

DIVISION 8. PERSONNEL POLICY*

*State law references: Authority to adopt personnel system policies and procedures, S.C. Code 1976, § 4-9-30(7).

Subdivision I. In General

Sec. 2-321. Purpose.

The purpose of the rules and regulations set out in this division shall be to establish a consistent personnel policy for the county and to establish guidelines governing employees of the county. Accordingly, this division shall not apply to employees of any outside agency that may receive appropriations from the county. This division shall describe the county's general philosophy concerning policies and procedures and shall in no way form a contract between the employees and the county. The provisions of this division are subject to change at anytime upon being amended by ordinance of the county council. Further, notwithstanding any of the provisions in this division, all employees of the county are employees-at-will who may quit at any time for any or no reason and who may be terminated at any time for any or no reason.

(Code 1983, § 2-226)

Sec. 2-322. Scope.

The county administrator shall be responsible for the administration of the personnel policies and procedures in this division which shall apply to all employees except those specifically exempted. It shall be the duty of the county administrator, or his designee, to maintain all required personnel records. Each department head shall be required to submit to the county administrator, or his designee, all necessary reports, records, and supportive data necessary to the accomplishment of an adequate personnel records system.

(Code 1983, § 2-227)

Sec. 2-323. Amendment of personnel policies and procedures.

Amendments to these policies and procedures may be proposed by the department heads and the county administrator and shall be adopted by ordinance of the county council.

(Code 1983, § 2-228)

Sec. 2-324. Definitions.

The following words, terms and phrases when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means any department, division or unit funded in whole or in part through the county, and under program control of the county, are subject to those policies and procedures.

Appointment means the act of placing an employee in an established, funded position.

Authorized position means a position included in the approved county budget.

Class of positions means a group of positions, or one position, which are substantially similar with respect to difficulty, responsibility, degree of supervision required and exercised, character of work required, and generally the same kind and amount of training and experience for the proper performance which merits approximately equal pay. These positions shall be allocated to the same class.

Class title means the official designation or name of a class as stated in the class specifications. It shall be used on all personnel records and action forms. Titles used in operating activities of the various departments may be left to the discretion of department heads.

Classification plan means the document that describes the concepts, procedures and class descriptions utilized in the

classification of positions in the county.

Day means the total hours in a work day that the employee is regularly scheduled to work.

Demotion means the movement of an employee, either voluntarily or involuntarily, from a position in one classification to a different position in another classification having a lesser degree of responsibility and a lower salary range.

Department head, appointed means a manager of a major department of the county who is appointed to the position through the normal selection process as described in the policies and procedures set out in this division.

Department head, outside appointed means a manager of a major department of the county who is appointed by an authority outside of county government for a specific period of time.

Dismissal means the action taken against an employee to separate him from service with the county.

Employee, exempt means any regular full-time or part-time employee exempted from minimum wage and overtime requirements as specified by criteria in the Fair Labor Standards Act (FLSA).

Employee, nonexempt means any regular full-time or part-time employee covered by minimum wage and overtime requirements as specified by criteria in the Fair Labor Standards Act (FLSA).

Employee, regular, full-time means an employee who has completed six months of satisfactory service, works no less than the established official work week, and is not a temporary or student employee.

Employee, regular, part-time means an employee who has completed six months of satisfactory service and works less than the established official work week.

Employee, temporary means an employee who is employed for a specific period of time, the completion of which will end the employment relationship with the county.

Established position means an authorized position which has been classified in accordance with the classification plan.

Full-time position means a position authorized for the entire normally established work period, on a daily, weekly, monthly or annual basis.

Illegal drugs means any drug that is not legally obtainable, or which is legally obtainable but which has not been legally obtained, or prescribed drugs not legally obtained, or prescribed drugs not being used for prescribed purposes.

Immediate family means the wife, husband, mother, father, son, daughter, grandparent, brother, sister, or the equivalent in the family of the spouse.

Layoff means termination of employment due to the abolishment of positions necessitated by a shortage of funds or a material change in the duties or organization within a department of the county.

Legal drugs means prescribed drugs and over-the-counter drugs that have been legally obtained and are being used for the purpose for which they are prescribed or manufactured.

Part-time position means a position authorized for less than the entire normally established work period, on a daily, weekly, monthly or annual basis.

Pay plan means the document that describes the philosophy, methods and salary procedures for compensating employees in classified positions of the county.

Pay schedule means the officially approved list of pay grades and their assigned salary range.

Position means a group of currently assigned duties and responsibilities requiring the full-time employment of one person. A position may be occupied or vacant.

Possession means, in relation to substance abuse, and shall include but is not limited to the presence of drugs or alcohol on the employee, lunchbox (bag), tool kit, purse, desk, locker, cabinets, or office.

Probationary period means a working test period required of an employee following his appointment to a position, normally not to exceed six months in duration.

Promotion means the movement of an employee from a position in one classification to a different position in another classification having a greater degree of responsibility and a higher salary range.

Reclassification means the assignment of an established position in one classification to a higher or lower classification

based upon a substantial change in the duties and responsibilities of the position.

Review date means the date on which an employee shall normally be considered for a merit salary advancement, based upon demonstrated job performance in a position.

Sickness means any illness or injury to an eligible employee of the county.

Temporary position means a position created for a defined period of time not to exceed six months and not renewable.

Transfer means the movement of an employee from one position to another position having the same salary range and the same level of responsibility within the classified system.

Under the influence means when an employee is affected by drugs or alcohol, or a combination thereof, in a detectable manner or in any detectable amount.

Year means the county's fiscal year, starting on July 1 and ending the following June 30.

(Code 1983, § 2-229)

Cross references: Definitions generally, § 1-2.

Sec. 2-325. Organization for personnel administration.

(a) *County council.* The county council shall adopt and amend personnel policies and procedures at such time as it shall deem suitable.

(b) *County administrator.* The county administrator shall:

_____ (1) Draft, apply and interpret such personnel policies and procedures and revisions thereto as may from time to time be necessary to carry out the intent and purpose of the provisions of the personnel system and submit them to council for approval.

_____ (2) Carry out or delegate such other duties as are prescribed by the personnel policies and procedures set out in the division.

(c) *Delegation of duties.* The county administrator, at his discretion, may delegate any or all of the duties assigned by the policies and procedures set out in the division.

(Code 1983, § 2-230)

Secs. 2-326--2-340. Reserved.

Subdivision II. Recruitment and Employment

Sec. 2-341. Equal employment opportunity policy.

(a) It is the policy of the county to recruit, hire, train and promote employees on the basis of qualifications and without discrimination because of race, religion, color, political affiliation, handicap, national origin, sex or age; except where absence of handicap, sex or age is a bona fide occupational qualification. Furthermore, it is the county's practice to take affirmative action to remove any effects of and prevent discrimination because of race, religion, color, national origin, handicap, sex or age; except where absence of handicap, sex or age is a bona fide occupational qualification. This policy applies to all levels and phases of personnel administration such as recruitment, advertising, testing, hiring, training, promotion, transfer, leave practice, rates of pay, selection for supervisory positions and employee benefit programs. Furthermore, all officials and employees of the county, as well as employment agencies, labor organizations and advertising agencies with whom this county deals, will be informed of this policy.

(b) The county administrator will appoint an individual who will serve in the capacity of equal employment opportunity officer. Under the direction of the council, the equal employment opportunity officer is responsible for the overall administration of the equal employment opportunity policy. Furthermore, the equal employment opportunity officer will report directly to the council and will monitor personnel actions of the organization through direct contact with the department heads. Also, the equal employment opportunity officer has direct contact with all others who will play an important role in accomplishing the county's goals.

(c) All employees of the county shall be provided with a copy of the equal employment opportunity policy upon approval. Copies are also to be posted on bulletin boards at the main office and at all branch offices when approved.

(d) All elected and appointed department heads in the county with personnel responsibilities have been and will continue to be fully advised of their duties and responsibilities with respect to this equal employment opportunity policy.

(e) All employee communication media will be utilized to keep the employees and the public informed of this practice. Bulletin boards, employee handbooks, discussions or films to orient new employees, in-house publications, and word of mouth will all emphasize the county's commitment to a program of equal employment opportunity.

(f) The county will establish a system of communication and feedback controls within all management and departmental levels to ensure compliance with this plan throughout the entire jurisdiction.

(g) Pay scales are based on job classification. The equal employment opportunity officer has an understanding with the council that all job openings are to be filled on the basis of qualifications and individual merit rather than any consideration of race, religion, color, national origin, handicap, sex or age.

(Code 1983, § 2-231)

Sec. 2-342. Affirmative action goals.

(a) The county council, in consultation with the equal employment opportunity officer, will establish the goals, action items, responsible officials and target dates for the jurisdiction.

(b) The objectives will include recruiting, training, and promoting females, blacks and other minorities consistent with job opportunities as they occur.

(c) The ultimate purpose of this plan is that the staff of the county will fairly represent the female, black and other minority manpower in this area.

(d) Management will evaluate all employees to determine if their capabilities and skills are being fully utilized. Individuals who are found to be underutilized will be given priority consideration either for promotion or transfer to positions having greater potential for advancement.

(e) The county recognizes an obligation to its employees and to the people they serve to develop and utilize to full potential the talent and abilities of each employee.

(f) To this end, the county fully endorses and will continue to support the development and maintenance of a program of training and career development for the employees of the county.

(g) The county, within the limits of its resources, encourages every employee to avail himself of career development opportunities provided by the county and to offer constructive suggestions and recommendations relative to these opportunities.

(h) The management and supervisory staff of the county have a responsibility to ensure that career development opportunities are maintained and made available on the basis of individual merit without regard to race, color, creed, national origin, sex, age, handicap or political affiliation.

(Code 1983, § 2-232)

Sec. 2-343. Procedures; selection process.

(a) *Policy.* The recruitment goal for the county is to find and hire those persons who are most likely to become productive and satisfied employees over a long period of time. To fulfill this goal, the recruitment program is designed to attract qualified individuals to fill county job openings and to provide the county with reliable applicant sources from which qualified individuals may be placed upon individual quality rather than the quantity of applicants for each job opening. All recruiting efforts should conform with the equal employment opportunity statement contained in these rules.

(b) *Procedure.*

(1) In order to eliminate duplication of effort in recruiting qualified applicants and to ensure that all potential applicants within a reasonable area have an opportunity to learn of vacancies within county service, it shall be the policy of the county that only the county administrator shall be authorized to expend funds for the advertisement of vacancies or for any other purpose related to the recruitment of applicants.

(2) All elected, outside appointed and appointed department heads shall notify the personnel director immediately upon learning that a vacancy will occur. Except for those departments under the direction of an elected or outside appointed department head, for which the remainder of this subsection is optional, the personnel director shall then take those steps as may be necessary to attract qualified candidates. Upon the appropriate screening, in accordance with subsection (c) of this section, the top qualified applicants shall be entered upon a register for the position vacancy. The entire list, accompanied by appropriate referral forms/applications, shall be submitted to the department head. However, the department head must hire from the top three candidates or justify his reasons not to hire such candidates. Rank order will be given pursuant to subsection (c) of this section and, as a second criteria, by level of training, experience, skills and abilities.

(3) Any elected or outside appointed department head who elects not to follow the selection procedures in subsection (b)(2) of this section shall be responsible for all applicable EEOC recordkeeping and related requirements and any actions of their employees.

(4) The selection process may include one or more or all of the following:

- a. Oral interviews;
- b. Evaluation of experience and training;
- c. Reference checks;
- d. Written examinations;
- e. Performance tests; or
- f. Nonassembled examinations.

(5) All applicants shall be required to complete a health questionnaire at the time of employment. Accordingly, physical examinations may be required for any and all classifications as may be determined necessary.

(6) Starting salaries for newly employed personnel shall be determined in accordance with procedures and guidelines contained in the classification and compensation plan.

(c) *Promotions and transfers.*

(1) In order to provide upward mobility for the employees in county service, it shall be the policy of the county to consider applications from persons currently employed before applications from the public are considered. A notice will be posted on the bulletin board for each vacancy that occurs stating the position, the minimum training and experience requirements, the salary range, and how and when to apply.

(2) First consideration shall be given to those persons in the unit or department where the vacancy occurs for whom the vacant position would represent a promotion. If none of these persons are selected to fill the vacancy, all other county employees requesting consideration will be considered. Finally, any other applications may be considered.

(3) For the purposes of this section, newly hired probationary employees shall not be considered as regular county employees and shall consequently be treated as outside applicants. Moreover, lateral transfers between departments shall be permitted for regular employees for the purpose of filling vacancies.

(d) *Final selection of new employees.*

(1) The final selection of the person to fill each vacancy within an elected official's department or within a department of an official appointed by outside authority shall be made by the applicable department head. The final selection of the person to fill each vacancy for an appointed official's department shall be made by the appropriate appointed department head with the approval of the county administrator. Utilizing reporting forms designated for this purpose, the department head shall indicate his appraisal of each applicant referred to him and state the reasons for appointment or rejection. All starting salaries shall be established in accordance with the provisions of the plan of administration for the county.

(2) The personnel department will be responsible for signing up all new employees and processing the necessary forms required to place them on the payroll and on department records. New employees shall begin their employment on the first day of the work week of their department. A new employee may come by the personnel office any time during the week preceding the beginning of employment to be processed; however, a personnel action form indicating he is to be hired must be received by the personnel department at least by the time the employee presents himself.

(e) *Probationary period.*

(1) All new employees appointed to regular county positions shall serve a probationary period of at least six months. Law enforcement officers shall be on a probationary status until they comply with the existing state laws pertaining to law enforcement officers. Before the completion of the probationary period, the department head shall submit a probationary employee report to the county administrator. The report will indicate whether:

- _____ a. The employee should be continued as a regular employee;
- _____ b. If the employee's probationary period should be extended for three additional months; or
- _____ c. That the employee be discharged.

_____ Accordingly, an employee may be dismissed during the probationary period at any time at the discretion of the department head for any reason without recourse of appeal.

(2) If an employee is required to be away from work due to illness, worker's compensation covered injury, bona fide emergency or other authorized leave without pay in excess of ten working days during his probationary period, the period of such absence shall not be counted as time in service toward completion of the probationary period.

(f) *Regular status.* Employees who have satisfactorily completed at least six months of continuous service with the county shall be granted regular status. Regular full-time employees are eligible for all benefits and privileges provided by the county for its employees.

(g) *Suspension.* During an investigation, hearing, or trial of any employee on any criminal charge, or during the course of any civil action involving an employee, when suspension would be in the best interests of the county, the county administrator may suspend the employee without pay for the duration of the proceedings as a nondisciplinary measure. Back pay shall not ordinarily be recoverable, but where the suspension is terminated by full reinstatement of the employee, the county council may authorize full recovery of pay and benefits for the entire or any lesser period of the suspension.

(h) *Demotion.* Any employee whose work in his present position is unsatisfactory but offers promise of becoming a satisfactory employee, may, with full justification, be demoted by his department head. The notice of such action shall be reported to the county administrator by submission of a personnel action form.

(Code 1983, § 2-233)

Sec. 2-344. Hiring of relatives; nepotism.

(a) *Policy.* Two or more members of an immediate family shall not be employed within the same department. Two or more members of an immediate family shall not be employed within different departments where one member occupies a position which has influence over another's employment promotion, salary administration and other related management or personnel considerations. Employment of close relatives may be permitted in strictly emergency situations for temporary periods of time, normally not to exceed 30 calendar days, or for some longer period with the approval of the county administrator in cases where other qualified applicants are not available.

(b) *Definition.* For purposes of this policy, the term "immediate family" (close relative) shall include wife, husband, mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandson, granddaughter, stepmother, stepfather, stepson, stepdaughter, niece, nephew, aunt and uncle.

(c) *Exception.* The policy in this section shall be inapplicable to any employment decisions made by an elected official.

(Code 1983, § 2-234)

Sec. 2-345. Terminations.

(a) *Voluntary terminations.* Nonelected employees may terminate their employment, voluntarily, at any time. Notice must be given as follows:

- _____ (1) *Directors and/or department heads.* Four weeks prior to the effective date, directors and/or department heads must send a written notice to the county administrator.
- _____ (2) *All other employees.* Two weeks prior to the effective date, all other employees must send a written notice to the department head.

_____ (3) *Failure to give notice.* Failure to give the required notice without good cause shall be noted in the employee's personnel record and shall be subject to disclosure in regard to future reference checks.

(b) *Involuntary terminations.*

_____ (1) Employees being terminated involuntarily may be given advanced notice, or termination may be summary (at once) when, in the judgment of the department head, it would be in the best interest of the county.

_____ (2) Employees terminated involuntarily for any reason shall be paid for all hours worked through termination, and all earned unused annual leave, subject to limitations as set forth in this division, during the next regular pay day following termination which shall not exceed 30 days after written notice is given.

_____ (3) If an employee resigns after having been informed he is to be terminated involuntarily, it will still be considered as an involuntary termination.

(c) *Reduction in force.*

_____ (1) If a reduction in force becomes necessary, consideration will be given to the quality of each employee's past performance, the needs of the county and seniority in determining those employees to be retained.

_____ (2) When involuntary terminations arise due to cutbacks in county operational funds requiring a reduction in force, before separating a regular employee, efforts must be made to offer him an assignment to a vacant position for which he qualifies. Additionally, assistance in finding employment for the separated employee will be rendered. Terminations for reasons due to reduction in force shall be documented in the employee's personnel folder for his protection.

(Code 1983, § 2-234.5)

Secs. 2-346--2-360. Reserved.

Subdivision III. General Personnel Policies

Sec. 2-361. Hours of work.

(a) *Departments covered.* All departments of county government are subject to the provisions of this section as to hours of work.

(b) *Official hours of work.*

_____ (1) To ensure maximum efficiency and coordination of services, it is the policy of the county to provide uniform working hours for all departments, excepting those departments which maintain continuous operations seven days per week and those departments otherwise specified by the county administrator.

_____ (2) The business hours for all departments of the county shall be no less than from 8:30 a.m. to 5:00 p.m., Monday through Friday, except for official holidays. The several divisions of the public works department and the maintenance shop may work four ten-hour days, per week during daylight savings time at the discretion of the county administrator. Those county departments where seven-day/24-hour services or emergency services are maintained may have work weeks in excess of the normally scheduled hours.

_____ (3) Employees are expected to work during all work hours exclusive of bona fide breaks, meal times, or unscheduled hours, etc. Employees are not to perform work during such nonwork breaks, meal times, or unscheduled hours, unless approval is received from an immediate supervisor and only in cases of extreme emergency.

_____ (4) An extreme emergency exists when an employee is called to perform work that, if not performed, could result in damage to property or person, or which requires immediate attention of the employee which cannot possibly be postponed.

(Code 1983, § 2-235)

Sec. 2-362. Outside employment permanent, full-time.

(a) The work of the county shall have precedence over the other occupational interests of nonelected employees. All

outside employment for salary, wages or commission service, and all self-employment must be reported to and approved by the county administrator.

_____ (1) An employee's request for outside employment will not be granted when:

- _____ a. Such additional work will interfere with his duties as an employee of the county;
- _____ b. Such additional work lowers the efficiency of the employee; or
- _____ c. Such duties, trades, businesses or professions require review, inspection, licensing, permitting or regulation by the county.

_____ (2) Unauthorized outside employment, or conflicting or willful violation of subsection (a)(1) of this section, shall be considered direct insubordination and shall be grounds for dismissal.

(b) County departments may, by agreement, either lend or borrow the services of regular employees during their regular working hours. No additional compensation will be received by a borrowed employee. This policy shall not interfere with the normal conditions of employment which require an employee to perform work in other county departments as part of his regular duties.

(Code 1983, § 2-236)

Sec. 2-363. Overtime.

(a) Overtime for other than law enforcement employees is defined as time worked over 40 hours in a given seven-day workweek beginning Saturday midnight. All overtime worked in every department must have the prior approval of the county administrator, except in cases where emergency situations occur. Accounting for overtime for all departments shall be done on the official payroll time sheets. Overtime for law enforcement employees, however, shall be based on a 28-day cycle with overtime being any hours worked in excess of 171 hours during the cycle.

(b) The payment in cash for overtime will be made only for hours worked over and above a 40-hour, seven-day workweek for other than law enforcement employees. Overtime payment for covered nonexempt law enforcement employees will be made only for hours worked over and above 171 hours during a 28-day cycle.

(c) Compensatory time off for overtime hours worked may be provided in lieu of immediate overtime pay in cash, at the option of the county administrator, for covered nonexempt employees and shall be used in all cases for exempt employees.

_____ (1) Covered nonexempt employees shall be granted compensatory time for overtime hours worked at a rate of 1 1/2 hours for each hour of overtime worked subject to the following provisions:

- _____ a. The maximum compensatory time which may be accrued by any affected employees shall be 480 hours, i.e., not more than 320 hours of actual overtime hours worked, for those engaged in law enforcement activity, and 240 hours, i.e., not more than 160 hours of actual overtime hours worked, for all other employees. An employee who has accrued the maximum number of compensatory hours shall be paid overtime compensation in cash for any additional overtime hours of work.
- _____ b. An employee shall be encouraged to use accrued compensatory time within a reasonable period, e.g., within 30 days, if to do so would not unduly disrupt the operations of the work site.
- _____ c. Employees having accrued compensatory time upon termination of employment shall be paid for such time, which shall be calculated at the average rate of pay for the final three years of employment or the final regular rate received by the employee, whichever is higher.
- _____ d. Compensatory time off is encouraged with covered nonexempt employees when it is given within the same workweek for other than law enforcement employees and within a 28-day cycle for law enforcement employees, to avoid an overtime situation from occurring.

(2) Exempt employees shall be granted compensatory time for overtime hours worked at a rate of one hour of compensatory time for each hour of overtime. The compensatory time, when earned, shall be used in 30 days or be forfeited. Accordingly, accrued compensatory time shall not be compensable in cash for exempt employees at the time of termination from employment.

(d) Under limited circumstances, employees who work in the same department may, at their option, substitute (trading time) work hours as long as such substitute has prior approval by the immediate supervisor of each employee involved. It is understood, however, that overtime hours generated as a result of such substitutions shall be excluded for the

calculation of hours worked for overtime purposes.

(Code 1983, § 2-237)

Sec. 2-364. Official holidays.

(a) The following shall be observed as official paid holidays for the employees of the county:

- _____ (1) New Year's Day.
- _____ (2) Martin Luther King's birthday.
- _____ (3) Presidents' Day.
- _____ (4) Good Friday.
- _____ (5) Memorial Day.
- _____ (6) Independence Day.
- _____ (7) Labor Day.
- _____ (8) Veteran's Day.
- _____ (9) Thanksgiving Day and following Friday.
- _____ (10) Christmas Day, and Christmas Eve or the day following Christmas Day.

(b) For each paid holiday, each regular full-time employee shall receive a holiday allowance equal to his normal pay for one work day, not to exceed eight hours. A regular full-time employee who works a shift greater than eight hours shall receive a holiday allowance equal to his normal pay for eight hours. This time shall not be counted as hours worked for the purpose of computing overtime.

(c) Whenever a holiday falls on a Saturday, the preceding Friday shall be observed. If a holiday falls on a Sunday, the following Monday shall normally be observed as a holiday.

(d) An employee who is required to work on an official holiday may be paid at his regular straight time rate for all hours worked. The department head shall have the option of either granting a day off with pay within the next 30 days or granting the regular holiday allowance in addition to the pay for hours worked with the approval of the county administrator.

(Code 1983, § 2-238)

Sec. 2-365. Annual leave.

(a) *Purpose.* It is the policy of the county to provide paid annual leave affording opportunity for healthful rest and relaxation to all regular full-time employees.

(b) *Rate of earnings.* All employees assigned to regular full-time positions shall be entitled to annual leave with pay. Annual leave may not be taken during the probationary period; however, such leave will accrue from the date of initial appointment. Accordingly, such annual leave shall accrue to the employee on a biweekly basis starting with the first payroll period according to the following schedule:

- _____ (1) Full-time employees with one to six years of continuous service shall receive credit for 3.7 hours per pay period.
- _____ (2) Full-time employees with seven to 14 years of continuous service shall receive credit for 4.6 hours per pay period.
- _____ (3) Full-time employees with 15 or more years of continuous service shall receive credit for 5.5 hours per pay period.
- _____ (4) All regular full-time employees who work 24-hour shifts shall accrue vacation leave at rates of 4.62, 5.78 and 6.94 hours respectively per pay period based on the provisions of subsections (b)(1), (b)(2), and (b)(3) of this section.
- (5) No annual leave accrual shall be permitted for an employee while on leave without pay or during suspension

for disciplinary purposes, nor shall any annual leave accrue for unexcused absences, or when an employee is on a nonpay status. Annual leave shall accrue, however, to an employee while on authorized annual, sick, or other leave with pay.

(c) *Use of annual leave.*

(1) Annual leave time may not be used or changed in units of less than one-half hour.

(2) All full-time employees are required to take at least one work week, five continuous work days, of paid annual leave each fiscal year. However, employees who work 24-hour shifts are required to take at least two continuous 24-hour shifts of paid annual leave each fiscal year.

(3) Except in the case of an emergency, all annual leave time must be approved, a minimum of 48 hours in advance by the employee's department head. Whenever possible, an employee wishing to take more than four hours of annual leave time should request approval at least one week in advance. All annual leave must be requested through channels by the completion of a county leave slip/request form.

(4) Whenever possible, employees will be allowed to take paid annual leave at times most convenient to them. However, department heads must schedule the vacation of those employees in their departments based on seniority. Accordingly, the following principles shall apply beginning with each new calendar year:

a. The schedules shall be done either by department or by division as the case may be.

b. The employee with the most seniority in a given department, division, or in some cases, work crew unit, will be given the opportunity to select his vacation time before any other employee. That employee has the opportunity then to pick his vacation time from one day to a total amount earned or accrued as may be taken in the given year. Once that employee has had his opportunity to select, the next most senior person will have the opportunity to select and so on until everyone in the department has placed his name upon the vacation schedule.

c. The department head has the option of allowing more than one employee to be off at a given time provided the work schedule will accommodate it.

d. The department head may refuse any and/or all vacation leave requests if the work schedule does not accommodate it.

e. Once the vacation schedule has been made up, the senior employee in the department, division, or work crew may then go back and select a second time for those dates that may remain or as may be allowed by the department head. This process shall continue until all persons shall have selected the number of vacation days that they wish to take in a given year.

f. Employees having selected their vacation days may switch days with one another provided the department head will give approval.

g. The same process shall be worked with division heads within a department if such be within the organizational structure.

h. The department heads shall request their annual leave of the county administrator or his designee who shall grant such annual leave.

i. Elected officials or those appointed by an authority outside of county government may take leave whenever they wish and which is convenient to them.

(5) When a paid holiday is observed by the county during the period an employee is on paid vacation, the employee shall receive only his regular holiday pay and that day shall not be charged against the vacation earnings.

(6) Should an employee become ill during a period of annual leave, he shall be charged with sick leave rather than annual leave subject to the provisions of the sick leave policies contained in this article.

(d) *Carryover and payout of vacation earnings.*

(1) Up to the equivalent of 30 days (240 hours) of unused vacation earnings may be carried forward from one calendar year to the next. All over the equivalent or 30 days (240 hours) of vacation time will automatically be lost at the end of each calendar year.

(2) When an employee's employment with the county is terminated, for whatever reasons, he shall be paid at

his regular straight time rate for all hours of unused vacation earnings, not to exceed 48 days (384 hours)* provided the employee has successfully completed his probationary period with the county. In the event of the death of an active employee, this payment shall be made to his legal representative.

_____ *Note to reader: Maximum accruable leave in a one-year period by an employee with 15 or more years of service who carries 30 days over into the fiscal year.

(e) *Attendance records.*

(1) An attendance record shall be maintained for each employee by both the finance department and the respective department heads. This record shall reflect all hours worked and/or not worked, i.e., sick leave, _____ vacation leave, civil leave, etc., for all nonexempt employees. Only the hours not worked will be recorded for all exempt employees. Exempt and nonexempt employees will be as defined by the Fair Labor Standards Act regulations S.C. Code 1976, § 8-11-50 as amended and identified by the personnel director. An employee's record shall be made available to him for inspection upon request.

(2) The head of each department shall be responsible for the completion of a biweekly attendance report for his _____ department. This report shall be sent to the finance department no later than noon on the Monday following the last Friday in the time sheet cycle.

(Code 1983, § 2-239)

Sec. 2-366. Sick leave policy.

(a) *Purpose.* It is the policy of the county to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to personal illness or injury. Each elected or appointed department head shall have the responsibility of enforcing this sick leave policy.

(b) *Rate of earnings.* All regular full-time employees shall earn credits for paid sick leave at the rate of 3.7 hours (4.62 hours for 24-hour shift employees) per pay period of continuous service. There is no qualifying period for sick leave; consequently, employees will begin accruing this type leave immediately upon employment and may take it in accordance with their accrual during the probationary period. Up to the equivalent of 90 days (720 hours) of unused sick leave earnings may be carried forward from one calendar year to the next. All over this equivalent will automatically be lost at the end of each calendar year.

(c) *Use of sick leave.*

_____ (1) Sick leave will not be used or charged in units of less than one-half hour.

_____ (2) Sick leave may be paid when an employee is unable to work due to personal illness or injury, or when the employee's presence may endanger the health of fellow workers.

_____ (3) Sick leave may be taken for medical and dental appointments.

_____ (4) Sick leave may be used to cover absences made necessary by illness in an employee's immediate family within the employee's household. Such leave will be limited to three days at any one time and to a maximum of six days per calendar year.

_____ (5) When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his regular holiday pay and that shall not be charged against his leave earnings.

_____ (6) Upon returning to work from sick leave, an employee shall complete and sign a county leave slip/request form covering the period of absence and submit the county leave slip/request through channels for approval.

(d) *Payment of sick leave.*

_____ (1) In order to be eligible for sick leave with pay, an employee must:

_____ a. Report to his supervisor within 30 minutes of the scheduled starting time the reason for the absence. An employee who fails to notify his supervisor shall not be paid for the time taken prior to notification.

_____ b. Keep his supervisor informed of his condition if out sick more than one work day. Failure to keep the supervisor informed as to the duration of absence can result in termination of employment.

_____ c. If the absence is in excess of three consecutive working days, present a written statement by a licensed physician certifying that the employee's condition prevented his performing the duties of his

position. At his discretion, however, the employee's department head may, at any time, request written verification by a licensed physician of an employee's absence due to illness or injury if there is reason to suspect abuse of the privilege. Failure to provide this written verification may result in loss of pay for the time absent from work and/or termination of employment.

_____(2) Upon leaving county employment, for whatever reason, an employee will not be reimbursed for unused accrued sick leave.

(e) *Longterm illness.*

_____(1) *General.* After an employee has used all accrued sick leave credits, he may elect to use his vacation leave before being placed on leave without pay. Such leave without pay may be up to one year from the last day worked.

_____(2) *Maternity leave.*

_____ a. Any permanent employee may be granted maternity leave for a period not to exceed six months. An employee shall report her condition to her immediate supervisor as soon as pregnancy has been confirmed. After the employee and her doctor have determined how long she will be able to safely perform her duties, she and her supervisor shall jointly agree on the date she will begin her maternity leave. The employee and her supervisor shall tentatively establish the date she will return to work before her leave begins.

_____ b. All other sections of this sick leave program apply to maternity leave, including use of vacation leave earnings prior to being placed on leave without pay status.

_____(3) *Returning to work.* The position held by an employee may be held open while he is on an extended medical leave by redistributing the work among the other employees in the department or by filling the position on a temporary basis, if possible. If it becomes necessary to fill the position on a regular basis in order to ensure continued smooth operation of the department and maintain a high level of quality in the delivery of services to the citizens of the county, the employee shall be notified immediately and assured that every effort will be made to place him in a position of like status and pay when he is able to return to work.

(Code 1983, § 2-240)

Sec. 2-367. Administrative leave.

(a) *Bereavement leave.*

_____(1) If a death occurs in the immediate family of a regular full-time county employee, up to three days of sick leave with pay may be granted at the discretion of the department head. If additional time is needed, the employee may utilize accrued annual leave upon approval of the department head. The definition of immediate family will be in accordance with subsection 2-344(b).

_____(2) At the discretion of the department head and upon the approval of the county administrator, an employee may be granted reasonable time off to attend the funeral of a fellow employee. There shall be no loss of time if the time is less than two hours and is made up during the same work week.

(b) *Inclement weather.*

_____(1) If inclement weather occurs during a working day, and it is determined by the county administrator after consultation with knowledgeable sources that driving conditions may become extremely hazardous, the county administrator may authorize county employees to leave work before the usual closing time without loss of pay or leave time.

_____(2) If inclement weather occurs during nonworking hours, hours of operation of county offices may be altered by the county administrator after consultation with knowledgeable sources. County employees will be granted administrative leave with pay as long as hazardous conditions exist, as determined by the county administrator. Announcing of operational plans will be made by radio and television.

_____(3) If inclement weather occurs during nonworking hours, the county will endeavor to notify local radio stations between 7:00 a.m. and 7:30 a.m. as to when the hours of county operation are to be altered. If regular hours of operation are not to be altered, no announcement will be made.

_____(4) Unauthorized absences in connection with this inclement weather policy will be charged to annual leave or the employee may take leave without pay.

(c) *Bomb threats.* If a bomb threat is received during working hours in any county building, evacuation thereof will be in accordance with the bomb threat plan prepared by the office of disaster preparedness. No employee will be excused from work as a result of an evacuation without the approval of the county administrator. Accordingly, employees will be required to remain in designated evacuation areas until given clearance to either return to their respective work sites or otherwise given permission to leave work. Failure to abide by this policy will result in an employee's having to take annual leave or being placed on leave without pay.

(Code 1983, § 2-240.5)

Sec. 2-368. Military leave.

(a) In accordance with state law, all employees who are members of the South Carolina National Guard or any reserve unit of the United States armed forces shall be entitled to military leave without loss of pay, efficiency rating or other benefits for up to 15 regularly scheduled workdays, in any one calendar year so that they may participate in training or other such duties ordered by the appropriate authority. In addition, if these employees are ordered by appropriate authority to serve during an emergency, they shall be entitled to such leave for not exceeding 30 additional regularly scheduled workdays.

(b) An employee going on military leave shall present a copy of his orders to his elected or appointed department head not more than three days after receiving such orders.

(c) An employee going on military leave shall receive his normal regular compensation from the county for all military leave days taken up to 15 in number per calendar year in addition to any and all wages received from the United States government or the state for military service rendered during those days.

(Code 1983, § 2-241)

Sec. 2-369. Civil leave.

(a) *Jury duty.* All regular county employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings, except that on any day when such employee is excused from service on a jury he will be expected to report for duty at his regular place of work if within reasonable commuting distance or be charged annual leave for the time excused from jury duty. Likewise, any period of time for which an employee is excused from jury duty because of illness shall be charged to sick leave. An employee shall be entitled to all fees received as a juror.

(b) *Official court attendance.* All regular employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the county, state or the federal government shall be entitled to leave with pay for such period as his court attendance may require. Any fees paid for such service may be retained by the employee.

(c) *Private litigation.* Absence of a county employee to appear in private litigation in which he is a principal party shall be charged to annual leave or to leave without pay.

(Code 1983, § 2-242)

Sec. 2-370. Leave without pay.

The county administrator, upon the advice of elected or appointed department heads, may grant leave without pay for a period not to exceed one year, when it is in the best interest of the county. When the leave without pay expires, a person may be reinstated to the position he vacated if such position still exists or to some other vacant position in the same class if the position no longer exists.

(Code 1983, § 2-243)

Sec. 2-371. Payroll changes.

Any action which will affect an employee's base pay, status, or identification shall be promptly reported to the county administrator by the submission of a personnel action form by the department head. No changes shall be made without an approved personnel action form from the county administrator.

(Code 1983, § 2-244)

Sec. 2-372. Participation in worker's compensation.

The county is a participating jurisdiction in the worker's compensation state fund. If any employee is injured while on the job, such employee should report that fact to his immediate supervisor as soon as possible. The supervisor shall inform the elected or appointed department head. The elected or appointed department head shall provide all information necessary for submission of the employer's first report of injury and the OSMA report. These reports shall be prepared by the personnel department and forwarded to the state industrial commission and state department of labor, respectively. The commission will investigate the claim and determine the amount of compensation, if any, to be paid.

(Code 1983, § 2-245)

Sec. 2-373. Retirement.

(a) *Participation in state system.* The county participates in the state retirement system and the state police officers' retirement system. Membership upon employment is mandatory for all regular employees. Accordingly, the effective date of enrollment into the retirement system is the date of employee's appointment to regular county service.

(b) *Eligibility.* A member is eligible for a service retirement at age 60 or upon completion of 30 years' membership.

_____ (1) *Early retirement age.* A member is eligible for reduced monthly benefits at age 60. The monthly allowance is reduced by five percent for each year under age 65 at the time of retirement.

_____ (2) *Vesting.* A member who terminates employment with at least five years' service credit and leaves the contributions on deposit will be eligible for a monthly allowance beginning at age 60.

(c) *Postretirement employment.*

_____ (1) A member receiving a service retirement allowance may return to work for a public employer, covered by the state retirement system, and earn up to the maximum amount as established by the system. After earning the maximum amount, the retirement allowance is discontinued for the remainder of the fiscal year.

_____ (2) A member receiving a retirement allowance who works 48 continuous months under covered employment, with an annual salary at least 75 percent of average final compensation (average of the three highest consecutive years' salary), shall again become a contributing member to the retirement system. At the option of the member, credit for the 48-month period may be purchased. The subsequent retirement allowance is computed as if the member is retiring for the first time.

(d) *Retirement procedures.* An application must be filed to reach the retirement system up to six months in advance or 90 days retroactively of the planned retirement date. A member must be separated from service as of the effective date of retirement.

(e) *Military service.* Active military duty performed prior to July 1, 1974, may be established to a member's retirement account subject to the following provisions:

_____ (1) *Six-year maximum.* Not more than six years of active military duty may be credited; the years so credited will date from the initial entry to active duty. At the time of retirement, a member must have two years of state service for each year of military credited to the account.

_____ (2) *Cost.* Active military duty prior to July 1, 1945, may be credited without cost to the member. Military duty subsequent is computed on the basis of the salary earned during the first year of current membership in the retirement system plus interest.

_____ (3) *All or none.* When a member elects to establish military service, all such service for which eligible (six-year maximum) must be established, dating from entry to military duty.

_____ (4) *Procedure.* Mail a copy of DD Form 214 showing date of entry to active duty and separation from active duty and request a cost estimate to establish the service.

(Code 1983, § 2-246)

Sec. 2-374. Disciplinary action.

(a) *Purpose.* The guidelines set out in this section are provided so that should it become necessary for an elected or

appointed department head to take disciplinary action against an employee, such discipline will be administered in a fair and equitable manner in all departments, without regard to race, religion, age, sex, handicap or national origin.

(b) *General.*

_____ (1) Disciplinary actions may be prescribed by a department head when, in his opinion, an employee's work performance or actions are sufficiently below standards so as to be detrimental to the county and/or the employee or if the employee violates county policies and/or ordinances which allow disciplinary action.

_____ (2) Four types of disciplinary actions which may be taken in regard to regular employees are as follows; other disciplinary actions may be appropriate in other circumstances:

_____ a. *Oral warning.* For single, unrelated and relatively minor instances of substandard performances or conduct, an oral discussion between the employee's department head and the employee may be sufficient to correct the situation. In such cases, the department head need not fill out any formal written notice, and there need not be any documentation placed in the employee's personnel folder; however, the department head shall make an informal note for his own records in case the corrective action sought is not forthcoming.

_____ b. *Written warning.* This action should take the form of a written notice of reprimand written by the employee's department head and given to the employee. Normally, it would follow repeated instances of minor infractions or substandard performance for which there have been previous oral warnings. This notice shall state clearly the reasons for the reprimand and provide for the employee's signature acknowledging receipt thereof. A copy of this notice shall be retained by the department head with an additional copy sent to the personnel department to be filed in the employee's personnel folder.

_____ c. *Suspension.* This action shall be taken as a disciplinary measure only when the action and/or behavior of an employee is grave enough to warrant more than a written reprimand but less than discharge. It shall clearly state the reasons, duration, and actions to be taken (discharge) if the action and/or behavior or similar actions/behaviors are repeated. As with the written reprimand, this notice shall provide for the employee's signature acknowledging receipt thereof. The original shall be given to the employee, a department copy retained, and a copy forwarded to the personnel department along with a properly executed personnel action form for processing.

_____ d. *Discharge.* If the employee's action, in the judgment of the employee's department head, warrants, the employee may be discharged. Written notice shall be given to the employee giving the reasons and effective date of discharge subject to the provisions for involuntary termination. This notice shall also provide for the employee's signature acknowledging receipt thereof. In cases where notification must be mailed, it shall be sent by certified mail and the signed return receipt retained. The original shall be given, or mailed, to the employee, a department copy retained, and a copy forwarded to the personnel department along with a properly executed personnel action form for processing.

_____ (3) Any regular employee may seek an appeal of any perceived unjust disciplinary action taken against him through the grievance procedures established in this division.

(c) *Rules of conduct.* Employees are expected to observe established rules of work and conduct. Accordingly, violations thereof are subject to certain disciplinary actions such as warnings, suspension, and/or dismissal.

(Code 1983, § 2-247)

Sec. 2-375. Grievance procedure.

(a) *Application and purpose.* This section is applicable to all regular employees except a deputy sheriff and a discharged regular employee of an elected official or an official appointed by an authority outside of county government. The purpose of this section is to provide a means whereby any regular employee, except as excluded in this subsection, who feels that he has been subjected to unfair, discriminatory, or abusive treatment may secure a hearing without delay and be assured of a prompt, orderly, and fair response to the grievance or appeal.

(b) *Statement of policy.*

_____ (1) It is the policy of the county that all employees shall be treated fairly and consistently in all matters related to their employment. When an employee feels that he has not been so treated, he may present a grievance or appeal free from interference, restraint, coercion, discrimination or reprisal.

_____ (2) The employee shall be entitled to such time off from his regular duties as may be necessary and reasonable for the presentation and processing of his grievance or appeal without loss of pay, vacation, or other credits.

_____ (3) The employee shall have ten calendar days from the date of occurrence of the alleged grievance to present in accordance with established procedural guidelines.

(c) *General.*

_____ (1) Grievances may include, but are not necessarily limited to, dismissal, suspension, involuntary transfer and promotion. State law provides that compensation shall not be deemed a proper subject for consideration under the grievance procedure except as it may apply to alleged inequities within a department.

_____ (2) The formal grievance procedure contained in this section shall apply only to regular employees who have completed at least six months of satisfactory employment with the county. Probationary, seasonal and temporary employees are not covered by this section.

(d) *Procedures.*

_____ (1) A grievance is a complaint or a dispute concerning the interpretation and application of the provisions of the personnel policies and procedures or of established departmental work rules.

_____ (2) The most effective accomplishment of the work of the county requires prompt consideration and equitable adjustment of the employee grievances. It is the desire of the county to adjust the causes of grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise.

_____ (3) The following procedural steps will be followed in the application of this policy:

_____ a. *Step 1.* An aggrieved employee may personally present his grievance to his department head within ten calendar days of its occurrence or of the employee's knowledge of its occurrence. The department head shall consider the grievance, attempt to adjust the matter, and shall render a decision in writing to the employee within three working days after receiving the request. In cases where the decision of the department head must be mailed to an aggrieved employee, the decision shall be sent by certified mail, return receipt requested.

_____ b. *Step 2.* This step is exclusively for those county employees assigned to county entities under the policy making jurisdiction of a board or commission, e.g., county library and Orangeburg Area Development Center. All other county employees shall go directly to step 3. If the grievance has not been settled, it shall be presented in writing by the employee to the applicable board or commission within three working days after receipt of the department head's decision. The board or commission will attempt to adjust the matter and shall render a decision in writing to the employee within five working days after receiving the complaint. A copy of the decision will also be sent to the employee's department head and the personnel department.

_____ c. *Step 3.* If the grievance has not been settled, it shall be presented in writing by the employee to the county administrator within three working days after receipt of the department head's, board or commission, where applicable, decision. Upon receipt of the employee's complaint, the county administrator shall obtain a copy of the applicable decision and all other pertinent information and upon receipt of such copy and information, he shall hold whatever discussion or make such investigations he deems desirable or that the employee, board, commission or department head may request. The county administrator shall render a decision in writing to the employee within five working days after receiving the complaint. In cases where the decision of the county administrator must be mailed to an aggrieved employee, the decision shall be sent by certified mail, return receipt requested.

_____ d. *Step 4.* If the grievance has not been settled, the aggrieved employee may request in writing a hearing before the grievance committee. This request shall be directed to the clerk to council within three working days after receiving the decision of the county administrator. Within three days of receipt of the employee's written request, the clerk to council shall schedule the requested hearing and notify the grievance committee and the employee requesting the hearing of the date of the hearing which shall be no more than 15 days after receipt of the written request.

_____ e. *Step 5.* This step is applicable to those regular county employees in departments under the direction of appointed department heads in which the employment and discharge authority is vested in the county council. Persons employed in departments under the direction of an elected official or an official appointed by an authority outside of county government shall be covered by step 6. The grievance committee shall, within 20 days after hearing an appeal, make its findings and decision and report such findings and decision to the county council. If the county council approves, the decision of the grievance committee shall be final, and copies of the decision shall be transmitted by the committee to the employee, department head involved, county administrator and the personnel department. If, however, the county council rejects the decision of the grievance committee, it shall make its own decision without further

hearing and that decision shall be final, with copies transmitted to the grievance committee, the employee, the department head involved, the county administrator and the personnel department. In cases where the decision of county council must be mailed to an aggrieved employee, the decision shall be sent by certified mail, return receipt requested.

f. *Step 6.* Where applicable, the grievance committee shall, within 20 days after hearing an appeal, make its findings and decision and report the findings and decision to the elected or outside appointed department head within whose department the grievance originated. If the applicable elected or outside appointed department head approves, the decision of the grievance committee shall be final and copies of the decision shall be transmitted by the committee to the employee, the county administrator and the personnel department. If, however, the applicable elected or outside appointed department head rejects the decision of the committee, he shall make his own decision without further hearing, and that decision shall be final, with copies transmitted to the grievance committee, the employee, the county administrator and the personnel department.

(e) *Grievance committee.*

(1) The county council shall appoint a committee composed of not less than three or more than five members with two alternates to serve for terms of three years, except that the members appointed initially shall be appointed, so that terms will be staggered and one-third of the terms shall expire each year. Any interim appointment to fill a vacancy for any cause prior to the completion of his term shall be for the unexpired term. Any member of the grievance committee may be reappointed for succeeding terms at the discretion of the county council. All members of the grievance committee to fill a vacancy for any cause prior to the completion of his term shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the county council. All members of the grievance committee shall be selected on a broadly representative basis from among the career service or appointed personnel of the several county departments, with the provision that, whenever a grievance comes before the committee initiated by or involving an employee of a department of which a committee member also is an employee such member shall be disqualified from participating in the hearing.

(2) The committee shall select its own chairman from among its members. The chairman shall serve as the presiding officer at all hearings which he attends, but may designate some other member to serve as presiding officer in his absence.

(3) A quorum shall consist of at least two-thirds of the committee members, and no hearings may be held without a quorum.

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

(5) The committee shall have the authority to call for files, records and papers pertinent to any investigation; to determine the order of the testimony and the appearance of witnesses; to call additional witnesses; and to secure the services of a court reporter to record the proceedings as the situation or committee may dictate.

(6) Even though the proceedings may take the form of an adversarial hearing, i.e., where the parties involved may call for and/or cross examine witnesses, none of the parties will be allowed to be represented by a lawyer.

(Code 1983, § 2-248)

Sec. 2-376. Travel and subsistence allowance.

(a) *Statement of policy.* When employees of the county are required to travel on official business, the county will pay reasonable amounts for transportation, meals, and lodging. As a general rule, overnight travel is not allowed for destinations within a 60-mile radius of the employees normal work location. Exceptions must be approved by the county administrator.

(b) *Transportation costs.*

(1) The county may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in tourist class whenever possible.

(2) Employees who, with proper authorization, use their personal vehicles may be reimbursed at the rate per mile established by the county council. When two or more employees travel in the same vehicle, only the individual who owns the vehicle will be reimbursed for travel.

_____ (3) Employees may be reimbursed upon proper receipt for all ferry, bridge, road and parking tolls. Receipts for taxi fares are not required; however, taxi expenses must be itemized.

(c) *Meal allowance.* Employees may be reimbursed for actual meal expense incurred while traveling not to exceed a total of \$25.00 per day. Reimbursement for meals will only be provided for overnight out-of-town travel. Employees on out-of-town overnight travel status for only a portion of the day will be reimbursed by the following schedule:

_____ (1) *Departure.* If you leave prior to 8:00 a.m., the per diem would be \$25.00; if you leave after 8:00 a.m. but before 12:00 noon, per diem would be \$21.00; departure after 12:00 noon but prior to 6:00 p.m., per diem would be \$15.00.

_____ (2) *Return day.* After 8:00 p.m., per diem, \$25.00; prior to 8:00 p.m. but after 2:00 p.m., per diem, \$10.00; prior to 12:00 noon but after 8:00 a.m., per diem, \$4.00.

_____ (3) *Same day trips.* Employees may be reimbursed for actual out-of-pocket meal expenses including tips incurred while traveling to an approved out-of-county meeting by the county administrator according to the following schedule:

_____ a. Breakfast . . . \$ 4.00

_____ b. Lunch . . . 6.00

_____ c. Dinner . . . 15.00

_____ For these meals, receipts must be submitted.

(d) *Lodging.* When lodging is required, employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he may stay at the hotel or motel where the meeting is to be held. In all cases, the county will pay no more than the regular single room rate. Receipts must be presented for all lodging by submitting the original hotel/motel bill.

(e) *Advances.* Travel advances may be made to cover anticipated travel expenses with the approval of the county administrator.

(f) *General.*

_____ (1) All travel must be authorized in advance. Accordingly, all expenses must be supported by an expense report. Travel expense vouchers will be furnished by the finance department. These vouchers must be used for all travel reimbursements and filled out completely as applicable. The vouchers shall be signed and dated by the individual, approved by the department head, and returned, with all applicable receipts and any unused advanced travel funds, to the finance department within five working days after the completion of the trip. Travel vouchers for daily recurring travel shall be submitted as a group by each department head within the first five working days of the month for all daily travel for the preceding month.

_____ (2) Travel payment will be processed once a month during the second work week of the month. All vouchers for daily recurring travel should be submitted accordingly so that the request for reimbursement arrives in the finance department as stipulated in subsection (f)(1) of this section.

(g) *Penalty for noncompliance.* If any employee fails to submit a travel voucher, either under the regulations stated in subsection (f)(1) or (f)(2) of this section, the employee shall forfeit their expenses for daily reoccurring travel for that submission. If no reimbursement is necessary, such employee shall be disallowed any advance travel for the duration of their employment.

(Code 1983, § 2-249)

Sec. 2-377. Salary plan.

(a) *Pay range.* The pay schedule includes a series of salary ranges in annual amounts. Each range has a minimum or entering rate, intermediate rates and a maximum rate. There are several main advantages to a system of ranges such as that presented. Some of these are as follows:

_____ (1) Opportunity is afforded county administrative officials to reward efficient and faithful employees for continued good or outstanding service.

_____ (2) Equal compensation may be provided for like work or equivalent responsibility.

- _____ (3) Increased competency and effectiveness resulting from experience in a position can be rewarded by increased compensation.
- _____ (4) Budgets can be prepared with ease and accuracy and payroll procedures can be simplified.
- _____ (5) A framework is provided within which salaries may be set which will eventually compare satisfactorily with those of other public and private employers, when funds are made available.

(b) *Benefits of system.* Under the pay system, county employees can know with some degree of certainty what they may be paid, if their performance warrants it. A further advantage gained from the use of salary ranges is that it permits the adjustment of pay scales to meet changing conditions affecting the level of compensation without disturbing the basic salary structure and relationships among classes. For example, if significant changes in the cost of living index, or other employment factors, indicate the need for a five to ten percent adjustment in the salary plan, it will be possible to adjust the plan to meet these conditions simply by moving the pay range assignment of any or all classes upward or downward one or two ranges of five percent each. Thus, the overall adjustments can be made without disturbing the relationships that exist among the classes and single adjustments can be made with full knowledge of their impact on other classes. The system of pay ranges can provide employee incentive as well as administrative flexibility in recognizing differences among individual employees whose positions are allocated to the same class.

(c) *Interpretation and application of the plan.* The pay ranges are intended to be gross annual base compensation to be paid by the county for full-time service in the various classes, except as noted. Full-time service is defined in section 2-324.

(d) *Other interpretations.* Where it is necessary to pay for part-time services, the hourly or part-time rate shall be set by the county administrator who will set up several classes of work and the rates for each class. The pay ranges do not include reimbursement for travel or other expenses incurred in connection with official business.

(e) *Use of the pay range.*

(1) The minimum rate of each range is the normal entering rate. Deviation from this might be permitted, if necessary, to fill a vacancy or for the recognition of highly unusual qualifications or situations. However, if there is _____ difficulty for any extended period in recruiting at the minimum rate for the grade and if recruiting efforts have been well conceived and executed, it is probable that the range for the grade should be raised. Increases from lower to higher rates within a salary range shall be on the basis of merit except that cost of living increases approved by county council shall be across the board.

(2) An applicant hired or employee promoted to a position in a higher grade, who does not meet all of the established requirements of the position, may be appointed with the approval of the county administrator at a _____ training salary of five percent below the minimum starting salary during a probationary period normally not to exceed six months. An employee in a trainee status shall continue to receive a reduced salary until successful completion of the probationary period or until the county administrator shall find that the trainee is qualified to assume the full responsibilities of the position.

(3) In order to improve productivity and provide an employee a means to improve his performance, the work performance of each classified employee shall be evaluated at least annually in accordance with the _____ administrative procedure prescribed and/or approved by the county administrator. This evaluation will be for all regular full-time and part-time employees. The evaluation will be the responsibility of the first-line supervisor and/or department, head. These reports will be shared with the employee in an interview session. These evaluations will be positive in nature and shall be used to guide employees toward a better professional discharge of their responsibilities.

(4) Regular merit increases may be granted to deserving regular employees whose work has exceeded the _____ standards established for satisfactory performance and when such an increase will not exceed the maximum salary rate for the grade of the position. Merit increases shall be recommended by an employee's department head and shall be approved by the county administrator before becoming effective. An employee shall be considered eligible for a merit raise on his anniversary date of employment.

(5) In order to improve morale, promote increased productivity and/or encourage ingenuity, employees shall be _____ given special recognition for exceptional achievement, performance, act, suggestion and/or length of service. Similarly, county departments/offices shall also be given special recognition for demonstrated special achievements or services that reflect favorably upon the county. Such recognition shall be accomplished by the granting of incentive awards in accordance with administrative policies and procedures as shall be prescribed and/or approved by the county administrator.

(f) *Salary administration policies and controls.* No matter how sound and consistent a classification and compensation plan may be when it is adopted, it cannot be expected to remain so without careful administration and review.

Classification and compensation plans require the establishment of specific policies and procedures to ensure their proper use and satisfactory maintenance. These plans can become effective administrative tools in achieving continuing positive results, rather than merely the end products of task force studies. Accordingly, the plan of administration presents the major policies and basic procedures recommended to govern the subsequent administration and maintenance of adequate salary levels under the classification and compensation plan.

(Code 1983, § 2-250)

Sec. 2-378. Social security benefits.

All county employees are covered under the Federal Insurance Contribution Act (FICA) which provides social security benefits upon retirement and death benefits to the employee's dependents. The employee's portion of the social security taxes is deducted from the employee's wages while the county contributes an amount equal to the employee's biweekly contributions.

(Code 1983, § 2-251)

Sec. 2-379. Worker's compensation.

(a) County employees are covered by the South Carolina Workers' Compensation Act S.C. Code 1976, § 42-1-10 et seq. If an employee is injured or suffers disability because of an accident while performing his duties, he shall immediately notify the personnel department. The personnel department will prepare the necessary forms for compensation to cover the hospital, medical payment, and/or personal disability payments (an employee's health insurance need not be used in this case).

(b) If an applicable injury renders an employee disabled for a period of time, the county will pay the employee at his regular rate of pay for a period of up to 14 calendar days without loss of leave or benefits. If the disability extends beyond 14 days, the county will cease payment to the employee and turn the matter over to the state fund for settlement with the injured employee as to payment for time lost during the remainder of the disability period. Even though the matter will be turned over to the state fund after 14 days, the injured employee still will not be charged leave or otherwise lose benefits during the disability period.

(Code 1983, § 2-252)

Sec. 2-380. Insurance.

(a) The county participates in group health, life and accidental death and dismemberment insurance programs for all regular employees working at least 30 hours per week. Eligible employees will contribute \$1.00 per week toward the cost of premiums for group health insurance. The county will contribute the balance of the remaining premium for each employee. If an employee desires to cover dependents, he must pay the additional premium through authorized payroll deductions.

(b) The county provides health insurance for retired employees who satisfy the eligibility requirements as specified in this subsection:

_____ (1) The county will contribute 50 percent of the monthly premium for retirees with 15 years or more of service with the county provided he is eligible for regular or disability retirement under the state retirement system or the police officer's retirement system at the time he leaves active county service.

_____ (2) The county will contribute the full monthly premium for retirees with 30 or more years of service with the county provided he is eligible for regular or disability retirement under the state retirement system at the time he leaves active county service.

_____ (3) The county will contribute the full monthly premium for employees with 25 or more years of service with the county provided he is eligible for regular or disability retirement under the police officer's retirement system at the time he leaves active county service.

_____ (4) The benefits received are the same as those under the county's group plan minus any payments attributable to Medicare. If a retiree desires to cover dependents, he must pay the entire cost of the dependent's insurance premium.

(c) The county's portion of the employee's premiums shall not be paid for any employee on leave without pay or on a nonpay status at the time payment is to be made to the insurance company for that employee. Such an employee may elect to continue his coverage during his leave period by remitting payments for the county's portion as well as any

optional payments for dependents. These payments may not be withheld from the employee's check after returning to work but must be paid at least one month in advance. An employee will automatically be dropped from coverage and the county's billing if a valid check or money order is not received in the finance office by the 20th day of each month the employee is on nonpay status.

(d) An employee may purchase, through payroll deduction, additional supplemental health and/or life insurance which carries several options and provides expanded insurance coverage for the employee and dependents. The personnel department shall furnish information on supplemental insurance coverage and enrollments.

(Code 1983, § 2-253)

Sec. 2-381. Unemployment insurance.

The county participates in the state unemployment program as required by law and, therefore, provides this benefit to former employees who qualify under such state unemployment program.

(Code 1983, § 2-254)

Sec. 2-382. Other payroll deductions.

Christmas Club, United Way and deferred income contributions may be made through payroll deductions.

(Code 1983, § 2-255)

Sec. 2-383. Membership in credit union.

The county shall afford all employees membership in a credit union for their benefit. An employee who is a member of the credit union may use this source as a savings plan or may borrow money in accordance with the rules and regulations which are established. Employees may also take advantage of any other plan of savings or borrowing as may be afforded by the credit union. The county may obtain membership in a credit union previously established which renders services that may be advantageous for the employees of the county.

(Code 1983, § 2-256)

Sec. 2-384. Merit principle.

All appointments and promotions of employees subject to the employment and discharge authority of the county council shall be made solely on the basis of merit and fitness.

(Code 1983, § 2-257)

Sec. 2-385. Classification and compensation plan.

(a) *Coverage of the classification plan.* This classification plan shall include all permanent classes of positions in county service.

(b) *Allocation of positions.* The county administrator or his designee shall allocate each position covered by the classification plan to its appropriate class in the position classification plan.

(c) *Maintenance of classification plan.* The county administrator or his designee shall be responsible for the administration and maintenance of the position classification plan. Department heads shall be responsible for bringing to the attention of the county administrator or his designee, the need for new positions, and material changes in the nature of duties, responsibilities, working conditions and other factors affecting the classification of any existing position. Following the receipt of such information concerning any new position, the county administrator, or his designee shall either allocate the new position to the appropriate class within the existing classification plan, or recommend that the council amend the position plan to establish a new class to which the new position may be allocated. When the county administrator or his designee finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the county administrator or his designee, with the approval of the county council, shall revise the existing class specification, reallocate the position to the appropriate class within the existing classification plan, or recommend that the council amend the position classification plan to establish a new class to which the position may be allocated.

(d) *Official copy of the position classification plan.* The official copy of the position classification plan shall be the original

copy of the ordinance duly passed by the county council and shall be included in this Code maintained by the clerk to council.

(e) *Amendment of classification plan.* Classes of positions shall be added to and deleted from the position classification plan by the council upon the recommendation of the county administrator.

(f) *Coverage of classification plan.* The position classification plan for the county shall include a classification plan and a pay plan which shall consist of a schematic list of class titles, an alphabetical list of class titles and a schedule of class assignments to the pay grades. The compensation plan shall include all full-time and permanent classes of positions. It shall be amended, deleted from and added to from time to time by the county administrator, except that the salary schedule shall be amended by the county council in their budget appropriations to and for county employees.

(g) *Maintenance of compensation plan.* Each year prior to the preparation of the annual budget, the county administrator or his designee shall secure information concerning the general level of salaries paid and fringe benefits provided in private industry in the area, the salaries paid and fringe benefits provided by comparable county, municipal and state employees, and any change in the cost of living in the area during the fiscal year. The county administrator or his designee shall conduct continuing studies of the internal relationships between classes in order to reduce or eliminate inequities between classes of positions within the county. Based on his studies and the general financial condition of the county, the county administrator shall recommend to the council such increases, reductions, or amendments of the salary plan as he deems necessary to maintain the fairness and adequacy of the salary plan. The annual budget adopted by the council, and any amendments thereto, together with the authorized appropriation, shall constitute the approval of amendments to the pay plan by the council.

(h) *Official copy of the compensation plan.* The official copy of the compensation plan shall be the original of the ordinance duly passed by the county council and shall be included in this Code maintained by the clerk to council. The personnel director shall be responsible for maintaining a copy of the compensation plan which shall include a salary schedule of assignment of classes to the pay grades plus all amendments thereto. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.

(Code 1983, § 2-258)

Sec. 2-386. Salaries after changes in status.

(a) *Salary of promoted or reclassified employee.* The salary of an employee promoted or reclassified from one class to another having a higher overlapping pay range shall be adjusted to the minimum of the new range or to five percent above his old salary, whichever is higher. The reclassification of a position to a class having a lower pay range shall not result in a reduction of his salary. Promotional salary increases may be delayed on a recommendation from a department head for a period not to exceed six months pending proven ability to perform the job to which promoted.

(b) *Salary of transferred employee.* The reassignment of an employee to a position in the same class or to a position in a different class with the same pay range shall not change the employee's salary.

(c) *Salary of demoted employee.*

_____ (1) An employee given a disciplinary demotion shall be reduced in pay five percent or to the maximum of the pay range, whichever is lower, for the class to which he is demoted.

_____ (2) An employee given an administrative demotion to a position in a different class with a lower minimum salary may be reduced in pay five percent or to the maximum of the pay range, whichever is lower, for the class to which he is demoted.

(Code 1983, § 2-259)

Sec. 2-387. New employee orientation.

(a) It shall be the responsibility of the personnel department for conducting a new employee orientation session for each new employee at which time the contents of the employee orientation handbook, benefits and other information shall be discussed thoroughly. A copy of a handbook and other materials shall be given to each new employee as he is placed on the payroll.

(b) The personnel department shall ensure that each department head is in receipt of a copy of the employee handbook and the personnel policies and shall administer and interpret them at the direction of the county administrator. Accordingly, all employees shall be required to sign a certification that they have received a copy of and read the personnel policies and procedures handbook.

(Code 1983, § 2-260)

Sec. 2-388. Employment of interns.

(a) Interns shall be of two types: those who are appointed without pay (usually to fulfill practicum requirements for educational purposes) and those who are appointed with pay, who shall be of two types: those who are hired directly by the county and those who are recommended through an outside agency or special program on a reimbursable basis.

(b) All interns shall be appointed by the county administrator upon recommendations from the department heads. All interns and/or intern programs shall be coordinated through the personnel department.

(c) Any department head wishing to use interns without pay shall submit a request in writing, giving all the details of the program and the name of the person who will be serving without pay. The county administrator shall approve or disapprove, in writing, the request of the department head.

(d) Department heads wishing to use interns with pay shall submit their request in writing to the personnel department, which shall coordinate between that department and any special intern program available or interns to be hired directly by the county.

(e) Interns to be paid by the county on a reimbursable basis shall be determined by the county administrator, and copies of the contract or agreement between the county and the agency or special program shall be given to the personnel and finance departments.

(f) A budget appropriation, approved by the county council, shall precede the hiring of any intern directly by the county.

(Code 1983, § 2-261)

Sec. 2-389. Status of a dismissed employee.

(a) Any dismissed employee of the county or other political subdivision of the state who seeks employment or reemployment, either to the same position or different position in the county, must file a completed application with the personnel department giving the dates and reasons for dismissal from his former employment which must be verified from his personnel records.

(b) An employee dismissed for cause shall not be eligible for employment or reemployment to any position by a department head when a dismissal is made for, but which shall not be limited to, the following reasons:

- _____ (1) Unfitness to perform work duties according to the standards of the classification plan, if applying for the same position, which includes negligence or inefficiency;
- _____ (2) Conflicting outside employment;
- _____ (3) Failure to report for work without a legitimate reason for three consecutive days;
- _____ (4) Disclosure of confidential information;
- _____ (5) Acceptance of improper gratuities;
- _____ (6) Use of, or being under the influence of, intoxicating beverages or narcotics while on or reporting for duty;
- _____ (7) Abuse of county-owned equipment or property;
- _____ (8) Failure to turn in equipment, uniforms, supplies or documents;
- _____ (9) Participation in partisan political activity;
- _____ (10) Falsification or misrepresentation of statements on an application form or to supervisors, officials or the general public;
- _____ (11) Violation of ordinances, rules and regulations;
- _____ (12) Membership in any organization which advocates the overthrow of the United States by force or violence;
or
- _____ (13) Insubordination, delinquency or misconduct.

.(c) If the dismissal be for cause not listed in subsection (b) of this section, the county administrator shall give his approval before the dismissed employee can be employed or reemployed.

(Code 1983, § 2-262)

Sec. 2-390. General service regulations.

(a) *Attitude and common courtesy.* When contacting the public in any manner, especially on public business, county employees shall do so in a courteous manner. Every employee shall, at all times, endeavor to conduct himself in a manner that reflects credit upon his department and the government of the county.

(b) *Disclosure of confidential information.* No official or employee shall, without the approval of his superior, disclose confidential information concerning the property, government, or affairs of the county. No official or employee shall under any circumstances use such information to advance the financial or other private interest of himself or others.

(c) *Use of county-owned equipment.* No employee shall take for his personal use any county-owned equipment. All employees shall use county-owned equipment only in the manner authorized by the county administrator. An employee who is on call may be authorized to take a vehicle to his residence by his department head.

(d) *Surrender of property.* An employee who is suspended or discharged may be requested to return all items of equipment, including uniforms, owned by the county. Return of such equipment must precede the issuance of such employee's final paycheck.

(e) *Partisan political activity.* Partisan political activity by any full-time employee shall be prohibited during regular working hours. Employees may not use county equipment, supplies, vehicles or other properties in partisan political activity which may be conducted after regular working hours. Employees who are paid either in full or in part by federal monies are covered under the federal Hatch Act and the federal Campaign Act and will be required to conform to the regulations of those acts, which state that such employees may engage in any legal partisan political activity with the exception of the following:

_____ (1) Make on-duty financial solicitations;

_____ (2) Use official authority to influence nominations or elections; or

_____ (3) Be a candidate for an elective office.

For the purpose of this policy, the term "partisan" is defined as being of a single party or cause. Violations of these rules may result in dismissal, or such other disciplinary action as the county administrator and/or county council shall deem appropriate.

(f) *Voting rights.* No employee shall be given or refused employment, suspended, or discharged because of his vote or failure to vote in any primary or general election.

(g) *Personal indebtedness.* Each employee of the county should keep his personal affairs arranged in such a way that the county will not be embarrassed by excessive personal indebtedness.

(Code 1983, § 2-263)

Sec. 2-391. Ethics code.

All county employees shall abide by and be subject to the county code of ethics as found in this Code. Employees shall also adhere to the provisions of the Ethics, Government Accountability and Campaign Reform Act of 1991, S.C. Code 1976, § 8-13-100 et seq.

(Code 1983, § 2-264)

Sec. 2-392. Penalty for violation.

Any employee violating the provisions of this division shall be subject to suspension and/or dismissal.

(Code 1983, § 2-265)

Sec. 2-393. Regulations for driving county vehicles and reporting accidents.

(a) Employees using county-owned vehicles shall be expected to drive them as if they were their personal vehicles. Employees shall be expected to possess a valid driver's license and obey all traffic rules and regulations, plus any special regulations that may emanate from time to time from the county administrator.

(b) Any employee involved in an automobile accident involving a county vehicle shall pursue each of the following steps, unless prevented by serious injury:

- _____ (1) Immediately report by telephone to the county sheriff's department if within the county.
- _____ (2) Immediately report to other law enforcement agency, in whatever town, city or county as applicable, where the accident occurs.
- _____ (3) Make every effort to secure the following information from the other driver:
 - _____ a. Name and address;
 - _____ b. Name of insurance company and policy number; and
 - _____ c. License number of other automobile.
- _____ (4) Make no statement which could be construed as an admission of fault or which might obligate the county or its insurance carrier.
- _____ (5) Stay with the vehicle until it has been removed for repair or instructions are given to return to point of origin.
- _____ (6) Notify department head as soon as practicable.
- _____ (7) File an accident report with the finance department on a form provided upon request. This form should be filed as soon as possible, but must be within three days after the accident.

(Code 1983, § 2-266)

Sec. 2-394. Use of oil company credit cards.

(a) The county administrator shall apply for and maintain credit card accounts with major oil companies serving the southeastern United States. The finance director is hereby designated as the custodian of all such credit cards. No employee shall be issued such credit cards indefinitely or for normal use.

(b) Oil company credit cards may be used for gas and oil purchases and emergency repairs only during authorized trips outside the county. Employees shall be encouraged to use county credit cards during such trips in lieu of claiming gas, oil and repair expenditures through expense vouchers.

(c) All gas, oil and repair requirements occurring during official automobile use on trips within the county shall, if possible, be filled at county facilities, established by the county administrator for that purpose. Deviations from the policy shall be allowed only with the approval of the finance director.

(Code 1983, § 2-267)

Sec. 2-395. Harassment policy.

(a) All county employees have the right to a work environment free from intimidation and harassment because of their sex, race, age, handicap, religion and ethnic origin. No form of physical, verbal, or visual harassment shall be permitted or tolerated. Any employee experiencing any form of harassment shall immediately report the matter to his immediate supervisor or department head who shall notify the director of personnel and the county administrator.

(b) Any employee found to violate the provisions of this section shall be subject to such disciplinary action as the county administrator deems appropriate.

(Code 1983, § 2-268)

Sec. 2-396. Safety policy.

(a) *Responsibility, accountability for safety.* It is the policy of the county to conduct all operations as safely and efficiently as possible. Accordingly, the responsibility, authority, and accountability for safety are assigned to all department/office heads and/or supervisory personnel within their individual area of operations.

(b) *Employee responsibility.* Each employee shall have the responsibility for performing his own work in a safe and efficient manner and for observing safety rules and regulations. Further, any safety hazard observed thereby shall be immediately reported to the appropriate supervisor or department/office head.

(c) *Vehicle equipment operations.* In the case of vehicle/equipment operations, drivers/operators shall be expected to follow the principles of defensive driving, i.e., to drive so as to prevent accidents in spite of the incorrect action of others and in spite of adverse driving conditions.

(Code 1983, § 2-269)

Sec. 2-397. Safety coordinator; responsibilities.

The safety manager shall be the safety coordinator for the county. It shall be the responsibility of the safety coordinator to administer a total safety effort at a staff level and to coordinate this effort with all departments/offices to ensure that safety standards are met throughout the county.

(Code 1983, § 2-270)

Sec. 2-398. Safety committee.

(a) *Established, membership.* A safety committee shall be established and shall consist of the following members:

- _____ (1) Emergency preparedness director.
- _____ (2) Director of public works.
- _____ (3) Safety manager.
- _____ (4) Sheriff's appointee.
- _____ (5) EMS training officer.
- _____ (6) Director of personnel.

(b) *Purpose.* The purpose of the safety committee shall be to establish, monitor, and maintain a comprehensive safety program for the county. Specific responsibilities for and authority for action by the safety committee shall be subject to the discretion of the county administrator.

(Code 1983, § 2-271)

Sec. 2-399. Substance abuse policy.

(a) *Purpose.* It is the policy of the county to conduct all operations in a safe, healthy, and efficient manner. To this end, all county employees shall have the responsibility to maintain and encourage an alcohol and drug-free workplace and workforce. Working under the influence of alcohol or a drug is inconsistent with safety goals of the county in that working under such influence may subject the user and others to serious risk or harm.

(b) *Use of alcoholic beverages.* No employee, during work hours or while engaging in county business, shall be in possession of, drink or be under the influence of alcohol.

(c) *Use of drugs in workplace.*

- _____ (1) The illegal manufacture, distribution, dispensation, possession or use of narcotics, illegal drugs, or other controlled substances is strictly prohibited on county premises.
- _____ (2) Violation of this policy shall result in immediate discipline up to and including discharge.
- _____ (3) Employees will be given a copy of this policy and will be required to sign a form acknowledging its receipt. By continuing to work, the employee agrees that he shall abide by the policy as a condition of employment.

(4) As a condition of employment, employees agree to notify the county within five calendar days after any criminal conviction for the manufacture, distribution, dispensation, possession, or use of narcotics, drugs, or other controlled substances at the workplace. Criminal conviction means a finding of guilt, an imposition of a sentence, a plea of no contest, or a plea of guilty.

(5) In accordance with the Drug-Free Workplace Act of 1988, S.C. Code 1976, § 44-107-10 et seq., the county shall notify all federal contracting agencies or grantors of such conviction within ten days after receiving notice of the conviction.

(d) *Use of drugs while not at workplace.*

(1) The illegal manufacture, distribution, dispensation, possession or use of narcotics, illegal drugs, or controlled substances either off the premises or on nonwork time, or both, is prohibited and will result in discipline up to and including discharge.

(2) Employees must notify the county of any drug-related convictions within five calendar days after such conviction.

(3) The term "conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

(e) *Drug-free awareness program.*

(1) Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury or possible death.

(2) In order to prevent these consequences of drug abuse, the county has implemented the policy as stated in this section to ensure that the workplace remains drug-free.

(3) In lieu of termination for a drug-related conviction in the workplace, the employee may be required to enter into a drug rehabilitation program. The program shall be through the Tri-County Commission on Alcohol and Drug Abuse (Dawn Center).

(4) In order to ensure that the workplace remains drug-free, the county reserves the right to test employees and/or potential employees for drug use in accordance with legally accepted practices and procedures.

(Code 1983, § 2-272)

Secs. 2-400--2-415. Reserved.