employee has been arrested for violation of drug laws.

An employee has admitted violating the County’s drug policy.

An employee has tested positive previously for illegal drugs within the past five (5) years.

Particularized suspicion testing shall not be conducted without the approval of the County Administrator or his designee(s).

If an employee refuses to submit to a drug test when ordered to do so, the County shall terminate the employee.

Testing Procedure

1. Drug testing will be by urinalysis or other approved methods.
2. The collection of samples will be performed under reasonable and sanitary conditions.
3. Urine normally will be collected under conditions of semi-privacy – that is, a person of the same gender will be able to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule.
4. Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing company. Labeling, storage, and transportation of samples shall be performed to reasonably preclude the probability of erroneous identification, sample contamination, or sample adulteration.
5. Specimens will be checked using a minimum of five (5) panel drug screens.
6. Applicants and employees will have an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
7. Samples which initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer shall be conclusive for all employment-related purposes.
8. The County's Medical Review Officer will normally allow an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the County.

Notice to Employees

The County shall attempt to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work,

the employee agrees that he will abide by the policy as a condition of employment.

Notice to Employer, State and Federal Grantor/Contracting Agencies, and Law Enforcement Authorities

As a condition of employment, employees agree to notify the County within five (5) calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The County shall notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

The County shall notify law enforcement authorities whenever illegal drugs are found in the workplace.

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. For introductory employees, the County shall terminate the employee if he is found to be in violation of this policy.
- B. For all other employees, the County shall impose discipline up to and including discharge for an employee who is found to be in violation of this policy.
 - 1. The County, in lieu of terminating an employee, may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of a drug counseling/rehabilitation program.
 - 2. If the County, after considering all the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as a County employee, the County will do the following:
 - (a) Refer the employee to a Substance Abuse Professional for assessment and require the employee to follow the SAP's prescribed program of counseling/treatment.
 - (b) Require the employee to execute a Second Chance Agreement.
 - (c) Require the employee to authorize the Employee Assistance Program (EAP) or other facility to report periodically to the County during the course of counseling/treatment.

- (d) Conduct a Return-to-Work conference following the prescribed course of counseling/treatment.
- (e) Retest the employee for controlled substances in violation of this policy before allowing the employee to return to duty.

- (f) Require the employee to submit to unannounced follow-up drug testing for a period not to exceed five (5) years (the employee will be solely responsible for the total cost of all follow-up drug tests conducted pursuant to this policy.); and
- (g) Employees who are offered participation in this program will be required to provide an authorization for the Privacy Officer in Human Resources and the County Medical Director under HIPAA. Without this authorization, employees will not be considered for the program.

Any employee working under the Second Chance Agreement remains an at-will employee. The Second Chance Agreement does not guarantee continued employment as all the employees of the County are at will.

3. Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.
4. An employee whose return-to-duty test sample does not indicate that the employee has discontinued use of illegal drugs, or the illegal use of prescription drugs will be terminated.

Coming Forward with Substance Abuse Problems

All employees who have substance abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, normally will not be disciplined upon the first violation but will be subject to Part (2)(b) of this policy.

If an employee admits to a violation of this policy or tests positive for drugs in violation of this policy but seeks counseling and remains an employee of the County, the employee will be discharged if he again either admits to a violation of this policy or tests positive for drugs in violation of this policy.

Confidentiality

Any drug test results or information supplied by employees and applicants as part of the County's drug testing program will be kept as confidential as possible, consistent with the purposes of this policy.

Testing Costs

The County will pay the costs of all drug tests to which the County requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to Part (2) (b) (5) of this policy will be solely responsible for the cost of all follow-up tests.

Notification of Results

Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.

Employees will be notified of the results [including the drug(s) discovered] of all drug tests, provided the results are positive.

Employee Assistance Program

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. To prevent these consequences of drug abuse, the County has implemented the above policy and made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations.

Periodically, the County will make available to employees' information regarding alcohol abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material. Information about the Employee Assistance Program is available through the County Human Resources Department or the First Sun EAP.

1. For additional information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) in identifying sources for treatment and assistance.

Set forth below is a list of organizations that may provide information or referrals.

- A. National Clearinghouse on Alcohol and Drug Information: 1-800-729-6686.
 - B. National Council on Alcoholism: 1-800-622-2255.
2. Periodically, the County will make available to employees' information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

Not A Contract

Nothing contained in this policy or in any other policy creates a contract right or property interest in employment. Consistent with South Carolina law, all employees are employed "at will," which means that the employee has the right to terminate his or her employment at any time, with or without notice or cause, and that the County retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the County Administrator following a proper vote by the County Council.

COUNTY OF CHESTER PERSONNEL MANUAL

POLICY NUMBER: 6-6

Effective Date: March 20, 2024

SUBJECT: Employee Tobacco Product Usage

To protect the health of employees and citizens, the County of Chester has specific policies regarding the use of tobacco products.

1. The use of tobacco products is prohibited in all County buildings and vehicles and equipment owned by the County. Tobacco products are defined as, but not limited to:

Cigarettes, cigars, pipes, chewing tobacco, snuff, and products known as E-Cigs, E-Cigarettes, or Electronic Cigarettes.

“No Smoking” signs shall be conspicuously displayed in all buildings.

2. The County prohibits smoking within fifty (50) feet of the entrance of any County owned or leased facility. County facilities include but are not limited to, all county owned or leased properties that are funded in whole with public funds and operated by the County: offices, elevators, courtrooms, lunchrooms, restrooms, playgrounds, ball fields, recreational facilities, and the like. Violations shall be punishable by a fine of up to \$100. 00 for each violation. County employees are reminded that this policy shall be strictly enforced.
3. There shall be no “spitting” or disposing of liquid tobacco products in County trash receptacles due to the danger of contracting contagious diseases and the un-cleanliness of such actions.

The Employee Assistance Program (EAP) through First Sun is available to all County employees who wish to join in a tobacco cessation program.

The County does not discriminate against individuals based on their abuse of legal products, such as tobacco, if the use occurs during nonworking time and off the County premises. Employees may contact the Human Resources Department for information regarding the effects of tobacco use and the availability of tobacco use cessation.

REPEAL AND AMENDMENT

Chester County Council may from time-to-time repeal or amend the policies and procedures of the County as deemed necessary. Amendment and/or repeal of these policies and procedures shall be done by resolution and be incorporated into this Manual by reference, as appropriate.