

EMPLOYEE RELATIONS POLICY

DIVISION: Employee Relations
AUTHORITY: Res. #2020-229

EFFECTIVE: January 1, 2021
REVISED:

Purpose

Scott County strives to be an employer of choice, supporting, encouraging, and engaging employees through focused employee investments and workplace programs and offerings that promote and foster individual and organizational well-being. The net result of this is public service excellence. The County promotes the Total Rewards philosophy for employees which includes compensation, employee benefits, training and professional development, and the work environment.

This policy is to ensure that all elected officials, appointees, and employees are aware of the numerous programs offered and expectations to meet the requirements of this policy and to implement a personnel rules policy in compliance with Minn. Stat. Secs. 375.56 to 375.71. For the purpose of this policy, the term “employee” applies to elected officials, appointees, and employees.

Scope

This policy applies to all County elected officials, appointees, and employees. In addition, the ADA portion of this policy specifically applies to consultants, contractors, and vendors, as well as customers and visitors, to any County facility and where County business is being conducted. This policy applies within all County facilities, all other locations where County business is being conducted, and any time County status is recognized.

The Employee Relations Director, in consultation with the County Administrator, may make exceptions to policy and policy procedures given unique and unforeseen circumstances.

Policy Procedures

Since all possible situations may not be anticipated, it is the responsibility of every elected official, appointee, and employee to exercise careful judgment and to immediately discuss questionable situations with their supervisor. The [Employee Relations Procedures](#) include representative examples of situations which may occur in public employment.

Supervisory Responsibility

Supervisors, managers, and directors are expected to administer this policy and are responsible to ensure that all employees are made aware of this policy and are advised of its requirements.

Employee Responsibility

Employees are expected to read, understand, and follow this policy as stated. Since all possible situations may not be anticipated, it is the responsibility of every employee to exercise careful judgment and to immediately discuss questionable situations with their supervisor.

Policy

Definitions (Policy procedures)

Americans With Disabilities Act: In compliance with State and Federal regulations, the County prohibits discrimination in access to services, programs, activities, and employment in the areas of application, hiring, training and professional development, compensation, promotions, benefits, or separation from employment of qualified individuals with disabilities. The County will provide reasonable accommodation to qualified individuals to ensure equal access to services and employment opportunity, provided such accommodation does not create an undue hardship for the County. (Policy procedures)

Compensation: Employees shall be provided fair and equitable compensation. Compensation shall recognize employee performance including established job tasks, work behaviors, and the achievement of pre-established strategic goals. Administration of overtime pay shall be in accordance with the [Federal Fair Labor Standards Act \(FLSA\)](#). (Policy procedures)

Employee Discipline: Employees may be subject to disciplinary action by departmental or administrative authority pursuant to procedures established by the Employee Relations Director. (Policy procedures)

Employment Benefits: Scott County's Total Rewards philosophy includes a comprehensive benefit package for eligible employees. These benefits, together with base salary, signify an organizational investment in total compensation, which assists in recruitment and retention of employees in a competitive labor market. The County Board establishes rates and contributions towards health insurance, dental insurance, life insurance, long-term disability, and the Health Care Savings Plan (HCSP); and authorizes flex spending programs, paid time off (PTO) program provisions, and County-paid holidays. The County Board also approves administration of optional benefits and PERA pension plans in accordance with state and federal guidelines. (Policy procedures)

Equal Employment Opportunity: Scott County provides equal employment opportunities to all qualified applicants and employees without regard to race, color, creed, religion, national origin, marital status, disability, public assistance status, age, sex, sexual orientation, gender identity, transgender status, and/or familial status, except in the instance of a bona fide occupational qualification necessary for proper and efficient administration. "Equal Employment Opportunity" under this policy includes recruitment, selection, placement, promotion, pay, transfer, termination, layoff, return from layoff, conditions and privileges of employment, training and professional development programs and all other areas of personnel activities, in accordance with federal, state, and local laws and policies of the County. (Policy procedures)

Flexible Work Arrangements: The County supports workplace flexibility to promote a highly productive work environment that allows people to manage their work and personal obligations while offering workforce dependability and high quality public services. Such arrangements offer alternative approaches to completing work. Not all positions will be suitable for flexible work arrangements. The County will assess flexible work arrangements on a periodic basis to ensure the needs of public service are being met. Flexible work

arrangements do not change or alter other terms and conditions of employment as outlined in applicable collective bargaining agreements and County policy. ([Policy procedures](#))

Grievance Procedure: The County shall have procedures for filing grievances that are otherwise not covered by collective bargaining agreements. A grievance is a dispute or disagreement raised by an employee or group of employees against the County because of an alleged violation of policy/policies. ([Policy procedures](#))

Hours of Work: Scott County is accountable to the public for proper use of taxpayer funds, including hours worked by its employees and the services provided to the public by County employees. Hours of work must be responsive to County business needs and can be changed at any time by the supervisor. Nothing herein shall be construed as guaranteed hours of work. Also see [Employee Relations Policy – Flexible Work Arrangements](#) and [Administrative Policy – Hours of Operation](#). ([Policy procedures](#))

Job Classification: The County seeks to ensure that appropriate relationships among positions are established and maintained by using a Job Evaluation System to maintain compliance with the Local Government Pay Equity Act Minn.Stat. 471.991 – 471.999 and Minnesota Rules Chapter 3920. ([Policy procedures](#))

Leaves of Absence: Employees are provided reasonable and necessary time off for leaves of absences balancing individual and business needs. ([Policy procedures](#))

Performance Evaluations: The performance evaluation system is an integral part of the employee-employer relationship and shall be used to measure overall work performance, develop and evaluate employee work performance goals, and promote employee development. Any employee's salary adjustment will be based upon an evaluation of the employee's overall work performance. ([Policy procedures](#))

Phased Retirement Option ([Policy procedures](#))

Recruitment, Selection, and Hiring: The County shall recruit, select, and hire the best-suited candidates for employment. Recruitment and selection shall be conducted in a manner that ensures open competition, provides equal employment opportunity, and prohibits discrimination. Recruitment, selection, and hiring is a shared and collaborative process between the hiring manager/supervisor and Employee Relations. The County Board is the final authority in the hiring process and all offers of employment are contingent on County Board approval. The last step in the selection process is the probationary period. This probationary period gives the manager/supervisor an opportunity to determine whether to grant or deny permanent status. The determination of the hiring manager/supervisor shall be final. ([Policy procedures](#))

Separation of Employment: Employees may be separated from County employment due to resignation, retirement, termination, or layoff. The County Board is responsible for setting the maximum hours to be paid out upon separation. Upon separation of employment, permanent employees are entitled to payment of unused PTO up to a maximum of 480 hours/60 days paid at current rate if leaving in good standing. Extended sick hours are never paid out as separation pay. ([Policy procedures](#))

Training and Professional Development: Scott County is committed to providing employees with training and professional development opportunities to enhance their knowledge, skills, and abilities. ([Policy procedures](#))

The general public purpose of the policies adopted and enacted by Scott County are to facilitate activities that benefit the community as a body and, at the same time, are directly related to the functions of the County.

Employee Relations Procedures

Definitions

Unless the context clearly indicates otherwise, the terms and phrases used in the Employee Relations Policy, including these procedures, shall have the following meanings:

Dates

- **Hire Date**: Date of hire with the County with uninterrupted service.
- **Anniversary/Classification Date**: The date from which there is uninterrupted continuous employment in a job classification. An employee's anniversary date is equivalent to classification date and shall not be changed during paid or unpaid leaves of absence.
- **Performance Review Date**: Date employee's next performance evaluation is due.

Days: Unless otherwise indicated, means Monday through Friday exclusive of County holidays.

Demotion: The involuntary movement of an employee in a classified position to a classified position having a lower pay grade.

Eligible List: A list of names of eligible applicants for a specific job classification or position, showing date of eligibility, and rating.

Exempt Employees: Those whose job assignments and compensation meet the federal requirements for overtime exemption.

Full-Time Classified Employment: Classified budget authorized position with a work week of 40 hours scheduled on a regular basis.

Full-Time Equivalency (FTE): Full-time positions are 1.0 FTE. Part-time positions vary based upon the number of hours authorized. For example, a 28-hour per week position is .70 FTE.

Intermittent Employment: Unclassified part-time, .35 full-time equivalency (FTE) and less, for an indefinite period of time.

Job Description (JD): A document describing either a job classification or a specific job. It includes job summary, essential duties, minimum qualifications, supervisory controls, core competencies and abilities, and work environment and physical demands.

Job Description Questionnaire (JDQ): A tool used to gather information about a position or job classification for job evaluation.

Job Evaluation: The systematic process used to establish internal equity among jobs and the foundation for the development of an overall classification hierarchy.

Lateral Move: The movement of an employee from one classification to a different classification at the same pay grade.

Layoff: Separation of an employee from active employment due to a reduction or lack of work, lack of funds, the abolishment of a position, or an organizational change.

Leave of Absence: Temporary absence from active working status, authorized by proper authority. It may be one of several types and be with or without pay.

Lump Sum: A percentage calculated using the employee's base rate of pay prior to any base adjustment. This amount is not added to the employee's base salary.

Non-Exempt Employees: Those whose job assignments and compensation meet the federal requirements for overtime compensation.

Open Competitive Exam: An examination or rating process open to all applicants.

Organizational Unit: Defined as Administration, Attorney's Office, Community Services, Health and Human Services, Office of Management and Budget, Planning & Resource Management, Sheriff's Office, Transportation Services, and others as designated by the County.

Part-Time Classified Employment: Classified budget authorized position with a work week of less than 40 hours, but greater than 14 hours (greater than .35 FTE), scheduled on a regular basis.

Pay Grade: The range of pay assigned to a job classification.

Performance Evaluation: A tool and activity used by supervisors/managers to identify and measure employee overall work performance, to develop and evaluate performance goals, and to promote employee development.

Probationary Period: A working period to determine if certification for permanent status is warranted.

Promotion: The movement of an employee in a classified position to a position of another classification having a higher pay grade.

Qualified Applicant: An applicant who has met the minimum qualifications.

Reassignment: The movement of an employee in a classified position from a position in one job classification to another position in the same job classification in the same organizational unit and may be made by the appropriate supervisor.

Referred List: A list of names and application materials of the top scoring applicants, plus ties and qualified internal applicants, that are forwarded to the hiring manager/supervisor for consideration for hire.

Resignation: Voluntary separation from County employment at the request of the employee.

Seniority: The length of uninterrupted continuous employment in a job classification. The following types of leaves shall continue to accrue seniority: any paid leave, any unpaid leave of 40 hours or less, medical leave without pay, leave pursuant to the Family and Medical Leave Act, and military leave.

Separation: Separation of the employment relationship with the County as a result of resignation, retirement, layoff, or termination.

Temporary Employment: Unclassified employment that may be full-time or part-time up to and including 1.0 full-time equivalency, for a limited time typically not to exceed six months.

Transfer: The movement of an employee in a classified position to a position in the same classification in a different organizational unit.

Veteran: Individuals who are entitled to veteran's preference pursuant to Minn. Stat. 43A.11 and Minn. Stat. 197.447 – 197.481.

Voluntary Reduction: The voluntary movement of an employee in a classified position to a position having a lower pay grade.

Wage Status: Type of compensation for the job classification as established by the Fair Labor Standards Act (FLSA). "Salary" indicates that the job classification is salaried and is exempt from the overtime provisions of FLSA; "Hourly" indicates that the classification is paid hourly, or non-exempt from FLSA overtime provisions.

Americans With Disabilities Act (ADA)

The ADA provides protections for individuals with a qualified disability. In addition, individuals with disabilities are protected under Section 504 of the Rehabilitation Act of 1973 and the Minnesota Human Rights Act.

Disability: Under the Americans with Disabilities Act, the definition of the term "disability" is very specific. The ADA defines a person with a disability as someone who:

1. has a physical or mental impairment that substantially limits one or more major life activities; or
2. has a record of such a physical or mental impairment; or
3. is regarded as having such a physical or mental impairment.

Essential Functions: These are the core job responsibilities which define the position. Factors which show that a function is essential are: (1) that it is the reason the position exists; (2) there are a limited number of other employees available to perform it; (3) a high degree of skill or expertise is required.

Qualified Individual With a Disability: A disabled person who also meets legitimate skill, experience, education, and other job-related requirements of an employment position and who can perform the "essential functions" of the position with or without reasonable accommodation is a qualified individual with a disability. A disabled person who otherwise meets eligibility requirements for services is a qualified individual with a disability. If the individual is qualified to perform essential job functions except for limitations caused by a disability, the employer must consider whether the individual could perform those functions with a reasonable accommodation.

Reasonable Accommodation: An employer must make a reasonable accommodation for a qualified applicant or employee with a disability unless it can be shown that the accommodation would cause an undue hardship for the employer.

Undue Hardship: An accommodation which would be excessively costly, extensive, substantial, or disruptive, or would fundamentally alter the nature of the operation of the department.

Considerations

A. Job Applicants:

- Upon approval to post for a vacancy, the hiring manager/supervisor will meet with Employee Relations to confirm essential job functions of the vacant position.
- An applicant must request an accommodation to the Employee Relations or hiring manager/supervisor. The request may or may not use the word accommodation or

reference ADA. Anytime an applicant indicates a concern that is related to a medical condition or disability, the County staff should ask whether the applicant is making a request for accommodation under the ADA. Requests to the department should be referred to the Employee Relations.

- Employee Relations will consult with the hiring manager/supervisor and the Employee Relations Director as necessary to determine what reasonable accommodation can be provided.
- Employee Relations will assist in reviewing appropriate/inappropriate interviewing techniques and procedures as they relate to the ADA.

B. Employees:

The employee must request an accommodation to Employee Relations. The request may or may not use the word accommodation or reference ADA. Anytime an employee indicates a problem that is related to a medical condition, Employee Relations should ask whether the employee is making a request for accommodation under the ADA. Employee Relations will consult with the employee's supervisor and their department manager to determine if reasonable accommodation can be provided.

C. Documentation:

Employee Relations may require medical information from a competent certified healthcare provider outlining the restrictions.

D. Data Practices:

Under the Minnesota Government Data Practices Act, all records pertaining to applicants' or employees' disabilities are private and non-public. When such written data is kept on an applicant or employee, it will be properly maintained in a secured area.

E. Complaint Procedure:

The County has an internal grievance procedure which provides for the resolution of complaints alleging that an otherwise qualified person was discriminated against due to a disability. Applicants and employees shall be directed to the Grievance Procedure ([Link](#)).

Complaints alleging violation of this ADA Policy and Procedure for all others may be addressed to:

Scott County Administrator
Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota 55379-1220
Phone: (952) 496-8100

1. Complaints should contain the name and address of the complainant and should briefly describe the alleged violations of the policy.
2. Complaints should be filed within ten days after the complainant becomes aware of the alleged violation.
3. An investigation, as directed by the County Administrator, will be made upon the filing of a complaint. This complaint procedure is an informal but thorough investigation affording all interested persons and their representatives an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution shall be issued by the County Administrator with a copy to the complainant no later than ten

days after its filing. The County Administrator shall maintain complete records relating to complaints filed.

5. The right of an individual to a prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the pursuit of other remedies, and utilization of this complaint procedure is not a prerequisite to the pursuit of other remedies.
6. This complaint procedure shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Scott County complies with Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act, and the Minnesota Human Rights Act.

If an individual determines it necessary, they can pursue the matter directly with the Equal Employment Opportunity Commission (EEOC), Department of Justice, or the Minnesota Department of Human Rights.

Compensation and Performance Evaluations

Public Accountability Statement

Scott County is committed to the standards of public accountability (29 C.F.R. 541.710) and the effective and efficient use of public funds in order to serve the public interest. This notion of accountability includes the hours worked by its employees and the services provided to the public. Proper use of taxpayer funds is paramount. Employee work schedules are established for the efficient, effective, and responsive delivery of public services.

Plan Adoption/Modifications

The Employee Relations Director will annually review the Employee Relations Policy and Procedures – Compensation and Performance Evaluations, Compensation Grade Schedule (salary ranges), and Merit Increase Matrix. Recommended changes to the Policy will be proposed to the County Board for approval.

The County Board shall annually adopt a Compensation Grade Schedule establishing rates of pay for Grades and a Merit Increase Matrix to reflect: [\(RBA/Resolution\)](#)

- A. The prevailing rates of pay in both public and private competitive labor markets;
- B. The financial condition and fiscal policies of the County; and
- C. Other pertinent economic considerations.

Pay Grades and Ranges

The Compensation Grade Schedule consists of 21 pay grades with corresponding ranges of pay. Each pay grade shall have a Minimum, Midpoint, 110% of Midpoint, Maximum, and Performance Maximum rate of pay. Grade assignments are determined through job evaluation system.

- **Minimum:** The minimum base pay opportunity of the pay grade.
- **Midpoint:** Market influenced control point for pay grades.
- **110% of Midpoint:** The maximum base pay opportunity for an overall Meets Expectations performance evaluation.
- **Maximum:** The maximum base pay opportunity for an overall Exceeds Expectations performance evaluation.

- **Performance Maximum:** The maximum base pay opportunity for an overall Outstanding performance evaluation.

Base Salary and Equivalents

Salary rates shall be computed on an annual basis, rounded to the nearest whole dollar. The hourly rate equivalent shall be computed by dividing the annual base by 2080.

Effective Date of Pay Actions

All payroll actions shall become effective on the date specified.

Starting Salary

Upon entry into County service, the starting salary shall be set based on education and experience of the applicant, internal equity, and market as follows:

- Up to and including the Midpoint of the respective pay grade shall be authorized by the hiring manager/supervisor.
- Greater than the Midpoint, up to and including the Maximum of the respective pay grade, shall have prior authorization of the Employee Relations Director.
- Greater than the Maximum, up to and including the Performance Maximum of the respective pay grade, shall have prior authorization of the County Administrator in consultation with the Employee Relations Director.

Salary Adjustments

Compensation shall reflect the performance of that employee as documented through the performance evaluation process. Upon recommendation of the supervisor and authorization by the Employee Relations Director, salary adjustments in accordance with the Compensation Grade Schedule and Merit Increase Matrix may be made as follows:

A. Salary Review and Performance Criteria

The performance evaluation system shall be based on job classification, job descriptions, and overall work performance, including job tasks, work behaviors, and strategic goals. The performance evaluation system is designed to assist each employee in reaching maximum potential, identify training and development needs, and to maximize the ability of the County to provide services to the public.

Employees and supervisors shall engage in an interactive evaluation of the employee's work performance, including job tasks, work behaviors, and progress toward meeting goals at least once each year. An employee's salary adjustment will be based upon an evaluation of the employee's overall work performance in relation to job tasks, work behaviors and the achievement of pre-established goals.

Employee performance goals are established by the employee's supervisor as part of the evaluation process. Performance goals shall be specific, clear, measurable, include timelines, related to quality and quantity of work performed, and align with the County's Goal, Vision, Mission, Values, and Objectives.

Permanent employees shall be eligible for merit increases, based upon the Merit Increase Matrix, on an annual basis of March 15, or another date designated by Employee Relations or the supervisor/manager.

Employees serving a probationary period, shall receive a minimum of two performance evaluations. Probationary employees that successfully meet requirements of the job/position, and are certified to permanent status, are eligible for a merit increase at 12 months.

Performance evaluations shall be recorded in writing in the form and manner established by Employee Relations. The performance evaluation materials completed by the supervisor shall be returned to Employee Relations for inclusion in the employee's personnel file.

Performance Ratings:

Evaluations of employee performance shall be based upon the performance evaluation system. The follow rating scale is to be used with performance rating criteria in the first part of the Performance Evaluation Form. There are additional tools on [SCOOP](#) (located at Employee Relations/Forms/Evaluations).

NEEDS IMPROVEMENT	MEETS PERFORMANCE EXPECTATIONS	EXCEEDS PERFORMANCE EXPECTATIONS	OUTSTANDING PERFORMANCE
Performance needs improvement, although certain components of performance may be acceptable or improving. May require ongoing direction and/or regular follow-up.	Performance meets performance expectations all or almost all the time and occasionally may exceed expectations. Able to initiate and perform job duties with minimal direction. Possess core competencies for the position.	Performance frequently exceeds the expected level of the position. Individual has extensive knowledge of the position. Performance may, at times, be outstanding. Able to initiate and perform work independently.	Performance consistently far exceeds job requirements. Individual demonstrates mastery of the position. Employee is outstanding in both tasks and behaviors.

The following is to be used with performance goals. There are additional tools on [SCOOP](#) (located at Employee Relations/Forms/Evaluations).

Goals:

Big-picture, plan-able, things you want to achieve in the future, not on your daily tasks list. They should be specific, clear, and measurable. They should include a timeline.

Results:

Outcomes expected when meeting the goal.

Tasks:

These are actions on your daily list. Something you do and act on, and may be building blocks to reach your goals.

Permanent employees who receive an overall rating of Needs Improvement performance evaluation may elect to grieve the performance review in accordance with the provisions of the Employee Relations Policy and Procedures – Grievance Procedure.

Permanent employees who receive an overall rating of Meets Performance Expectations, Exceeds Performance Expectations, or Outstanding Performance evaluation may seek review of the supervisory recommendation by the Division Director. The Division Director shall review the evaluation information and procedures, and affirm the evaluation and recommendations of the supervisor or remand the evaluation and recommendations back to the supervisor for further consideration.

Pay-for-Performance Adjustments:

Each cell of the Merit Increase Matrix identifies compensation adjustment based upon evaluation of employee performance. Each matrix cell may contain two compensation adjustment options.

The first option is an increased percentage of the employee's base rate of pay (Base Adjustment); the second reflects the percentage available in lump sum (Lump Sum Action).

Salaries Below the Pay Grade Minimum. At the beginning of a compensation plan year, any employee compensated at a rate less than the minimum of the pay grade to which the position occupied by the employee is assigned, shall be automatically adjusted to the minimum of the pay grade.

Calculation of Merit Increases. Salary increases for employees whose salary is below the Midpoint of the appropriate pay grade will be calculated based upon the Midpoint. Salary increases for employees whose salary is at or above the Midpoint and below the Performance Maximum of the appropriate pay grade will be calculated based upon the employee's base salary.

- "Meets Performance Expectations" Rating. Base salary increases shall be available only to 110% of the Midpoint with a "Meets Performance Expectation" rating. The remainder of the merit increase, if any, shall be paid to the employee as a lump sum payment.
- "Exceeds Performance Expectations" Rating. Base salary increases shall be available only to the Grade Maximum with an "Exceeds Performance Expectations" rating. The remainder of the merit increase, if any, shall be paid to the employee as a lump sum payment.
- "Outstanding Performance" Rating. Base salary increases shall be available only to the Performance Maximum. The remainder of the merit increase, if any, shall be paid to the employee as a lump sum payment.

Base Adjustment – Except salaries and rates below the pay grade midpoint, the Base Adjustment is a percentage calculated on the employee's base rate of pay. This amount is added to the employee's base salary.

Lump Sum Actions – The Lump Sum Action is a percentage calculated on the employee's base rate of pay prior to any base adjustment. This amount is not added to the employee's base salary.

B. Approval Process

All performance review and salary increase documentation require recommendation and approval of the supervisor. Departments/divisions may require additional approvals.

1. An employee who is promoted, reclassified upwards, or has a lateral move may be eligible for a salary adjustment administered as follows: (See Definitions.)
 - Up to and including the Midpoint of the respective pay grade shall be authorized by the hiring manager/supervisor.
 - Greater than the Midpoint, up to and including the Maximum of the respective pay grade, shall have prior authorization of the Employee Relations Director.
 - Greater than the Maximum, up to and including the Performance Maximum of the respective pay grade, shall have prior authorization of the County Administrator in consultation with the Employee Relations Director.

The employee's classification date shall change to the effective date of the promotion or lateral move.

The employee's classification date shall not change due to reclassification.

2. When the job evaluation results in the downward movement of a Position, the pay rate of the employee reclassified shall be the employee's current salary or the Maximum of the pay grade to which the position was reclassified, whichever is lower.

The employee's classification date shall not change.

3. An employee who is transferred shall remain at the same salary rate unless authorized by the Employee Relations Director.

The employee's classification date shall not change.

4. The pay rate of an employee who is demoted shall be the lesser of the employee's existing pay rate or the Maximum of the pay grade to which the employee is demoted. Any subsequent salary adjustments shall be made in accordance with the provisions of the Employee Relations Policy and Procedures - Compensation.

The employee's classification date shall change to the effective date of the demotion.

5. The pay rate of an employee accepting a voluntary reduction shall be mutually agreed upon by the employee and the hiring manager/supervisor. In no event shall the pay rate exceed the Maximum of the pay grade.

The employee's classification date shall change to the effective date of the voluntary reduction.

Court Duty

Any absence, whether voluntary or by legal order to appear or testify in private litigation, not in the status of an employee, shall be charged against accumulated PTO or be without pay.

Federal Emergency Management Agency (FEMA)

During certain preplanned events, contracted services, or emergency operations the County Administrator or their designee may authorize additional hourly compensation for FLSA exempt employees for hours worked beyond 80 hours within a pay period. The authorization for additional compensation shall be limited to hours worked on the authorized project, during the authorized time period, for the authorized individual(s). Additional compensation under this provision shall be paid at 1x the regular rate of hourly pay.

JAF Shift Differential

Employees who work at the JAF and are required to work the majority of hours between 3:00 p.m. and 8:00 a.m. shall receive a shift differential of \$1.25 for each hour worked in that shift.

On-Call and Call-In Pay

A. Definition of On-Call Pay

An employee assigned by their supervisor to be on-call must respond to calls immediately and must arrive at the work site, if necessary, within one hour. The employee must arrive to work fit for duty and must adhere to County policies and procedures and applicable collective bargaining agreement provisions.

B. On-Call Pay

Outside of normal work hours, employees assigned to be on-call, shall be compensated for on-call status at the rate of \$2.00/hour. On-Call Pay may be provided to exempt/salaried and non-exempt/hourly staff.

To use this provision, the supervisor must notify payroll staff via email to activate On-Call Pay as a time-entry option (employeerelationspayroll@co.scott.mn.us).

C. Call-In Pay

Non-exempt employees called back to work outside of the employee's regular shift shall be paid at straight time for the time worked or a minimum of two (2) hours, whichever is greater. Overtime compensation is applicable only when the total hours worked for the week exceed 40 hours. This provision shall not apply to an extension of shift or early report to a regularly scheduled shift.

Non-exempt employees that work from home shall code hours worked at home as straight time. Overtime compensation is applicable only when the total hours worked for the week exceed 40 hours.

D. Travel Time Hours/Commute Time

Travel from home to the employee's worksite is not work time. This includes travel time when an employee has gone home after work and is called in to work to perform an emergency job.

Working Out-of-Class

The Employee Relations Director may authorize a working out-of-class designation in the event an employee is assigned by a supervisor to perform the majority of the duties and responsibilities of a position in a higher classification for an extended period of time. Out-of-class is not intended for short-term coverage (e.g., to cover another employee's job duties during a vacation).

In some cases, working out-of-class is the result of an employee on a long-term leave of absence or a temporary vacant position.

The County may provide additional compensation to the assigned working out-of-class employee dependent upon several variables, including but not limited to, the work duties, special skills required, duration of the assignment, and the employee's job performance. Some assignments may be part-time, and the employee may receive the adjusted salary only when performing the higher level job duties.

An employee's classification date does not change due to out-of-class assignments.

Where out-of-class work is being considered, the supervisor shall consult with Employee Relations regarding the justification for out-of-class pay. Individual departments/divisions may require additional approval. The supervisor is responsible to submit the Position Action Form (PAF) to Employee Relations. All out-of-class assignments and salary adjustments require prior approval by the supervisor and Employee Relations Director.

Overtime

Each non-exempt employee is expected to work according to the days and hours assigned by their supervisor and to begin and end work according to that schedule. Non-exempt employees are paid on an hourly basis and accrue overtime (OT) pay for hours worked over 40 in a workweek. Non-exempt employees may flex time within the same workweek or may receive compensatory time with prior approval of their supervisor.

The regular work week for full time non-exempt employees shall be 40 hours. OT pay at time and one half (1.5x) regular rate shall be paid to such employees for authorized and approved time worked over 40 hours per week. OT will be included with regular pay and will be paid on normal paydays for overtime worked.

Non-exempt employees may be permitted to receive compensatory time in lieu of overtime pay under the following conditions:

- A. The employee's position does not require backfilling by another hourly employee at OT pay.
- B. The supervisor has granted approval for accrual of compensatory time in lieu of OT pay based upon the operational or business needs of the department.

Compensatory time hours will accrue at a rate of one and one-half hours (1.5x) for every hour of overtime worked. Employees may accrue a maximum of 40 hours of compensatory time. If the maximum accrual amount has been reached, no further compensatory time hours may be earned and any subsequent OT worked will be paid at time and one half (1.5x) the regular rate on normal paydays.

An employee desiring to use compensatory time hours must use the same departmental procedure used for requesting time off. Supervisors will approve or deny compensatory time off requests in the same manner used for other time off requests.

Compensatory time hours used in a week do not count toward the total hours worked in that week to qualify for OT compensation.

Compensated holidays shall be considered as hours worked in the determination of 40 hours of work required to qualify for OT premium, except for 24/7 operations due to unique scheduling when holidays do not count in the calculation of overtime.

Each exempt employee is expected to work their regularly assigned workday schedule. Exempt employees receive a salary for all hours worked and are expected to work a minimum of 80 hours in a pay period and additional hours as necessary to fulfill their job responsibilities. Exempt employees are not eligible for OT pay.

Exempt employees will not be paid based on hours worked but will be paid for the full pay period except while on a non-paid employment status. Exempt employee work hours and work assignments shall be administered at the discretion of the designated supervisor or the department manager.

Exempt status designations shall be administered in accordance with FLSA. Details can be found at www.dol.gov/whd/flsa/.

Temporary and Intermittent Employees

Compensation will be administered based upon job market and internal equity.

Compensation Errors

If errors occur in the calculation of an employee's compensation, the County retroactively corrects any overpayment or underpayment for a period of two years preceding the date the error was discovered. Employees shall notify Employee Relations of any errors.

Plan Exceptions

The County Administrator, in consultation with the Employee Relations Director, may approve exceptions to compensation policy and procedures. These will generally involve internal equity considerations, unusual circumstances, or emergency situations.

When determined appropriate by the County Board, the rate of compensation for a position assigned to a job classification may be adjusted to reflect:

- A. The recruiting and retention experience of the County.
- B. Other pertinent economic considerations.

Employee Discipline

A County employee may be subject to disciplinary action by departmental or administrative authority for failure to meet expectations. Except for probationary and unclassified employees, all disciplinary action shall be for "just cause" and shall be subject to review through the grievance procedure. Employee Relations shall be consulted for all disciplinary actions.

Examples that may lead to disciplinary action include, but shall not be limited to, the following:

- A. Job performance, including conduct, that fails to adequately satisfy the duties and responsibilities of the position or classification held by the employee.
- B. Job performance, including conduct, that fails to produce the quality of work the position or job classification requires.
- C. Job performance, including conduct, that fails to produce the quantity of work the position or job classification requires.
- D. Job performance, including conduct, that is insubordinate, such as a refusal to follow written or verbal procedures, instructions, or directions from a supervisor/manager.
- E. The solicitation or acceptance of money or anything of value to influence the decision(s) of an employee in public matters or as a reward for such decision(s).
- F. Being under the influence of alcohol, narcotics, or any other controlled substance while on the job. ([Employee Code of Conduct Policy and Procedures – Drug-Free and Alcohol-Free Workplace](#)) and ([Workplace Health & Safety Policy - Drug and Alcohol Testing Program](#))
- G. Disrespectful or offensive conduct such as verbal or physical abuse or improper treatment of a customer, client, employee, inmate, or the public.
- H. Habitual or excessive tardiness in reporting for scheduled working hours.
- I. Absence from a scheduled work assignment during working hours without permission from an authorized supervisor/manager.
- J. Stealing, misappropriation, or conversion of County property or the property of a employee, customer, inmate, or client.
- K. Reporting for a scheduled work assignment in clothing or other substantial aspects of appearance or hygiene that is not acceptable or appropriate for the work assignment of the employee.

- L. Conviction of a crime directly relating to the position of public employment held, in accordance with the requirements of Minn. Stat. 364.03.
- M. The violation of any departmental expectation or County policy or procedures that has been adopted and is known, or reasonably should be known, to employees.

Types of Disciplinary Action

- A. Oral Reprimand
- B. Written Reprimand
- C. Suspension Without Pay
- D. Demotion
- E. Termination

Where applicable, disciplinary action shall be corrective and progressive. The level of discipline will be related to the offense and shall not require that discipline be progressive if such requirement is inappropriate to the offense and circumstance involved.

All reprimands shall describe the objectionable performance, the desired correction, the time frame in which the correction is to be made, and the consequence of failure to make the correction.

Oral reprimands shall be documented through a written notice to the employee and maintained in the supervisor's working file. All other disciplinary actions are written notices to the employee and maintained in the employee's personnel file. All types of disciplinary action shall be documented in Performance Evaluations.

All disciplinary actions shall be presented to the employee in person whenever possible (includes virtual), or emailed to the employee's County email address, or sent to the employee's last known address by U.S. mail on or prior to the effective date of the action.

In accordance with the Employee Relations Policy and Procedures – Separation of Employment, terminated employees shall not qualify for separation benefits. This restriction may be waived with the Employee Relations Director's approval.

Veteran's Rights

A veteran subject to suspension, demotion, or termination may be entitled to specific hearing rights, notifications, and timelines. Consult with Employee Relations.

Employment Benefits

Eligibility

- A. Permanent and probationary employees working 20 or more hours per week are eligible for all employment benefits.
- B. Permanent and probationary employees working less than 20 hours per week are eligible for pro-rated PTO, pro-rated holidays, social security, deferred compensation, workers' compensation, Employee Assistance Program (EAP), Public Employees Retirement Association (PERA), and other optional benefits.
- C. Full-time temporary employees shall become eligible for insurances and other employment benefits after six months of employment, provided that all other eligibility requirements are met. PTO shall become effective the first pay period following eligibility. If the labor market creates recruitment and retention difficulties, temporary employees may be deemed eligible for benefits prior to six months of employment upon approval of the Employee Relations Director. Regarding health insurance eligibility, time worked shall be considered in accordance with regulations of the Affordable Care Act (ACA).

- D. Unclassified employees who earn as much or more than the amount stipulated by applicable Minnesota Statute are eligible for PERA. Unclassified employees are also eligible for social security, deferred compensation, workers' compensation, and EAP. In regard to health insurance eligibility, time worked shall be considered in accordance with regulations of the ACA.
- E. Scott County employees and officials initially hired or rehired prior to July 1, 1992, participating in group health insurance plans, who meet PERA retirement eligibility requirements and who retire on or after the date of the adoption of Resolution No. 97064 (July 8, 1997), with 10 or more years of benefit eligible employment, may continue under the County's group health insurance coverage until such time as they choose to withdraw or until their death. Retirees who withdraw shall not be allowed to rejoin the group at a later date.

For those employees with 10 or more years of benefit eligible employment, the County shall provide 50% of the cost of the single premium.

For those employees with 15 or more years of benefit eligible employment, the County shall provide 75% of the cost of the single premium.

For those employees with 20 or more years of benefit eligible employment, the County shall provide the full 100% cost of the single premium.

The balance of premium costs for the employee and family coverage shall be the responsibility of the employee by monthly prepayment to the County.

Scott County employees who were rehired on or after July 1, 1992, and prior to the adoption of Resolution No. 97064 (July 8, 1997) shall be eligible for an employer contribution by the County for retiree insurance and may aggregate their years of service prior to July 1, 1992, with their years of service after July 1, 1992, for eligibility.

All other Scott County employees rehired on or after July 1, 1992, and subsequent to the date of the adoption of Resolution No. 97064 (July 8, 1997), shall not be eligible for an employer contribution by the County for retiree insurance based on their years of service prior to July 1, 1992, or on their years of service after July 1, 1992, and shall not be allowed to aggregate their years of service prior to July 1, 1992, with their years of service after July 1, 1992.

Scott County employees hired on or after July 1, 1992, shall not be eligible for an employer contribution by the County for retiree insurance.

All Scott County employees who retire subsequent to the date of the adoption of Resolution No. 97064 (July 8, 1997) must have "benefit eligible" employment status during their entire years of service eligibility period in order to be eligible for an employer contribution by the County for retiree insurance.

Benefits

Scott County provides a comprehensive benefits package to eligible employees. Specific benefit programs may be changed/amended at any time. Comprehensive details are located in the [Employee Benefit Hub](#).

Core Benefits

1. Health Insurance – A four-tier benefit structure is available for eligible employees to choose individual, employee plus spouse, employee plus child(ren), or family coverage options. Premiums shall be established annually by Board resolution. ([RBA/Resolution](#))

2. Dental Insurance – Eligible employees may choose individual, employee plus spouse, employee plus child(ren), or family dental benefits coverage. Premiums shall be established annually by Board resolution. ([RBA/Resolution](#))
3. Group Term Life Insurance – Eligible employees are provided a basic \$20,000 group term life insurance policy, including accidental death and dismemberment coverage.
4. Long Term Disability Insurance – Eligible employees are provided a 60-calendar day waiting period disability policy.
5. PERA – Eligible employees are automatically enrolled in one of three defined benefit plans established by Minnesota Statute. Recognized as an essential public pension plan, the County and each employee contribute a percentage of gross pay to PERA, establishing future retirement income for each employee.
6. Pre-Tax Premium Conversion Accounts – Eligible employees are automatically enrolled in this program by paying their health, dental, life, and vision insurance premiums on a pre-tax basis through payroll deduction. Life insurance premiums for coverage in excess of \$50,000 will be withheld on an after-tax basis.
7. Employee Assistance Program (EAP) – Employees, family members, and immediate household members may use the confidential services of the EAP which provides counseling and referral services on personal matters related to family, financial, chemical dependency, mental health, stress or emotional challenges, or any other issue on which the employee may need assistance.
8. Paid Time Off (PTO) – Provides flexibility to use accrued hours to meet personal needs while recognizing individual responsibility to manage PTO. Accrued PTO hours are provided for sick days, vacation time, and other personal time off from work. Supervisor approval must be obtained in advance before using PTO hours. Approval shall be governed by the business needs of the department with regard to the employee’s request.
9. Holidays – Eligible employees receive ten paid holidays annually.
10. Health Care Savings Plan (HCSP) - The County contributes into the HCSP established through the Minnesota State Retirement System (MSRS) for each non-bargaining employee who is eligible for insurance benefits. County and employee contributions are set via resolution ([RBA/Resolution](#)). Details of the program are listed in the [Employee Benefit Hub](#).

Status	PERA	Primary Benefits	Primary/Optional Benefits	PTO	Holiday Pay	Anniversary/Classification Date	Probationary Period	Performance Evaluation	Seniority
Full-Time Classified (1.0 FTE)	X	X	X	X	X	X	X	X	X
Part-Time Classified (.50 FTE through .99 FTE)	X	X	X	X	X	X	X	X	X
Part-Time Classified (.36 FTE through .49 FTE)	X		X	X	X	X	X	X	X
Full-Time Temporary Unclassified (1.0 FTE)	After 6 Months	> 6 Months	> 6 Months	> 6 Months	X				
Part-Time Temporary Unclassified (less than 1.00 FTE)	After 6 Months								
Intermittent Unclassified (up through .35 FTE)	Annual Salary Exceeds		X						

	\$5,100/12-Month Period								

PTO Program

Eligibility

All permanent and probationary full-time and part-time employees shall participate in the PTO program.

PTO shall be available at an employee’s authorized full-time equivalency (FTE). For example, if an employee’s work schedule is 20 hours per week or .50 FTE, and the employee is absent the entire week, they code 20 hours as PTO.

Unclassified full-time temporary employees shall not be eligible for PTO unless eligible for other County benefits.

Accrual Rates

YEARS OF SERVICE	PTO EARNED PER HOUR	MAX PTO EARNED PER PAY PERIOD (IN HOURS)	PTO EARNED PER YEAR	PTO MAXIMUM BALANCE (IN HOURS)
0 through 2 years	.08076	6.46080	168 hours/21 days	480
3 through 6 years	.09230	7.38400	192 hours/24 days	480
7 through 11 years	.10384	8.30720	216 hours/27 days	480
12 through 17 years	.11538	9.23040	240 hours/30 days	480
18+ years	.12692	10.15360	264 hours/33 days	480

When the employee's length of service meets eligibility for the next higher rate of accrual, accrual at the new rate shall begin on the first day of the pay period on or after the date of eligibility.

PTO credit shall not accrue during:

- a medical leave of absence without pay or
- a personal leave of absence without pay greater than 40 hours.

Conversion of Vacation/Sick to PTO

Upon authorization for participation in the PTO program, vacation balances shall be converted to PTO. New PTO hours shall be added to PTO accounts as accrued. Sick balances up to 240 hours shall be converted to PTO. Sick balances greater than 240 hours shall be converted to extended sick.

Maximum Accrual

Although employees may carryover unused PTO time from year to year, there is a cap on the amount of PTO time an employee can accumulate. Maximum accrual for PTO is 480 hours and the maximum balance for Extended Sick Leave is 280 hours. This encourages employees to use PTO and allows Scott County to manage its financial obligations responsibly. Once the maximum balance is reached, PTO does not accrue until some PTO is used. No retroactive credit will be given for any lost PTO.

Use of Time Off

PTO is accrued on a per-pay period basis and may be used as it is accrued with supervisor approval. Probationary employees may use available PTO during the probationary period.

PTO Donation

Employees who have or are seeking to assist coworkers experiencing medical hardship may voluntarily participate in the [Emergency Medical Leave Sharing Program](#).

Annual PTO Cash-Out Election

On an annual basis, employees may voluntarily elect to cash-out up to 40 hours of PTO to be received as deferred compensation or cash. The election is irrevocable in nature and must be made in the calendar year prior to the cash-out taking place.

To participate in PTO cash-out, an employee must have 40 hours of PTO in their bank at the time of cash-out, and they must have used 40 hours of PTO during the calendar year that cash-out is being received.

An irrevocable *PTO Election & Authorization Form* shall be completed and submitted to Employee Relations prior to December 30 of year #1. The cash-out shall occur as part of the second paycheck in December of year #2:

For example...An employee would complete and submit the form by December 30, 2020, to receive a cash-out payment with the second paycheck of December in 2021.

The form shall be completed, signed, and on file in Employee Relations for the cash-out to take place. Employees shall recognize they are making an election for cash-out of hours yet to be earned in the following year. An employee may not request cash-out and receive it in the same calendar year.

Employees may elect any whole number amount of hours between 1 and 40 for their cash-out election. The *PTO Election & Authorization Form* shall indicate whether this is to be provided to the employee as cash or as deferred compensation. An employee may split their hours between the two options.

The value of each hour of cash-out shall be equal to 100% of the employee's regular base hourly rate effective the last day of the pay period in which the PTO conversion is processed. Taxes and withholding shall be administered as required by law.

Separation Pay

Upon separation of employment, permanent employees are entitled to payment of unused PTO up to a maximum of 480 hours/60 days paid at current rate if leaving in good standing. Extended sick hours are never paid out as separation pay. ([See Separation of Employment](#))

If the employee separates employment with a negative balance, the amount owed will be deducted from the employee's last payroll check or separation pay.

PTO/extended sick leave bank cannot be used to extend the date of separation beyond the last day scheduled to work, unless authorized by the Employee Relations Director.

Holidays

The following are designated holidays with pay for all regular full-time employees. Such time shall be coded on the employee's timecard as Holiday Pay.

- * New Year's Day; January 1
- * Martin Luther King Day; third Monday in January
- * Presidents' Day; third Monday in February
- * Memorial Day; last Monday in May
- * Independence Day; July 4
- * Labor Day; first Monday in September
- * Veteran's Day; November 11
- * Thanksgiving Day; fourth Thursday in November

- * Thanksgiving Friday; day after Thanksgiving
- * Christmas Day; December 25

Designated holidays shall be eight (8) hours for each full-time employee regardless of shift length.

If Christmas Eve falls on a Monday, Tuesday, Wednesday, or Thursday, the County shall designate Christmas Eve as a holiday for non-bargaining employees.

For offices normally open Monday through Friday, if the holidays listed above falls on a Saturday, the preceding Friday shall be observed as the holiday. If the holiday falls on a Sunday, the following Monday shall be observed as the holiday.

If a holiday occurs during an employee's approved paid leave, it shall be coded as a holiday.

If an employee is disabled and coding a timecard as partial leave without pay, the employee shall be entitled to holiday pay on the same pro rata basis as the employee is receiving pay through the County payroll system.

Holiday Compensation

Employees shall not be required to work on designated holidays except as provided for by specific departmental needs or rules.

Non-exempt employees for whom a designated holiday is a scheduled day of work shall be paid at time and one half (1.5x) their regular rate of pay for hours worked on the holiday. In addition, at the department manager's discretion, the employee shall be either compensated at Holiday Pay or an alternative day off (Comp Time), except that holidays worked during the month of December will be treated as paid time.

Non-exempt Juvenile Alternative Facility (JAF) employees working on any of the compensated holidays, except for December holidays, will receive:

1. Payment at two and one-half (2-1/2) times their base rate of pay for all hours worked on a holiday.

OR

2. Payment at one and one-half (1-1/2) times their base rate of pay for all hours worked on a holiday and eight (8) hours of Deferred Holiday Earned to be used at a later date. Holidays worked during the month of December will be treated as paid time.

JAF employees may accrue a deferred holiday bank. Such holiday bank may be used subject to mutual agreement between the Employer and the employee in accordance with the procedures governing PTO usage. All accrued deferred holiday time shall be paid to employees with the second paycheck of December. Hours for holidays that occur during the month of December will be treated as paid time. An employee leaving the service of Scott County in good standing shall be entitled to full payment for deferred holidays remaining in that employee's deferred holiday bank.

Compensated holidays shall be considered as hours worked in the determination of 40 hours of work required to qualify for OT premium, except for 24/7 operations due to unique scheduling when holidays do not count in the calculation of overtime.

When an Exempt employee is required to work on a holiday, they will code Regular Pay for their typical number of hours worked AND 8 hours of Holiday Pay.

Designated holidays shall be eight (8) hours for each full-time employee regardless of shift length.

- a) Permanent and Probationary Full-Time Employees - shall be entitled to holiday compensation.
- b) Permanent and Probationary Part-Time Employees - shall be entitled to holiday compensation prorated to their ratio of full-time employment.
- c) Temporary Full-Time Employees - shall be entitled to holiday compensation.
- d) Temporary Part-time Employees - shall not be entitled to holiday compensation.
- e) Intermittent employees shall not be entitled to holiday compensation.
- f) Exclusion:
 - i) An employee shall be excluded from receiving holiday pay unless on compensated payroll status or an approved short term leave without pay (LWOP Short) for the regularly scheduled workday preceding and following the holiday. An employee who meets PERA retirement eligibility requirements and retires from employment on a designated County holiday, shall be eligible for holiday pay for that date.
 - ii) If an employee is disabled and coding a timecard as partial leave without pay and/or receiving disability payments, the employee shall be entitled to holiday pay on the same prorated basis as the employee is receiving pay through the County payroll system.

Voluntary/Optional Benefits

There are a variety of voluntary/optional benefits available. Employee Relations, in consultation with County Administration will determine and implement the voluntary/optional benefit programs. Please see the [Employee Benefit Hub](#) for details.

- Flexible (Pre-Tax) Health and Dependent Care Accounts
- Supplemental Life Insurance
- Vision Plan
- Short Term Disability
- Deferred Compensation
- Minnesota Benefit Association
- Credit Union

Equal Employment Opportunity

Scott County provides Equal Opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity laws, directives, and regulations of Federal, State, and local governing bodies or agencies thereof, including Minnesota Statutes, Chapter 363A.

Scott County fully supports incorporation of nondiscrimination rules and regulations into contracts and will commit the necessary time and resources to achieve the goals of Equal Employment Opportunity.

Any employee of the County who does not comply with the Equal Employment Opportunity Policy and/or Procedure will be subject to disciplinary action.

Any subcontractor of the County not complying with all applicable Equal Employment Opportunity laws, directives, and regulations of Federal, State, and local governing bodies or agencies thereof, including Minnesota Statutes, Chapter 363A, will be subject to appropriate contractual sanctions.

If any person believes there has been a violation of this policy or procedure, please contact the Scott County Administrator.

Flexible Work Arrangements

Not all positions will be suitable for flexible work arrangements. Requests will be reviewed on a case-by-case basis considering the need for high quality public service, the coverage needs of the department, the duties and requirements of the position, and the needs/desires of the employee.

Those approved for flexible work must comply with all State and Federal laws, bargaining agreements, and Scott County policies, procedures, and processes that apply to all employees. Failure to comply may result in the loss of privileges and/or disciplinary action.

The following are applicable to flexible work arrangements:

- Not all requests can be accommodated, and all positions are not conducive for flexible work.
- The operational needs of the department, division, and work group must be met amid flexible work arrangements.
- Performance expectations remain the same regardless of the employee's work location or hours.
- Flexible work is not a guarantee and may change as the needs of the business, department, division, employee, or work group change.
- Flexible work must not result in additional work or overtime.

Flexible Work Options:

Flexible work options include alternatives for work hours, work schedules, and work locations. Below are some examples of the options that are available. Options may be combined as fitting for the situation and as approved by the supervisor.

1. **Compressed Work Week:** An ongoing and agreed upon work week condensed into fewer days and longer hours to meet an FTE equivalent (e.g. four ten-hour workdays to make a work week vs. five eight-hour workdays to make a work week).
2. **Flextime:** Occasional and/or agreed upon starting and departure times that differ from the standard schedule for the employee or department. Flextime does not reduce the total number of hours worked in each work week for hourly paid staff (e.g. I come in early or stay late in order to leave early or come in late another day in the same work week).
3. **Remote Work or Telework:** An ongoing and agreed upon arrangement for an alternative worksite/location that is different from the regular office location (e.g. I work at home most of the time and only come to an office location on occasion). Remote/teleworking options do not reduce the total number of hours worked in each work week for hourly paid staff; rather, provides alternatives for where the work is performed.

"Mobile Workers" are defined as employees required to perform at least some of their job duties in the field to meet and work with clients/customers such as social workers and building inspectors. This definition does not include positions where driving is a continuous job duty such as Sheriff's patrol.

Mobile Workers may also be considered for flexible work arrangements as defined above: Compressed Work Week, Flextime and/or Remote Work or Telework.

Mobile Workers are responsible for proper control and maintenance of equipment, and for maintaining data privacy, and information security.

Terms and Conditions of Flexible Work Arrangements:

1. The arrangement will be established by mutual consent of the supervisor and employee and should be reviewed at least annually.
2. The supervisor may temporarily adjust work schedules or locations as needed to meet the operational needs of the work unit. The work unit or department still operates as a team to cover and meet the needs of service.
3. The agreement can be terminated immediately by the County. No advance notice is required.
4. Employees participating in flexible work must comply with County policies and procedures, applicable collective bargaining agreements, and State and Federal laws.
5. Lunches and breaks shall be provided for in flexible work arrangements the same as in office locations.
6. The work schedule and hours of work shall be consistent with the requirements in the [collective bargaining agreements](#). During agreed upon core hours, the employee shall be available for consultation with his or her supervisor or other County staff. An employee shall inform and obtain prior approval from the supervisor for changes to the work schedule and/or absences from work.
7. Flexible work is not a substitute for child or elder care and shall not be used as such.
8. Business meetings and client visits to the employee's home are prohibited.
9. In the event of a work-related injury, the employee shall notify the supervisor and complete all necessary reports for reporting an accident/incident.
10. If equipment malfunctions, an employee must notify their supervisor promptly. If the malfunction prevents the employee from performing work assignments, the employee may be required to return to a County facility location.
11. Employees must return all County-owned equipment, software, products, documents, and data if they terminate their employment, go on an extended leave of absence, or the flexible work arrangement is ended.

Workspace:

The employee will designate a workspace within the remote work location for placement and installation of equipment to be used while working. The employee is responsible for establishing and maintaining all aspects of setting up the office, (e.g., remodeling, acquiring a desk, seating, electrical support, lighting, and other general equipment, etc.) The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment. The area must also be free of distractions that might affect job performance.

Employees are advised and directed to consult an accountant for advice on tax related issues for using a home office; the employee's insurance agent should be contacted for appropriate property/liability coverage issues.

Technology, Office Equipment, and Supplies:

1. Appropriate equipment including hardware, software, mobile devices, etc. will be determined by the County on a case-by-case basis, with information supplied by the employee and supervisor, in relation to the position and required work duties.
2. The County reserves the right to make determinations regarding appropriate equipment and these determinations are subject to change at any time, at the sole discretion of the County.
3. County owned equipment is provided and will be supported by the County. Equipment provided remains the property of the County and must be returned to the County upon separation of employment.
4. Any equipment that is supplied by the employee will be the responsibility of the employee to support, maintain, and replace. The County accepts no responsibility for damage or repairs of employee-owned equipment.
5. All equipment, software, hardware, access, and data provided shall be used for business purposes only, except where limited personal use of County computer equipment and communication systems is permitted as defined by County Policy.
6. The use and access of equipment, software, and data provided shall be limited to use by authorized persons only.
7. Office supplies will be provided by the County using normal office supply procurement procedures. Out-of-pocket expenses for other supplies will be reimbursed only with prior approval by the supervisor.
8. The employee is responsible for provision and cost of high-speed internet connection necessary to complete work in remote locations.
9. If the employee is using a wireless router, it must be password protected.

Data Privacy and Information Security:

Provisions of the Minnesota Government Data Practices Act and program data privacy policies must be followed when performing work, regardless of work location. The employee and the supervisor shall determine the type and form of data to be taken to and from the remote work locations and the security and transfer process necessary to comply with data privacy laws, rules and regulations. See the *Government Data Privacy and Computing Device* sections in the *Administration Policy and Procedures*, the *Use of Systems* section of the *Employee Code of Conduct Policy and Procedures* and talk with your supervisor if you have questions regarding the protection of data.

Data created and maintained on the employee's personal home computer, if generated for the purpose of conducting County business, is subject to the County's record management and data privacy rules and regulations. This means that proper retention and disposal procedures as well as data privacy protections are required. Such data remains the property of the County.

Request and Approval Process:

1. The employee and supervisor may use a *Flexible Work Arrangement Form* to outline and consider a flexible work arrangement.

2. As part of the approval, supervisors shall specify expectations such as when the employee is expected to be present at the office location, how they are to be available during their established work time, and how they are to communicate and coordinate changes to their availability.
3. Flexible arrangements must be approved by the supervisor prior to the work beginning.

Flexible work arrangements are evaluated based upon the operational needs of the department, division, or work group and must have prior approval by the supervisor. All Scott County employees may be considered for flexible work arrangements; however, these options are not conducive to every position.

Criteria to be considered when evaluating a flexible work arrangement includes:

1. Is the individual employed in a position that is compatible for flexible work, considering not only the job classification in general, but also the assigned caseload or specific duties of the position?
2. Does the employee understand the essential functions of the job and consistently apply knowledge to demonstrate successful performance?
3. Does the employee possess and demonstrate skill in areas including but not limited to: Time management and meeting deadlines, establishing priorities, applying organizational skills, developing solutions and/or clearly expressing needs for assistance, demonstrating initiative and self-motivation, working independently, and demonstrating effective communication and reporting skills?
4. Is the employee proficient with technology related to job requirements and telework or remote work?
5. Does the employee have access to a suitable remote office space with required technology access capabilities for successful connection including high-speed internet and voice communications?
6. Can confidential and private data be managed securely?
7. Can the work of the department and/or work unit be maintained with this arrangement?



Flexible Work Arrangements Form

Employee Info	Work Arrangement:	<input type="checkbox"/> Compressed Workweek <input type="checkbox"/> Flextime <input type="checkbox"/> Remote Work OR Telework	Comments:	
	Employee Name			
	Position Title	Division/Department	FTE	Approval Date:
	Supervisor Name and Title			
Schedule/Location/Arrangement Detail	<u>Flexible Work Arrangement:</u> (Please briefly describe the arrangement you are making and why.)			
	<u>Schedule Requested:</u> (Include workdays, work times, and work locations applicable to the request being made.)			
	Description of location where work will take place:			
	Frequency and type of contact required between employee and supervisor: Conditions/expectations/performance measures/established by the employee and supervisor:			
Equipment	Scott County equipment (if any) provided for use as part of this request:			
	Employee equipment (if any) being provided for use as part of this request:			
	Data security plans:			
	Other:			

(Form may be kept in Supervisor working file.)

Grievance Procedure

When a grievance is initiated under provisions of a collective bargaining agreement, it is precluded from grieving the same issue under County policy. Similarly, commencement of a grievance proceeding under County policy shall preclude the employee from grieving the same issue under a collective bargaining agreement. It is the intention of the County Board to prohibit an aggrieved employee any additional opportunities to pursue an issue that has already been pursued in any other administrative or judicial proceeding.

Employees in their initial probationary period, and unclassified employees as defined by the Public Employment Labor Relations Act (PELRA), are not subject to the grievance procedure.

The County will handle all grievances promptly and fairly. In order to quickly resolve employee grievances in an orderly and just manner, to provide administrative review to appropriate levels of management, and to provide the employee with a fair and impartial hearing, the following procedures shall be used:

- A. **Step I – Immediate Supervisor:** An employee shall present a written grievance to their immediate supervisor within five working days after the event causing the grievance. The employee may be accompanied by a representative of their choice. It shall be the responsibility of the supervisor to investigate the grievance, discuss the grievance with the employee, and give a written answer to the employee within five working days following the meeting with the employee. In instances where the organizational structure does not provide a level of supervision between the department manager and the employee, grievances shall be presented directly to the department manager as set forth in Step II.
- B. **Step II – Department Manager/Division Director:** A grievance not resolved in Step I may be appealed to Step II. The grievance shall be set forth in writing, stating:
 1. the nature of the grievance,
 2. the facts on which it is based,
 3. the policy provision(s) allegedly violated, and
 4. the remedy requested.

The Step II grievance shall be presented to the department manager/division director within ten working days from the time of the supervisor's written response. The department manager/division director shall investigate the grievance, discuss it with the employee, and give a written answer to the employee within ten working days following the meeting with the employee.

- C. **Step III – Administrative Review:** A grievance not resolved in Step II may be submitted for further review in Step III. The grievance shall be set forth in writing stating:
 1. the nature of the grievance,
 2. the facts on which it is based,
 3. the policy provision(s) allegedly violated, and
 4. the remedy requested.

The Step III grievance shall be presented to the Employee Relations Director within ten working days from the date of the Step II response. The Employee Relations Director shall investigate the complaint and alleged violation of policies. The decision of the Employee Relations Director shall be submitted to the employee in writing within ten working days following a meeting with the employee.

Employees may grieve oral reprimands only through Step III of the grievance procedure.

Employee Representation: A Scott County employee and their representative, if also a County employee, shall be paid by the County at their regular rate of pay for time authorized by proper departmental authority in resolution of grievances.

Personnel Board of Appeals: If an employee complaint cannot be satisfactorily resolved in the three steps of the Grievance Procedure, within ten days, one can appeal to the Personnel Board of Appeals.

Time Limits: If the grievance is not presented within the time periods set forth above, it shall be considered waived. If a grievance is not appealed to the next step within the specified time limit, it shall be considered resolved based on the last response. If the proper authority does not answer a grievance or appeal thereof within the specified time limits, the employee shall treat the grievance as denied and may immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the employee and authority involved at that step.

Retaliation Prohibited: No employee shall be disciplined in any way for seeking remedy through a grievance or as a result of testifying in accordance with the provisions of this policy. However, insubordination or other improper conduct that arises out of a grievance process may be dealt with as a separate disciplinary matter.

Hours of Work

Hours of work are the approved period of time during which an employee engages in paid work. Time at work is defined and categorized in the following ways:

- A. **Workday:** A day within a work week during which the employee is regularly scheduled to work. A day consists of eight hours unless other hours are designated and/or approved by the supervisor.
- B. **Work Week:** The regular work week for full-time hourly County employees shall be 40 hours per week. The work week is seven consecutive days, beginning every Monday at 12:00 a.m. and ending every Sunday at 11:59 p.m.
- C. **Pay Period:** Each pay period is a two-week period commencing on Monday and ending Sunday. Payroll is processed for the following Friday pay date (with occasional variances due to holidays) for time worked through the previous Sunday (pay period end date).
- D. **Lunch Periods:** The lunch period is one-half hour long and shall not be part of the compensated workday. The lunch period shall begin and end at the employee's assigned work area. Supervisors are responsible for scheduling lunch periods that do not interfere with work requirements.
- E. **Rest Periods:** One 15-minute rest period may be allowed during each half of a full-time employees workday. Such rest periods are to begin and end at the employee's assigned work area. Supervisors are responsible for scheduling rest periods that do not interfere with work requirements.

Scott County supports workplace flexibility to promote a highly productive work environment that allows people to balance their work and personal obligations while offering workforce dependability and high-quality public services. For those seeking information related to flexible work options, please see the *Flexible Work Arrangements* section of this document.

Job Classification

Classifications are broadly defined to accommodate the evolving work environment without the need for frequent classification reconsideration.

All positions which are substantially similar with respect to formal preparation and experience, decision making (impact), thinking challenges and problem solving, interactions and communication, work environment, and other employment characteristics shall be assigned to the same pay grade.

No vacancies shall be posted for a permanent position unless an updated job description is completed and on file in Employee Relations and the job is assigned to an appropriate Job Classification and Pay Grade.

C. Position Review:

1. Determination review

Reviews can occur for these situations.

- a) Position Review
- b) Classification Review
- c) Department/Division Review
- d) Countywide Review

The Division Director shall forward to Employee Relations the request for those positions for which it is reasonably likely that a significant change in the duties of the position(s) has taken place such that the position is no longer appropriately classified.

Employee Relations shall review the request and determine if review is necessary.

2. Review authority

If the Job Description Questionnaire (JDQ) or job description is consistent with an existing classified job, Employee Relations shall assign the position to the applicable job classification.

3. Classification process

Positions are classified using the County's Job Classification System. A JDQ and/or other documentation are evaluated to establish an appropriate classification rating.

4. Consultants

Employee Relations shall determine whether consultant services are deemed necessary and preferred for job evaluations on a case-by-case basis.

5. Documentation

The JDQ shall be completed by the requesting division, approved by the Division Director, and forwarded to Employee Relations.

Employee Relations will review requests to ensure necessary information has been provided. The incumbent, supervisor(s), and the employee's Division Director may be contacted for further information as a part of the process.

B. Implementation

Job classification adjustments shall typically be effective no earlier than the date of final approval, unless otherwise authorized by the Employee Relations Director.

C. Appeal Process

A Division Director may submit an appeal to a job evaluation determination made within ten days following the notification of the study results. An appeal must include information which was not provided with the initial request and/or clarification of information presented in the initial job analysis request. Only one appeal opportunity will be provided per job evaluation determination.

A subsequent review of the position will be held within ten days of the prescribed ten days of receiving any appeals.

In no case shall classification determinations be subject to any grievance procedure established by County policy or collective bargaining agreement.

D. Working Out-of-Class

Out-of-class pay may be requested whenever an employee is designated by their supervisor and approved by the Division Director and Employee Relations Director to perform the majority of duties and responsibilities of a position in a higher classification for 30 consecutive workdays or more in any 12-month period.

Generally, working out-of-class is the result of a temporarily vacant position.

Supervisors, department managers, and Division Directors are responsible to make periodic assessment of classifications in their departments and divisions respectfully and to forward recommendations for review to the Employee Relations Director. They shall also be responsible to assure that JDQ's and other materials and information submitted for consideration in a classification review, accurately reflect the position, as indicated by their signature on the JDQ.

Leaves of Absence

Various Types of Leaves Include:

Family and Medical Leave (FMLA)	Parental Leave
Funeral Leave	Personal Leave
Jury Duty Leave	School Conferences and Activities
Medical Leave	Voting Leave
Military Leave	Workers' Compensation
Organ Donation Leave	Unauthorized Absence

Other Leave-Related Items Include:

Alternative Duty	Extended Sick
Emergency Medical Leave Sharing Program	Nursing Individuals/Expressing in the Workplace

Leaves of absences should be pre-planned when possible and approved in advance so that business needs are met.

Employees and supervisors shall consult Employee Relations to ensure an understanding of your rights and responsibilities, including financial obligations, for:

- medical (e.g., overnight hospitalization, work restrictions, family medical leave);

- military (e.g., deployment, training greater than 30 days); and/or
- long-term personal leaves without pay (greater than 40 hours).

Family and Medical Leave (FMLA)

Scott County is obligated to determine FMLA eligibility for all employees taking a leave of absence. Family medical leaves run parallel to other leaves and, if eligible, are designated as such by the employer.

In accordance with the Family and Medical Leave Act of 1993 (29 CFR Part 825), an employee who has worked at least 12 months and has worked at least 1,250 hours of service during the 12-month period immediately preceding the leave is eligible for:

- A. Up to 12 weeks of unpaid leave during any 12-month period for the following reasons:
 - to care for the employee's child after birth, or placement for adoption or foster care;
 - to care for the employee's spouse, child, or parent, who has a serious health condition;
 - for a serious health condition that makes the employee unable to perform the employee's job;
 - any qualifying exigency arising out of the active duty or call to active duty status of an employee's spouse, son, daughter, or parent.

- B. Up to 26 weeks of leave during any 12-month period for the following reasons:
 - to care for a covered servicemember with a serious injury or illness, in the line of duty, if the employee is the spouse, son, daughter, parent, or next of kin of the service member (military caregiver leave).

The leave may be a combination of paid and unpaid leave in accordance with other provisions. If the leave includes LWOP Medical, it must be approved by Employee Relations. The employee must provide 30 days advance notice when the leave is foreseeable. The County shall require the medical certification, under the Family Medical Leave Act (FMLA), from a certified health care provider. The County may request recertification no more than every 30 days unless:

- A. the employee requests an extension of leave;
- B. circumstances described by the previous certification have changed significantly; or
- C. the employer receives information that casts doubt on employee's stated reason for the absence or the continuing validity of the certification (e.g., if employee is on FMLA leave for four weeks due to knee surgery but plays on the office softball team during the FMLA leave).

The County requires medical certification of the employee's ability to return to work. Upon return to work, the employee shall be restored to their original position or an equivalent position.

During an unpaid FMLA leave of absence, premium payments for the employee's health and dental insurance shall be continued by the County at the same level as when actively working. When no paycheck is being received, premiums normally taken as payroll deductions must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

The County may deny continuation of FMLA leave if the employee fails to fulfill any obligations to provide supporting medical certification.

Funeral Leave

Employees may use funeral leave, with pay, up to a maximum of three workdays or 24 hours, whichever comes first, per occurrence, which shall not be deducted from PTO as follows:

- A. Up to one workday to attend a funeral.
- B. Up to two workdays to attend a funeral that requires overnight travel.
- C. Up to three workdays when the employee can establish a close relationship and is involved in the planning of the funeral.

Part-time, benefit-eligible employees shall receive Funeral Leave based on a prorated basis per their FTE and regular work schedule. If the date of the funeral falls on a non-scheduled workday, the employee is not eligible for Funeral Leave Pay on this date.

Employees using funeral leave shall code their time as Funeral Leave Pay.

Jury Duty Leave

- A. Jury Duty: Employees called for jury duty during their working hours shall code their timecard as Jury Duty Pay.

If an employee is excused from jury duty prior to the end of a work shift, the employee must return to work as directed by the Employer or make arrangements for taking the appropriate time off.

- B. Payments: Employees claiming jury duty compensation through the County payroll system may also retain jury duty pay.
- C. Any absence, whether voluntary or by legal order to appear or testify in private litigation, not in the status of an employee, participant, or juror, shall not qualify for Jury Duty Pay under this provision and shall be charged against the appropriate time off or be without pay.

Medical Leave

A leave of absence approved by Employee Relations for medical reasons requires supporting medical documentation from a certified health provider.

If an employee has been unable to work for greater than three days and/or admitted to the hospital overnight, they may be required to obtain a medical release certifying their ability to resume their full duties upon returning to work. If there is any question to the validity of the information provided, the County may require a second opinion from a medical professional of its choice. If such requirement is made, the cost of such examination shall be the responsibility of the County.

A medical leave of absence may be granted for up to one year with the expectation that the employee will return to work. If approved, that portion of a medical leave that is without pay shall be coded on the employee's timecard as LWOP Medical. If an employee has been on a medical leave of absence for one year, including paid and unpaid time off, and cannot return to work, the employee shall be separated from County employment.

In cases of intermittent leave, when the employee has been on one year of leave time (prorated by FTE), discussion/analysis for the continuation of intermittent/reduced work schedule shall occur.

Supervisors shall consult with Employee Relations about medical leaves of absences. All documentation shall be maintained in Employee Relations.

During any paid or unpaid medical leave of absence, all insurance premium payments will be continued under the same terms and conditions as when actively working. When no paycheck is received by the employee, premiums normally taken as payroll deductions must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

Military Leave

Military leave shall be granted to employees in accordance with Minn. Stat. 192.26 and 192.261 to allow employees to fulfill their voluntary or involuntary military obligations.

- A. Documentation: Approval of military leave or convalescence leave, shall require written documentation of official military notification or orders and/or any other documentation reasonably requested of the employee. Such documentation must accompany the employee's request for leave. All such requests and accompanying documentation shall be forwarded to Employee Relations for review and consultation.
- B. Leave With Pay: Military leave with pay shall be granted by departmental authority, in accordance with Minn. Stat. 192.26, not to exceed 15 days in any calendar year for:
1. preinduction physical examinations;
 2. annual military training;
 3. short-term active duty call-ups.

Such time shall be coded on the employee's timecard as Military Leave Pay, and employees shall continue to accrue seniority, time off, and employee benefits under the same terms and conditions as when actively working.

Employees returning from training or active duty of 15 days or less shall report to work at the next regularly scheduled workday after their return, allowing for necessary hospitalization or travel time.

- C. Leave Without Pay: Military leave for employees engaged in active service in a time of war or other emergency declared by proper authority in any of the military or naval forces of the state or United States or for convalescence for an injury or disease incurred during active service shall be without pay and shall not exceed four years in duration plus such additional time in each case as such an employee may be required to serve pursuant to law. Such time shall be coded on the employee's timecard as LWOP Military, unless the employee has applicable accrued time and approval from their supervisor.
- D. Reinstatement: An employee shall be reinstated in the position which was held at the time of entry into the service, or a public position of like seniority, status, and pay if such is available at the same salary which the employee would have received if the leave had not been taken upon the following conditions:
1. position has not been abolished;
 2. that the employee is not physically or mentally disabled from performing the duties;
 3. that the employee makes written application for reinstatement within 90 days after termination of service, or 90 days after discharge from hospital or medical treatment provided that such application shall be made within one year and 90 days after termination of such service notwithstanding such hospitalization or medical treatment; and

4. the employee submits an honorable discharge or form of release by proper authority indicating the employee's military or naval service was satisfactory.

Upon reinstatement the employee shall have the same rights to accrued and future seniority, status, time off, and other benefits as if the employee had been actually employed during the time of such leave.

- E. Active duty for training, inactive duty training, reemployment rights: An employee ordered to an initial period of active duty for training of not less than three consecutive months shall make application for reemployment within 31 days after employee's:
 1. release from that active duty for training after satisfactory service, or
 2. discharge from hospitalization incident related to that active duty for training, or one year after a scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits as stated above.
- F. Unpaid Leave for Family Members to Attend Military Send-Off or Homecoming Ceremony: The County will grant an unpaid leave of absence, not to exceed one-day's duration in any calendar year, to attend the military send-off or homecoming ceremony of immediate family members (grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiancé, or fiancée) who have been deployed into active military service in support of war or other national emergency. The employee may be granted greater than one day and may use accrued PTO or vacation with supervisor approval.
- G. Unpaid Leave for Family Members of Military Personnel Injured or Killed in Active Service: The County will grant up to ten days of unpaid leave of absence to an employee who has an immediate family member (parent, child, grandparent, sibling, or spouse) injured or killed in active military service. The employee may be granted greater than ten days of leave and may use accrued paid time in accordance with policy and supervisor approval. ([Funeral Leave Pay](#))

During any paid or unpaid military leave of absence up to 30 days, all premium payments will be continued under the same terms and conditions as when actively working. When no paycheck is being received, premiums normally taken as payroll deductions must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

For military leaves greater than 30 days, the employee may continue benefits through the Consolidated Omnibus Budget Reconciliation Act (COBRA). If the employee elects to continue coverage, all premiums (employee and employer shares) must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

Organ Donation Leave

Pursuant to Minn. Stat. 181.9456, the County will grant paid leaves of absence to an employee who seeks to undergo a medical procedure to donate an organ or partial organ to another person. The County will pay the first 40 hours of leave (not taken out of the employee's accrued balances). Additional time off shall be administered in accordance with other leaves.

Parental Leave

A leave of absence may be approved for the purpose of child care needs due to the recent birth or adoption of a child. In no event shall a combination of paid leave and unpaid leave exceed six (6) months.

Effective January 1, 2020, employees eligible for the PTO program or the vacation/sick program are provided with this benefit. Full-time employees are provided up to one-week (40 hours) paid parental

leave. Part-time employees are provided this benefit based upon their budgeted full-time equivalency (FTE). For example, if an employee works 20 hours per week, their FTE is .50; therefore, the employee is eligible for up to 20 hours paid parental leave. Such time shall be coded on the employee's timecard as Parental Leave Pay.

Approved paid parental leave must be used within the first 12 weeks of the employee's approved leave of absence following the qualifying event but before going to a full unpaid leave. Any unused paid parental leave at the end of 12 weeks will be forfeited.

The County may require medical certification, under the Family Medical Leave Act (FMLA) from a qualified health care provider. Contact Employee Relations to see what documentation must be provided.

Employees and supervisors shall consult with Employee Relations about parental leaves.

Personal Leave

- A. **Short Term Without Pay**: A leave of absence without pay for 40 hours or less may be granted to an employee by their supervisor in the same manner as approvals of requests for PTO. If approved, such leave shall be coded on the employee's timecard as LWOP Short (40 hours or less). When/if short term leaves create service issues, supervisor shall consult with Employee Relations.

- B. **Long Term**: A leave of absence for more than 40 hours, but not to exceed 12 months may be granted by the Division Director in consultation with Employee Relations. In order to approve a long term leave of absence up to one year, the employee must be planning to return to work. If approved, such leave that is without pay shall be coded on the employee's timecard as LWOP Long Term (+40 hours). If an employee has been on a leave of absence for one year, including paid and unpaid time off, and does not return to work, the employee shall be separated from County employment.

Leaves of absence shall be requested in writing by the employee to the supervisor and shall be accompanied by an explanation of the reasons for the leave. The written request, along with a Position Action Form, shall be submitted to Employee Relations for approval.

During an unpaid leave of absence, the employee may elect to continue benefits; however, all premiums (employee and employer shares) must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

School Conferences and Activities

Pursuant to Minn. Stat. § 181.9412, the County shall grant an employee unpaid time off up to 16 hours during any school year to attend school-related activities when the school-related activities cannot be scheduled during non-work hours. When the need for the leave is foreseeable, the employee shall provide reasonable notice prior to the leave and shall make a reasonable effort to schedule the leave so as not to disrupt County operations. An employee may use accumulated PTO.

Voting Leave

Pursuant to Minn. Stat. § 204C.04, subd. 1, employees eligible to vote in an election is entitled to a reasonable length of time for voting leave without penalty or deduction from salary or wages for such purpose. Such time shall be coded on the employee's timecard as Voting Leave Pay.

Workers' Compensation

Workers' compensation insurance provides medical and wage benefits to people who have a work-related injury or illness. The County administers workers' compensation in accordance with State

guidelines. The County's workers' compensation carrier will make the decision regarding eligibility. County policies and procedures will govern leave of absence, employee benefits, etc.

An employee receiving workers' compensation loss of time benefits due to a work-related injury or illness has the following options:

- A. Code timesheet as "LWOP Medical" according to the authorized full-time equivalency and keep the workers' compensation loss of time benefit. Employee shall be responsible for the employee-paid premium of any insurance coverage as well as any other payroll deductions.
- B. Code timesheet "LWOP Medical" according to the authorized full-time equivalency and workers' compensation payment. Employee has the option of using accumulated PTO or other accumulated time off at the time of injury until exhausted to equal the difference between the payment received from workers' compensation and the base gross amount the employee would have been paid in a normal pay period. At no time shall the combined total weekly rate of compensation exceed the base weekly wage of the employee *on the date of the injury*. Employees shall be responsible for all deductions that would normally be taken out of the employee's paycheck once accumulated time off balances are exhausted.

During any paid or unpaid work-related leave of absence, premium payments will be continued under the same terms and conditions as when actively working. When no paycheck is being received, premiums normally taken as payroll deductions must be paid by the employee to Employee Relations on a monthly basis in order to maintain benefits.

Unauthorized Absence

The absence of an employee from scheduled duty that is not promptly reported to, and authorized by, the supervisor shall be considered an unauthorized absence. Unauthorized absence of an employee for three consecutive workdays shall be considered a resignation, except in cases where the conditions of such absence were beyond the employee's control. Such resignation shall not be considered a resignation "in good standing," and the employee shall not be eligible for Separation Pay.

Any unauthorized absence by an employee shall be coded as such on the employee's timecard as LWOP Unauthorized and shall be reported to the Employee Relations Director immediately. Unauthorized absences of less than three consecutive workdays in specific instances may be the subject of disciplinary action up to and including termination.

Other Leave-Related Items Include

Alternative Duty

When an employee is unable to perform their regular job duties due to temporary medical reasons, the employee may be assigned other temporary time-limited duties consistent with the medical restrictions for up to the period of disability, to the extent that such duties are available.

Employees shall report all injuries and illnesses that affect their ability to perform the duties of their position to their supervisor. Supervisors shall contact Employee Relations as soon as possible when alternative duty may be warranted. Supervisors shall coordinate with Employee Relations to determine work assignments and schedules for the injured/ill employee keeping in mind the potential for other assignments in other departments.

- A. Employee Relations shall be notified if an employee cannot perform any or all of their essential duties. If the illness or injury is work related, the [Accident/Incident Report](#) shall be completed and submitted to Employee Relations.

- B. Employee Relations shall work with the employee, employee's supervisor, and certified healthcare provider. Temporary alternative work assignments shall be made at the discretion of the County based on the knowledge, skills, and abilities of the employee and the business needs of the County. No assignment may be made without a written statement from the attending physician regarding the employee's medical restrictions.
- C. Suitable alternative work duties shall be sought in the employee's original department and division first and then countywide.
- D. Employee shall be compensated at their regular pay from their department's budget.
- E. With the approval of the Employee Relations Director, the department can fill the employee's vacated position on a temporary basis until such time the employee is released to return to their regular duties.
- F. Alternative work assignments shall initially be up to a 30-day period. An extension of the assignment may be granted by Employee Relations. Extensions shall be considered on a case-by-case basis. An alternative duty created under this policy shall normally not exceed six months and shall not create a long-term position.
- G. Alternative work assignments shall end when either:
 - 1. the employee can perform the essential duties of their position and has been given a written release by a certified healthcare provider to return to the duties of their original position; or
 - 2. a certified healthcare provider has determined that the employee will be unable to return to their duties. If an employee is unable to return to their regular duties, the County may separate the employment.
- H. Employees shall be aware that there may be opportunity, but not a guarantee, for a temporary alternative work assignment during an injury or illness.
- I. There may be an adverse impact on their workers' compensation benefits, other benefits, and/or employment status for employees who decline an alternative work assignment.
- A. Employees shall regularly communicate with their supervisor regarding their ability to perform job duties and Employee Relations regarding developments or changes in the course of treatment, the temporary assignment, or the recovery.

Emergency Medical Leave Sharing Program

Purpose

This program establishes a leave donation program through which eligible employees may donate a portion of their accrued PTO or vacation to a general leave bank used to assist other employees with paid emergency medical leave.

For the purposes of this program, a *medical emergency* is defined as a physician's diagnosis of a catastrophic, life-threatening, illness/injury of the employee or a family member that will require a prolonged or extended absence of the employee from duty. The absence will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available to them, apart from time available through this leave sharing plan.

For the purposes of this policy, immediate family shall include those as defined in MN Stat. 181.9413, including the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law,

grandchild, grandparent, or stepparent. In addition, coverage does include individuals for whom the employee is considered a legal guardian.

Eligible employees may donate a portion of their accrued PTO or vacation time to a general leave bank used to assist other employees with paid emergency medical leave. Nothing in this program will be construed to limit or extend the maximum allowable absence under FMLA or County policies. This program is to run concurrently with FMLA or other types of medical leave.

Eligibility

- D. Donor employees – Must be PTO or vacation/sick leave program eligible and have completed probation. Donor employees must have 80 hours or more of accrued PTO or vacation in order to donate hours to the leave donation program bank. An employee may donate up to 80 hours per calendar year under this program.

- E. Recipient employees – Must be PTO or vacation/sick leave program eligible. Recipients must have a documented medical emergency as defined herein, have applied to and been determined eligible to participate in the program, and have exhausted all paid leave available to them prior to receiving donations from the bank. Once an employee begins unpaid status through the County payroll system, they may not go back to a paid status during the same leave of absence.

Making a Donation

Making a donation into this program is voluntary. Employees making a donation shall recognize that hours donated are being gifted to a pooled bank of time and that the donated leave is irrevocable. Hours in the bank will be equally distributed to eligible employees as stated herein.

Employees making PTO or vacation donations shall obtain and complete an [Emergency Medical Leave Donation Form](#). Forms shall be submitted to Employee Relations. Employees meeting donor requirements (as previously stated) shall have PTO or vacation hours deducted from their balance in the next available payroll following form submission and staff review and approval of the donation.

Neither donor employees nor recipient employees have control of the bank. Time will be deducted from the donor employee's bank based on the donation form submitted. The IRS has determined the employee donating the time realizes no income and incurs no tax-deductible expense either upon donation of the leave or payment to the recipient. Donation of accrued time shall be in whole-hour increments and may be made to a maximum of 80 hours per employee, per calendar year.

Making a Request

Requesting to receive donations from this program is purely voluntary. Employees making requests for a donation shall recognize that hours donated are being gifted, and they will not be required to reimburse the bank. They shall recognize they must complete an *Emergency Medical Leave Request Form*, and they must meet eligibility requirements stated herein. They shall recognize that acceptance into the program is not a guarantee of hours and that donations into and hours coming to them out of this bank may be varied and sporadic.

Employees requesting donated time shall obtain and complete an *Emergency Medical Leave Request Form*. Forms shall be submitted to Employee Relations. Employee Relations shall determine an employee's eligibility based on requirements stated herein. Employees who apply to this program will be notified by Employee Relations of their eligibility status as soon as possible following a determination. Hours shall be disbursed from the bank to eligible employees as stated herein.

Neither donor employees nor recipient employees have control of the bank. Hours will be equally distributed from the bank to eligible employees, up to each employee's FTE maximum of hours. The IRS has determined these are taxable wages to the recipient.

The Emergency Medical Leave Sharing bank is an hours-based bank. Employees receiving donated emergency medical leave shall not be given more time than their authorized FTE in any given pay period, and they shall not be paid more than their regular base wages as a result of participating in this program. Recipient employees shall recognize income received under this program shall be taxable. Employees receiving donated emergency medical leave shall have exhausted all other leave for which they are eligible, and they shall have applied to and been accepted into the program before receiving emergency medical leave sharing benefits. Recipient employees shall not be eligible to accrue other leave time while participating in this program. Once an employee begins unpaid status through the County payroll system, they may not go back to a paid status during the same leave of absence. Donated time has no cash value; it is not attributed to any particular employee or group of employees; it will not be paid out as separation pay; and is not considered to be a vested benefit.

Donated Time Bank

Donated leave hours will be processed with each payroll into a specific Emergency Medical Leave Bank account held by the Employee Relations Department.

Employee Relations shall receive [Emergency Medical Leave Request Form](#) and maintain them in date order approved. Appropriate documentation shall be submitted with requests. Requests will not be approved until the need for leave and eligibility for leave under this program is validated.

Each pay period, the bank of hours shall be equally distributed among all individuals with approved requests to a maximum of each individual's FTE. Recipients shall not be given more time than their authorized FTE in any given pay period, and they shall not be paid more than their regular base wages as a result of participating in this program. Payment of time shall be distributed according to each eligible employee's hourly, base rate of pay. Recipients shall recognize that this is not a promise of paid leave and the amount of hours received will be variable based on the number of donations and eligible requests.

Any questions regarding this program shall be directed to Employee Relations.

Extended Sick Leave

For employees with an Extended Sick Leave (ESL) account, existing ESL balances may be used for illness or injury of the employee or the employee's immediate family. Immediate family for the purpose of ESL is defined as other persons with whom the employee can establish a close relationship.

ESL may be accessed and utilized AFTER the employee has used 40 hours of PTO for a specific occurrence of illness or injury. Hours beyond the first 40 in PTO and attributable to that same occurrence of illness or injury may be taken from the ESL bank of the employee. Employees with less than 40 hours of PTO shall exhaust all PTO prior to accessing the ESL account. Employees seeking to use ESL should contact Employee Relations.

Employees who have or are seeking to assist coworkers experiencing medical hardship may voluntarily participate in the [Emergency Medical Leave Sharing Program](#).

Nursing Individuals/Expressing Milk in the Workplace

Scott County recognizes the need to provide reasonable unpaid breaks to express milk for their infants. Scott County provides a private location, not a bathroom, shielded from view and free from intrusion from coworkers and the public, and has access to an electrical outlet. This provision is applicable to all employees, including unclassified (temporary and intermittent).

The employee shall provide reasonable notice to their supervisor that they intend to express milk. The employee will be responsible to reserve the space as needed on an ongoing basis.

Employees, in coordination with their supervisor, shall be allowed the flexibility to use their paid breaks and unpaid lunch breaks for time necessary to express milk. If an employee requests to use time outside their normal paid breaks and unpaid lunch period, the employee's timecard shall reflect appropriate accrued paid leave or short term leave without pay. Nursing individuals have priority in using these rooms; however, the rooms can also be used by employees for health/wellness-related issues.

Provisions for the Administration of Leaves

A. Pay During Leave:

- To cover a period of absence, employees may request paid and unpaid leaves. An employee is required to exhaust their PTO prior to going on an unpaid leave unless approved by their supervisor and consistent with other leave policies. Once an employee begins unpaid status through the County payroll system, they may not go back to a paid status during the same leave of absence.
- When an employee is receiving compensation through a vendor/carrier (workers' compensation, disability, etc.), in combination with County leave pay, the amount of compensation cannot exceed 100% of the employee's regular base pay.
- If receiving short term or long term disability, an employee shall use accrued time off to make up the difference between short term disability or long term disability compensation benefits and full salary unless unpaid time off is approved by the supervisor in consultation with Employee Relations.

Consult with Employee Relations regarding timecard coding.

- B. Benefit Eligibility:** In order to maintain employer-paid benefits during a long term (greater than 40 hours) unpaid personal leave of absence, employees must work a minimum of 20 hours per week.
- C. Leave Accrual:** PTO shall not accrue during any leave of absence without pay greater than 40 hours, except during a military leave. On leaves during which PTO does not accrue, PTO balances shall be retained as of the effective date of such leave and shall only begin to accrue upon the return to work of the employee.
- D. Performance Review Dates and Merit Increases on Classification Dates:** When an employee is granted an unpaid personal leave of absence greater than 40 hours, including non-medical FMLA leaves, the employee's performance review date shall be adjusted by the amount of unpaid leave days.
- E. Performance Review Dates and Merit Increases on March 15 and Other Designated Dates:** When an employee is granted an unpaid personal leave of absence greater than 40 hours, including non-medical FMLA leaves, the amount eligible to receive (base pay increase and/or lump sum) with their next annual performance review shall be prorated by the amount of unpaid leave days.
- F. Seniority:** For personal leaves of absence greater than 40 hours, seniority does not continue to accrue but seniority accrued prior to the date of the approved leave shall be retained. Seniority hour accrual will resume upon return.

- G. **Cancellation:** Any leave without pay shall be subject to cancellation by the respective department manager and the Employee Relations Director, if it is found that the employee is using the leave for purposes other than specified at the time of approval, or when the interest of the County requires such cancellation.
- H. **Return From Leave:** Following a leave of absence, the employee may return to the same position or a similar position in the same job classification. Failure to report for work within three days following the expiration of the leave shall be considered a resignation.

Phased Retirement Option (PRO)

Scott County will offer PRO agreements in those situations warranted by business needs and as recommended by the Division Director and approved by the County Administrator.

Minn. Stat. 353.371 allows employees who participate in the Public Employees Retirement Association (PERA) General Employees Retirement Plan (Coordinated), who are age 62 or older, and who meet the eligibility requirements, the option to begin receiving a PERA pension without resigning.

Scott County recognizes that it may be to the County's benefit to offer a phased retirement option to selected staff to transition employees into retirement, to enhance knowledge transfer to other staff enabling succession planning, to facilitate reorganization initiatives, or to reduce the hours of certain staff for budgetary savings.

The availability of the PRO plan to any individual employee is solely at the discretion of the employer. Terms and conditions of employment, including, but not limited to, benefits, hours of work, job duties, and rate of pay will be set forth by the County.

Eligibility and Requirements

Scott County retains sole discretion in offering the PRO to an employee and may cancel the agreement at any time. PRO employment must not exceed a total of five years. Enabling legislation and PERA requirements for PRO participation are:

- Meet all other requirements for a pension from PERA;
- Be a member of the PERA General Employees Retirement Plan (Coordinated);
- Be at least 62 years of age;
- Have worked a minimum of 1,044 hours in each of the five years immediately prior to beginning a Phased Retirement;
- Agree to a reduction of hours worked of at least 25 percent in each pay period, and may not work over 1,044 hours per year;
- Not work as an employee for another governmental employer in Minnesota;
- The Employer must approve participation; and
- The Employee and Employer must file a "Phased Retirement Option (PRO) Agreement" form with PERA.

PRO Plan Benefits

The employee will begin collecting a PERA benefit without the normally required 30-day break in service and without the prohibition against having any agreement to return to work with the current employer. Participants are also exempt from PERA's earnings limits. Neither the employee nor the employer is required to make any further contributions to PERA. Thus, participating employees will receive their PERA pension plus whatever salary and benefits are agreed upon for the reduced hour PRO position. The pension will not be reduced or offset by the earnings in the PRO position.

Terms and Conditions of PRO

Employees who sign an agreement to participate in the PERA PRO Plan are still considered active employees of Scott County and are eligible for the following:

- The salary rate for the PRO position will be based upon the employee's experience and training for the job duties.
- Paid Time Off (PTO) or Vacation and Sick Leave and Holiday Pay will be provided in accordance with the Employee Relations Policy and Procedures – Employment Benefits or applicable collective bargaining unit agreement.
- Eligibility for all other benefits, including group health, life, dental, long-term disability insurance, and Health Care Savings Plan (HCSP), will continue in accordance with the Employee Relations Policy and Procedures – Employment Benefits or applicable collective bargaining agreement.
- Participants who are still eligible for PTO or Vacation and Sick Leave accrual will not be eligible for separation pay until completion of the PRO assignment. At the start of the PRO assignment, separation pay will be paid to any participant no longer eligible for PTO or Vacation and Sick Leave in accordance with the Employee Relations Policy and Procedures – Employment Benefits and Employee Relations Policy and Procedures – Separation of Employment or applicable collective bargaining unit agreement.

Additional Information

The PRO enabling legislation made this plan available only to employees covered by the General Employees Retirement Plan (Coordinated). Employees who participate in the Correctional or Police and Fire PERA funds are not eligible to participate in PRO.

Employees who sign an agreement to participate in the PERA PRO Plan are not eligible for any Early Retirement Incentive Plans (ERIP) offered to employees. ERIP is only available to eligible employees who are completely separating their employment with Scott County for full retirement purposes.

More information regarding the PRO plan is available on the PERA website at www.mnpera.org or by calling 651-296-7460.

Division directors, department managers, and supervisors shall be aware of these provisions in implementing a PRO for employees under their direction. Supervisors also need to discuss the benefits to the County with the Employee Relations Director or designee prior to offering a PRO agreement and implementing the provisions of this PRO plan.

Recruitment, Selection, and Hiring

Competitive Procedures

Competitive procedures will be used to determine the qualifications of applicants seeking permanent employment. The rating method used will be based on the specific requirements of the position. Computer-based scoring is done on a one hundred (100) point scale. Seventy (70) points are allocated to those meeting minimum qualifications. Thirty (30) points are allocated to preference establishing a rank order of candidates for referral.

Posting notices shall be made for a minimum of five days. In order to create and maintain an eligible list to be used for future vacancies within the classification, a ten-day minimum posting is required.

Applying

A Scott County application shall be completed by all persons who want to be considered for a posted position. Applicants are required to submit a separate application for each position to which they apply. Certain processes may utilize a resume and cover letter submission for the initial application

process. Applications expire with the expiration of the particular eligible list to which they pertain or after two years, whichever comes first.

Employees are encouraged to pursue other employment opportunities within the County. Employees shall be provided with County paid time to participate in Scott County hiring processes.

To support a culture of learning and professional development, County permanent and probationary employees are provided the opportunity to apply for positions at any time when there is an active eligible list. Applications will be accepted and rated per the selection method defined by the most recent posting. Employees who meet minimum qualifications will have their names added to the referred list of the job classification for which they applied.

Applicants may be informed as to their scores on each part of the examination. An applicant may submit objections concerning the rating process in writing to Employee Relations. Such written objection must be received within ten days of the date on the notification sent to the applicant regarding their rating score. Employee Relations will review and respond to the applicant within ten days.

Re-Employment

A former employee of permanent employment status, who resigned in good standing, may request placement on the eligible list for the position most recently held. Eligibility will be maintained for 18 months from the date of separation.

Veterans Preference

An applicant who has achieved a qualifying score and who is eligible per Minn. Stat., 43A.11 may choose to receive a veteran's preference. Veteran's preference is applied according to requirements set forth in Minnesota statutes. Proof of the applicant's veteran status shall be satisfied by the veteran's DD 214-Member 4 copy (certificate of release or discharge) or other appropriate documentation and must be received by the closing date of the posting. Disability status must be documented by official certification from the Veterans Administration. Veteran's preference points will be added to the qualifying score to determine the final ranking of the applicant on the eligible list.

Eligible Lists

Eligible lists are rank order lists of qualified applicants by job classification and/or position. Applicants shall be placed on the eligible lists in rank order of rating score, the applicant scoring highest standing first.

An eligible list may be used to fill a current vacancy and then expired, or it may be maintained to fill future vacancies within that job classification for a period not to exceed two years. The hiring manager/supervisor, in collaboration with Employee Relations, will make the determination to expire an eligible list and repost.

The following may constitute reasons for the expiration of an eligible list; although, expiration of a list may happen for reasons other than those listed here:

- A. The posting for the position was not made for a minimum of ten days.
- B. The list has been used to fill a previous vacancy.
- C. There is a small number of qualified applicants on the list.
- D. There have been significant changes made to the position since the last posting.
- E. The eligible list was created by the recruitment efforts of another hiring manager/supervisor.

- F. A significant period of time has passed since the last hire from this listing and labor market conditions warrant reposting.

Certified/Referred List

From the eligible list, the names and application materials of the top 25 ranking applicants, plus ties, will be certified/referred to the hiring manager/supervisor. When more than one vacancy exists, an additional name for each additional vacancy, plus ties, will also be certified/referred. In addition, the names of permanent/probationary County employees, lay-off, and re-employment applicants who meet the minimum qualifications and whose names are on the eligible list for the position, will be certified/referred. All applicants certified/referred shall be considered at least minimally qualified.

A hiring manager/supervisor shall consider all applicants that are certified/referred and determine interviews based on job-related criteria. Additional names may be certified/referred following an interview process if candidates are deemed not well-suited for job-related criteria.

Reasons for Rejection of Applicants

The following may constitute reasons for removing a name from an eligible or certified/referred list; although, a name may be removed for reasons other than those listed here:

- A. The applicant lacks or loses any of the established qualification requirements for the position being filled.
- B. The applicant is physically or medically unable to perform the essential job functions of the position without a level of accommodation that would cause undue hardship to the County.
- C. The applicant has been convicted of a crime directly relating to the position being filled. (Minn. Stat. Sec. 364.03.)
- D. The applicant has been dismissed or resigned from employment in public service for failure or inability to perform their duties or misconduct.
- E. The applicant has intentionally made a false statement or omission with regard to material facts during the hiring process.
- F. The applicant does not provide good contact information and/or fails to respond to either emails or phone calls.
- G. The applicant fails to appear for a scheduled employment interview or fails to respond to a request for an interview, or an employment offer.
- H. The applicant declines to accept the position offered.
- I. The applicant has been considered and interviewed for this position in the County within the last 12 months and was not selected.

Selection

Selection from among the certified/referred applicants shall be based upon the hiring manager's/supervisor's determination of the person best-suited to the particular needs of the position, considering the factors of rating, interview, assessment results, education/training, skills, and related work experience.

Interviewing expenses and relocation fees shall typically not be provided for; however, may be considered and approved by the Employee Relations Director for unique and/or hard to fill positions.

A formal written job offer shall be made. All offers of employment shall be contingent upon County Board approval and successful completion of a background investigation.

Terms and conditions of employment shall be governed in accordance with Scott County policies and applicable collective bargaining agreements.

Consideration for elements of total rewards at the time of hire shall be done in consultation with Employee Relations.

Recruitment Tool

Scott County operates under a Total Rewards compensation philosophy. This philosophy recognizes that organizational investments in employees are greater than just pay. PTO accrual rates serve as an important and valued recruitment tool. Increased accrual rates may be considered for non-bargaining positions of new hires eligible for PTO.

Division Directors may bring a recommendation for a higher PTO accrual rate for employees to Employee Relations. The Employee Relations Director's decision shall be final. Consideration shall include unique and hard to find talent and skillsets for positions, which are difficult to recruit due to labor market conditions and the County's recruiting experience, internal equity, work experience directly related to the position of the candidate, and information provided by the supervisor in their recommendation. The increased accrual rate at the time of hire shall not exceed tier 4 or 30 days.

Background and Pre-Employment Checks

As a part of the hiring process, applicants shall be required to undergo a background check. Employment is contingent upon successful completion of this verification. The County shall pay the cost related to the background check.

Following are the types of pre-employment checks included under this section. **Standard checks shall include academic, county criminal, and employment**; although, checks may include, but are not limited to, any/all of these based on the job classification:

- Academic
- County Criminal
- Driver's License
- Drug Testing ([Workplace Health & Safety Policy - Drug and Alcohol Testing Program](#))
- Fingerprinting
- Medical Exams
- National Criminal Database
- National Sex Offender Public Registry
- Peer Credit Report
- Prison Rape Elimination Act (PREA)
- Professional Licensing
- Psychological
- Psychotherapy
- Statewide Criminal

Standard verifications will be conducted **AFTER** a contingent offer of employment has been made and a *Disclosure and Release of Information Authorization* have been signed.

Sheriff's Office positions may be subject to more in-depth background processes based. These background checks are conducted by Sheriff's Office staff.

Probationary Period

The probationary period is the last step in the selection process and gives a supervisor an opportunity to determine whether the employee can meet the performance requirements of the position.

Every newly hired or rehired employee to a permanent classified position must successfully complete a probationary period. The probationary period for these actions begins the first date of employment and continues for a period of 12 months.

Every employee who is promoted, demoted, granted a voluntary reduction, or accepts a lateral move to a permanent classified position must successfully complete a probationary period. The probationary period for these actions begins the first date in the new classified position and continues for six months.

However, every employee who is promoted, demoted, transferred, granted a voluntary reduction, or accepts a lateral move to a new position while serving the probationary period as a newly hired or rehired employee must complete a full 12-month probationary period in the new position. The Employee Relations Director may waive part of the 12 months based upon the amount of time the employee already served.

The probationary period may be extended by the amount of time an employee is on a leave of absence. The supervisor must communicate the extension to the employee and submit a Position Action Form to Employee Relations.

The probationary period may include time worked in an unclassified position with approval of the Employee Relations Director.

Employees shall receive a minimum of two performance evaluations during the probationary period.

An employee may be separated at any time during the probationary period. An employee who is separated shall not have a right to appeal.

A permanent status employee who does not successfully complete a probationary period due to promotion, lateral move, or voluntary reduction may request to be placed on the re-employment register for the position formerly held.

Results of Status Change/Movement From One Position to Another When a Previous Probationary Period Has Been Completed

Status Change	New Anniversary/ Classification Date	New Probationary Period	New Performance Evaluation Date
Demotion	X	X	X
Lateral Move	X	X	X
Promotion	X	X	X
Reassignment			
Reclassification			
Transfer			
Voluntary Reduction	X	X	X

Requests for References and Employment Verifications on Former Employees

Requests for reference and/or employment verification on current and former employees should be directed to Employee Relations.

Separation of Employment

Separation shall require the following:

- A. All keys, identification cards, badges, equipment, and other County property have been returned and accounted for.
- B. Satisfactory discharge by the employee of any debts and reimbursement obligations to the County.

Separation in Good Standing

For a resignation to be in good standing, notice must be submitted as follows:

At least 14 calendar days before the last day worked unless waived by the supervisor in consultation with the Employee Relations Director or designee.

At least 30 calendar days before the last day worked for Managers and Directors unless waived by the County Administrator in consultation with the ER Director.

Permanent employees who leave employment in good standing are entitled to pay out of unused PTO in accordance with the [Employee Relations Policy and Procedures – Employment Benefits](#). Authorized separation reimbursement payments shall be issued the pay period following the last payroll check.

An employee separated due to termination does not leave in good standing.

Resignation

A written notice from the employee indicating the intent to resign from the position and the intended last day worked.

Retirement

In order to fully understand the opportunities, benefits, and process, employees considering retirement are encouraged to consult with Employee Relations a minimum 60 calendar days prior to separation.

Layoff

When it is determined that layoffs are in the best interest of the County due to economic impacts or a business model change, a layoff shall be by organizational unit, department, and job classification within each department. The retention of employees in positions subject to layoff shall be based upon consideration of type of appointment, work performance, ability to perform the remaining work, and length of service as a permanent employee. The preferred order of a layoff by type of appointment is as follows: unclassified employees, probationary classified employees, and permanent classified employees.

The Employee Relations Director shall give written notice of a layoff to the affected employee at least 14 calendar days before the effective date.

An employee of permanent status, who has been laid-off, may request to have their name placed on the eligible list for the position formerly held. Eligibility will be maintained for 18 months from the date of layoff.

Termination

An employee may be terminated when they are not meeting job expectations, including inappropriate conduct. [See Employee Relations Policy and Procedures – Employee Discipline](#).

Workforce Planning

To assist with workforce planning, employees that provide a 60 calendar day, written notice of intent to separate employment with Scott County shall be able to request to be paid up to 100% of their separation pay of their current accrued PTO balance at the time they give their notice. Upon final separation from the County, any remaining PTO balance will be paid out subject to other provisions.

Training and Professional Development Opportunities

In support of life-long learning, Scott County encourages job, career, and professional development training. County training may be coordinated:

- A. Centrally, through Employee Relations. Examples of such training include:
 - 1. Computer training
 - 2. Orientation and onboarding
 - 3. General professional development - interpersonal communications, customer service, skills development, etc.
 - 4. Policy training
 - 5. Safety training
 - 6. Mandated training
- B. At the department level, to address specific and focused position and department required skills; and
- C. Individually to address employee development plan items. Supervisors shall work with employees as part of the performance evaluation and employee development process to devise plans and objectives for meaningful professional growth and development. Formalized goals and objectives can be drawn from ongoing conversations related to individual career aspirations and organizational needs. Such goals and objectives may be to participate in and attend training classes, seminars, and workshops, or to join professional associations that will expand their knowledge/skills in techniques and best practices in their respective fields. Types of training offered includes, but is not limited to:
 - 1. Professional certificate programs and credentials
 - 2. Courses offered by an accredited institution, including e-learning
 - 3. Workshops, seminars and conferences
 - 4. Membership in professional organizations
 - 5. Subscriptions for online learning materials and teaching aids

County-paid training and professional development shall be discussed with and approved by the employee's supervisor and shall be related to performance plans, business plans, job needs, County goals, or something specific to the employee's professional development.

Employees may be permitted to join professional groups and associations directly related to the work they perform on behalf of the County. Supervisor approval shall be obtained prior to County funds being expended on professional memberships.

Scott County reserves the right to determine which training functions and association memberships are in the best interests of the County.

Tuition Reimbursement

Scott County recognizes continuing, formal education is important and necessary to maintain quality service and enable promotional opportunities. Tuition reimbursement is designed to assist permanent or probationary employees who are pursuing additional education that may or may not be related to their current job. Tuition reimbursement is intended for use by employees taking semester or quarter-long classes at a college or technical school, or for career oriented certification programs that require at least 40 hours of formal instruction. Tuition reimbursement is centrally managed through Employee Relations and is limited to funds earmarked for the program annually through the formal budget process. Tuition reimbursement is administered on a first-come, first-served basis. Supervisor approval is required for participation in this program. The program shall be administered as follows when County program dollars are authorized for these expenditures:

- A. Employees shall be eligible for reimbursement for tuition costs of up to \$1,500 per employee per calendar year.
- B. Employees shall complete a [Tuition Reimbursement Request Form](#), obtain written approval from their supervisor, submit the form to Employee Relations, and have been accepted into the tuition reimbursement program prior to course enrollment to be eligible for reimbursement.
- C. Employees shall be required to make initial payment for the course tuition and shall be reimbursed by the County upon submission of an institutional statement of satisfactory completion of the course. One must achieve a **C- or better** or a **passing** grade in order to be reimbursed. An employee may be required to reimburse the County for the cost of tuition if the employee separates from County employment within a one-year period following the training.
- D. Employees are herein advised this reimbursement applies to tuition fees only. It does not apply to the costs of course related access, technology, or student activity fees, textbooks, transportation or parking fees, equipment, or other materials required by the instructor.
- E. A leave of absence may be granted to an employee by their supervisor for part-time advanced study. Leave shall be limited to one course per academic period (quarter or semester) and shall be considered only for courses not available during the employees scheduled time off. The employee and supervisor should consult with Employee Relations if contemplating this option.

Attendance

Scott County strives to provide the best training and professional development opportunities possible while maintaining fiscal responsibility. To meet these goals, employees are expected to attend the training for which they have registered or to cancel their registration as soon as a conflict is recognized. Please provide a three-day notice of cancellation in order to allow others the opportunity to attend. If there are negative patterns of no-shows or late cancellations, these will be addressed. This does not apply to mitigating circumstances such as illness or family emergencies. To minimize distractions to the instructor and other attendees, please arrive on-time for training and return timely from breaks. Please minimize use of cell phones and other electronics during training sessions as they are disruptive to the learning process.

Training Records

Records related to centralized training and professional development shall be maintained by Employee Relations. Records related to department level and individualized training shall be maintained by the supervisor and employee, respectively. It is the responsibility of supervisors and employees to maintain records of department level and individualized training, certification, and membership they coordinate. Information may be submitted to Employee Relations for inclusion in the employee's training record.