

## APPENDIX B PERSONNEL REGULATIONS\*

\***Editor's note:** Ord. No. 3194-B, § 1, adopted Dec. 1, 1998, enacted a new and revised personnel rules ordinance for the county which is set out herein with minor stylistic changes made by the editor. Formerly App. B derived from Ord. No. 2321, adopted Nov. 19, 1991; Ord. No. 2355, § 1, 5-2-92. Sections with a history note in parentheses at the end of the section have been amended by the subsequent ordinances listed in the note.

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### FORWARD

The mission of the government of Greenville County, South Carolina is to provide high quality, customer-oriented public services. Greenville County Government shall be distinguished and distinctive: for listening, communicating and problem solving, for minimal bureaucracy, streamlined processes and high performance public services, for using technology to improve public services; for being accessible and responsive to citizens, their needs, wants, and abilities to pay; for fostering pride, self-sufficiency and economic independence; for our quality, merit-oriented, empowering work-place climate, and for cost-effectiveness. Through the teamwork of county employees, the strength of county government, Greenville County will continuously improve the quality of its services to meet or exceed the expectations of citizens.

Greenville County is ". . . at your service."

As employees of the government of Greenville County, we each are responsible to act with honesty and integrity. It is our responsibility to make our best effort to do what is legal and right.

When engaged in any activity concerning the government of Greenville County, the citizens of Greenville County, who are our stockholders and customers, other governments and their employees and representatives, other employees of Greenville County, companies that do business for and with county government, or visitors, or businesses that operate within Greenville County, we represent both ourselves and the government of Greenville County. In order to be successful as a local government, each of us must maintain standards of uncompromising integrity in our daily activities.

You and your fellow employees are a valuable resource of the government of Greenville County. The government of Greenville County will not condone any form of harassment, intimidation or discrimination. Employees are expected to maintain professional work relationships with their co-workers.

To demonstrate our commitment, the government of Greenville County will

- \_\_\_\_\_ \* Seek to have a diverse work force by hiring, training, assigning, and promoting employees to positions solely on qualifications;
- \_\_\_\_\_ \* Recognize and reward employees competitively for their contribution; invest in employee training and development;
- \_\_\_\_\_ \* Nurture teams, collaboration, problem-solving and teamwork;
- \_\_\_\_\_ \* Creatively mix challenge, positive attitude and mutual respect.

## **HISTORY OF GREENVILLE**

Greenville County was founded as a trading post in the mid-1700's. The county was created by the State's General Assembly on March 22, 1786. In 1797, a county seat was established, and by 1869, the area's population had reached 2,000. The village of Greenville was chartered by state law on December 17, 1831. On February 14, 1907, the city surrendered its charter and accepted incorporation under general law.

During the 1820's, Greenville evolved into a textile manufacturing center with the opening of three major mills, and after Reconstruction, the industry prospered. In 1915, the city held its first Southern Textile Exposition, and two years later, the first Textile Hall was built, proclaiming Greenville "The Textile Center of the South."

Greenville County is still known as a business and high technology manufacturing center, and the county is building on its reputation as an attractive site for corporate headquarters relocation and international business investment. Greenville County is also a regional center for industrial technology, engineering, health care, and commerce. As South Carolina's most populous county with over 328,275 residents, Greenville has emerged as a center for business, high technology, manufacturing, research and development, and engineering. The area is one of the nation's fastest growing and features the heaviest concentration of foreign direct investment in the United States.

Greenville County offers citizens a wide variety of entertainment, recreational, and cultural activities. Greenville hosts four seasonal festivals. Abundant recreational facilities are provided and the annual county athletics programs are the largest of its kind in the state, offering a wide range of sports which include football, soccer, baseball, basketball, and tennis. The city operates a zoo and a municipal stadium that is home to the Greenville Braves, class AA affiliate of the Atlanta Braves in the Southern League. Greenville also offers many cultural activities including the Art Museum, three Ballet companies, local theaters, the Peace Center for the Performing Arts, and the Bi-Lo Center. Greenville County is situated in the northwestern corner of the state, ideally located near both the mountains and the coast.

## **DEPARTMENTAL SUMMARIES**

### **COUNTY COUNCIL**

County government is directed by a twelve-member governing body elected from twelve (12) single-member districts. County council members serve four-year overlapping terms and are responsible for overall policy development for county government. County council holds meetings to consider ordinances, bids, contracts, zoning changes, and other matters of county business. The council is charged with levying taxes, adopting an annual budget, and setting governmental policy.

### **COUNTY ATTORNEY'S OFFICE**

The county attorney's office represents the county and all its officers in litigation either brought against the county or initiated by the county. The county attorney's office reviews, approves and drafts legal documents which include deeds, contracts, ordinances, leases, dedication instruments, security and performance bonds, various pleadings, bond issue documents, resolutions, and acts.

### **COUNTY ADMINISTRATOR'S OFFICE**

The county administrator's office carries out the policies, directives, and legislative actions of the council, and directs and coordinates operational and administrative activities of county government. In addition, the county administrator's office prepares annual operating and capital improvement budgets and supervises the expenditure of funds appropriated by council.

### **DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES**

The responsibilities of the finance and administrative services department include the administration of major fiscal services, centralized purchasing, information systems, real property services, and the collection of current and delinquent property taxes. Fiscal services involves the maintenance of general accounting records, development of the annual capital and operating budgets, and control of all county expenditures. Information systems serves all county departments and some agencies by processing raw data via a systematic approach and by providing computer operations service and systems development. Real property services is responsible for the valuation of real property, maintenance of sales data transactions, and review of building permits for market value and all real estate to reflect proper valuation.

### **DEPARTMENT OF COMMUNITY SERVICES**

The department of community services is responsible for providing criminal justice support services, detention center services and emergency medical services. Criminal justice support provides support to all law enforcement agencies in Greenville County. These services include photographic, fingerprint development and examinations; detection, collection, and preservation of evidence; chemical field testing of suspected drugs; processing and retrieval of documents provided by investigating officers; and scientific examinations and analysis of physical evidence recovered at crime scenes. The detention center secures male and female inmates ordered into confinement by the courts or other authority. Emergency medical services provides timely emergency stabilization and pre-hospital care for residents in Greenville County.

## **DEPARTMENT OF PUBLIC SERVICES AND FACILITIES**

Responsibilities of the department of public services and facilities include maintenance of county roads and bridges, provision for waste disposal, conservation and development of the county's soil, water, and related resources for stormwater management, enforcement of standard code and zoning ordinances, maintenance of county-owned facilities, routine and special maintenance of the county's vehicle fleet; and maintenance of central records and archives. A total of 1,423.9 miles of county roads are maintained, along with one hundred seventy-seven (177) bridges. Additionally, five (5) convenience centers and one (1) landfill are maintained to serve county residents. Planning, technical, and educational services are provided to all landowners and land users on conservation and related problems. Permits are issued and inspections are performed for any new structural construction, renovations, repairs, fire damage, demolition on residential, commercial or industrial projects.

## **DEPARTMENT OF HUMAN RESOURCES AND SERVICES**

The department of human resources and services is responsible for administration of personnel practices, employment and training programs, voter registration and election functions, and veterans affairs. Personnel practices includes the recruitment, selection and placement of employees, administration and maintenance of a position classification system and compensation administration program, maintenance of employee personnel records, employee benefit programs, general insurance coverage, policies and procedures for employees. In addition, the human resources department works with other departments/divisions to foster and promote programs of training for the purpose of improving the quality of services and developing employees. Employment and training programs are provided through JTPA for youths and unskilled adults for entry into the labor force.

## **FISCAL SERVICES**

The fiscal services area includes the auditor's office, register of mesne conveyance office and the treasurers' office. The auditor's office prepares tax notices on personal property and motor vehicles monthly. This office is responsible for all ad valorem tax charges collected by Greenville County. The RMC Office records and maintains all legal documents pertaining to real and personal property, such as deeds, mortgages, plats, financial statements, and leases according to law. The treasurer's office is responsible for the collection and disbursement of all county revenue, as well as investment of county and special district funds.

## **JUDICIAL SERVICES**

The judicial services area includes the office of the circuit solicitor, clerk of court, magistrate court, probate court, and master-in-equity. The circuit solicitor is the chief prosecuting attorney for the county, responsible for assisting all law enforcement agencies during investigations and representing the state at all judicial hearings. The clerk of court maintains records for the circuit court and family court. The office of the master-in-equity assists in the efficient flow of civil litigation by hearing all mortgage foreclosures and accounting, receivership, and corporate dissolution cases. The probate court is responsible for probating all estates of deceased persons who were residents of Greenville County, the commitment of mentally ill persons to the South Carolina State Hospital, and the issuance of marriage licenses.

## **LAW ENFORCEMENT SERVICES**

The law enforcement services area includes the sheriff and the coroner. The sheriff's office provides law enforcement services including community-oriented policing, crime suppression, investigative services, high profile patrol, juvenile services, court security, emergency preparedness, and other public safety services. The sheriff is the chief law enforcement officer for the county. The coroner's office conducts investigations of deaths that arise from unexplained or questionable circumstances.

## **CHAPTER 1. BASIS OF PERSONNEL POLICY**

### **Sec. 1.1. Enabling instrument.**

This ordinance shall be known as the "Personnel Rules Ordinance of Greenville County, South Carolina" and shall constitute the official rules affecting persons employed by Greenville County.

### **Sec. 1.2. [Authority.]**

This ordinance is adopted pursuant to the authority granted Greenville County Council by Section 4-9-30(7) of the Code of Laws of South Carolina (1976), as amended, and by the general laws and the Constitution of the State of South Carolina. Greenville County Council is granted the authority "to develop personnel system policies and procedures for county employees by which all county employees are regulated except those elected directly by the people, and to be responsible for the employment and discharge of county personnel in those county departments in which the employment authority is vested in the county government. This employment and discharge authority does not extend to any personnel employed in departments or agencies under the direction of an elected official or an official appointed by an authority outside county government. . . ."

### **Sec. 1.3. [Non-discrimination.]**

Greenville County will not discriminate against employees or applicants for employment on account of race, religion, color, national origin, gender, age, military status, handicap or citizenship.

### **Sec. 1.4. [Goals.]**

The personnel policy Greenville County is based on the following goals:

- \_\_\_\_\_1. Employees shall be hired, assigned, trained and promoted on the basis of merit;
- \_\_\_\_\_2. Provision for a career in government for qualified employees whose service is of a continually high level;
- \_\_\_\_\_3. Utilization of job-related training and educational opportunities whenever possible;
- \_\_\_\_\_4. Opportunity for promotion from within existing employee ranks;
- \_\_\_\_\_5. Work conditions that are safe, healthy and conducive to efficient, high-performance, customer-oriented services;
- \_\_\_\_\_6. Prompt action in the handling of employee complaints, concerns and issues.
- \_\_\_\_\_7. Avoidance of all discriminatory practices, language and images in employee relations;
- \_\_\_\_\_8. Provision of competitive wages and salaries for all employees and, in return, to require an adequate day's work from employees.

### **Sec. 1.5. Customer service and public relations.**

Greenville County is committed to excellent customer service through its employees. The customer service commitments and public relations suggestions below should act as your guide when serving the residents of Greenville County.

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- \_\_\_\_\_1. It is vital that the employees of the County treat the person with a problem or concern as someone who is attempting to assist us by bringing problems to our attention. A rational explanation of County procedures and

practices is a way to handle these situations. Neither discourtesy nor anger on the part of an employee has any value in situations of this nature. Arguing with an angry person will only make the situation worse.

2. Employees should never take a complaint as a personal attack. Use of the word "we" rather than "I" is a preferable response since employees represent the County.

3. Permitting people who are angry to vent their anger will many times solve the problem. Giving citizens a chance to get their complaints voiced will help them feel better and thus allow them to be more responsive to the answer the county subsequently provides.

4. Advise complaining people that the county sincerely regrets that they have not received the services they desire. Expressing honest regret is always more productive than trying to make excuses.

5. Employees should offer to assist in a legitimate way to resolve a problem or concern of the person, if the person wants to see a division or department director regarding a complaint, the employee should offer to take a message or set up a meeting when possible. Whenever possible, the department director should respond to the complainant before the complaining person calls back. When necessary or appropriate, written reply should also be made.

6. Employees should attempt to get adequate information from the person with the problem or concern when this information is needed to resolve the problem. This information should include name, telephone number, nature of problem, date, time, etc.

7. It is vital that employees assure the complaining person of our desire and intent to give them the service they deserve. In most cases the person complaining is really trying to help the county serve them better. We should always thank citizens for taking the time and effort to communicate their problems.

## **CHAPTER 2. ADMINISTRATION AND AMENDMENT OF POLICIES**

### **Sec. 2.1. Applicability.**

While we want employees, including constitutional officers, to act appropriately based on a solid understanding of our mission, vision, strategy, and values, the need for certain policies and procedures to ensure consistency is recognized. All employees are expected to read and understand the policies and procedures set forth in this manual.

These policies and procedures shall apply to employees of the County of Greenville, regardless of the length of their employment, including the employees of constitutional officers unless state law specifically stipulates otherwise; council appointees; appointed members of boards and commissions; persons employed to make or conduct special inquiry, investigation, examination, installation, or audit; and, unless otherwise noted, agents or consultants retained by the county to perform professional services.

Moreover, all department directors are expected to make themselves reasonably available to assist employees in understanding the county's mission, vision, strategy, and values as well as these policies and procedures.

There may be occasions when an immediate change in the policy manual is desirable, and yet there is insufficient time to accomplish such a change through three (3) readings before council. Therefore, council authorizes the county administrator, on an emergency basis, to use his or her discretion to deviate from and modify these policies on a temporary basis when such a modification or deviation is deemed to be in the best interest of Greenville County. Any time such a deviation or modification takes place, the county administrator shall immediately recommend to council appropriate changes in the policy manual, and such changes shall become final only upon three (3) readings by council which are published in a manner prescribed by law.

### **Sec. 2.2. Administration.**

These policies and procedures shall be administered by the county administrator through the director of human resources and services.

### **Sec. 2.3. Administrative directives.**

The county administrator may supplement these policies as s/he deems necessary by issuing administrative directives concerning the various aspects of county employment, duties, personnel regulations, etc., provided such administrative directives are not contrary to the policies promulgated herein.

## Sec. 2.4. Revision.

This personnel ordinance shall be subject to revision by the county council at the successful passage of three (3) readings which are published in the manner prescribed by law. Any and all revisions shall be forwarded to employees upon the effective date.

## Sec. 2.5. Violation of provisions.

Any employee violating these provisions shall be subject to disciplinary action up to and including immediate dismissal in addition to any penalty which may be levied for the violation of the same. The appropriate department director or director's designee and director of human resources and services shall notify the employee in writing of any suspension or dismissal.

## CHAPTER 3. DEFINITIONS

### Sec. 3.1. Meanings in general.

Unless otherwise expressly stated, the following terms shall have the meanings indicated in this chapter. Where terms are not defined by this chapter, they shall have ascribed to them their ordinarily accepted meanings or such meanings as the context herein may imply.

### Sec. 3.2. Specific meanings.

(3.2.1) *Absence without leave*: An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these rules shall be deemed to be an absence without leave.

(3.2.2) *Adverse action*: Action that substantially and negatively affects an employee's status or results in a reduction in pay.

(3.2.3) *Acting in capacity*: Appointment status which is limited to a prescribed period of time for which the employee is working at a higher classification position than their regular appointment.

(3.2.4) *Appeal*: The right of an employee to have a hearing beyond his/her immediate supervisor with higher authority for review of a grievance.

(3.2.5) *Appointed official*: An employee of the county who holds his/her office by virtue of an appointment by the county council or a board and commission.

(3.2.6) *Appointment*: The assignment of selected candidates for employment to a classified or unclassified position authorized by the current and approved budget in the following manner:

\_\_\_\_\_ (a) *Introductory appointment*: Appointment status which is preparatory, in-service training, and evaluation for a regular classified appointment. An employee in this status is covered by all policies and procedures in this handbook. This period is normally a six-month evaluation period.

\_\_\_\_\_ (b) *Regular appointment*: Appointment to full-time or part-time classified or unclassified position upon completion of the required introductory period and which is subject to all policies and procedures in this manual.

\_\_\_\_\_ (c) *Temporary appointment*: Appointment status which is full-time or part-time but limited to a prescribed period of time and which is covered by all policies and procedures of this handbook except benefits.

\_\_\_\_\_ (d) *Grant appointment*: Appointment status which is full-time or part-time but limited to a prescribed period of time of a grant and which is covered by all policies and procedures of this handbook.

\_\_\_\_\_ (e) *Seasonal appointment*: Appointment status which is to fill a position which recurs at regular intervals and which is covered by these policies except employee benefits. Seasonal employees may be either part-time or full-time during their employment period(s).

\_\_\_\_\_ (f) *Part-time appointment*: Appointment status which is to fill a permanent position in county government, but works less than the prescribed number of full-time hours per day and week and which is covered by these policies

except employee benefits.

(3.2.7) *Classification and compensation plan*: A document which formally describes the philosophy, methods, procedures and the salary for compensating employees for work performed.

(3.2.8) *Compensation*: The standard rates of pay which have been established for the respective classifications of work.

(3.2.9) *Compensatory time-off*: Leave from work that may be utilized by the employee with consent of the department director's or director's designee in payment for overtime work done by certain employees. Compensatory time-off for non-exempt employees is accumulated at the rate of one and one-half (1.5) times the overtime hours worked.

(3.2.10) *Date*: The administration of personnel policies utilizes several different dates. Following are those most frequently referred to:

\_\_\_\_\_ (a) *Anniversary date*: First date in current position.

\_\_\_\_\_ (b) *Hire date*: The first day an individual reports to work for the county. This date would change only if there were a separation and then a re-hire.

(3.2.11) *Demotion*: The movement of an employee from a position in one class to a different position in another class having a lesser degree of responsibility and a lower pay range.

(3.2.12) *Department/Office*: A primary organizational unit which is under the immediate charge of a department director who reports directly to the county Administrator or designee. As the context may require, the term may also include a unit administered by a constitutional officer of the county and a unit administered by a county council appointee.

(3.2.13) *Disability*: A physical or mental impairment that substantially limits the employee in a major life activity.

(3.2.14) *Discipline*: The process that results in a verbal or written reprimand, disciplinary probation, suspension, demotion, dismissal, or other form of discipline of an employee when it has been determined that the employee has failed to perform his/her appointed duties satisfactorily or has failed to comply with the personnel policies and procedures of the County of Greenville.

(3.2.15) *Disciplinary suspension*: An employment status, the length of which shall be determined by the department director in consultation with the director of human resources and services, but for a period not in excess of three months, resulting from unsatisfactory performance or conduct.

(3.2.16) *Dismissal*: The permanent separation of an employee from County employment for unsatisfactory performance or behavior or failure to comply with the personnel policies and procedures of the County of Greenville.

(3.2.17) *Educational leave*: Authorized leave, with or without pay to attend a college, university or other institution of higher learning which offers an academic curricula leading to a degree or degrees.

(3.2.18) *Employee*: Any person who is working for any department of the county and who is not an elected official or an outside consultant, contractor, or a member of an advisory board, commission or ad hoc group.

\_\_\_\_\_ (a) *FLSA exempt employee*: An employee who is not eligible for overtime compensation or compensatory time as stated in the provisions of the Fair Labor Standards Act.

\_\_\_\_\_ (b) *Full-time employee*: An employee whose regular/normal bi-weekly work period is either seventy-five (75) hours, eighty (80) hours or eighty-four (84) hours, dependent upon classification.

\_\_\_\_\_ (c) *Part-time employee*: An employee whose regular/normal work week is less than thirty-seven and one-half (37.5) hours.

\_\_\_\_\_ (d) *Seasonal employee*: An employee who fills a position which recurs at regular intervals but does not last over an extended period of time. Seasonal employees may be either part-time or full-time during this employment period.

(3.2.19) *Escalator position*: The position which an employee would have attained had he/she remained continuously employed instead of entering military service.

(3.2.20) *Floating holiday*: A paid day off which may be taken at any time with the employee's supervisor's approval.

(3.2.21) *Grievable matters*: Grievable matters are those which result in adverse action. Grievable matters are:

\_\_\_\_\_ (a) Disciplinary action which results in involuntary demotion;

- (b) Suspensions of more than five (5) work days resulting from disciplinary action;
- (c) Discharge (this does not include separation of employment due to abandonment of position and it does not include reduction in force unless there is evidence that the reduction in force procedures have been violated);
- (d) An involuntary transfer that results in adverse action;
- (e) Discrimination that results in adverse action;
- (f) Harassment.

(3.2.22) *Grievance*: A formal challenge by an employee to a contested disciplinary action of other personnel action as defined in 3.2.21.

(3.2.23) *Grievance committee*: Hearing body of county employees chosen by the director of human resources and services from a pool of grievance committee members. The committee will consist of five (5) members and two (2) alternates for a hearing.

(3.2.24) *Harassment*: Conduct which is considered harassment includes ethnic or religious remarks or animosity, unwelcome advances, requests or demands for favors, deliberate or repeated gestures or verbal comments of a harassing nature, physical contact (such as, but not limited to, patting, touching, pinching, or repeatedly brushing against another's body) unreasonable interference with an individual's work performance, or creation of an intimidating, hostile, or offensive working environment by such conduct. It also includes any coercive behavior used in an attempt to control, influence or affect the salary, career or job of an employee.

(3.2.25) *Human resources and services director*: The person who is appointed and charged by the county administrator to administer the personnel policies of the county.

(3.2.26) *Immediate family*: The employee's spouse, parent, grandparent, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandchildren, son-in-law, daughter-in-law, and step/adopted children.

(3.2.27) *Layoff*: The involuntary non-disciplinary separation of an employee from a position.

(3.2.28) *Leave of absence*: An approved absence from work.

(3.2.29) *Long term military leave*: A leave period of more than ninety (90) days and supported by valid orders.

(3.2.30) *Military duty*: A period of active or inactive duty for training or for service in the National Guard, Coast Guard or branches of the Federal Armed Forces.

(3.2.31) *Military leave of absence*: Time away from scheduled work hours for active or inactive duty for training or service in the National Guard, Coast Guard or branches of the federal armed forces.

(3.2.32) *Official county business*: That which is necessary for an employee to perform his/her normal duties and responsibilities or any additional duties and responsibilities assigned by the employee's immediate supervisor, division manager or department director.

(3.2.33) *Overtime*: For all eligible personnel, all hours accumulated in excess of forty (40) hours per week shall be paid at a rate of time and one-half (1 1/2) their regular rate of pay. Employees engaged in protective services (i.e., for non-exempt officers of sheriff's office, and officers of the community services department) are not eligible for overtime unless they work in excess of eighty (80) hours during a work period. A work period is fourteen (14) consecutive twenty-four (24) hour periods.

(3.2.34) *Pay grade*: A particular level of pay from the minimum to maximum established rates within a given pay range.

(3.2.35) *Pay range*: A specific number of pay rates having a percentage relationship to one another, assigned to a class of positions as the compensation for that class of positions.

(3.2.36) *Pay rate*: A specific dollar amount, expressed as either an annual rate, a bi-weekly rate, or an hourly rate, as shown in the pay plan of the county.

(3.2.37) *Performance appraisal*: A periodic review of the work performance and conduct of an employee by his/her supervisor and reviewed by the department director and/or division manager.

(3.2.38) *Position*: Any employment whether occupied or vacant, full-time or part-time, consisting of duties and responsibilities assigned to one (1) individual.

(3.2.39) *Promotion*: The advancement of an employee to a higher pay range which can take place through filling a

vacant position, or reclassification upward of the employee's present position of increased responsibilities and authority.

(3.2.40) *Reclassification*: Reclassification upward or downward of a position may take place when it is shown that the duties, responsibilities of, and/or salary requirements for the position have changed to cause an upward or downward movement.

(3.2.41) *Resignation*: The employee-initiated separation from county employment.

(3.2.42) *Retirement*: The permanent separation of an employee, who has accepted retirement from county service.

(3.2.43) *Serious health condition*: An illness, injury, impairment, or physical or mental condition that involves:

\_\_\_\_\_ (a) Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.

\_\_\_\_\_ (b) Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

\_\_\_\_\_ (1) A period of incapacity of more than three (3) consecutive calendar days and any subsequent treatment or period of incapacity related to the same condition that also involves:

\_\_\_\_\_ \* Treatment two (2) or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders or on referral by a health care provider.

\_\_\_\_\_ \* Treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider.

\_\_\_\_\_ (2) Any period of incapacity caused by pregnancy or for prenatal care.

\_\_\_\_\_ (3) Any period of incapacity or treatment for such incapacity because of a chronic serious health condition. A chronic serious health condition is one which:

\_\_\_\_\_ \* Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider.

\_\_\_\_\_ \* Continues over an extended period of time.

\_\_\_\_\_ \* May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.)

\_\_\_\_\_ (4) A period of incapacity that is permanent or long-term because of a condition for which treatment may not be effective but for which the employee or family member is under the continuing supervision of a health care provider (e.g., Alzheimer's, a severe stroke, terminal cancer, etc.).

\_\_\_\_\_ (5) Any period of absence to receive multiple treatments by a health care provider or by a provider of health care services under the orders of or on referral by a health care provider, either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., radiation for cancer, dialysis for kidney disease, etc.).

(3.2.44) *Separation*: When an employee leaves the service of the County of Greenville due to resignation, dismissal, retirement, layoff, physical disability, or death.

(3.2.45) *Short term military leave*: A leave period of ninety (90) days or less supported by valid orders.

(3.2.46) *Suspension*: An enforced leave of absence with or without pay for disciplinary purposes or pending investigation of charges made against an employee.

(3.2.47) *Termination*: The act of dismissing an individual from employment.

(3.2.48) *Transfer*: The change of an employee from one position or department to another within the service of Greenville County government.

(3.2.49) *Veteran*: For the purpose of veteran's re-employment rights, a veteran is an individual whose civilian employment is voluntarily or involuntarily interrupted by active military duty, by reserve training activities, or by reporting for examinations to determine fitness for military service.

(3.2.50) *Work period:* A thirty-seven and one-half (37.5) hour work week consisting of a seven (7) consecutive day period beginning at 12:01 a.m. Sunday and ending at 12:00 p.m. the following Saturday for all county employees, except non-exempt EMS shift personnel, non-exempt sworn officers of the sheriff's office and the department of community services, whose work period shall be fourteen (14) consecutive days.

(3.2.51) *Written warnings:*

\_\_\_\_\_ (a) *Written warning:* A formal warning given to an employee for misconduct or failure to improve performance which is reduced to writing, dated, and signed by the employee's department/division manager.

\_\_\_\_\_ (b) *Final written warning:* A disciplinary action in which an employee is informed in writing that any further misconduct or deficient performance will result in the employee's dismissal.

## **CHAPTER 4. ENTRANCE REQUIREMENTS**

### **Sec. 4.1. Applications.**

(4.1.1) All applicants for employment must complete an application form which shall be supplied by the human resources and services department. For certain positions, supplemental information may be required for determining the qualifications of an applicant. A notice announcing each job vacancy will first be posted on internal bulletin boards for a period of five (5) consecutive workdays. The county will make such employment decisions without regard to race, sex, color, religion, national origin, age, disability, or veteran status.

(4.1.2) The director of human resources is authorized to post to recruit for vacancies. The department of human resources and services should be informed of all advertisements for vacancies. All applications shall be filed through the department of human resources and services. Testing of applicants should be coordinated through the department of human resources and services.

(4.1.3) The need for recruitment efforts other than the county vacancy list will be determined by the applicant flow or the applicant sources needed to provide an adequate applicant pool for a particular position. Professional positions, positions with limited applicant flow, or positions requiring extra effort to fill will be advertised in newspapers, trade journals, college or technical education centers, or other sources deemed appropriate to provide suitable candidates. All advertisements will provide essential information concerning the position and will include the minimum acceptable qualifications.

(4.1.4) The human resources and services department shall forward a list of all applicants along with applications to the department/division manager who shall, on the basis of the applications, interview and select the applicant of choice. The department/division manager may request reimbursement of relocation expenses incurred by the applicant selected to fill the position. Such reimbursement may be granted at the discretion of the department director/elected official. Applications should be screened for minimum qualifications prior to being forwarded to the department/division managers.

### **Sec. 4.2. Resident.**

(4.2.1) Employees of the county are not required to reside within the county limits of Greenville County.

### **Sec. 4.3. Discrimination (equal employment opportunity).**

(4.3.1) An applicant or employee shall be considered only on the basis of his/her qualifications as required by the position s/he seeks or holds, relative to experience, training, abilities, skills, knowledge, and personal character and integrity as a proper representative of the government of the County of Greenville.

The county will make such employment decisions without regard to race, gender, color, religion, national origin, age disability, or veteran status.

### **Sec. 4.4. Eligibility.**

(4.4.1) County employees will be given consideration as candidates for job vacancies. However, the county reserves the right to recruit outside candidates who have skills or experience needed for certain jobs.

(4.4.2) Candidates will be recruited from a geographical area as wide as is necessary to assure obtaining well-qualified applicants.

#### **Sec. 4.5. Seasonal employment.**

In addition to the standards outlined in this ordinance, seasonal employment with the County of Greenville shall be conditioned upon the following:

\_\_\_\_\_ (a) The applicant must be at least fifteen (15) years of age.

Applicants who meet the above requirements shall be placed on a hiring list. The previous year's employees that left in good standing will be given first priority.

#### **Sec. 4.6. Drug-screening examination.**

All applicants for safety sensitive positions are subject to preemployment/preappointment drug testing. All drug-screening examinations will be done in accordance with county Ordinance No. 2173 and any other county ordinances related to drug screening.

#### **Sec. 4.7. Background investigation.**

.(4.7.1) New or prospective employees may be fingerprinted as a prerequisite to employment.

.(4.7.2) A complete background investigation may be completed on every new or prospective employee prior to employment provided that, prior to such an investigation, the applicant shall execute the necessary information releases.

.(4.7.3) Applicants must be able to demonstrate that they possess, or qualify to possess, a valid driver's license if the nature of the position or assignment requires them to operate county-owned vehicles or the employee's own vehicle.

#### **Sec. 4.8. Examinations.**

Any applicant for a position may be required to take a written, oral, physical, psychological examination, or any combination of these, and such test shall be of a nature to test and determine the relative fitness and ability of applicants to perform the actual duties of the class or position to which appointment is sought.

Physical examinations, if required, will be completed following the conditional offer of employment in the selection process. If a physical examination is required, the applicant must submit to an examination by a licensed and certified physician. If an applicant is found by the physician to have any condition which would prevent the applicant from performing the essential functions of the position, the applicant shall be rejected if no reasonable accommodation can be made to allow the applicant to meet the requirements of the job, only after a review in compliance with ADA is completed by the department director and the director of human resources and services. Any applicant required to take an examination as indicated above shall be given prior notice that completion of the required examination or examinations does not guarantee the prospective employee employment on any basis with the county.

#### **Sec. 4.9. Rejection of applications.**

The human resources and services director and department director and/or division manager may reject any application for cause, among which shall include, but not be limited to, the following:

\_\_\_\_\_ (a) The applicant is found to lack any of the minimum qualifications as stated in the job description.

\_\_\_\_\_ (b) The application cannot perform the essential functions of the position to which the applicant seeks appointment with or without reasonable accommodation.

\_\_\_\_\_ (c) The applicant has intentionally made a false statement in his/her application with regard to any material fact, or has practiced, or attempted to practice, deception or fraud in connection with such application. Falsification of an application is grounds for denial of or dismissal from county employment.

\_\_\_\_\_ (d) The applicant has been previously employed by the county and has been terminated for cause.

\_\_\_\_\_ (e) Any deficiency in the application.

### **CHAPTER 5. GENERAL RULES AND REGULATIONS**

### **Sec. 5.1. Hours of work.**

(5.1.1) Generally, administrative office hours for departments of county government shall be from 8:30 a.m. until 5:00 p.m., Monday through Friday, except for official county holidays. Department directors may adjust the work schedules of employees when it is determined that the adjustment will benefit county operations and public services.

(5.1.2) Each department of county government shall have a minimum workweek for full-time regular employees of not less than five (5) days, thirty-seven and one-half (37 1/2) hours per week.

(5.1.3) Overtime procedures. Where practical, employees shall be given twenty-four (24) hours notice by their supervisor when required to work overtime.

### **Sec. 5.2. Absence or late to work.**

If an employee must be absent from or late to work due to illness or other emergency, s/he shall so inform his/her immediate supervisor or department director and/or division manager within thirty (30) minutes of the designated starting time. The employee should make every effort possible to inform his/her supervisor or department director and/or division manager prior to starting time.

### **Sec. 5.3. Break periods.**

The normal work day will consist of an unpaid meal period of thirty (30) to sixty (60) minutes. Nonexempt employees receiving less than thirty (30) minutes for lunch will be paid for their lunch period. Rest or coffee breaks approved by the department director will be considered as time worked.

### **Sec. 5.4. Pay periods.**

Employees shall be compensated on the basis of twenty-six (26) bi-weekly pay periods per year. Normal distribution of paychecks will occur on the alternating Fridays except in the case of scheduled holidays, in which case, checks shall be issued on the preceding work day. Direct deposit of net pay is available.

### **Sec. 5.5. Pay advances.**

It shall be the policy of the county not to make or grant payroll advances.

### **Sec. 5.6. Outside employment.**

(5.6.1) No employee shall engage in or accept private employment or render any service for private interest when such employment or service is incompatible or creates a conflict of interest with his or her official duties or creates the appearance of a conflict of interest.

(5.6.2) County employees shall be responsible for honestly and accurately providing information requested on the conflict of interest questionnaire. Completed questionnaires shall be returned to the human resources and services department and placed in the employee's personnel file. The county administrator and the county attorney shall receive and review copies of those questionnaires in which an employee has answered "yes" to any of the questions. The county administrator shall take appropriate action to ensure that an employee's job with Greenville County does not involve duties or responsibilities which would violate 5.6.1.

### **Sec. 5.7. Use of county telephone.**

(5.7.1) Employees are permitted to use county telephones for personal reasons within reasonable limits. It should be understood that use of county telephones for personal reasons is a privilege and not a right and may be withdrawn by the department director if abused through excessive use or if telephoning causes interferences with work duties. All county cellular phone bills will be distributed to the user, and they will document whether or not the phone calls were personal or business, and then reimburse the county for personal calls.

### **Sec. 5.8. Use of county vehicles, equipment, supplies, and tools.**

(5.8.1) All county vehicles of any type will be used solely to conduct official business of Greenville County as necessary

during normal working hours. The use of county owned vehicles for private business is strictly prohibited. Any employee driving a county vehicle outside of the county shall inform his/her supervisor or department/division manager.

(5.8.2) In using the vehicular equipment of the county, employees shall adhere to all applicable state and local motor vehicle laws, as well as general safety and courtesy on the road. Any driver of a vehicle owned by Greenville County, and any passenger therein, shall be required to wear a seat belt when riding in such vehicle, provided such vehicle is equipped with seat belts.

(5.8.3) Employees shall promptly report all accidents, breakdowns, and/or malfunctioning of any equipment to the supervisor in order that necessary repairs may be made.

(5.8.4) The county will not assume responsibility for traffic violations occurring during the operation of a county vehicle or privately owned vehicle or assume responsibility for traffic accidents occurring during the use of privately owned vehicles while on county business.

### **Sec. 5.9. On-the-job political activity.**

(5.9.1) County employees shall not be appointed, hired, retained or dismissed on the basis of their political activity. County employees shall not be coerced to take part in political campaigns, to solicit votes, or to contribute or solicit funds or support for the purpose of supporting or opposing the appointment or election of candidates for any political office.

(5.9.2) An employee may be disciplined or discharged, for participation during regular working hours in any political activity. Political activity for the purposes of this section, is defined as participation in election campaigns or other campaign-related purposes.

### **Sec. 5.10. Employment identification.**

(5.10.1) All employees shall be issued Greenville County identification cards.

(5.10.2) The department director and/or division manager is responsible for collecting and forwarding to the human resources and service department identification cards of employees upon the employee's termination from county employment.

### **Sec. 5.11. Suggestion system.**

(5.11.1) Employees who have suggestions for the improvement of county services, reduction of costs, safety or training improvements, or other related plans or programs, are encouraged to discuss their suggestions with their supervisor and department director and/or division manager and submit a written report to the county administrator or his/her designee.

(5.11.2) The county administrator or designee shall evaluate the suggestion. In all cases, the employee must be notified in writing of the disposition of the suggestion.

### **Sec. 5.12. Attendances at conferences and travel allowance.**

(5.12.1) Attendance at, and participation in, professional conferences, conventions, and technical meetings are considered part of the employee's normal duties. With the prior approval of the department director and/or division manager, employees may attend such functions without loss of pay and at county expense in accordance with budgetary provisions.

(5.12.2) Employees traveling on county business shall either be provided with a county vehicle, or given an allowance for the use of their private vehicle or reimbursed for other transportation expenses in accordance with established county procedures.

Transportation may be accomplished by either common carrier, private carrier or county carrier and in no instance shall allowance for such travel exceed the cost of common air carrier. Coach fare is determined on the date the conference/meeting registration is requested to be paid. Upon proper authorization, employees utilizing their personally owned vehicle shall be paid according to current IRS guidelines, but such allowances shall not exceed the cost of common air carrier.

Employees who are required to travel within the county, except from home to work and vice versa, and who use a personally owned vehicle shall be reimbursed in accordance with current IRS guidelines and in accordance with county ordinance. Employees shall be reimbursed upon proper receipt for all ferry, bridge, road, and parking tolls. Receipts for taxis are not required; however, taxi expense must be itemized.

Ordinary home-to-work travel by non-exempt employees (i.e., reporting to work at the start of the day and returning to home at day's end) is not considered hours worked. Also, employees are not entitled to compensation for home-to-work travel merely because they have a county vehicle.

(5.12.3) Employees traveling on county business, when overnight accommodations are required, shall be reimbursed for lodging cost at the single room rate. In all cases, government rates shall be requested. Reimbursement shall be contingent upon the employee filing an itemized expense report and providing copies of receipts for local expense incurred.

(5.12.4) Employees shall be reimbursed for actual expenses incurred for meals in connection with county-related matters. If overnight accommodations are required, IRS guidelines shall be used to establish reimbursement amounts. If overnight accommodations are not required, employees will be reimbursed for actual expense (paid receipt) incurred in accordance with the per diem rate or meal allowance for meals up to the amount allowed under the IRS guidelines.

The county will reimburse employee meals exceeding the per diem rate or meal allowance upon proper documentation (paid receipts) and the approval of the office of management and budget.

(5.12.5) Advances will be disbursed to authorized personnel for anticipated travel expenses when an overnight stay is required and approval by the department director and/or division manager and management and budget division is obtained. Within five (5) days of the employee's return, a travel expense report must be completed and submitted to the finance and administrative services department.

### **Sec. 5.13. Solicitation among employees, endorsement of products, and acceptance of gifts.**

(5.13.1) County employees are prohibited from accepting any and all gifts or gratuities from persons doing or seeking to do business with the County. Further all employees should discourage any person from offering such gifts and gratuities. Items in the category of advertising novelties (i.e., matches, pencils, calendars) having wide distribution may be retained by the employee.

### **Sec. 5.14. Media relations.**

Employees, acting as official representatives of a department and/or the county, shall obtain permission from their department directors and/or division managers prior to filling speaking engagements or publishing articles or speaking to the press/media.

Routine inquiries, such as clarifying council meeting dates and times, are an exception.

### **Sec. 5.15. Employee's relatives.**

Employment which results in an employee supervising, managing or controlling the actions of a person related or connected with him by blood or marriage within the sixth degree is strictly prohibited.

### **Sec. 5.16. Confidential information.**

No employee of the county shall disclose confidential information concerning the property, government, personnel or affairs of the county without the approval of the county administrator. No employee of the county shall disclose any matter subject to litigation, either pending or likely to be filed, without the approval of the county attorney or county administrator. In addition, no employee under any circumstance shall use such information to advance his/her financial or other private interest.

Citizen requests for public records shall be filed in accordance with all applicable local, state and federal laws.

In the case of extensive and/or complex request for public records, the department director shall consult with the county administrator and the county attorney. Employees shall follow all procedures in place to respond to records requests in a timely manner and are encouraged to consult the county attorney so that all laws are complied with.

### **Sec. 5.17. Substance abuse.**

Greenville County is committed to providing a drug-free, healthful, safe, and secure work environment.

County employees are expected and required to report to work on time and in appropriate mental and physical condition

for work.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is not permitted in the workplace. Violations of this policy will result in disciplinary action, up to and including termination. However, conscientious efforts by employees to seek help will not jeopardize an employee's job, and will not be noted in any personnel record.

### **Sec. 5.18. Serious diseases/disabilities.**

(5.18.1) It is the policy of the county that employees with infectious, long-term, life-threatening, or other serious diseases/disabilities may work as long as the employee is physically and mentally able to perform the duties of his/her job without undue risk to his/her own health or that of other employees or members of the public.

(5.18.2) The county will support, where feasible and practical, educational programs to enhance employee awareness and understanding of serious diseases or other disabilities.

(5.18.3) The county will comply with applicable occupational safety regulations concerning employees exposed to blood or other potentially infectious materials.

(5.18.4) An employee who is diagnosed as having a serious disease or other disability and who feels an accommodation may be appropriate should inform his/her department director and/or division manager or the department of human resources and services of the condition as soon as possible. The department director and/or division manager and the department of human resources and services should review with the employee county policy on issues such as employee assistance, leaves and disability, infection control, requesting and granting accommodations, the county's continuing expectation regarding the employee's performance and attendance, and available benefits.

(5.18.5) An employee who has a serious disease or other disability and who wants an accommodation should provide the department of human resources and services with any pertinent medical information needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The county may also require a doctor's certification of an employee's ability to perform the essential job duties. Additionally, the county may request an employee to undergo a medical examination.

(5.18.6) The county will attempt to maintain the confidentiality of the diagnosis and medical records of employees with serious diseases or other disabilities, unless otherwise required by law. Information relating to an employee's serious disease will be treated as confidential and ordinarily will not be disclosed to other employees.

### **Sec. 5.19. Harassment.**

(5.19.1) It is the policy of the county not to permit its employees to be subjected to harassment on the job. Any employee of the county who engages in harassment of another employee will be subject to serious discipline, which may include dismissal.

Any employee who feels he/she suffered any form of harassment should report such incident to his or her supervisor or to the director of the human resources department without fear or reprisal.

Such a complaint will be treated confidentially and will be handled independently of the county's complaint procedure. A prompt and thorough investigation of any such complaint will be discreetly carried out, and appropriate action will be taken after an investigation.

(5.19.2) An employee who believes he/she is a victim of harassment may file a written complaint with his/her department director and the human resources and services department. Upon receiving such a report, the human resources and services department shall facilitate a full investigation of the matter. Upon completion of the investigation, the county shall take corrective disciplinary action against any employee who engages in conduct violative of this policy. Reasonable measures will be taken to protect the reporting employee from any retaliatory or abusive behavior.

### **Sec. 5.20. Dress code.**

County employees are expected to dress in a manner appropriate and conducive to the performance of their particular jobs. It shall be the responsibility of the department director and/or division manager to ensure that employees under his/her supervision dress in a safe, efficient and professional manner so as to project a positive professional image for Greenville County.

### **Sec. 5.21. Inclement weather policy.**

(5.21.1) If inclement weather occurs during the working day and county law enforcement officers or the South Carolina Highway Patrol determine that driving conditions may become extremely hazardous, the county administrator, or his designee, may authorize county employees to leave work before the usual closing time.

(5.21.2) If inclement weather occurs during non-working hours, normal county functions will commence the following work day at regular reporting times unless the county administrator, or his designee, has announced the delayed opening of county offices or the cancellation of county operations. Such a decision will only be made after conferring with the chairman of county council, the circuit court judge for administration, or the clerk of court. The decision to delay opening or to close county offices will be based on:

- \_\_\_\_\_ (a) Severity of weather and road conditions;
- \_\_\_\_\_ (b) Weather forecast;
- \_\_\_\_\_ (c) Closing of businesses and industries.

### **Sec. 5.22. Recycling procedures.**

(5.22.1) Greenville County is committed to conserving natural resources. Greenville County employees should properly sort recyclable items in accordance with the county recycling program.

## **CHAPTER 6. PROBATION, PROMOTION, AND TRANSFERS**

### **Sec. 6.1. Objective.**

The introductory period is regarded as an integral part of the selection process. It is utilized for carefully observing the work of employees, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employee whose performance does not meet the required work standards.

### **Sec. 6.2. Duration.**

(6.2.1) Every new employee appointed to a regular position shall be required to successfully complete a introductory period before becoming a regular employee. Unless otherwise noted or determined, this period shall be for six (6) months. During the introductory period, a newly appointed employee shall accrue annual leave and be eligible to use this leave as earned at the discretion of the department director and/or division manager. Wages for designated holidays falling within the introductory period will be paid to the introductory employees in accordance with applicable personnel policy. An employee shall not be eligible for or accrue floater holidays until the successful completion of the introductory period.

(6.2.2) During the employee's introductory period, the employee's work performance will be observed and evaluated by the supervisor and department/division manager. The department/division manager shall submit a written report, on forms provided by the human resources and services department, to the human resources and services director reviewing the employee's progress, qualifications, capacity to grow and other pertinent factors, ultimately recommending:

- \_\_\_\_\_ (a) That the introductory period be terminated and regular or other appropriate status be assigned; or
- \_\_\_\_\_ (b) That the introductory period be extended once up to an additional three (3) months.

However, if during the introductory period the supervisor and department head determine that the services of the employee have been unsatisfactory, the employee shall be dismissed from his position with the county.

(6.2.3) The anniversary date for future performance appraisals shall be one (1) year from the date the employee began in his/her present position.

### **Sec. 6.3. Dismissal.**

(6.3.1) If the introductory employee fails to meet required standards of performance, the supervisor or department director and/or division manager may dismiss the employee. Such employee shall not have the right of grievance, appeal, or hearing concerning such dismissal action.

### **Sec. 6.4. Promotion.**

(6.4.1) When vacancies occur in positions within the county, current employees who meet the qualifications shall be given consideration for these positions. Where a vacancy is to be filled by promotion, the factors which shall be considered will include, but not be limited to, work performance, knowledge, training, ability, skill, efficiency, and length of continuous service from the last date of hire or promotion.

(6.4.2) When the decision to promote an employee has been made, the current supervisor will complete a performance appraisal form rating the employee on his/her performance from the last review date to date of his/her promotion.

(6.4.3) An employee who has been promoted shall serve a introductory period in his/her new position unless otherwise so stipulated by the department director and any salary adjustment associated with promotion shall be in accordance with the pay plan in effect for that position.

(6.4.4) If an employee who is promoted fails to successfully complete a introductory period following promotion, the employee shall be reinstated to his/her former position or to a position in the same class at his/her former pay rate, if the position is available.

(6.4.5) Any county employee that is temporarily promoted or appointed to the position of interim department head shall receive a salary in accordance with the classification and compensation plan.

In the case of council appointed positions, county council shall be required to appoint an interim to fill a vacancy at a salary to be determined by the county council.

### **Sec. 6.5. Transfers.**

(6.5.1) Transfers of employees from one position to another, either within their own department/division or between departments/divisions, on either a permanent or temporary basis, may be made upon the recommendations of the managers of the affected departments. Employees so transferred shall conform to the working policies of the department/division to which transferred, and, except for fringe benefit eligibility purposes, if so stipulated by the department director and/or division manager, be subject to a introductory period in the new position. Vacation time shall be permitted during the introductory period.

(6.5.2) Salary adjustments shall be made according to the classification and compensation plan then in effect for that position.

## **CHAPTER 7. POSITION CLASSIFICATION AND PAY PLAN**

### **Sec. 7.1. [Responsibility of county administrator.]**

The county administrator is responsible for administering a salary and classification plan approved by county council.

### **Sec. 7.2. Use of classification and compensation plan.**

The objective of the classification and compensation plan is to provide a competitive rate of pay for work and to provide a pay grade and range for each class of positions which will enable the County to recruit and retain qualified employees as well as compete in the job market.

The classification plan is to be used:

- \_\_\_\_\_ (1) As a guide in recruiting and evaluating candidates for employment;
- \_\_\_\_\_ (2) In determining lines of promotion and in developing employee training programs;
- \_\_\_\_\_ (3) In determining the salary to be paid for various types of work;
- \_\_\_\_\_ (4) In determining personal service items in departmental budgets; and,
- \_\_\_\_\_ (5) In providing uniform job terminology understandable by all county officials and employees and by the public.

### **Sec. 7.3. Class specifications.**

The classification and compensation plan shall include titles and written specifications for the various classes of positions.

Each class shall include all positions which are sufficiently similar with respect to duties, responsibilities, and authority so that the same descriptive title may be used to designate the position allocated to the class.

Specifications shall show like requirements for education, experience, general and specialized knowledge, skill, physical conditions, and other qualifications necessary for the proper performance of the positions. Specifications will be descriptive and explanatory of the kind of work required in a given classification and may not necessarily be inclusive of all the duties to be performed. The specifications shall be used for the purposes of recruiting, testing, and selecting.

#### **Sec. 7.4. Administration of the plan.**

Director of human resources and services, under the direction of the county administrator, is charged with supervising and maintaining the classification plan and its administration.

(7.4.1) A department director or employee may make a request to the human resources and services department for the reclassification of an existing position, subject to section 7.4.2. An established position may be reclassified from one class to a different class as a result of a change in the duties and responsibilities, or a redistribution of work assignment which significantly alters the duties and responsibilities of a position, or revisions of class specifications to more accurately reflect level of work performed. Reclassifications do not apply to and cannot be effected for situations involving the assignment of new duties and responsibilities for the sole purpose of creating a new position.

(7.4.2) Any employee who considers his position improperly classified shall first submit a request for reclassification to his/her supervisor who shall immediately transmit the request to the department director and/or division manager. If the department director and/or division manager finds that there is merit in the request, s/he shall immediately submit his/her justification for recommendation to the human resources and services department.

#### **Sec. 7.5. Position description.**

A description of each position within the classification will be prepared, periodically reviewed, and updated by the human resources and services director.

#### **Sec. 7.6. Compensation.**

(7.6.1) The classification and compensation plan shall establish a pay range for every class of employment in the county service, except elected and appointed positions.

(7.6.2) Pay ranges shall be established based on both external and internal considerations. Ranges shall be determined with due regard to ranges of pay for similar classes, relative responsibility and difficulty of positions in the class, availability of employees in a particular occupational category, prevailing rates of pay for similar employment in the Greenville area, rates of pay in other governmental jurisdictions, cost of living factors, the financial policies of the County and other economic considerations.

(7.6.3) Starting Minimum Rate. New full-time employees shall be hired at a minimum rate in accordance with the classification and compensation plan. Starting rates above the minimum rate may be paid, at the discretion of the department/division manager, with the consent of the director of human resources and services, as determined by budget guidelines in recognition of exceptional qualifications of an applicant or for lack of qualified applicants.

The county recognizes the need to hire and retain qualified applicants. This may result in the need to provide some flexibility in compensation and benefits awarded a new employee. If this is necessary, it will be considered an exception to the personnel rules and the department director will forward his/her request to the director of human resources and services who will make a recommendation to the county administrator for consideration of approval. The county administrator will inform council when an employee with a salary exceeding fifty thousand dollars (\$50,000.00) is hired above the midpoint of the pay range. This will be done in the quarterly operating report.

(7.6.4) Temporary pay/part-time. Temporary part-time and regular part-time employees shall be hired at a rate in accordance with the classification and compensation plan in effect.

(7.6.5) Reinstatement. Former employees rehired as full-time regular employees within one (1) year of their previous separation from the county into a position in the same class as the one previously held shall be rehired either at their former rate or the new minimum, whichever is higher. The employee's anniversary date shall be the rehire date. Previous uncompensated sick leave accrued by the employee during his previous employment with Greenville County, if any, shall be restored.

Former employees rehired as full-time regular employees at any point after their separation from the county will be reinstated at the same accrual rate for annual leave and sick leave (based on years of service to the county) as they had when they were previously terminated from the county.

(7.6.6) Compensation for overtime work. Employees who are exempt from FLSA (supervisors, administrator or professional professionals) are not compensated for overtime work. Non-FLSA exempt employees shall receive compensation at a rate of one and one-half times his/her normal rate of pay.

(7.6.7) Compensatory time. Compensatory time-off is granted to non-exempt employees as a substitute for overtime pay at a rate equivalent to one and one-half (1 1/2) the number of hours worked in excess of their normal working hours. Compensatory time may be accumulated as follows:

\_\_\_\_\_ (a) Safety employees (i.e. Sheriff's office sworn officers, community services department, commissioned officers and non-commissioned LES clerks) may accumulate up to four hundred eighty (480) compensatory time hours (three hundred twenty (320) overtime hours);

\_\_\_\_\_ (b) All other non-exempt employees may accumulate up to two hundred forty (240) compensatory time hours (one hundred sixty (160) overtime hours).

Non-exempt employees who have accumulated the maximum number of compensatory time hours must be paid for overtime hours worked thereafter at time and one-half ( 1/2). Non-exempt personnel, who leave the employment of the county must be compensated for accumulated compensatory time at:

\_\_\_\_\_ (a) Their present regular hourly rate; or

\_\_\_\_\_ (b) The three-year average of their hourly rates; whichever is higher.

(7.6.8) Merit pay increases. Salary adjustments within an established range are not automatic but are dependent upon the recommendation of the department director and/or division manager based on standards of performance and budget considerations.

(7.6.9) Effective date of merit pay adjustments. The effective date of merit salary adjustments shall be in accordance with an approved compensation plan. Merit salary adjustments shall be given to all regular full time and part-time employees in accordance with the council approved compensation.

## **CHAPTER 8. FRINGE BENEFIT PACKAGE**

### **Sec. 8.1. Employee eligibility.**

Generally, with the exception of Workers' Compensation Benefits, only full-time regular employees are eligible for the fringe benefit package outlined in this chapter. Employees are eligible to receive health and life insurance coverage the first day of the month following employment.

Part-time, seasonal and temporary employees, with the exception of appointed and elected officials and part-time magistrates appointed prior to July, 1994, are ineligible for holiday pay, annual leave, sick leave or other fringe benefits including, but not limited to, educational and funeral leave, and county contributions toward retirement, health and life insurance costs.

### **Sec. 8.2. Holidays.**

The following legal holidays are designated as county holidays:

\_\_\_\_\_ New Year's Day

\_\_\_\_\_ Good Friday

\_\_\_\_\_ Memorial Day

\_\_\_\_\_ Independence Day

\_\_\_\_\_ Labor Day

\_\_\_\_\_ Thanksgiving

Day after Thanksgiving

Christmas Day

Day after Christmas

(8.2.1) *Holidays falling on a Saturday or Sunday.* A holiday falling on a Saturday shall be observed on the previous Friday. A holiday falling on a Sunday shall be observed on the following Monday. The day after Christmas shall be observed as a county holiday; provided, however, if such day falls on a Saturday, Sunday, or Monday, the county administrator is authorized to designate either Christmas Eve or one additional floater holiday in lieu of the day after Christmas.

(8.2.2) *Holiday during vacation leave.* When a holiday occurs during a period of authorized leave, that day will not be charged as a day of leave.

(8.2.3) *Floater holiday.* Full-time regular county employees shall be entitled to select one floater holiday in each calendar year; provided, however, that such floater holiday shall be selected so as not to interfere with department operations. An unused floater holiday does not carry over to the next calendar year.

### Sec. 8.3. Procedures in requesting leaves.

An employee requesting a leave of absence with or without pay must present the request in writing thirty (30) days prior to commencement of leave or as soon as practicable. It will be approved or disapproved by the department director and/or division manager. Long term leave request must be sent to the director of human resources and services along with a personnel action requisition. Requests for such leave must be made far enough in advance to allow time to carry out this procedure.

It is the policy of the county to permit employees to be absent from work on an authorized short term or long term absence. A short term absences is generally two (2) work weeks or less. Absences longer than two (2) weeks must be converted to a long term leave of absence (excluding annual leave).

### Sec. 8.4. Annual vacation leave.

Each full-time county employee shall be entitled to annual leave with pay. Such leave shall be accrued each pay period according to the following schedule.

Bi-weekly Annual Leave Accrual Schedule (By Hours)

TABLE INSET:

Normal Work Hours Bi-Weekly	Biweekly Annual Leave Accrual Less Than 5 Years	Biweekly Annual Leave Accrual 5--10 Years	Biweekly Annual Leave Accrual 10 years--20 years	Biweekly Annual Leave Accrual More Than 20 years
75	3.46	4.33	5.48	7.21
80	3.69	4.62	5.85	7.96

Annual leave accumulated by a county employee in excess of the amount specified in the following schedule shall be forfeited as of the final pay period in December of each year:

TABLE INSET:

Normal Work Hours Bi-Weekly	Maximum Annual Leave (Hours) To Carry Forward
75	225
80	240

(8.4.1) *Time.* The time at which an employee shall take vacation leave shall be determined by the department director and/or division manger with due regard to the wishes of the employee and particular regard for the needs of the County service and is not limited to any particular time of the year.

(8.4.2) *Separation.* Regular full-time employees who are separated from employment and provide the necessary fourteen (14) calendar day notification shall be compensated for annual leave accrued up to the date of separation, not to

exceed the amounts set forth in the maximum annual leave carry forward as specified in section 8.4. Compensation for accumulated annual leave shall not be paid to an employee that is terminated for cause or to an employee who resigns during the introductory period.

### Sec. 8.5. Sick leave.

(8.5.1) Sick leave benefits are granted by the county to each full-time employee according to the following schedule:

For extended periods of absence (i.e., more than two (2) consecutive weeks), refer to the family and medical leave procedure in section 8.6.

TABLE INSET:

Normal Work Hours Bi-Weekly	Bi-Weekly Sick Leave Accrual Schedule (By Hours)
75	3.46
80	3.69
84	3.88

Sick leave benefits are granted for the following reasons:

- \_\_\_\_\_ (a) Personal illness;
- \_\_\_\_\_ (b) Maternity disability;
- \_\_\_\_\_ (c) Bodily injury;
- \_\_\_\_\_ (d) Required medical or dental examinations;
- \_\_\_\_\_ (e) In conjunction with workers' compensation. (The use of sick leave benefits in conjunction with worker's compensation will be in accordance with provisions of section 8.12.1 herein.)
- \_\_\_\_\_ (f) Illness of immediate family member defined as spouse, child (including stepchildren and adopted children) and/or parent.

(8.5.2) An employee must notify his/her supervisor of his/her absence due to sickness not later than thirty (30) minutes after the beginning of the scheduled work day. The employee will be charged for sick leave based on the actual amount of time s/he was absent from work.

(8.5.3) At the discretion of the department director and/or division manager or director of human resources and services, an employee may be required to present a certificate from a licensed medical physician attesting to the employee's illness or incapacity at any time.

(8.5.4) Sick leave benefits are paid entirely due to personal sickness or disability of the employee and are not considered as a continuation of employee wages. Employees shall be responsible for the cost of maintaining their medical coverage with Greenville County when their sick leave benefits have been exhausted in accordance with the Family Medical Leave Act and the county's medical leave provisions.

(8.5.5) Annual leave may be used for sick leave purposes after sick leave is exhausted. However, annual leave used in this manner must be reported as use of annual leave and not as use of sick leave. Employees who have exhausted all sick and annual leave benefits may be granted leave of absence without pay in accordance with the medical leave provisions upon the approval of the department/division manager.

(8.5.6) Employees who do not utilize sick leave for three hundred sixty five (365) days from their last sick leave absence shall be credited with additional annual leave time in accordance with the following schedule:

TABLE INSET:

Normal Work Hours Bi-weekly	Annual Leave Credit (By Hours)
75	7.5
80	8.0
84	8.4

(8.5.7) Separation. In the case of retirement, payment will be made to the employee or, in the case of death, payment will be made to his estate, for one-third of the unused portion of the employee's accumulated sick leave. In the case of voluntary or involuntary separation from the county other than for retirement or death, no early retirement credit will be made for accumulated sick leave.

An employee who has submitted his notice of resignation shall not thereafter be granted sick leave unless the employee presents a certificate from a licensed medical physician indicating that the employee was unable to work.

(8.5.8) Falsely claiming sick leave or reporting sickness as an excuse for absence shall result in automatic dismissal.

(8.5.9) Disability. If an employee becomes disabled and the disability impairs the employee's ability to perform the essential functions of their job, or continuance on the job a danger to himself or to others, the following action shall be taken:

(a) The employee may be allowed a leave of absence, during which the employee may utilize any accrued annual leave or sick leave benefits, or may take a leave of absence without pay in accordance with the provisions of the county's personnel rules. If the employee fails to take steps to have the disability corrected within the specified time, s/he shall be subject to disciplinary action or layoff.

(b) If, in the opinion of the examining licensed medical physician, the disability cannot be corrected, the county shall attempt to place the employee in another position which s/he can perform satisfactorily or take steps to separate the employee from county service through retirement or layoff.

## Sec. 8.6. Family and medical leave of absence.

In accordance with the Family Medical Leave Act, full-time, regular employees that have worked for the county at least one thousand two hundred fifty (1,250) hours in the past twelve (12) months are entitled to take up to twelve (12) weeks of leave in any given twelve-month period for the following reasons:

(1) To care for a child upon birth or upon placement for adoption or foster care;

(2) To care for a parent, spouse, or child with a serious health condition; or

(3) When an employee is unable to work because of their own serious health condition. The county will measure the twelve-month period as a "rolling" twelve (12) months measured backward from the date an employee uses any leave under this policy. County policy allows for an additional twelve (12) weeks of leave if authorized for the employee who is unable to work because of their own serious health condition. An employee may not work for any other employee during his/her leave of absence. If an employee has accumulated vacation or other paid leave, the county requires the employee to use paid leave first and take the remainder of the leave period as unpaid leave.

(8.6.1) *Medical leave of absence:*

(a) A medical leave of absence will be granted to an employee upon request supported by a medical certification indicating that the employee has a serious health condition. A separate certification is required for any extension of the leave of absence. Additionally, the county may request that an employee take a medical leave of absence when the employee becomes medically unable to perform his or her job or if the employee's medical condition could affect the work, safety, or health of any employee or the property of the county.

(b) Medical leaves are permitted only for periods of actual medically necessitated absence. While on medical leave, the employee must report bi-weekly to the county concerning his or her medical status in accordance with the certification provisions of this policy. The county may require the employee to furnish a physician's statement or to be examined by a county-approved physician to verify continuing inability to work if such question arises. Employees must return to work within two business days after being fully released by a physician. If an employee fails to comply with the provisions of this paragraph, his or her absence will be treated as an unexcused absence and the employee will be subject to disciplinary action, up to and including discharge.

(8.6.2) *Family leave of absence:* A family leave of absence for a definite period of time, not to exceed twelve (12) weeks in any given twelve-month period, may be granted for the following reasons:

(1) For the birth of the employee's child or in order to care for the employee's child born within the preceding twelve (12) months. However, such leave must be concluded within twelve (12) months of the birth of the child.

(2) In order for the employee to secure the placement of a child with him or her through adoption or foster care. Such leave also is available in order to care for a child who has been placed with the employee through adoption or foster care, but only within twelve (12) months of the placement of the child with the employee.

\_\_\_\_\_ (3) In order to care for the spouse, child, or parent (but not parent-in-law) of the employee, if such spouse, child, or parent has a serious health condition.

The following terms and conditions apply to family leaves of absence:

\_\_\_\_\_ (a) A husband and wife who are both employed by the county may be limited to a combined total of twelve (12) weeks of leave during any twelve-month period if the leave is taken for the birth of the employees' child, for the placement of a child with the employees through adoption or foster care, or to care for a parent with a serious health condition.

(8.6.3) *Notice/designation/certification.* For any medical, or family leave that is foreseeable (including intermittent and reduced leave schedule), an employee must provide written notice of the need for such leave at least thirty (30) days in advance. If a thirty-day notice is not practicable because of unforeseen circumstances, notice must be given as soon as practicable. The notice should include the reasons for the requested leave, the anticipated duration of such leave, and the anticipated start of the leave. If an employee fails to give timely advance notice when the need for leave is foreseeable, the county may deny the leave until thirty (30) days after such notice is given.

It is the county's responsibility, following notification by the employee of the need and reason for leave, to designate that the leave qualifies under the terms of this policy ("FMLA qualifying") and to give notice of this designation to the employee. Under normal circumstances, the county will notify the employee of this designation promptly after learning that the leave is being taken for an FMLA qualifying reason. If the county does not have the requisite knowledge to designate the leave as FMLA qualifying prior to or at the time the leave commences, it may, upon obtaining such knowledge, retroactively designate the leave as FMLA qualifying.

To the extent a paid leave of absence under workers' compensation or under the county's disability plan (or other similar county-provided leave) can be considered FMLA qualifying, the county may count the leave of absence against the employee's leave entitlement under this policy. However, in such a situation, the provision in 8.6.1 of this policy requiring substitution of accumulated vacation or other paid leave is not applicable.

An employee who requests leave (a) to care for the employee's spouse, child, or parent, or (b) because of the employee's own serious health condition or disability must furnish medical certification justifying the need for such leave. When the need for leave is foreseeable and at least thirty (30) days' notice has been provided, the employee must provide medical certification to the county prior to the time the leave commences. However, when the need for leave is not foreseeable (i.e., the employee is unable to give thirty (30) days' notice), the employee must provide medical certification to the county within fifteen (15) days of the request or provide a reasonable explanation for the delay. If the employee fails to provide the required medical certification in a timely manner, the county may deny leave until such certification is submitted. In addition, if an employee requests a leave of absence based upon the birth of a child or placement of a child through adoption or foster care, the county may require proper legal certification of such birth or placement.

Medical certification should be provided on the medical certification form given to the employee at the time he or she requests leave. This form must be filled out in its entirety by the appropriate health care provider and should be signed by the health care provider and the employee.

If the county has a reason to doubt the validity of the medical certification, it may require, at its own expense, that the eligible employee obtain the opinion of a second health care provider designated by the county. The health care provider will not be employed on a regular basis by the county.

If there is a conflict between the opinions of the first and second health care provider, the county may require, at its own expense, that the employee obtain the opinion of a third health care provider designated by the county and the employee jointly. The opinion of the third health care provider is final.

Recertification of the employee's or family member's medical condition is required every thirty (30) days. However, if the medical certification provided to the county states that the minimum duration of the period of incapacity or period of treatment is more than thirty (30) days, then recertification is not required until that minimum duration has passed. If the employee requests an extension of leave, if the circumstances described by the original certification have changed significantly, or if the county receives information that casts doubt upon the continuing validity of the original certification, the county may require recertification of the employee's or family member's medical condition regardless of whether the thirty-day time period has elapsed.

In the event that intermittent leave or a reduced leave schedule is medically necessary, the employee must also submit certification from the health care provider indicating that intermittent leave or reduced leave schedule is medically necessary or that such leave is required to care for the seriously ill family member. This certification must include the duration and schedule of the intermittent leave or reduced leave schedule.

An employee on leave may be required to periodically report to the county regarding his or her intent to return to work. If the employee gives unequivocal notice of intent not to return to work, the employee's employment will be terminated and

the employee's entitlement to reinstatement and health benefits will cease. Also, the employee may be required to reimburse the county for all premiums paid for health benefits, as provided in the policy.

Prior to being reinstated to his or her job, an employee on medical leave must submit certification that he or she is fit for duty and able to perform the essential functions of his or her position (a "fitness-for-duty" certification).

(8.6.4) *Intermittent leave and reduced leave schedule.* An employee may take leave intermittently or on a reduced schedule, if approved by the department director, only under the following circumstances, unless otherwise agreed to by the county:

- \_\_\_\_\_ (a) The employee has a disability that substantially limits him or her in a major life activity and intermittent medical leave is necessary to accommodate such employee in the performance of the essential functions of his or her position.
- \_\_\_\_\_ (b) The employee has a serious health condition that requires intermittent medical leave.
- \_\_\_\_\_ (c) The employee has a spouse, child, or parent with a serious health condition that requires intermittent personal leave.

In the event that intermittent leave or a reduced leave schedule is medically necessary as a result of the employee's own serious health condition or the serious health condition of the employee's spouse, child, or parent, the employee is required to provide certification from a health care provider of the medical necessity of such leave, including the duration and schedule of such leave.

(8.6.5) *Reinstatement.* An employee returning from a personal and family leave or from a medical leave not exceeding twelve (12) weeks is entitled to reinstatement to his or her former position, if available, provided the employee furnishes a fitness-for-duty certification. If the employee's former position is not available, the employee will be reinstated to a position with equivalent employment benefits, pay, and other terms and conditions of employment. Refusal of an offer of reinstatement will be treated as a voluntary resignation.

An employee returning from a medical leave of absence exceeding twelve (12) weeks will be restored to an available position for which the employee is qualified. However, there is no guarantee of reinstatement for an employee on a leave of absence that exceeds twelve (12) weeks.

A salaried employee whose compensation is in the top ten (10) percent of all employees located within a seventy-five-mile radius of the employee's work site is not entitled to reinstatement if:

- \_\_\_\_\_ (1) The denial of reinstatement is necessary to prevent substantial and grievous economic injury to the county.
- \_\_\_\_\_ (2) The county notifies the employee of its intent to deny reinstatement on such basis.
- \_\_\_\_\_ (3) The employee, after the leave has commenced, elects not to return to employment after receiving such notice.

(8.6.6) *Termination.* An employee who does not return to work after remaining on family and medical leave for the approved time period is subject to termination. An individual investigation will be conducted by the county in each such situation to determine if some reasonable accommodation cannot be made without causing an undue hardship to the county.

An employee who does not return from a leave of absence within two (2) business days of when the leave expires or who does not provide a physician's note extending the leave will be considered to have voluntarily resigned, absent extenuating circumstances.

(8.6.7) *Benefits while on leave.* An employee is not paid during any period of absence covered by this policy (except to the extent accrued paid leave is substituted for unpaid FMLA leave). Furthermore, no benefits except group health insurance will continue while an employee is on any type of leave of absence, except to the extent such benefits are provided to individuals on other types of leave in accordance with established county policy. Unless he or she chooses not to do so, an employee on leave of absence shall continue to be covered for up to twelve (12) weeks under the county's group health care plan and will have all rights of election under such plans at the same level and under the same conditions as provided prior to the employee's taking leave. If the county changes its group health care plan or adopts a new health care plan, an employee on leave will be entitled to the new or changed plan or benefits on the same terms as if he or she were not on leave. If an employee on leave under this policy chooses not to continue group health coverage during the leave, then upon return from leave, the employee will be reinstated to group health coverage on the same terms as prior to having taken the leave. This shall include family and dependent coverage without any qualifying period, physical examination, exclusions of preexisting conditions, or other similar limitations.

If an employee on leave fails to return to work after the leave expires, the county may recover all health care premiums

paid in order to continue group health plan coverage for that employee, unless the reason the employee fails to return is because of:

- \_\_\_\_\_ (1) The continuation, recurrence, or onset of a serious health condition or disability that would entitle the employee to leave under this policy.
- \_\_\_\_\_ (2) Other circumstances beyond the employee's control.

When an employee fails to return to work because of the continuation, recurrence, or onset of a serious health condition or disability that would entitle the employee to leave under this policy, the county may require medical certification of such continuation or recurrence.

To the extent the county's group health care plan requires participants to pay some of their health insurance premiums, an employee on leave under this policy who chooses to continue his or her coverage under the county's group health plan must continue to pay the employee share of premiums. That is, the employee must pay the same share of premiums for such coverage that he or she would be required to pay if he or she were not on leave and on the same due dates that would be applicable if he or she were not on leave.

- \_\_\_\_\_ (a) If leave taken under this policy is substituted paid leave, the employee's share of premiums will be paid using regular payroll deductions.
- \_\_\_\_\_ (b) If leave taken under this policy is unpaid, an employee on leave must make premium payments to the county when COBRA premiums are due under the county's COBRA policy.
- \_\_\_\_\_ (c) If payment of the employee's share of premiums is not received within thirty (30) days of the due date, the county reserves the right to cancel the employee's health insurance coverage. At least fifteen (15) days prior to cancellation, the county will notify the employee in writing that coverage will be canceled on a specific date unless payment is received by that date.
- \_\_\_\_\_ (d) Notwithstanding subsection 8.13 of this section, if the county paid part or all of a health care premium that was required to be paid by an employee on leave, the county is entitled to recover the employee's share of such premium.

### **Sec. 8.7. Personal leave of absence.**

A personal leave of absence for a definite period of time not to exceed six (6) months may be granted for compelling personal reasons, provided adequate arrangements can be made for the employee's responsibilities during his/her absence. Examples of personal reasons possibly justifying a personal leave are personal problems, bereavement upon the death of a member of the immediate family, sickness in the immediate family, child care, marriage, attending school, etc. All personal leaves are without pay and must be approved by the department director. If the leave is for a period exceeding one month, insurance coverage will end and may only be continued at the covered individual's expense under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees returning from a personal leave will be reinstated on the same basis as employees returning from medical leave.

### **Sec. 8.8. Funeral leave.**

Funeral leave benefits not to exceed three (3) work days, are granted by the county to full-time regular employees in the case of a death in the employee's immediate family.

### **Sec. 8.9. Jury, court, public duty.**

Any employee who is called for jury duty or subpoenaed by any legislative, judicial or administration tribunal will be continued at full salary. Employees will receive their regular rate of pay for the period of jury, court, or public duty. This is in addition to the fees received on account of such duty.

The employee shall present a copy of the jury summons or subpoena to the department head within three (3) workdays after receipt.

### **Sec. 8.10. Absences due to inclement weather.**

Absences due to inclement weather which are authorized by the county administrator or his designee shall be considered administrative leave for which the employee shall be paid. Employees whose jobs require them to work during inclement weather and who fail to report for work shall be charged annual leave or leave of absence without pay.

## Sec. 8.11. Military leave.

An employee of Greenville County who is required to be absent for military duty will be granted leave and reemployment rights as required by, and consistent with, all applicable state and federal laws. This procedure complies with the following statutory requirements:

- \_\_\_\_\_ (a) 38 United States Code of Laws Section 2021 et seq.
- \_\_\_\_\_ (b) 38 United States Code of Laws Section 2024.
- \_\_\_\_\_ (c) South Carolina Code of Laws Section 8-70-90.
- \_\_\_\_\_ (d) Uniformed Services Employment and Reemployment Rights Act of 1994.

### (8.11.1) *Short-term military leave/reserve duty procedure.*

- \_\_\_\_\_ (a) An employee who is required to report for short-term military leave will be granted such leave without loss of pay, time or efficiency rating for a period not exceeding fifteen (15) work days in any one calendar year. The employee may be engaged in annual training or any other such duties in accordance with orders issued.
- \_\_\_\_\_ (b) Except for activation due to a declared or national emergency, if the active duty or annual training conflicts with an employee's work schedule and arrangements cannot be made to have the work performed by others, the department director may request an exemption or rescheduling of the tour of duty. In the event the exemption or rescheduling cannot be arranged, the department director has no right to deny the request for military leave or veto the timing of the military training.
- \_\_\_\_\_ (c) In the event an employee is called upon to serve during a declared or national emergency, the employee is entitled to military leave for an additional thirty (30) work days per calendar year without loss of pay, time or efficiency rating.
- \_\_\_\_\_ (d) Compensation while on military leave shall be paid only for those days the employee would ordinarily have worked and received pay from the county.
- \_\_\_\_\_ (e) When military leave is requested, the employee must present a copy of the official orders to his/her supervisor. If official orders are not issued (i.e., routinely scheduled weekend reserve duty of less than three (3) days' duration), the employee must secure a memorandum signed by an official of the unit accompanied by a calendar identifying the periods of reserve duty.
- \_\_\_\_\_ (f) When military duty exceeds the paid leave time specified by law, the employee may use earned annual leave. If all paid leave is exhausted before the employee is released from short-term military duty, the employee will be placed on military leave without pay for the remainder of the ninety-day period.
- \_\_\_\_\_ (g) Employees on military leave may retain insurance benefits for themselves and their dependents. The employee or a family member must contact the department of human resources and services for further information on what action must be taken to continue benefits and to determine the amount due the county each month.

### (8.11.2) *Short term military leave/reserve duty responsibilities.*

- \_\_\_\_\_ (a) *Employee.*
  - \_\_\_\_\_ 1. Submit copies of appropriate military orders along with a "Request for Leave" form to his/her supervisor within five (5) work days of receipt of orders or official notification.
  - \_\_\_\_\_ 2. Contact the department of human resources and services to make the necessary arrangements for continuation of insurance benefits.
- \_\_\_\_\_ (b) *Department directors.*
  - \_\_\_\_\_ 1. Forward copies of all military orders to the department of human resources and services. If leave period is longer than two (2) weeks, submit orders with personnel action request form.
  - \_\_\_\_\_ 2. Ensure time sheets are recorded properly and submitted to the payroll office. Maintain a copy of the military orders with the time sheet.

### (8.11.3) *Long-term military leave procedure.*

- \_\_\_\_\_ (a) An employee who enlists, is drafted, or is called to active duty for a long-term tour of duty will be granted an unpaid leave of absence for a period not exceeding five (5) years duration, plus one (1) additional year if the long-term tour of duty is at the request of the federal government. This time period may be extended for up to one (1) additional year if the employee is hospitalized after discharge.
- \_\_\_\_\_ (b) Any voluntary extension beyond the five-year tour of duty will automatically cancel the leave of absence and result in separation from employment.
- \_\_\_\_\_ (c) If an employee has previously exhausted his/her five-year limitation while in the employ of Greenville County, the employee will not be eligible for another leave of absence of any duration with reemployment rights.
- \_\_\_\_\_ (d) In the case where an employee has performed active duty prior to employment with the county, such prior active duty does not count toward the five-year limitation by Greenville County.
- \_\_\_\_\_ (e) Employees on military leave may retain insurance benefits for themselves and their dependents for up to eighteen (18) months. The employee or a family member must contact the department of human resources and services for further information on what action must be taken to continue benefits and to determine the amount due the county each month.

(8.11.4) *Long term military leave responsibilities.*

- \_\_\_\_\_ (a) *Employee.*
  - \_\_\_\_\_ 1. Submit copies of initial military orders or official notification within five (5) work days of receipt. If tour of duty extends beyond the five (5) year obligation, provide copies of extension orders of contract. (If the extension is voluntary, separation from employment proceedings will be initiated).
  - \_\_\_\_\_ 2. Contact the department of human resources and services to make the necessary arrangements for continuation of insurance benefits.
- \_\_\_\_\_ (b) *Department directors.*
  - \_\_\_\_\_ 1. Forward copies of all military orders to the department of human resources and services department along with the personnel action request forms.
  - \_\_\_\_\_ 2. Verify the employee's entitlement and ensure compliance with the procedure guidelines.

(8.11.5) *Reemployment of veterans procedure.*

- \_\_\_\_\_ (a) In order for a veteran to be considered for reemployment, he/she must apply at the Greenville County Department of Human Resources and Services within the time frame specified by law. Unless the veteran is injured or disabled during service, he/she must apply for reemployment as follows:
  - \_\_\_\_\_ 1. Service up to thirty (30) days: Employees must report for the next regularly scheduled work shift, but will be allowed a reasonable time to arrive home, rest, and travel to work.
  - \_\_\_\_\_ 2. Service from thirty-one (31) to one hundred eighty (180) days: Employees must report no later than fourteen (14) days following completion of service.
  - \_\_\_\_\_ 3. Service of more than one hundred eighty (180) days employees must report no later than ninety (90) days after completion of military service.
- \_\_\_\_\_ (b) The returning employee must present documentation that he/she has been released from service under honorable conditions. However, reinstatement will not be denied if the requested documentation does not exist or is not readily available.
- \_\_\_\_\_ (c) Provided circumstances have not so changed as to make it unreasonable or impossible to reinstate or rehire, the county shall reemploy the veteran based on length of military service:
  - \_\_\_\_\_ 1. Service up to ninety (90) days: Returning employees will be placed in an escalator position. This escalator position will depend on what has happened to the employment situation in the worker's absence. It could include the same position, a higher, lower, or lateral position, or layoff. If the returning employee is not qualified to perform a higher position after reasonable efforts to qualify the worker, the preservice position will be offered provided he/she is qualified and meets the minimum requirements.
  - \_\_\_\_\_ 2. Service of ninety-one (91) days or more: Returning employees may be given an escalator position. In the event such position no longer exists, the veteran shall be entitled to reemployment in another county

position of like seniority, status and pay grade, provided he/she is qualified and meets the minimum requirements.

\_\_\_\_\_ (d) A qualified veteran will be restored without loss of seniority, and time served in the military forces shall be considered as continuous employment with the county. Periods of consideration are:

- \_\_\_\_\_ 1. Employment before military service;
- \_\_\_\_\_ 2. The entire period of military services; and
- \_\_\_\_\_ 3. Time between release from active duty and return to work.

\_\_\_\_\_ (e) A returning veteran will be paid at the level he/she would have attained had he/she not left employment with the county. This includes general, cost of living increases but does not include performance-based merit increases.

\_\_\_\_\_ (f) A returning veteran will be allowed to participate in the insurance programs to the same extent he/she would be participating had his/her employment not been interrupted. Neither the veteran nor his/her eligible dependents will be subject to waiting periods or preexisting condition limitations upon return to service.

\_\_\_\_\_ (g) A returning veteran will be allowed to make up missed contributions to the retirement plan. The contributions may be made over a period equal to three (3) times the period of military service, but no longer than five (5) years. If the veteran elects this option, the county also will contribute its portion of required contributions. No break in employment will be considered to have occurred because of military service and there will not be a forfeiture of benefits already accrued.

\_\_\_\_\_ (h) If the period of service exceeds one hundred eighty (180) days, the veteran will be retained in employment for a period of not less than one (1) year, unless he/she is discharged for cause or due to a reduction in force. This protection lasts six (6) months if the period of service was from thirty-one (31) to one hundred eighty (180) days.

\_\_\_\_\_ (i) In the event a veteran is not qualified to perform the duties of his/her former position due to a disability sustained during active duty, the veteran shall be offered, if qualified, another position which provide like seniority, status and pay or the nearest approximation.

(8.11.6) *Reemployment of veterans--Responsibilities:*

\_\_\_\_\_ (a) *Employee:*

- \_\_\_\_\_ 1. Make application for reemployment with the department of human resources and services within the time frame required by law.
- \_\_\_\_\_ 2. Complete a physical exam and be deemed physically qualified for the position available.
- \_\_\_\_\_ 3. Present evidence of a creditable military record and release orders indicating honorable discharge.

\_\_\_\_\_ (b) *Department directors:*

- \_\_\_\_\_ 1. Ensure proper application for reemployment has been made with the department of human resources and services and submit the personnel action request forms.
- \_\_\_\_\_ 2. Notify the employee in writing if unable to reemploy and include the reason(s) as well as the employee's right to appeal to the South Carolina Department of Labor.

## **Sec. 8.12 Educational assistance.**

(a) All employees seeking any financial assistance from the county to pursue education and/or training courses must have their department director's and/or division manager's approval before the class or course begins.

(b) To encourage professional development, the County of Greenville provides financial assistance to any regular full-time or part-time employee who wishes to pursue education and/or training courses directed toward acquiring skills and knowledge of value to the county and directly related to the employee's current position or other positions within the county to which the employee might reasonably be promoted.

(c) Full-time regular employees may be considered for educational leave with one-half ( 1/2) the cost of tuition and books to be borne by the county upon successful completion of the course or courses.

(d) Except as may otherwise be provided for herein, should the department director and/or division manager determine

that a particular course is not related to the employee's current position or another position within the county to which the employee might reasonably be promoted, then educational assistance shall not be provided.

(e) Educational assistance shall not be provided for courses that will lead to qualification for a new trade, business or profession outside of the county.

(f) Employees seeking educational assistance shall submit the appropriate form for approval to the department director and/or division manager and sign a statement that s/he will continue employment with the county for an appropriate time determined by the director of human resources and services in an amount commensurate with the time incurred on educational leave.

(8.12.1) *Education leave.* Educational leave without pay is available to employees enrolled full-time in an institution of higher learning and pursuing courses which directly relate to the employee's job.

Educational leave without pay shall be limited to a period of twelve (12) months, except that the department director and/or division manager may, with approval of the county administrator, extend such leave not to exceed an additional six (6) months.

Educational leave shall only be granted for education that will benefit the county by making the employee more knowledgeable in his/her job area or teaching the employee additional skills and techniques necessary for improved job performance.

The employee shall apply to his/her department director and/or division manager in writing for educational leave. The decision to grant educational leave shall be at the discretion of the department director and/or division manager upon the approval of the county administrator.

Employees on educational leave without pay shall retain all accumulated leave and time earned toward next salary increase, up until commencement of educational leave. There will be no accrual of leave and time earned toward next salary increase during the educational leave period.

Employees requesting leave without pay are obligated to return to work at the end of the time granted. An employee who chooses not to return to work shall notify the department/division manager immediately. Failure to report back to work at the expiration of the educational leave shall constitute the employee's resignation.

If it is necessary to fill a position vacant by educational leave without pay, the appointing department may make a temporary appointment. At the conclusion of the leave, the employee shall be eligible for reinstatement.

(8.12.2) *Educational incentive pay.* At the time of hire, applicants for county positions as deputies, criminal justice support commissioned officers, and detention officers who possess an associate or baccalaureate degree in criminal justice or any other law enforcement related field shall be eligible to receive educational incentive pay. Similarly, deputies, criminal justice support commissioned officers, and detention officers while in the service of Greenville County, who attain an associate or baccalaureate degree in any field with a demonstrated relationship to law enforcement shall be eligible to receive educational incentive pay.

Educational incentive pay shall be a five (5) percent increase in addition to basic salary for deputies, criminal justice support commissioned officers, detention officers and paramedics with an associate degree, and a ten (10) percent in addition to basic salary for deputies, criminal justice support commissioned officers, and paramedics with a baccalaureate degree.

### **Sec. 8.13. Workers' compensation insurance.**

(8.13.1) An employee injured and unable to work as a result of a work related accident that is compensable in accordance with the worker's compensation laws in South Carolina--Section 42-1-10, et seq. of the Code of Laws of South Carolina (1976), as amended--shall be entitled to the following benefits:

\_\_\_\_\_ (a) During the first seven (7) consecutive days of disability resulting from a work related injury, the employee shall be paid one hundred (100) percent of his salary by Greenville County.

\_\_\_\_\_ (b) After the first seven (7) consecutive days of disability resulting from a work related injury, the employee shall be paid sixty-six and two-thirds (66 2/3) percent of his salary by Greenville County's workers' compensation insurer. The employee may elect to use accrued county annual leave, sick leave or compensatory time, if any, in order to supplement his workers' compensation payments and receive the remaining one-third ( 1/3) of his salary from Greenville County.

To be eligible for the workers' compensation leave benefits set forth herein, an employee may be required to submit to a physical examination from time to time during the period of disability.

(8.13.2) The appropriate form shall be submitted to the human resources and services department at the commencement and termination of the workers' compensation leave period.

#### **Sec. 8.14. Hospitalization, dental and life insurance.**

(8.14.1) The county has available to all full-time employees and part-time magistrates appointed prior to July, 1994, basic hospitalization, major medical and dental insurance for both the employee and his/her dependents. Other medical coverage plans are available at the employees option. The county provides medical and dental insurance without cost to full-time employees and part-time magistrates appointed prior to July, 1994, for said employee.

Coverage begins the first day following the first full month of employment.

(8.14.2) Except as otherwise provided in this chapter, the county offers for each full-time employee and part-time magistrates appointed prior to July, 1994, life insurance coverage for each employee.

(8.14.3) Employees, while on a job-related disability, shall continue, at no expense to the employee, to be covered by and under the health and life insurance program of the county for six (6) months, provided such employees are not employed full-time in any other capacity. (After the six-month period has expired, the employee may remain on insurance plans if s/he reimburses the county for all premiums.)

(8.14.4) Employees who are disabled or injured with a non-occupational injury or illness are eligible for any of the county's fringe benefits, medical/dental and county paid life insurance, for up to three (3) months at no cost to the employee (employee will be responsible for paying for family members' coverage). After the first three (3) months of non-occupational disability, the employee may continue his/her medical/dental and county paid life insurance by reimbursing the county until such time that the employee terminates employment with the county. The county offers optional disability insurance (for non-job related injuries or illnesses) to full-time employees who work at least thirty (30) hours per week on a regularly scheduled basis.

#### **Sec. 8.15. Uniform and equipment replacement and allowance.**

(8.15.1) Employees in certain departments are required to wear uniforms and use specified equipment in the performance of their duties. Those employees will be provided uniforms and equipment by the county at limits set forth by departmental specified guidelines.

(8.15.2) Upon termination of employment, employees shall be required to turn in all county-provided clothing and equipment. Employees who resign or are terminated from the county shall return all property and equipment belonging to the county, and shall pay for any personal telephone calls and other expenses charged to the county not later than two (2) working days after the employee's last work date. In the event employee timely fails to do so, employee authorizes the county to deduct the costs and/or value of unreturned property and equipment from employee's final paycheck. Any such deductions will not take the employee's hourly pay for the time worked below minimum wage.

### **CHAPTER 9. EMPLOYEE PERFORMANCE APPRAISAL REPORTS**

#### **Sec. 9.1. Cooperation.**

The goal of county government management and employees is to bring efficient and economical governmental services to citizens. Management and employees must work together to reach this goal.

#### **Sec. 9.2. Conduct, work habits, behavior.**

Each employee is expected to maintain high standards of conduct, cooperation, effectiveness and efficiency while working for and representing Greenville County. If at any time work habits or conduct should become deficient, it shall be the duty of the supervisor or department director and/or division manager to point them out and encourage the employee to correct them through oral and/or written warnings.

#### **Sec. 9.3. Performance appraisal.**

All supervisors shall be required to complete an employee performance appraisal form on each employee (not required on temporary employees) within their department and under their supervision in accordance with a council approved

compensation plan, and at such other times as necessary, on forms furnished by the human resources and services department. The supervisor shall discuss the performance appraisal with the employee in a private interview. If an employee disagrees with the supervisor's evaluation, s/he may attach a statement indicating his/her opinion of the performance appraisal and this shall be placed in his/her personnel file.

#### **Sec. 9.4. Conducting the performance evaluation.**

The employee's immediate supervisor must evaluate the employee in accordance with the following guidelines.

- \_\_\_\_\_1. The requirements of the position and the employee's ability to accomplish those requirements must be considered foremost in the mind of the supervisor.
- \_\_\_\_\_2. Each employee is to be appraised based on the performance requirements of that particular job.
- \_\_\_\_\_3. Since behavior and job performance can change, a previous appraisal does not necessarily have to agree with the one under consideration. Therefore, except for the limited purpose of noting improvement or continuing problems, the previous appraisal shall not be considered in arriving at a current appraisal.
- \_\_\_\_\_4. Appraisal evaluations shall be based on personally observed results, and should neither too lenient nor too stern, since fairness requires an objective analysis rather than emotional feelings.
- \_\_\_\_\_5. Problems must be noted and discussed that may be analyzed, understood, and resolved.

#### **Sec. 9.5. Uses of performance appraisal.**

Employees utilize evaluations as a constructive, written guide outlining what the county thinks about the employee's work and how the employee fits into the overall organizational structure, a record of past performance, and/or opportunity to objectively discuss with the supervisor expectations, personal performance, and areas and methods of improvement.

Self evaluation and 360-style evaluations are encouraged as a part of the performance appraisal process.

Supervisors use performance evaluations as a consistent method of evaluating and discussing what is expected of the employee, a method of commending the employee for good performance that may in turn lead to a promotion or higher pay, and/or a constructive critique of areas needing improvement along with advice on how to improve these development areas.

The personnel system uses the evaluation as a means of indicating successful completion of a probationary period, to provide an on-going record for retention and/or promotion of employees whose services warrant, or termination of those employees whose services are unsatisfactory, and as a basis for the granting of a step or a merit salary increase.

Department directors must be sure that employees are appraised whenever one or more of the following conditions exist.

- \_\_\_\_\_1. Before granting a introductory employee regular employment.
- \_\_\_\_\_2. When an employee is not meeting performance expectations and the employee's merit increase is due in six (6) months.
- \_\_\_\_\_3. Before granting a promotion.
- \_\_\_\_\_4. Before an employee is discharged for nonperformance.
- \_\_\_\_\_5. Before granting a change in pay, notwithstanding Number 1 through 3 above, each employee must, in addition to the required rating periods outlined above, be evaluated at least every twelve (12) months.

##### *(9.5.1) By the employee:*

- \_\_\_\_\_ (a) As a constructive written guide outlining what the county thinks about the employee's work and how the employee fits into the overall organizational structure.
- \_\_\_\_\_ (b) As a record of past performance.
- \_\_\_\_\_ (c) As an opportunity to objectively discuss with the supervisor expectations, personal performance, and areas and methods of improvement.

##### *(9.5.2) By the supervisor:*

- \_\_\_\_\_ (a) As a consistent method of evaluating and discussing what is expected of the employee through written job descriptions and performance standards set by the supervisor.
- \_\_\_\_\_ (b) As a method of commending the employee for good performance which may, in turn, lead to a promotion or higher pay.
- \_\_\_\_\_ (c) As a constructive critique of areas needing improvement along with advice as to how to improve these development areas.

(9.5.3) *By the human resources system:*

- \_\_\_\_\_ (a) As a means of indicating successful completion of an introductory period.
- \_\_\_\_\_ (b) To provide an on-going record for retention and/or promotion or demotion of employees whose services warrant it, or termination of those employees whose services are unsatisfactory.

## **Sec. 9.6. Rules of procedure.**

The supervisor shall carefully evaluate each regular employed employee annually and at such times as necessary on forms furnished by the department of human resources and services. A completed copy of the performance appraisal form shall be presented to the employee for his/her review, and the supervisor shall discuss and justify each performance rating with the employee in a private interview. The employee shall be given the opportunity to comment in writing on the evaluation s/he has received and shall thereafter sign his/her name to the performance appraisal form. If the employee disagrees with the supervisors' she/he may attach a statement indicating his/her opinion of the performance appraisal and this shall be place in their personnel file. The performance appraisal form shall then be presented to the department director and/or division manager who shall review the evaluation and make any written comments s/he deems appropriate.

The department director and/or division manager shall sign and file the performance appraisal form with the human resources and services department within ten (10) workdays from the employee's annual review date. The human resources and services department shall place the performance appraisal form in the employee's permanent personnel file.

## **Sec. 9.7. Performance appraisal appeal process.**

When an employee believes that the overall performance rating or particular rating received under a performance review is unfair, the employee may discuss his or her concerns with the supervisor in an attempt to reach a satisfactory resolution and enter any remarks deemed appropriate in the section provided on the performance review form. If a satisfactory resolution is not reached an appeals process can be initiated as follows:

*Step 1:*

Within three (3) work days after the performance review is conducted, the employee may file a written complaint to their department director which states the reason for the appeal; a brief statement of facts; the employee's reason for appealing, with support documentation if available; and the recommended resolution to the appeal. The department director will make every effort to resolve the appeal within ten (10) work days of the date of receipt of the appeal. The department director will send a written response to the employee making the appeal on or before the tenth day.

*Step 2:*

If the appeal cannot be resolved within ten (10) work days the employee has three work days from the date of receipt of the written response from the department director to file an appeal to the director of human resources and services. The director of human resources and services will review the information from the documentation submitted by both parties and work to resolve the appeal within ten (10) work days from the day the appeal is received in the human resources department. The decision of the director of human resources and services is final.

It is the policy of Greenville County to provide employees with an easily accessible procedure for expressing dissatisfaction and to foster sound employee/supervisor relations through communication and ultimate reconciliation of work related issues.

## **CHAPTER 10. SAFETY**

### **Sec. 10.1. Safety.**

The County of Greenville will continue to strive to provide employees with safe working conditions and a safe work environment. This can be accomplished through the use of safety equipment, proper job instruction, frequent review of safe work practices, adequate supervision, and conscious application of safe work practices by the employee.

Every employee is expected to think and practice safety at all times. Employees are required to follow general safety policies and departmental safety practices and procedures, as described in the county safety manual.

Employees are to promptly report any accidents, faulty equipment, unsafe practice and/or unsafe condition in their work area to their supervisor.

## **CHAPTER 11. REDUCTION IN FORCE, DEMOTIONS, RECONCILIATION OF DISPUTES, GRIEVANCE, AND DISCIPLINARY ACTIONS**

### **Sec. 11.1. Reductions in force.**

(11.1.1) A department director and/or division manager with the approval of the county administrator may lay off an employee when s/he deems it necessary by reason of shortage of work or funds, the abolition of the position, material change in the duties or organization, or for other related reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee.

(1.1.2) When it becomes necessary to reduce the working force in a department or division thereof because of lack of funds or other causes, employees in the same position shall be laid off on the basis of the following three (3) factors to be weighed equally: length of service in a class, length of service with the county, and the average performance rating for the last three (3) years of county service or for the entire period if less than three (3) years.

(1.1.3) Every effort shall be made to transfer employees to another department rather than lay them off; and the duties performed by an employee laid off may be reassigned to another employee.

(1.1.4) In order to allow for an orderly and easy transition into other employment, employees shall be given at least thirty (30) days notice of an impending reduction in force when possible.

### **Sec. 11.2. Demotions.**

(11.2.1) As part of any disciplinary action, a department director and/or division manager may reduce the salary of an employee within the range provided in the county's classification and compensation plan or demote the employee to a lower grade, subject to the approval of the director of human resources and services. The reasons for such action shall be furnished in writing to the affected employee by his/her department director and/or division manager.

(11.2.2) In the cases of demotion, salary adjustments shall be made in accordance with the approved compensation and classification plan in place.

(11.2.3) Employees who have satisfactorily passed their introductory period in the position from which they are demoted may appeal the action in accordance with the procedure set forth in this chapter.

### **Sec. 11.3. An alternative process for the reconciliation of disputes.**

(11.3.1) It is the purpose of this policy to foster and facilitate sound employee/supervisor relations by encouraging communication and ultimate reconciliation of conflicts arising within and about work-related matters. As such, the policy is an alternative to grievances and disciplinary actions and is based on the mutual agreement of the parties. As a process, the parties come together at a structured but informal setting in the presence of a neutral party to discuss the facts of the dispute, the mission of the department, and the important role that each individual plays in making county government operate effectively.

(11.3.2) An alternative process for reconciliation of disputes is defined as an agreement between any manager, supervisor, and subordinate that handles any difficulties or problems that exist in the workplace where both parties agree to handle the issue without using the formal grievance procedure.

(11.3.3) Reconciliation meetings shall be held according to the following guidelines:

\_\_\_\_\_ (a) Both parties must agree to the process.

(b) Either party may request the alternative reconciliation process.

(c) All requests shall be served through the director of human resources.

(d) The county administrator or his/her appointee shall serve as the neutral party.

(e) The neutral party's role is to keep the parties focused on the relevant issues and to assist in evaluating the issues in light of the evidence available.

(f) A simple reconciliation agreement shall be prepared by the neutral party and then agreed to, in writing, by both parties before becoming effective.

(g) Individual conduct is to remain respectful and professional at all times.

(11.3.4) The first meeting's agenda will be as follows:

(a) The employee requesting reconciliation opens discussion with a statement of the disputed issues from that employee's perspective and that employee's expectations of the reconciliation process.

(b) Management provides its statement of the disputed issues and expectations of the reconciliation process.

(c) Open discussion then takes place to find an appropriate strategy to affect a long-term solution. The strategy should be operationally simple, although it may reflect the best of many sophisticated theories.

(11.3.5) The role of the director of human resources and services is to provide quality technical advice, assist as needed, and ensure that any long-term solution is consistent with county policy.

(11.3.6) If an agreement is not reached between the manager/supervisor and subordinate, the employee may proceed with the grievance process as outlined in section 11.5. The time for seeking a grievance hearing begins after the breakdown of the negotiations in this alternative process.

#### **Sec. 11.4. Disciplinary actions.**

(11.4.1) The county expects its employees to observe "common sense" rules of honesty, good conduct, general job interest, safe practices, and to adhere to generally accepted customs of good taste. Within the county, as in any group of common purpose, rules are necessary. These rules set forth certain practices which will not be tolerated. It is difficult, if not impossible, to categorize all types of prohibited conduct. This list simply purports to identify conduct that is most common in our workplace and is not intended to be all-inclusive.

a. Stealing from the county, employees, patients, inmates, etc;

b. Reporting to work under the influence of alcohol or drugs, or possession or use of alcoholic beverages, intoxicants of any kind, or illegal drugs on county premises during county work hours;

c. Falsifying county records;

d. Possession of unauthorized firearms, dangerous weapons, explosives, etc. on county premises;

e. Obtaining or conveying, without proper authority, confidential information about county operations;

f. Failure to perform satisfactorily during the introductory period of employment;

g. Failure to report to work for three (3) consecutive working days without notifying the county of the circumstances;

h. Conviction of a felony;

i. Fighting on county property;

j. Gambling on county property;

k. Willful damage or destruction of county property;

l. Failing to follow safety rules and regulations;

m. Insubordination to county supervisor or officials;

- n. Unauthorized sleeping on the job;
- o. Refusal to perform assigned duties or to obey instructions;
- p. Immoral or indecent conduct on county property;
- q. Harassment of employees and/or public;
- r. Gross misconduct or conduct unbecoming a county employee;
- s. Misuse of county funds;
- t. Participation in any action that would in any way seriously disrupt or disturb the normal operation of the county or any segment of county government;
- u. Loss of any necessary license, certification or other job requirement;
- v. Loafing or neglecting work;
- w. Leaving job without permission;
- x. Unauthorized or negligent careless or improper use of county machines, tools, or equipment;
- y. Unauthorized posting of materials or defacing materials on county bulletin boards;
- z. Violation of no-solicitation/distribution policy;
- aa. Failing to report accidents or injuries or having excessive accident record;
- ab. Inefficiency or incompetence in the performance of duties;
- ac. Smoking in unauthorized areas;
- ad. Failing to do acceptable quantity and/or quality work;
- ae. Horseplay;
- af. Taking excessive or unauthorized breaks;
- ag. Waste of materials or supplies;
- ah. Unauthorized starting or stopping work early;
- ai. Unauthorized absence from work;
- aj. Tardiness;
- ak. Failure to maintain satisfactory and harmonious working relationship with the public and employees.

(11.4.2) In the event it becomes necessary to discipline an employee, one of the following types of discipline may occur:

- a. Verbal warning;
- b. Written warning;
- c. Final written warning and/or suspension; and
- d. Termination.

While the circumstances of a particular case can result in termination for the first offense, other cases may result in one of the other three (3) forms of discipline listed above. Normally, if a problem develops the employee's supervisor will attempt to correct it with a verbal warning. If improvement is not made, a written warning can result. If disciplinary problems continue, the employee may be given a final written warning and/or suspended. Any of these forms of discipline can be applied or omitted at management's discretion depending on the circumstances, and particular forms of discipline may be repeated if necessary. This in no way implies any contractual obligation to follow any certain procedure. Violations shall be reviewed for validity and sequence of time by the department of human resources and services.

(11.4.3) A written notice shall be given to each employee stating the reasons for the disciplinary action and the date it is to take effect. The notice shall be given to the employee at the time such action is taken or within three (3) workdays from

such date of action.

(11.4.4) All instances of misconduct will be handled on a case-by-case basis. This disciplinary procedure is in no way intended to create a contract between Greenville County and any employee.

(11.4.5) Disciplinary records. If a period of twenty-four (24) months passes and no additional disciplinary action has occurred, an employee may request that his/her supervisor remove any written and/or oral reprimand in his/her file.

If mutually agreed upon by the employee, supervisor, and/or department director, the reprimand will be removed. The county retains the right, however, to note disciplinary action that has occurred in the annual performance evaluation where it will remain as a part of the permanent file.

Department directors are authorized to take such other lesser forms of disciplinary action, such as placing a written account of less serious violations in the employee's personnel file, as may be required provided, upon request, a copy of such written disciplinary action shall be furnished to the affective employee.

## **Sec. 11.5. Grievances.**

A grievance is defined as a complaint by an employee that he/she has been treated unfairly, unlawfully or in violation of his/her individual rights under county, state, or federal laws. Grievances may include, but shall not necessarily be limited to, dismissals, suspensions, involuntary transfers, promotions and demotions. Compensation (except as it may apply to alleged inequities within a department), classification of positions, performance appraisals shall not be deemed proper subjects for consideration under the grievance procedure.

Any questions concerning whether an employee's complaint is grievable in accordance with this chapter shall be determined by the county administrator and the human resource director.

Department directors and supervisors are responsible for making certain that employees under their jurisdiction have knowledge of and understand the grievance procedure and that employees feel free to use the procedure without fear of criticism, or action being taken against them effecting their job security, wage progression opportunity, or change for job advancement.

This procedure provides a process by which a covered employee can seek prompt and impartial consideration of grievable matters. Time frames in the grievance process may be extended by written agreement of all parties. Non-compliance with established procedures, including adherence to time frames, will result in the following:

\_\_\_\_\_ (a) If the employee fails to comply, the action taken by management may be upheld and the matter considered settled.

\_\_\_\_\_ (b) If the supervisor, department head, or human resource department fails to comply, the grievant may proceed to the next step in the process.

In order for the grievant to comply within the time frames of this procedure, the request or information must be received by the appropriate parties within the specified time/date guidelines. If the grievant does not conform to the time frame of this procedure at any point, the grievance may be considered abandoned and management's decision upheld.

The county should mail (certified mail, return receipt) information to the address provided by the grievant in a timely manner so the grievant may reasonably be expected to receive the information when the time frame indicated.

An employee may have the assistance of the director of human resources and services or designee in preparing and processing a grievance at any step.

A written summary of a complaint along with the facts that relate to the grievance and any additional documentation by the hearing officer at each step shall be forwarded to the director of human resources and services and to the next higher level in the grievance procedure together with copies of grievance appeals and responses. New grievance issues that were not raised in the first step of the grievance may not be raised by either party in the steps that follow.

Grievance information or testimony shall be treated in a most discreet and confidential manner by all persons involved.

(11.5.1) *Initial resolution process responsibilities and procedures.*

\_\_\_\_\_ (a) *Employee.*

\_\_\_\_\_ 1. Make every effort to resolve a potential grievance by discussion with the supervisor(s) taking the action. If the problem cannot be resolved within five (5) work days following the effective date of the action giving rise to the potential grievance, the employee must submit a signed written request for resolution to

the department head within the next five (5) work days and send a copy to the director of human resources.

2. Submit a written request for resolution which contains: the action which the employee is disputing; a brief statement of facts; the employee's reason for appealing, with supporting documentation if available; and the relief the employee is seeking. If appropriate, written statements from witnesses having direct knowledge of the incident or action being appealed should be included.

(b) *Department head.*

1. Attempt to reach a satisfactory resolution so that employee disputes may be settled within the department.

2. Render a decision to the employee in writing within ten (10) work days from receipt of the request for resolution.

3. Inform human resources department in writing.

(11.5.2) *Appeals process responsibilities and procedures.*

(a) *Employee.*

1. If the employee is not satisfied with the department head's decision, she/he may, within three (3) work days of that decision, request in writing that the department head refer the matter to the director of human resources.

(b) *Department head.*

1. Refer the employee's request in writing to the human resources department within three (3) work days of receipt.

*Note:* The written referral should include: an explanation from the department head of the inability to satisfactorily resolve the problem; the employee's original request for resolution with supporting documentation; specific reference to appropriate county and/or department policy(ices) which may have been violated; a copy of all other records and documents pertaining to the issue; and, if appropriate, additional written statements from witnesses having direct knowledge of the incident or action under appeal.

(c) *Human resources director (or designee).*

1. Attempt to reach a satisfactory resolution so that the dispute may be settled within the directorate.

2. Render a decision to the employee in writing within five (5) work days from receipt of the request for resolution with a copy to the appropriate department head.

3. Assume the responsibilities of the department head if the grievant is a direct subordinate of the department head.

(d) *Employee.*

1. If the employee is not satisfied with the decision of the human resources director, she/he may, within three (3) work days of receiving that decision, request in writing that the human resources director refer the appeal to the grievance committee for a hearing.

(e) *Human resources director (or designee).*

1. Schedule a hearing before the county's grievance committee within ten (10) work days of receipt of the grievance.

2. Provide reasonable assistance.

3. Provide reasonable assistance and advice to both the grievant and the department, if requested.

(f) *Legal department.*

1. Resolve questions concerning whether an employee is covered by the grievance procedure or whether a matter is grievable under the provisions of this procedure or whether established grievance procedures have been followed.

**(11.5.3) Grievance procedures responsibilities and procedures.**

(a) The grievance committee shall be composed of five (5) members and two (2) alternates from a pool of at least twelve (12) county employees who have received grievance training. The pool will be selected by the director of human resources from candidates recommended by department heads and approved by county council. These committee members will serve for a period of three (3) years with staggered terms so that one-third ( 1/3) of the membership terms will expire each year. Any interim appointments to fill a vacancy which occurs prior to the completion of a term will be for the remainder of the unexpired term.

The grievance committee will, each February, select its own chairperson and vice chairperson from among its members. The criteria for nomination includes actual grievance committee hearing experience. The county attorney will assign an attorney to serve as counsel to the grievance committee.

(b) Director of human resources (or designee).

1. Schedule the grievance before the county's grievance committee within ten (10) work days of receipt of grievance.

2. Notify the grievant, his or her respective department head and the committee in writing of the date, time, and location of the hearing.

3. Ensure that panel members have no prior involvement in the grievance and may not be in the same department as the employee requesting the review.

4. Promptly select an alternate member should the grievant strike one (1) of the committee members.

5. Secure the services of a recording secretary for the hearing.

(c) Employee.

1. Advise the director of human resources within three (3) work days upon notification of scheduled hearing, if she/he elects to strike one (1) of the members from the committee or wishes to be represented by an advisor or attorney.

2. Advise the director of human resources within three (3) work days upon notification of the scheduled hearing, if she/he desires to have witnesses present at the hearing.

(d) Committee attorney.

1. At the committee's request:

a. Assist the committee in preparation for the hearing and its findings and recommendations.

b. Be present during the committee's deliberation for the purpose of rendering legal advice regarding the decision.

**(11.5.4) Hearing and review procedures responsibilities and procedures.**

(a) Grievance hearings are a part of an internal administrative process. Other than the principals involved, attendance is usually limited to the called witnesses, the members of the grievance committee, the committee's attorney, a representative from the county's human resources department, and a court reporter. All hearings shall be held in executive session. The official tape and written record of all hearings shall be subject to the control and disposition of the human resources director.

(b) The grievance committee chairperson (or vice chairperson in the absence of the chairperson) will serve as presiding officer at all hearings. The committee shall have the authority to call for files, records and other relevant documents; to determine the order of testimony and appearance of witnesses; and to call additional witnesses.

Witnesses for management and the grievant shall be sequestered until such time as they are called upon to give testimony.

(c) Neither the grieving employee nor the department may be assisted by advisors or attorneys during the hearing unless the grievant requests in advance that his or her attorney be present and it is the grievance committee attorney's opinion that legal representation is necessary. If the employee is represented by an attorney, then the department may also be represented by an attorney.

The grievance committee shall have an attorney available to it at any and all times it considers necessary.

\_\_\_\_\_ (d) Director of human resources (or his/her designee).

- \_\_\_\_\_ 1. Provide members of the grievance committee, chosen for a grievance hearing, all written documentation at least three (3) work days prior to the hearing.
- \_\_\_\_\_ 2. Ensure that an official record is made of the hearing.
- \_\_\_\_\_ 3. Provide reasonable accommodation to assist a disabled employee who is involved in the grievance process.

\_\_\_\_\_ (e) Grievance committee.

- \_\_\_\_\_ 1. Hear the grievance within thirty (30) calendar days of notification by the director of human resources or designee.
- \_\_\_\_\_ 2. Ensure an equitable, orderly, and expeditious hearing.
- \_\_\_\_\_ 3. Within seven (7) calendar days after hearing the appeal, submit its findings and recommendation to the county administrator or the appropriate appointed or elected official to the director of human resources. If the committee is unable to make a specific recommendation, forward the complete package to the county administrator or the appointed or elected official with an explanation of why it was unable to make a recommendation.
- \_\_\_\_\_ 4. Notify the grievant and department head of the final decision made by the county administrator or the appropriate appointed or elected official within five (5) work days of receiving the decision.

\_\_\_\_\_ (f) County administrator (or appropriate appointed or elected official)\*.

\*When the grievant is an employee of an appointed or elected official, the appointed or elected official not the administrator, will make the final decision regarding the appeal.

- \_\_\_\_\_ 1. Review all submitted records, findings, and recommendations of the grievance committee. After review, the county administrator or appropriate appointed or elected official shall make his or her own decision without further hearing and that decision shall be final.
- \_\_\_\_\_ 2. Notify the chairperson of the grievance committee and the director of human resources of the final decision within fifteen (15) calendar days of receiving the grievance.

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

## **CHAPTER 12. RETIREMENT, RESIGNATION, AND RE-EMPLOYMENT**

### **Sec. 12.1. Retirement.**

(12.1.1) Retirement benefits are available for county employees who are members of the South Carolina Retirement System. Retirement applications must be made in compliance with the rules of the South Carolina Retirement System. The human resources and services department shall provide assistance to any eligible employee. Employees shall not apply directly to the South Carolina Retirement System, but shall notify the Human Resources and Services Department not less than three (3) months before the effective date of their retirement. At least one (1) month is required to process the application forms to the South Carolina Retirement System.

(12.1.2) Unused accrued sick leave will be paid according to guidelines stipulated in section 8.5.7 of this handbook.

(12.1.3) Unused accrued annual leave will be paid according to guidelines stipulated in section 8.4.2 of this handbook.

### **Sec. 12.2. Resignation.**

(12.2.1) To resign in good standing, an employee shall give the county at least fourteen (14) calendar days' written notice.

(12.2.2) Failure to give fourteen (14) calendar days written notice shall be entered on the service record of the employee and shall result in forfeiture of accumulated annual leave. The director of human resources and services, or the chairman of county council in cases involving persons employed directly by county council, may waive the required notice if, in his/her judgement, exceptional circumstances warrant such exception.

(12.2.3) Regular full-time employees who terminate their services with the county after their introductory period and provide the necessary written notification, other than for retirement, are eligible for a cash payment for unused annual leave, up to the accrued amount allowed.

(12.2.4) Insurance coverage for terminating employees will be continued to the end of the month following the last day in which the employee was in an employment status (worked at least eleven (11) days in the month).

### **Sec. 12.3. Exit interview.**

(12.3.1) Anytime an employee permanently terminates employment with the county, whether such termination be by retirement, resignation, or otherwise, the human resources and services department will schedule an exit interview, if the employee desires one, between the employee and the director of human resources and services or his/her designee. Exit interviews are entirely voluntary on the part of the employee and in no way affect any monies or benefits due to the employee by virtue of the separation. Exit interviews, once compiled, will be forwarded by the human resources division to the department director and/or elected/appointed official. Terminating employees shall be informed of their right to receive continuing benefits from the county.

(12.3.2) During the course of the exit interview, the employee is encouraged to provide input into matters directly associated with his/her employment with the County of Greenville, such as:

- \_\_\_\_\_ (a) County policies/practices;
- \_\_\_\_\_ (b) Compensation;
- \_\_\_\_\_ (c) Department/division operations;
- \_\_\_\_\_ (d) Fellow employees;
- \_\_\_\_\_ (e) General suggestions as to how to improve the delivery of services to both the employees and the citizen;
- \_\_\_\_\_ (f) Job satisfaction;
- \_\_\_\_\_ (g) Personnel matters;
- \_\_\_\_\_ (h) The employee's impression of the supervision received;
- \_\_\_\_\_ (i) Training received both internal and external;
- \_\_\_\_\_ (j) Work conditions; and
- \_\_\_\_\_ (k) Work incentives.

### **Sec. 12.4. Re-employment.**

(12.4.1) An employee who resigns while disciplinary action is pending shall not be eligible for re-employment.

## **CHAPTER 13. OTHER**

### **Sec. 13.1. Severability.**

It is hereby declared to be the intention of Greenville County Council that if any of the sections, paragraphs, sentences, clauses and phrases of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

**Sec. 13.2. Repeal.**

All personnel rules ordinances adopted on final reading and passage on or before the effective date hereof, and not contained herein, are hereby repealed.

**Sec. 13.3. Effective date.**

This ordinance shall take effect immediately upon the date of its adoption [Dec. 1, 1998].