Mission Statement

The mission of Pennington County, SD is to provide quality public services, as determined by law and citizen needs, through innovative leadership and the teamwork of its people, officials and employees. Services shall be provided in a fair, respectful and professional manner consistent with available human, natural and economic resources.

Effective: September 1, 2018  Updated September 3, 2019
Code of Ethics for all Pennington County Employees

We will adhere to the highest ethical standards.

We will be caretakers of the public trust in all actions related to employment.

We will provide the highest level of service to all citizens and customers.

We will adhere to all applicable laws and regulations.

We will be fair to and respectful of fellow employees.

We will be accountable and responsible for all personal actions.

We will value diversity in the community and workplace.

We will support Pennington County as a drug-free, alcohol-free and violence-free workplace.
INTRODUCTION

Welcome to County Employment!

On behalf of your colleagues, we welcome you to Pennington County and wish you every success here. We believe that each employee contributes directly to Pennington County's growth and success, and we hope you will take pride in being a member of our team.

Every employee represents Pennington County to the public. The way we do our jobs presents an image of our entire organization. The public judges all of us by how they are treated with each employee contact. Therefore, our first business priority is to assist the public. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to the public.

Our personal contact with the public, our manners on the telephone, and the communications we send to customers are a reflection not only of ourselves, but also of the professionalism of Pennington County. Positive public relations enhance the public's perception or image of Pennington County. As an employee of Pennington County, it is important that you keep in mind that you are working for the citizens of Pennington County.

Pennington County strives to maintain a positive working environment where employees treat each other with respect and courtesy. You are encouraged to support your fellow employees to maintain a positive work environment for everyone.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with Pennington County.

We hope that your experience here will be challenging, enjoyable, and rewarding. Welcome!

The Pennington County Board of Commissioners
Mission Statement .................................................................................................................. 1

Code of Ethics for all Pennington County Employees ....................................................... 2

1.0 CONDITIONS OF EMPLOYMENT .............................................................................10
   1.1 Equal Employment Opportunity (EEO) ................................................................. 10
   1.2 Disability Accommodation .................................................................................... 10
   1.3 Genetic Information ............................................................................................... 11
   1.4 Harassment ............................................................................................................. 11
   1.5 Workplace Violence Prevention ............................................................................ 14
   1.6 Drug and Alcohol Use ......................................................................................... 15
   1.7 Rules of Conduct .................................................................................................. 17

2.0 OPERATIONAL POLICIES .......................................................................................18
   2.1 Business Ethics and Public Relations ..................................................................... 18
   2.2 Confidentiality ....................................................................................................... 18
   2.3 Conflicts of Interest .............................................................................................. 19
   2.4 Outside Employment ............................................................................................. 20
   2.5 Political Activity ................................................................................................... 20
   2.6 Hiring of Relatives/Employee Relationships (Nepotism) .................................... 21
   2.7 Smoking ................................................................................................................ 22
2.8 Computer and E-mail Usage.................................................................22
2.9 Cell Phone Usage..............................................................................25
2.10 Social Media.....................................................................................26
2.11 Safety.................................................................................................28
2.12 Use of Equipment and Vehicles.......................................................29
2.13 Commercial Driver’s License............................................................30
2.14 Security Inspections.........................................................................30
2.15 Facility Closures................................................................................31

3.0 EMPLOYMENT LIFE CYCLE ...............................................................34

3.1 Employment Categories......................................................................34
3.2 Job Posting............................................................................................35
3.3 Job Descriptions....................................................................................36
3.4 Employee Medical Examinations........................................................36
3.5 Employment Applications....................................................................37
3.6 Employment Reference Checks............................................................37
3.7 Probationary Period..............................................................................38
3.8 Keys and Security Cards......................................................................39
3.9 Personal Appearance............................................................................39
3.10 Clothing Policy.....................................................................................40
3.11 Attendance and Punctuality.................................................................41
3.12 Work Schedules..................................................................................44
3.13 Overtime/Compensatory Time............................................................44
3.14 Safe Harbor Policy for Exempt Employees .......................... 45
3.15 Time Records ........................................................................ 47
3.16 Paydays and Pay Cycles ......................................................... 48
3.18 Compensation Administration ............................................... 49
3.19 Performance Evaluation ......................................................... 50
3.21 Access to Personnel Files ...................................................... 51
3.22 Personnel Data Changes ......................................................... 52
3.23 Positive Discipline ............................................................... 52
3.24 Problem Resolution Process .................................................. 53
3.25 Employment Termination ....................................................... 55
3.26 Return of Property ............................................................... 56
3.27 Personnel Record Retention .................................................... 56

4.0 EMPLOYEE BENEFITS ........................................................... 57

4.1 Vacation Benefits ................................................................. 58
4.2 Holidays .............................................................................. 60
4.3 Sick Leave Policy ................................................................. 62
4.4 Bereavement Leave Policy .................................................... 67
4.5 Special Pay Plan .................................................................... 68
4.6 Pennington County Healthcare Long-Term Employment Benefit Plan .......................................................... 69
4.7 Workers’ Compensation Insurance ........................................ 70
4.8 Time Off to Vote ................................................................. 71

4.9 Jury Duty ............................................................................. 71
4.10 Health Insurance ........................................................................72
4.11 Benefits Continuation (COBRA) ............................................73
4.12 Life Insurance ........................................................................73
4.13 Employee Assistance Program ..............................................74
4.14 Pension Plan .........................................................................75
4.15 Other Benefits .......................................................................75
4.16 Employee Referral Program ..................................................76

5.0 LEAVES OF ABSENCE ..............................................................76
5.2 Personal Leave of Absence .....................................................83
5.3 Military Leave ........................................................................84

6.0 MISCELLANEOUS ...................................................................85
6.1 Bulletin Boards .......................................................................85
6.2 Solicitation ............................................................................85
6.3 Break Time For Nursing Mothers ........................................86
6.4 Burning of Open Flame Products ..........................................86
6.5 Animals in the Workplace Policy ..........................................86

7 EMPLOYEE ACKNOWLEDGEMENT FORM ..............................89

If you have additional questions, please consult with your immediate supervisor, Department Head, or the appropriate Human Resource Department. We also suggest you consult the County intranet website for the latest updates to this handbook and policy manual in your department.
Phone Numbers to Remember:

<table>
<thead>
<tr>
<th>Department</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auditor’s Office (Payroll)</td>
<td>(605) 394-2153</td>
</tr>
<tr>
<td>Commissioners Office</td>
<td>(605) 394-2171</td>
</tr>
<tr>
<td>County Human Resource Department</td>
<td>(605) 721-6112</td>
</tr>
<tr>
<td>Sheriff’s Office Human Resource Department</td>
<td>(605) 394-6113</td>
</tr>
<tr>
<td>SD Retirement Office</td>
<td>(888) 605-SDRS</td>
</tr>
</tbody>
</table>
INTRODUCTORY STATEMENT/DISCLAIMER

The Pennington County Employee Handbook is a general guide to your employment with Pennington County. The policies and information described in this handbook are not conditions of employment, and the language is not intended to, nor does it, create a contract between the County and the employee. The objective of these policies and procedures is to assure fair and consistent administration for the benefit of all employees. Practical application of the policies may vary in departments to meet varied shift, schedule or service requirements.

Employment with Pennington County is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Similarly, Pennington County may terminate the employment relationship at will at any time, with or without cause or notice, so long as there is no violation of applicable federal or state law.

Pennington County’s Employee Handbook is updated regularly by the Human Resource Director and the Board of Commissioners. The provisions have been developed at the discretion of the Board of County Commissioners and except for its policy of employment-at-will, may be amended or cancelled at any time, at Pennington County’s sole discretion.

The policies, procedures and benefits described here may be modified from time to time. As updates occur, this Employee Handbook will be revised and posted on Pennington County’s Intranet site. We encourage you to visit this site periodically. No employee handbook can anticipate every circumstance or question about policy. If you have any questions, your Department Head or the appropriate Human Resource Department is available to assist you.

This handbook supersedes all prior handbooks and/or policy manuals issued by the Board of Commissioners.
1.0 CONDITIONS OF EMPLOYMENT

1.1 Equal Employment Opportunity (EEO)

Pennington County is an equal opportunity employer that complies with the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendment Act (ADAAA) of 2008. The County does not discriminate in employment opportunities or practices on the basis of race, creed, color, ancestry, religion, sex, national origin, age, genetic information, disability or any other characteristic protected by applicable law. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Pennington County will be based on merit, qualifications and abilities. Employment recruitment efforts will support the spirit and scope of Pennington County’s desire to support our EEO commitment.

In accordance with South Dakota Veteran Preference Law (SDCL Chapter 3-3), If the applicant possesses at least the minimum qualifications necessary to fill the position, the veteran shall be granted an interview; and if candidates are equally qualified for a particular position, Pennington County must offer employment to qualified veterans as defined in applicable South Dakota Law when such candidates have disclosed their veteran’s status. In addition, pursuant to South Dakota Law, a veteran who has a service-connected disability shall be given preference over a non-disabled veteran, provided the veteran possesses the qualifications and business capabilities necessary to discharge the duties of the position involved. In some cases, spouses of veterans are entitled to preference.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of their Department Head or the appropriate Human Resource Department. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

1.2 Disability Accommodation

Pennington County fully subscribes to the provisions of The Americans with Disabilities Act (ADA) which provides comprehensive civil rights protections to individuals with disabilities in the areas of employment, public
accommodations, state and local government services and programs and telecommunications. Title II of the ADA states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subject to discrimination in programs or activities sponsored by a public entity.”

We will provide reasonable accommodation to otherwise qualified disabled employees or applicants. The guiding criterion for hearing-impaired or deaf individuals is that the public accommodation must provide appropriate auxiliary aids and services to ensure effective communication with the individual. Please recognize, however, that we cannot promise to make any and all requested accommodations. We must consider each accommodation on a case-by-case basis to determine whether it would cause an undue hardship to our organization.

1.3 Genetic Information
The Federal Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by the law(s). We respect your medical privacy and take our responsibility to comply with these laws seriously. The County will not request or require you to provide genetic information except in those limited circumstances allowed by law. If you have any questions about this policy, please contact your supervisor, Department Head or the appropriate Human Resource Department. If you believe there has been a violation of this policy, please follow the procedure set forth in the County’s Equal Employment Opportunity policy.

1.4 Harassment
It is the County’s policy to foster and maintain a work environment that is free from unlawful harassment. The County will not tolerate harassment of any employee based on the person’s race, color, national origin, ancestry, age, physical or mental disability, genetic information, religion, creed, sex or any other prohibited basis of discrimination. Employees who are the subject of conduct which may violate this policy and employees who observe conduct which may violate this policy should report such conduct immediately to their supervisor or the appropriate Department Head.
1. Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, and which is motivated by a person’s race, color, national origin, ancestry, age, physical or mental disability, genetic information, religion, creed, sex or any other prohibited basis of discrimination, whether or not the statements or conduct are overtly derogatory toward those protected characteristics. Prohibited behaviors may include, but are not limited to, the following:

   a. Written form, electronic communications, and social media, such as cartoons, e-mail, text messaging, posters, drawings or photographs; or

   b. Verbal conduct as epithets, derogatory comments, slurs or jokes, innuendos or insults; or

   c. Physical conduct such as unwanted physical contact, threatening behavior, assault, blocking an individual’s movements or other negatively-perceived nonverbal conduct.

2. Sexual harassment is another form of discrimination and harassment which is based on the individual’s gender. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

   a. Submission to such conduct is made explicitly or implicitly a term or condition of employment; or

   b. Submission or rejection of such conduct is used as the basis for decisions affecting an individual’s employment; or

   c. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

3. Types of Sexual Harassment

   a. Quid Pro Quo: A circumstance in which an employee or employees, against their wishes, are expected to provide sexual favors in order to receive favorable workplace treatment or face unfavorable workplace treatment if they refuse.

      i. Submission to such conduct is either explicitly or implicitly made a term or condition of the individual’s employment.
ii. Submission to or rejection of such conduct by the individual is used as the basis for employment decisions affective such individual.

b. Hostile Work Environment: A circumstance in which an employee or employees, against their wishes, are confronted with an environment involving sexually explicit language, photos or conduct that has the purpose of effect of unreasonably interfering with a person’s work performance or creating an intimidating, hostile or otherwise offensive work environment.

4. Sex Discrimination

a. Sex discrimination involves treating an employee unfavorably because of that person’s sex, or because of their connection with an organization or group that is generally associated with people of a certain sex.

i. The law forbids sex discrimination when it comes to any aspect of employment including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, and any other term of condition of employment. The sex of an employee can be the basis for an employment decision only when a bona-fide occupational qualification exists; such as to maintain male/female ratios in incarceration prisoner pods.

5. All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Such conduct includes:

a. Written form and social media, such as, electronic communications, cartoons, posters, calendars, notes, letters, emails or text messaging; or

b. Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another’s sex life, or repeated unwanted requests for dates; or

c. Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging and brushing up against another’s body.
This policy applies to all employees, including Department Heads, Elected Officials, Supervisors, co-workers and non-employees such as customers, clients, vendors, consultants, members of the public or any person who interferes with the working environment of our employees. Pennington County will provide training on harassment and discrimination, to include reporting instructions to employees to ensure understanding and compliance with the provisions of this policy.

Pennington County will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. This does not mean that the alleged harasser can avoid disciplinary action by participating in the investigation. If the allegations are substantiated, the alleged harasser will be disciplined up to and including termination.

1.5 Workplace Violence Prevention

Pennington County is committed to preventing workplace violence and to maintaining a safe work environment without intimidation, threats or violence. Any action which, in the County’s opinion, is inappropriate to the workplace will not be tolerated.

Threats, threatening language, or any other acts of aggression or violence made toward or by another employee, a customer or a member of the public at any time, including off-duty periods will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse; any attempt at intimidating or instilling fear in others; menacing gestures; flashing of weapons; stalking; or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.

Procedures for Reporting a Threat

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to Law Enforcement and your Department Head/Supervisor. This includes threats by employees, as well as threats by customers, vendors, solicitors or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible. Do not place yourself in danger. If you see or hear a
commotion or disturbance near your work station, do not try to intercede or see what is happening.

Pennington County will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Pennington County may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

1.6 Drug and Alcohol Use
It is Pennington County's desire to provide a drug-free, healthful and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. Any individual who conducts business for the County, is being considered for a position, or is conducting business on County property is covered by the County’s drug-free workplace policy.

While on Pennington County premises, while conducting business-related activities off Pennington County premises and while driving a County vehicle, no employee may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Testing for drugs and/or alcohol will be conducted under the following circumstances:

1) Pre-employment:
The County will conduct drug testing of prospective employees for safety-sensitive positions after a conditional offer of employment has been made.

2) Reasonable Suspicion:
The County may conduct reasonable suspicion testing of all
employees for drugs and/or alcohol based upon evidence that an employee is using or has used alcohol or other drugs in violation of its policy.

3) Post-Accident Testing:
The County may request or require all current employees to undergo testing for drugs and/or alcohol without prior documented observations if the employee:

(a) Has sustained a personal injury resulting in a lost-time accident or has been involved in an accident where another individual has sustained such a personal injury; or

(b) Has caused a work-related accident or was operating, or helping to operate machinery, equipment or vehicles involved in a work-related accident where property damage is expected to be in excess of $1,000.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their Department Head/Supervisor to receive assistance or referrals to appropriate resources in the community.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Pennington County of a criminal conviction for drug-related activity occurring in the workplace. Pennington County requires that any employee performing work for the County must complete the same notification to Pennington County of a criminal conviction for drug-related activity. The report must be made within five days of the conviction. Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Department Head/Supervisor or Human Resource Department without fear of reprisal.
1.7 Rules of Conduct

To ensure orderly operations and provide the best possible work environment, Pennington County expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following list is not intended to be all inclusive but reflects infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Violation of any Pennington County rule set forth in the County Manual or Handbook or otherwise established by the County Commission and/or Department Head.
- Dishonesty
- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Fighting or threatening violence in the workplace
- Disobeying a direct work order
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace unless carrying of a firearm is part of your job duties
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of County property, telephones, mail system or other employer-owned equipment
- Release of confidential information outside the scope of official County business
- Unsatisfactory performance or conduct
- Use of work hours for the employee’s own personal purposes or gain

Employment with Pennington County is at the mutual consent of Pennington County and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.
2.0 OPERATIONAL POLICIES

2.1 Business Ethics and Public Relations

The successful business operation and reputation of Pennington County is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Every employee represents Pennington County to the public. The way we do our jobs presents an image of our entire organization. The public judges all of us by how they are treated with each employee contact. Therefore, our first business priority is to assist the public. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to the public. The continued success of Pennington County is dependent upon the public’s trust and we are dedicated to preserving that trust. Employees owe a duty to Pennington County and the public to act in a way that will merit the continued trust and confidence of the public.

Pennington County will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Department Head/Supervisor for guidance. Compliance with this policy of business ethics and conduct is the responsibility of every Pennington County employee.

2.2 Confidentiality

Various County employees may have custody of confidential information either through files in their possession or in computer files. All employees should take the steps necessary to keep such information confidential and only made accessible to others on a need-to-know basis. However, in taking such action, all employees must ensure that the information is accessible to your direct supervisor. Confidential information includes, but is not limited
to, employee medical information or such other information that is not available to the public by South Dakota law.

Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of Pennington County (except as required by law), or acquires confidential information for their personal use, may be subject to disciplinary action up to and including termination.

2.3 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Pennington County wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Department Head or the appropriate Human Resource Department for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of Pennington County business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts or leases, it is imperative that they disclose to a Department Head of Pennington County as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Pennington County does business, but also when an employee or relative receives any kickback, bribe, substantial gift or special consideration as a result of any transaction or business dealings involving Pennington County.
Employees will not solicit or accept any gift or gratuity, any item of value, loan or service which would be given due to the employee’s employment with Pennington County, except as authorized by the Board of Commissioners or other Elected Official.

Rewards: No employee, on or off duty, will accept a reward for services normally rendered by the County except as authorized by the Board of Commissioners or other Elected Official.

Disposition of Unauthorized Gifts and Gratuities: Items of value which are described and embody the spirit of the above two sections should, as a first action, be returned to the person giving them; and as a second action if needed, will be forwarded to the Board of Commissioner’s office, for donation to a charitable organization, or other disposition as deemed adequate by the Board of Commission or other Elected Official.

2.4 Outside Employment

Pennington County employees may hold secondary employment in addition to their County position as long as they continue to meet the expected performance standards for their County position. Employees holding outside employment will be subject to Pennington County scheduling demands, regardless of any existing outside work requirements.

If Pennington County determines that an employee's outside employment interferes with their performance or the ability to meet the requirements of Pennington County, as they may be modified on occasion, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with Pennington County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside Pennington County for materials produced or services rendered while performing their jobs for Pennington County.

2.5 Political Activity

County employees may join or affiliate with civic organizations of a partisan or non-partisan nature, may attend political meetings and may advocate and
support the principles or policies of civic or political organizations in accordance with the constitution and laws of the State of South Dakota and the constitution of the United States of America.

County employees, while on duty, shall not aid, encourage or promote candidates for elected public office whether partisan or non-partisan or use County funds, supplies, or equipment for political or partisan purposes. A public employee while on the job may not post items in County owned facilities, vehicles or equipment which advocates a political position.

Those employees whose employment is financed by loans or grants made by the United States or a federal agency may be subject to the provisions of the Federal Election Campaign Act (the “Hatch” Act) regardless of when or where partisan election activities occur. This Act prohibits certain types of involvement in federal, state and local elections such as use of official authority or influence to interfere with or affect an election or nomination of a candidate; donations of items of value to an election fund, or becoming a candidate for office.

2.6 Hiring of Relatives/Employee Relationships (Nepotism)

The employment of a relative or an individual in an intimate relationship with a current employee in the same area of an organization may cause serious conflicts and problems with actual or perceived favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

1. Relatives or individuals in intimate relationships with current employees who are classified as regular full-time or regular part-time may not be hired into a position that will be working directly for, or supervising the current employee.

2. If a relative relationship is established or an intimate relationship is established after employment between employees who are in a reporting situation described above, it is the responsibility and obligation of those employees to disclose the existence of the relationship to the Department Head. The Department Head in conjunction with the appropriate Human Resource Department shall determine the appropriate resolution based on the best interest of the County.
3. In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment.

For purposes of this policy, a relative is the parent, spouse, spouse’s parent, child, grandchild, grandparent, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, stepchild, step grandchild or stepparent of the employee who is classified as regular full-time or regular part-time.

2.7 Smoking
In keeping with Pennington County’s intent to provide a safe and healthful work environment, smoking and the use of all tobacco products, including e-cigarettes and other vaping devices, is prohibited in all County buildings, in all County vehicles and on all County property except in designated areas. In addition, this prohibition provides that no smoking shall be permitted at any public entrance to or exit from a County building or facility, and the prohibition extends twenty (20) feet from any public entrance or exit.

This directive shall apply to all employees, clients and visitors, or persons otherwise required to be in a County building, facility or vehicle. Employees found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

2.8 Computer and E-mail Usage
Computers, computer files, data, the e-mail system and software furnished to employees are Pennington County property intended for business use. To ensure compliance with this policy, computer and e-mail usage may be monitored. The security inspection provisions of Section 2.14 of this handbook apply to any equipment or item listed in this section.

Commercial software programs used by the County are licensed under law and shall not under any circumstances be duplicated or transferred for use on equipment not owned or leased by the County. Any program development on County equipment shall become the property of the County.

Pennington County strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, Pennington County
prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale.

Passwords should not be shared with anyone, not even a supervisor. This protects the employee, the County, and the Information Technology staff from false accusations.

The display of or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes or anything that may be construed as unlawful harassment. E-mail may not be used to solicit others for commercial ventures, religious or political causes, or other non-business matters. Pennington County prohibits the illegal use or duplication of software and its related documentation. Additionally, employees may not load unauthorized software onto Pennington County computers.

Employees should notify their immediate supervisor, the Department Head or any member of management upon learning of violations of this policy.

Internet Usage
Internet access is provided by Pennington County to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage.

All Internet data that is composed, transmitted or received via our computer communications systems is considered to be part of the official records of Pennington County and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in e-mail messages and other transmissions is accurate, appropriate, ethical and lawful. The equipment, services and technology provided to access the Internet remain at all times the property of Pennington County. As such, Pennington County reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent or received through our online connections and stored in our computer systems. The security inspection provisions of Section 2.14 of this handbook apply to any equipment or item listed in this section.
Data that is composed, transmitted, accessed or received via the Internet must not contain content that could be considered discriminatory, obscene, or threatening to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments or any other comments or images that could reasonably offend someone on the basis of race, color, age, sex, religious or political beliefs, national origin, creed, ancestry, genetic information, disability, or any other characteristic protected by applicable law. The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Abuse of the Internet access provided by Pennington County in violation of law or Pennington County policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- Sending or posting discriminatory, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using or disclosing someone else's password
- Copying, or downloading software and electronic files without permission
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other
individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Sending anonymous e-mail messages
- Engaging in any other illegal activities

**Workplace Monitoring**
Workplace monitoring may be conducted by Pennington County to ensure quality control, as well as the employees’ and the public’s safety, security and satisfaction. Employees who regularly communicate with the public may be video recorded or have their telephone conversations monitored or recorded. Video and telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances the public’s image of Pennington County as well as their satisfaction with our service. The security inspection provisions of Section 2.14 of this handbook apply to any equipment or item listed in this section.

Because Pennington County is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

**2.9 Cell Phone Usage**
As a Pennington County representative, all phone users are reminded the regular business etiquette employed when speaking from office phones should also be used when conversing on a cell phone. To ensure effective telephone communications, employees should always use the department-approved greeting and speak in a courteous and professional manner.
Pennington County provides cellular telephones to assist employees in communicating with management and other employees, the public and others with whom they may conduct business. Cell phone use is primarily intended for business-related calls. However, occasional, brief personal use is permitted within a reasonable limit. Cell phone invoices may be regularly monitored. Employees may be required to reimburse Pennington County for any charges resulting from their personal use of the telephone.

Employees may have access to a cell phone while in their cars and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are required to utilize a hands-free device or pull safely off the road and come to a complete stop before dialing or talking on the phone.

Texting while driving is not allowed while operating a County vehicle. Law Enforcement and Highway Employees are to refer to their individual department manuals in regards to cell phone usage.

2.10 Social Media

Online social networks such as Twitter, Facebook, YouTube and LinkedIn can be valuable tools for communicating with the public and employees. Pennington County departments are encouraged to study and deploy these new communications methods where appropriate.

The social media restrictions do not apply to Elected County Officials.

Pennington County Departments

1. Pennington County social media sites make every effort to clearly identify their official status. Feed names will incorporate the program or unit’s name or acronym whenever possible and will use the appropriate official logo if possible.

2. Some social media sites allow user comments. Pennington County will consider carefully whether to allow comments before launching a social media initiative. However, if comments are allowed, user feedback should remain regardless of whether it is favorable or unfavorable to the agency. Comments will be deleted only if they are offensive, abusive, racially inflammatory, threatening or clearly
off topic. Comments that endorse a political candidate, party or commercial product will be deleted.

3. When reposting or referencing a post on one of the County’s online sites, provide a link to the original post.

4. Do not post or link to any materials that are defamatory or obscene.

5. Always be mindful of functions that allow the organization to be a “fan” of an individual or cause. Consider whether such an action would imply support for a political cause.

Pennington County Employees
Pennington County employees should be sensitive to the fact that social networks and other online forums blur the distinction between an individual’s official and personal identities.

1. If you publish content to any website outside of the Pennington County’s official online presence and it has something to do with subjects associated with our County, provide a disclaimer such as this: “The postings are my own and do not necessarily represent the opinion of Pennington County.”

2. Never use or reference your formal position when writing in a non-official capacity. Do not use your official email to establish a private social media presence.

3. Those with leadership responsibilities, by virtue of their position, must consider whether the personal thoughts they publish, even in clearly personal venues, may be misunderstood as expressing the position of Pennington County. They should assume that those outside our agency will read what is written. Be aware of your Pennington County association in online social networks. If you identify yourself as a Pennington County employee or have a prominent position in which your association with Pennington County is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a professional, appropriate with the public trust associated with your position.

4. When writing in your official capacity, do not write anything that could appear to be legal advice. Legal issues should be handled through the agency’s regular procedures to avoid conflicts and other ethical problems.
5. Emails and other correspondence conducted over personal social media channels that is official business of the agency should be preserved and retained in a manner similar to other official documents. If you receive an unsolicited official contact through your personal email or social media presence, forward a copy of the correspondence to your official email account and respond from that platform.

6. Remain focused on customers, existing commitments, and achieving Pennington County’s mission. Your use of social media tools should never interfere with your primary duties, with the exception of where it is a primary duty to use these tools to do your job.

7. To others online, there is no clear distinction between your work life and your personal life. Always be honest and respectful in both capacities.

2.11 Safety
Each Department Head and Elected Official has responsibility for implementing, administering, monitoring and evaluating a safety program for their specific department’s functions. The success of the program depends on the alertness and personal commitment of all.

Pennington County provides information to employees about workplace safety and health issues through internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or where appropriate, remedy such situations, may be subject to disciplinary action up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Department Head, Elected Official or Supervisor. Such reports are necessary to comply with laws and initiate insurance and workers’ compensation benefits procedures.
2.12 Use of Equipment and Vehicles

When using County property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines. Except as specifically authorized by the Department Head, Elected Official or Supervisor, the use of County equipment for any purpose other than County business is strictly prohibited.

Employees should notify the Department Head, Elected Official or Supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department Head or Elected Official can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

On occasion workloads and office demands may require that employees perform County work outside the normal workplace or in their home. If this work can be aided or expedited by the use of County equipment, the Department Head or Elected Official may authorize an employee to utilize such, but any use is strictly limited to County business. If needed equipment is available only from another department, employees must present a written request from their Department Head or Elected Official.

Employees of Pennington County may be provided a vehicle for use in performing County business. This may include taking the vehicle home after normal work hours. All Pennington County employees are required to use safety seat belts when driving or riding in vehicles on County business. The Internal Revenue Service has numerous rules and regulations concerning the use by any employee of a vehicle owned or leased by the County. If employees are provided a County vehicle, the Department Head or Elected Official will notify the County Auditor within 14 days. Notice of taxable use will then be provided to the employee normally within 30 days. If the employee does not receive this notice within that time period, contact the County Auditor. Each year a review of vehicle use will be conducted and each employee will be notified of taxable use by January 1st.

A County vehicle may not be used for personal reasons. If an exception is required for a certain situation that may arise, the employee is required to
reimburse the County for such use at the rate established by the Federal Government.

The improper, careless, negligent, destructive or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

2.13 Commercial Driver’s License
It is the employee’s responsibility to pay for the standard Commercial Driver’s License (CDL) unless required as a special assignment.

If an employee has their CDL disqualified or their driver’s license suspended for any reason, they may be subject to disciplinary action up to and including termination of employment.

All employees who are required to have a CDL shall adhere to their department’s CDL policy.

2.14 Security Inspections
To safeguard each employee, their property and the property of Pennington County, the County desires to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other improper materials serving no legitimate business purpose. To this end, Pennington County prohibits the possession, transfer, sale or use of all such material on and within its premises and property including all premises and property owned or leased by the County. The County further reserves the right to inspect both County property and personal property consistent with this policy. Pennington County requires the cooperation of all employees in administering this policy and failure to cooperate with this policy will subject an employee to disciplinary action, up to and including termination of employment.

Desks, lockers, vehicles, computers and other storage devices/equipment may be provided for the convenience of employees but remain the sole property of Pennington County. Accordingly, whenever there is reasonable suspicion that a County policy is being or has been violated, management or any agent or representative of Pennington County may inspect such item or
property at any time, either with or without prior notice in accordance with applicable state and federal laws. Personal property such as wallets, purses, tool boxes, backpacks, lunch boxes, briefcases or any other container or object brought to and from County premises may likewise be inspected upon reasonable suspicion that a County policy is being or has been violated in accordance with applicable state and federal laws. Items of personal property will usually only be inspected in the presence of the employee and a representative from Human Resources. In a department or office that is required to store information subject to attorney-client privilege, only the Department Head shall have the authority to inspect storage devices.

If Pennington County provides a locker or other storage device for an employee, the County will furnish the lock and keep a copy of the key or combination. If, in the discretion of the County, the employee is allowed to furnish their own lock, the employee shall provide the County with a copy of the key or combination.

2.15 Facility Closures
If circumstances require emergency closure of the Pennington County Facilities, proper procedures shall be followed to ensure essential services are continued and effective communications are made to the public, employees and volunteers. The closing of County Facilities shall occur only in those circumstances when the safety of the public employees and volunteers is jeopardized.

POLICY
In order to effectively serve the community during inclement weather and other emergencies, the County will make every effort to remain open during its regular business hours. When the County is open during inclement weather or other emergency situations, employees are expected to report for duty as scheduled. Employees are advised to take all necessary precautions and to avoid dangerous conditions to, from and around the worksite.

The Chair of the Board of Commissioners, along with Emergency Management, the Pennington County Sheriff’s Office and the Presiding Judge of the 7th Circuit Court will determine whether inclement weather, or another emergency, necessitates the closing of County facilities. If the decision is made to close facilities, or in cases that it may be necessary to
delay opening, appropriate announcements will be made to notify employees and the public of the closing or delay.

In the event of a facility closure, certain classifications of employees are required to report for duty in order to perform essential services (i.e. Law Enforcement, Highway, Emergency Management, etc.). Departments that provide these essential services will schedule employees accordingly.

Employees deemed as Essential Personnel or Temporary Essential Personnel shall be available to work during each facility closing and shall report to work as directed. Some Essential Personnel or Temporary Essential Personnel may have the option of performing job duties remotely based on the nature and scope of their specific position and may not have to report to the County facility.

Employees who are deemed as Non-Essential Personnel are not permitted to report to work during a closure or delayed opening of County facilities. If a non-essential employee reports to work during a closure without approval of his/her Department Head, Elected Official, Supervisor or the County Commission, the employee will be subject to disciplinary action up to and including termination.

Non-Essential Personnel will have the option to be deemed Temporary Essential Personnel based on the needs of the Department or Office during that particular emergency event as deemed necessary by each Department Head, Elected Official or Supervisor. Department Heads, Elected Officials and Supervisors will be responsible for notifying non-essential personnel if they are required to report to work during a facility closure.

**DEFINITION OF EMPLOYEES AS ESSENTIAL, NON-ESSENTIAL, OR TEMPORARY ESSENTIAL PERSONNEL**

Classification of Personnel will be made based upon a recommendation from Department Heads and/or Supervisors. Department Heads, Elected Officials and Supervisors shall maintain a record of all employees classified as Essential Personnel and Non-Essential Personnel for their Department or Office and shall ensure that these employees are aware of their responsibility upon hire and in the event of a facility closure or emergency.
Essential Personnel
Those employees who are designated as such by a Department Head, Elected Official, Supervisor or the County Commission, are necessary for providing essential services to County citizens and other County employees during a County emergency, and as a part of the employee’s job description, are required to respond to County emergencies.

Non-Essential Personnel
Any employee who is not required to respond to County emergencies based on the nature and scope of his/her job description.

Temporary Essential Personnel
Any employee who is considered as Non-Essential Personnel and is generally not required to respond to County emergencies, but who is designated for a particular event essential, by his/her Department Head, Elected Official, Supervisor or the County Commission, and therefore required to perform work duties due to necessary workload or the nature of the emergency.

The Board of Commissioners reserves the right to review the temporary essential list of each Department after a facility closure. Department Heads or Supervisors may be asked to provide a list of essential or non-essential employees and may be asked to account for non-essential employees who reported to work during a facility closure. It is the duty of the County Commissioners to ensure all Department Heads and Supervisors are making appropriate choices regarding the safety of the personnel they allow to work during facility closures.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be unpaid. Employees may use available paid leave time such as unused vacation benefits, or with Department Head approval, lost time may be made up within the work week as defined.

In the event of a fire alarm during normal operating hours, the public citizens being served and all employees with the exception of designated personnel shall evacuate the building immediately. Please familiarize yourself with your Departments Emergency Response Plans which will advise you of the appropriate exit route and your designated meeting location.
3.0 EMPLOYMENT LIFE CYCLE

3.1 Employment Categories

It is the intent of Pennington County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Pennington County.

Each employee is designated as either nonexempt or exempt from the overtime provisions of applicable federal and state laws. Nonexempt employees are entitled to overtime pay while exempt employees are not entitled to overtime pay.

In addition to the above categories, each employee will belong to one additional employment category:

FULL-TIME BENEFITED employees are those who are regularly scheduled to work a Pennington County full-time schedule of 40 or more hours per week. They are eligible for the Pennington County benefit package, subject to the terms, conditions and limitations of each benefit program, and are referred to as a full-time benefited classification (FTB).

PART-TIME BENEFITED employees are those who are regularly scheduled to work less than the full-time work schedule, but at least 29 hours per week. Regular part-time employees are eligible for the Pennington County benefit package, subject to the terms, conditions and limitations of each benefit program, and are referred to as a part-time benefited classification (PTB).

PART-TIME NON-BENEFITED employees are those who are regularly scheduled to work less than 29 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers compensation insurance), they are ineligible for any other Pennington County benefit programs and are referred to as a part-time non-benefited classification (PTNB). PTNB employees shall also be eligible to receive annual step increases, but not performance increases or time of service pay.
SEASONAL/TEMPORARY NON-BENEFITED employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change. While temporary employees receive all legally mandated benefits (such as workers compensation insurance and Social Security), they are ineligible for any other Pennington County benefit programs and are referred to as a seasonal/temporary non-benefited classification (STNB).

3.2 Job Posting

Pennington County provides employees an opportunity to indicate their interest in open positions and advancement within the organization according to their skills and experience. In general, notices of all regular full-time job openings are posted, although Pennington County reserves its discretionary right to not post a particular opening.

Job openings will be communicated to employees through the Human Resource Department(s) and are posted on the County website. Each job posting notice may include the job title, department, location, grade level, job summary, essential duties and qualifications (required skills and abilities).

To be eligible to apply for a posted job, employees must have performed competently in their current position. Eligible employees should only apply for those posted jobs for which they possess the required skills, competencies and qualifications, but are free to apply to any position they are interested in.

To apply for an open position, employees are encouraged, but not required, to first discuss their interest with their current Department Head, Elected Official or Supervisor; then submit a completed application online through the County website. If an employee requires an accommodation to complete the application process, please contact the appropriate Human Resource Department. Employees should describe how their current experience with Pennington County and prior work experience and/or education qualifies them for the position. Interested employees must complete the application fully to be considered for the position they are applying to. Incomplete applications may exclude the candidates from consideration.
The job posting process is a way to inform employees of openings and of identifying qualified and interested applicants who might not otherwise be known to the hiring manager. Pennington County may also utilize other recruiting sources to create an adequate candidate pool to fill open positions.

### 3.3 Job Descriptions

Pennington County makes every effort to maintain accurate job descriptions for all positions within the County. The job descriptions are used to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Department Head, Elected Official or Supervisor in conjunction with the Human Resource Department(s) prepares job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are current. Job descriptions may also be updated periodically to reflect any changes in the job duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being performed by incumbents in the position.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be required, and that additional responsibilities may be assigned as necessary. Contact the Department Head, Elected Official or the appropriate Human Resource Department if you have any questions or concerns about your job description.

### 3.4 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required. After a conditional offer of employment has been made to an applicant entering a designated job category, a medical examination will be performed at Pennington County expense by a health professional of Pennington County's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.
Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

3.5 Employment Applications

Pennington County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Current County employees interested in working in new departments or divisions within the County must have worked in their current positions for a minimum time period of 6 months after successful completion of their probationary period.

Skill performance assessments may be used as part of the candidate selection process. The assessments used will vary by department; and the assessment results will be maintained by the hiring department as outlined in the Records Retention provision of this handbook.

If used, the assessments must be consistently applied to all eligible applicants being considered for hire; with a pre-identified threshold that would, when combined with other data, allow successful applicants to move forward in the consideration process.

Examples of skill assessments that may be used include, but not limited to:

- Data entry
- Keyboarding
- Various Microsoft Office® software applications to include: Word, Excel, PowerPoint, Publisher, Project, etc.
- Accounting
- CritiCall (or other assessment) - Dispatch testing program

3.6 Employment Reference Checks

To ensure individuals who join Pennington County are well qualified and
have a strong potential to be productive and successful, it is the policy of Pennington County to check the employment references of all applicants.

Pennington County will respond to inquiries regarding employees and former employees by providing only dates of employment and position titles unless the request is accompanied by a written release from the employee or former employee. Verification should be completed by the Dept Head/Elected Official/Supervisor or other department-authorized representative. Contact the appropriate HR Department with questions if unsure how to proceed.

**You’re hired!**

**3.7 Probationary Period**

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Pennington County uses this period to evaluate employee capabilities, work habits and overall performance. Either the employee or Pennington County may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired employees may work in a probationary period for a varied length of time. The probationary period is established by each Department or Office for each specific job. Any significant absence will automatically extend a probationary period by the length of the absence. If the Department Head or Elected Official determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period. If the absences unreasonably disrupt the probationary period, the Department Head or Elected Official will have the discretion to separate the employee after reviewing their intention to do so with the appropriate Human Resource Department.

During the probationary period new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They are also eligible for other Pennington County-provided benefits, subject to the terms and conditions of each benefits program.
Employees should read the information for each specific benefits program for the details on eligibility requirements. The probationary period shall not change the time when employees become eligible for County-provided employee benefits.

The new-employee onboarding process shall be completed during the probationary period. Onboarding will include attending a new-hire orientation session as arranged by the appropriate Human Resource Department.

3.8 Keys and Security Cards
Reasonable care and precautions must be taken with any keys and security cards given into your custody for County buildings, property and equipment. Using your keys or security card to grant unauthorized access to any County facility is not allowed and may result in disciplinary action up to and including termination.

If your employment with the County ends for any reason, you are required to return any County keys and security cards in your possession to your Department Head, Elected Official or the Human Resource Department. Minimum wage and overtime owed will be paid as per the Fair Labor Standards acts. Any remaining compensation will be held until after the property is returned.

3.9 Personal Appearance
Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image Pennington County presents to the public. It’s important for County employees to present themselves in an appropriate and professional manner. During business hours or at any time when representing Pennington County, you are expected to present a neat, clean and professional appearance. You should dress and groom yourself according to the professional requirements of your position; in some departments that requires specific uniforms.

Your Department Head or Elected Official is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave
the workplace until you are properly dressed or groomed based on departmental guidelines. Under such circumstance, you will not normally be compensated for the time away from work.

Basic Guidelines for All Employees:

- Hair: must be neat, clean and of a natural color. Hair color or style should not create a safety hazard or be distracting to the general public whom we serve.

- Clothing: Must be neat, clean and free from tears or stains. Business-casual attire may be acceptable for your work area, but the Department Head/Elected Official will define requirements for your work areas. Midriff tops are not appropriate for the workplace. Shorts, sweat pant/shirts, jogging suits or other athletic attire is also not appropriate for the workplace.

Consult your Department Head/Elected Official or the appropriate Human Resource Department if you have questions as to what constitutes appropriate appearance for your Department or Division.

3.10 Clothing Policy

It is the policy of Pennington County that, with a few limited delineated exceptions, the County shall not provide any clothing allowance or cleaning allowance for employee clothing.

The County may purchase specific uniform(s) if mandated to be worn by employees while at work; or if the piece of clothing has the County logo and department and/or employee named embroidered/embedded in the fabric.

The County will provide protective safety clothing/equipment on jobs where such protective safety clothing/equipment provides necessary protection against contact with material injurious to health and to preserve the employee’s safety:

- It is not the intent to provide clothing where ordinary dirt and materials incidental to the job are involved, or where, by custom, the employee provides his/her own clothing.
• It is the employee’s responsibility to maintain the clothing in good order and request replacement of any provided clothing which may be damaged.

If any department desires a clothing allowance under one of the exceptions, it must first develop a clothing policy for its employees and receive approval of the Board of Commissioners prior to instituting such clothing allowance.

There shall be no cleaning allowance for clothing worn by County employees whether such clothing is the employee’s or provided by the County.

Any reimbursement for clothing allowance to any employee shall be based upon a receipt for the clothing purchased submitted through proper channels. There will be no cash advance payments.

If safety shoes/boots are required by the Department Head, there may be a one-time payment of $100.00 reimbursed to the employee based upon a receipt as stated above to be paid after the employee’s Orientation Period is complete, provided the employee remains employed by Pennington County.

If safety glasses are recommended by the Department Head, there may be a one-time reimbursement of 50% of the cost of the prescription safety glasses based upon a receipt.

Regular full-time employees with 10 years of service will be allowed a $100 reimbursement on one additional pair of safety shoes/boots. If the employee’s safety shoes or safety glasses are destroyed by an on-the-job accident they will be replaced by the County.

3.11 Attendance and Punctuality
Pennington County employees are expected to perform their job as effectively and efficiently as possible; part of such performance is attendance at work when scheduled. The County expects regular, prompt attendance from all employees and considers attendance to be an essential job function for every position.
The County is aware it may be necessary for employees to be absent from work for unexpected events and emergencies, illnesses, or even pressing personal business that cannot be scheduled outside scheduled work hours. Notice must be provided to the Department Head/Supervisor as soon as possible, per department policy.

Excessive unapproved absences, tardiness and leaving early from a scheduled shift are detrimental to the County’s ability to meet the expectations of our customers or public expectations for service; and are not acceptable. Exceptions for extenuating circumstances will be considered when evaluating attendance under this policy. Employees who are absent from work for three (3) consecutive scheduled shifts without authorization shall be deemed to have voluntarily resigned their position with Pennington County, and may be terminated from employment.

Definitions:
The following are provided to add clarity to the terms used in this policy.

Absence: Occurs when employees miss either a full scheduled shift or more than half of their scheduled shift; excluding leaving early or arriving late for the shift.

Tardy: Occurs when employees arrive to at their work station or duty assignment after the designated/scheduled start time of their work shift.

Leaving Early: Occurs when employees depart from their work station or duty assignment prior to the end of their designated/scheduled shift.

Unapproved Absence: Occurs when employees fail to follow absence reporting requirements of this policy or their department, the reason for absence is not acceptable, or the employee is in an unpaid leave status not approved by the department, or by law.

Reporting and recordkeeping provisions

Absence: Employees unable to work as scheduled shall notify their Department Head, Elected Official or Supervisor in accordance with their departmental procedures, but not later than 30 minutes prior to the start of the scheduled work shift, unless circumstances prevent such notice. Employees unable to contact the Department Head/Elected Official/
Supervisor personally due to illness, emergency, or some other reason, should have someone make contact on their behalf. For non-FMLA continuous absences, employees are expected to provide notification each day of their absence unless alternate arrangements have been made and are authorized by the Department Head/Elected Official. Failure to provide notice of absence may result in discipline, up to and including termination.

If employees become ill during their work shift, they must notify their Department Head/Elected Official or other employee per Department policy, prior to leaving the workplace.

Any unapproved absence by employees shall be an absence without pay; except as required under the FLSA for exempt employees. Attendance challenges at work for exempt employees will be addressed through the performance management process.

*Tardy:* employees who anticipate they will be arriving to work after their scheduled shift start time shall make every effort to contact their Department Head/Elected Official/Supervisor to notify them of their anticipated arrival time.

*Leaving Early:* Employees shall notify their Department Head/Elected Official/Supervisor prior to leaving work before the end of the scheduled shift due to illness or other circumstances.

*Recordkeeping:* Departments shall keep daily attendance records for its employees. Department Heads will note any incidences of unapproved absences, tardiness or leaving early. Employee attendance records shall be considered when evaluating requests for promotions, transfers, leave requests as well as approved-time off requests.

*Attendance Policy Violations:* In general two (2) unapproved absences in a 60-day calendar period, or a consistent pattern of absence will be considered excessive; and may lead to disciplinary action, up to and including termination. (i.e. A pattern may be described as absences that regularly occur on certain days of the week, i.e. Fridays or Mondays, or the days following a holiday, etc.)

In addition, two (2) incidences of unapproved tardiness or unapproved leaving early in a 60-day calendar period will also be considered a pattern
of absence under this policy. Any two (2) incidences of tardiness or leaving early will carry the same weight as a single full absence; and may lead to disciplinary action, up to and including termination.

Department Heads/Elected Officials retain the right to enforce additional attendance guidelines as required for their departments, with this policy presenting minimum County expectations.

3.12 Work Schedules
Work schedules for employees vary throughout the County. Department Heads/Elected Officials/Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. The standard 40 hour work week, unless otherwise approved by the County Commission for the purpose of calculating pay and overtime - shall begin at 12:00 AM, Sunday and end at 11:59 PM, Saturday. Special Deputies hired for the annual Sturgis Motorcycle Rally will be eligible for overtime pay after 88 hours in a 14-day period.

Meal Breaks: Meal breaks are to be taken away from the assigned work area and are not to include any work-related activities. Meal breaks are not to occur at the beginning or end of a work shift; they should be scheduled by the Department Head/Supervisor to coincide with the approximate mid-point of the employee’s scheduled shift.

The Department Head/Elected Official/Supervisor has the discretion to schedule meal breaks as to not disrupt the level of service provided to County customers. When an employee is prevented from receiving the full meal break, the applicable time will be entered as worked time and compensated.

3.13 Overtime/Compensatory Time
When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Department Head’s/Supervisor’s prior authorization. Overtime compensation is paid to all nonexempt employees in accordance with applicable law.
Sick leave, vacation hours, holiday hours, court and jury leave, military leave and any other paid leave time, except compensatory time, will be counted as hours worked for purposes of computing overtime.

Each County position is classified as either non-exempt (eligible for overtime pay and compensatory time) or exempt (not eligible for overtime pay or compensatory time) for pay purposes according to the Fair Labor Standards Act.

**Non-Exempt Employees**
Most County employees are non-exempt. When required by a Department Head/Elected Official to work more than 40 hours in the designated work week, only non-exempt employees are entitled to either: 1) Overtime pay at 1 ½ times the regular rate of pay for each hour worked more than 40 hours in the work week, or 2) Compensatory time off at 1 ½ times the hours worked more than 40 hours in a work week. The decision to compensate with overtime pay or compensatory time must be agreed to or understood before the overtime work is performed.

Employees are encouraged to use compensatory time in the calendar year in which it is earned. The maximum allowable accumulation of compensatory time is 40 hours; time in excess of this limit is paid as overtime in the applicable payroll period. Department Heads/Supervisors must determine if unused comp time under 40 hours will be paid at the end of the calendar year; or authorize the time less than 40 hours to be carried over into the next year.

**Exempt Employees**
Exempt employees are not eligible for overtime pay or compensatory time off. They are expected, under supervision of their Department Head/Elected Official/Supervisor, to discharge their job duties responsibly and efficiently and to schedule their work hours according to the defined work week, needs of their position and department.

**3.14 Safe Harbor Policy for Exempt Employees**
It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you
are paid properly and that no improper deductions are made, you must review your pay stubs promptly to identify and report all errors.

Employees classified as exempt employees will receive a salary which is intended to compensate them for all hours they may work for the County, including those outside the defined work week as determined by their department/office. This salary will be established at the time of hire or when the employee becomes classified as exempt. While it may be subject to review and modification on occasion, such as during salary review times; the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed. The quality or quantity of work of work completed will be addressed through performance management and/or positive discipline processes per County policy.

Under federal and state law, your salary is subject to certain deductions. For example, unless state law requires otherwise, your salary can be reduced for the following reasons:

- Full-day absences for personal reasons
- Full-day absences for sickness or disability
- Full-day disciplinary suspensions for infractions of our written policies and procedures
- Penalties for major safety rule violations
- Family and Medical Leave absences (either full or partial day absences)
- To offset amounts received as payment for jury and witness fees or military pay
- The first or last week of employment in the event you work less than a full week
- Any full work week in which you do not perform any work

Your salary will also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions.

Your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability
- Your absence on a day because the County has decided to close a facility for part or all of a scheduled work day
• Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work
• Any other deductions prohibited by applicable state or federal law

However, unless state law provides otherwise, deductions may be made to your accrued leave for full or partial day absences for personal reasons, sickness or disability. Deductions for partial day absences under this provision will be made as a minimum of half-day (4 hour) deductions from the employee’s accrued benefit time balances. Units smaller than half-day will not be deducted.

Any foreseeable absence of four or more hours must be approved in advance by the Department Head/Elected Official, or their approved representative. Except as restricted above, all absences of four or more hours will be deducted as leave in accordance with departmental procedures. In the event that the employee does not have sufficient leave built up to cover the absence, the following options will be considered, in order of preference:

• Granting additional leave (administrative, gifted, hardship, etc.);
• Requiring the employee to take a full day of leave (leave without pay - LWOP) and adjusting pay for the pay period appropriately; or
• Denying the leave request.

If an employee believes they have been subject to any improper deductions, they should immediately report the matter to their supervisor and the appropriate Human Resource Department.

3.15 Time Records
Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require Pennington County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work. Overtime work must always be approved before it is performed.

County employees may on occasion be required to work away from their regular work location. In cases where attendance at an offsite event is
required, or the employee is required to work at an alternate location, the employee shall be compensated for the travel time as well as the time at the required event or alternate workplace in service of the County. For non-exempt employees, in accordance with the Fair Labor Standards Act (FLSA), all hours worked on behalf of the employer shall be compensated.

Employees traveling by vehicle are paid the predictable or expected travel time according to an established map search engine, unless weather or other circumstances unduly extended the actual travel time.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. It is the employee’s responsibility to verify and acknowledge their time records to certify the accuracy of all time recorded. The Department Head/Elected Official/Supervisor will review and then acknowledge the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Supervisor must verify the accuracy of the changes by initialing the time record.

The County’s policy is to compensate employees for all time worked under applicable law. We specifically prohibit employees from working “off the clock.” Any employee who is asked to work “off the clock” should report this conduct to the appropriate Human Resource Department, and appropriate corrective action will be taken to address the current occurrence and prevent future occurrences.

“Off the clock” is defined as performing work without recording the time worked and, therefore, not receiving compensation. If you have questions regarding what is compensable work, please contact your Department Head or the appropriate Human Resource Department.

3.16 Paydays and Pay Cycles

For the purposes of ensuring consistent pay periods for all County employees, the pay period shall be two weeks in length starting with the pay period that begins on Sunday, October 20, 2019. Employee pay checks shall be deposited every other Friday following one full pay cycle for processing. If the designated Friday payday falls on a holiday, the payday will be on the
Thursday immediately preceding Friday. All employees will have wages directly deposited into their designated bank accounts and itemized statements will be available through the employee portal.

3.17 Administrative Pay Corrections
Pennington County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Department Head so that corrections can be made.

3.18 Compensation Administration

New Hires
New hires will begin at starting wage, Step 1, for the grade classification of their job description. The department head or elected official may adjust the new employees’ pay up to a Step 7 above starting wage within one year of employment based on performance. The same guidelines will apply to those hired into a supervisory position up to a Step 15. To place a new hire above approved steps the department head or elected official shall come before the County Commission for approval. Typically, steps are applied commensurate with applicable years of experience and the successful completion of training.

Reclassifications
Employees being placed into a higher grade due to a job classification change, not including supervisory responsibilities, will be placed at the new grade at the step where their rate of pay increases. Within the 1 year probationary period the department head or elected official may adjust the employee’s pay up to a total of 7 steps consistent with the new hire policy.

Promotions
Employees being placed into a higher grade due to promotion into a job classification requiring supervision of other personnel will be placed on the job classification grade and step where their pay increases. The department head or elected official may adjust the steps up to a total of 15 steps within the 1 year probationary period consistent with the new hire policy.
Annual Steps
One annual step per year will be granted to FT, PTB and PTNB employees on their anniversary date. Employees participating in a performance improvement plan will not be eligible until the performance improvement conditions have been satisfied. Annual steps are assessed independent of new hire discretion, reclassification or promotional pay adjustments. Employees who have reached the last step on the pay scale for their position’s grade will not receive an annual step. Annual step increases if awarded, shall be applied with the first full pay period following the employee’s anniversary date, or award date if given at a time separate from the employee anniversary.

Performance Pay
Department heads and Elected Officials will have the discretion to provide one additional step annually to FT and PTB employees on their anniversary date based on performance. Employees participating in a performance improvement plan will not be eligible until the performance improvement conditions have been satisfied. The performance pay step is assessed independent of new hire discretion, annual steps, reclassification or promotional pay adjustments. Employees who have reached the last step on the pay scale for their position grade will not receive performance pay. Performance increases if awarded, shall be applied with the first full pay period following the employee’s anniversary date or award date if given at a time separate from the employee anniversary.

Cost of Living Adjustments (COLA)
COLA shall be included in department budget preparations annually to be applied to the age scale and time of service differential table in their entirety. COLA consideration will be applied in accordance with SDCL 10-13-38 to keep Pennington County wages competitive. COLA increases, if approved by the Board of County Commissioners shall be applied with the first full pay period of the new calendar year.

Time of Service Differential (TOS)
TOS pay differential is applied to recognize career benefitted employees after 10 years of service to Pennington County. TOS pay is paid on or about the 10th of the calendar month following the employee’s anniversary date.
TOS pay table is indexed to the approved cost-of-living increase annually. TOS is not awarded in advance for those exiting employment within the month their anniversary occurs. *The TOS is prorated for part-time benefitted employees.*

3.19 Performance Evaluation

Department Heads/Elected Officials/Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations will be conducted to provide both Department Heads/Elected Officials/Supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and discuss positive, purposeful approaches for meeting personal and departmental goals. Employees are also encouraged to discuss personal career and skill-development goals at any time during the course of their employment.

Performance evaluations are scheduled approximately every 12 months (but may be held more often), coinciding generally with the anniversary of the employee's original date of hire or before being considered for a pay increase. The annual performance evaluation should be conducted by the Department Head/Elected Official/Supervisor within the 30-day window immediately prior the employee’s employment anniversary.

3.21 Access to Personnel Files

Pennington County maintains personnel files on each of their employees. The personnel file may include such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, disciplinary documents and other employment records.

Personnel files are the property of Pennington County, and access to the information they contain is restricted. Generally, only Department Heads, Elected Officials, Supervisors and the Human Resource Department of Pennington County who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Human Resource Department. With reasonable advance written notice, within 7 days
of receipt Pennington County will provide access for employees to review their own personnel files in the presence of their Department Head, Elected Official, Supervisor or Human Resource Representative. Individual departments could, at their discretion, permit employee access to their personnel files more frequently or in a different manner, as long as the process is consistently applied within their department.

3.22 Personnel Data Changes
It is the responsibility of each employee to promptly notify Pennington County of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify your Department Head, Elected Official, Supervisor and the appropriate Human Resources Office.

3.23 Positive Discipline
The purpose of this policy is to state Pennington County's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from each employee taking full responsibility for their actions.

The interests of Pennington County are best served by ensuring fair treatment of all employees and ensuring disciplinary actions are prompt, fair and consistent. The primary purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the employee for satisfactory service in the future. Although employment with Pennington County is based on mutual consent and both the employee and Pennington County have the right to terminate employment at will, with or without cause or advance notice; Pennington County may use positive discipline at its discretion.

Disciplinary action may call for any of these steps:
   1. Oral reminder
   2. Written reminder
   3. Performance Improvement Plan
   4. Probation
   5. Suspension without pay
6. Demotion
7. Termination of employment

Your supervisor determines the appropriate step in the positive discipline process depending on the severity of the problem and the number of occurrences among other things. There may be circumstances when one or more steps are bypassed or repeated as deemed necessary. Appropriate documentation shall be retained to support the action(s) taken.

Pennington County recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the full complement of progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policies include examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger positive discipline.

By using positive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Pennington County.

3.24 Problem Resolution Process

Pennington County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion or question receives a timely response from Pennington County Department Heads/Supervisors.

If employees disagree with established rules of conduct, policies or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Pennington County in a reasonable, business-like manner or for using the problem resolution procedure.
If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps.

The employee may discontinue the procedure at any step.

**Step 1.** Employee presents problem to immediate supervisor within five calendar days after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Department Head.

**Step 2.** If the matter is not settled in the first step, you may, within five days of the response from your supervisor, appeal the complaint to the Department Head. The Department Head or his/her designee shall meet with you and usually within five days of receipt of the appeal will submit an answer in writing.

**Step 3.** For employees who work for an elected office holder (State’s Attorney, Sheriff, Auditor, Treasurer, Register of Deed, and Coroner):

- Your appeal is in accordance to South Dakota State Law to the State Department of Labor.

**Step 4.** For employees who work for Appointed Department Heads:

- If the complaint is not settled at the second step, you may initiate an appeal to the appropriate Human Resource Department. This appeal must be made within thirty (30) days of the receipt of the Department Head’s written answer to your appeal. The Human Resource Department will review the complaint and work to resolve it. If resolution cannot be achieved, Human Resources will bring the appeal to the full Board of Commissioners who has full authority to make any adjustment deemed appropriate to resolve the complaint.

Nothing contained herein shall be construed as limiting your right, if you have a complaint, to discuss the matter informally with the Department Head/Elected Official/Supervisor and have the complaint resolved.
If you voluntarily end your employment, your complaint would be immediately withdrawn, unless such a complaint concerns wages or benefits.

No one will be retaliated against for filing a good faith complaint under this procedure. If retaliation is suspected, it should be reported immediately to the appropriate Human Resource Department. Nothing in the section prevents an employee or former employee from seeking recourse under applicable Federal or State law.

3.25 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee
- Discharge - involuntary employment termination initiated by the County
- Retirement - voluntary employment termination initiated by the employee meeting age length of service and any other criteria for retirement from the County

Pennington County requests at least two weeks written notice of resignation from all employees. Although advance notice is not required, failure to have given at least a two week notice may disqualify you from receiving sick leave separation benefits.

The Department Head/Elected Official/Supervisor may schedule an exit interview at the time of employment termination to discuss the reasons for resignation and the effect of the resignation on benefits. The exit interview will afford an opportunity to discuss such issues as employee benefits, and conversion privileges. Suggestions, complaints and questions can also be voiced.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at
termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Since employment with Pennington County is based on mutual consent, both the employee and Pennington County have the right to terminate employment at will, with or without cause, at any time.

3.26 Return of Property

Employees are responsible for all Pennington County property, materials or written information issued to them or in their possession or control. Employees must return all Pennington County property immediately upon request or upon termination of employment.

3.27 Personnel Record Retention

The County generates and maintains personnel records for all employees of the County. Some records are paper-based and others electronic in nature. Records are maintained separately as required by law in the following manner.

- **Employee Records**
  - Medical File
  - Confidential File
  - Personnel File
  - Applicant selection and hiring records

- **Documents maintained in the Personnel file include:**
  - Application of employment and supporting documentation (resume’s, letters of recommendation, certificates, etc.)
  - Proof of education, training and/or military service
  - Performance reviews
  - Disciplinary actions
  - Commendation letters, awards, etc.
  - Correspondence of promotions, transfers, demotions, and special projects or assignments
  - Secondary employment correspondence
  - Wage history
o Signed statements of understanding and of policies
o Resignation and/or termination notifications
o Other miscellaneous employment-related documents

- Documents maintained in Medical records include:
  o Worker’s Compensation reports and claim documentation
  o Family Medical Leave Act documentation
  o Request for Accommodation documentation
  o Fitness for Duty verification documentation, to include physical exams and releases
  o Restricted Duty assignment documentation
  o Immunization records
  o Return-to-work attendance releases from medical providers for illness-related absences
  o Return-to-work medical restriction forms
  o Any required drug-screen or alcohol-screen documentation

- Documents maintained in Confidential records include:
  o Wage garnishment paperwork
  o Internal investigation summaries
  o Pre-employment background investigation summaries and related reports, as required
  o Pre-employment psychological evaluations as required

All personnel and training records will be retained for seven (7) years following the exit of employee from County employment, at which time they will be destroyed; unless there is an employment-related dispute that continues past the 7 year requirement. In those cases the records will be maintained until the dispute has been resolved.

4.0 EMPLOYEE BENEFITS

Eligible employees at Pennington County are provided a wide range of benefits. A number of the programs (such as Social Security, workers’ compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are
eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following employee classifications are eligible for the following benefits:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

The following benefit programs are available to eligible employees:

- Health Insurance
- Dental Insurance
- Prescription Drug Insurance
- Life Insurance
- Employee Assistance Program
- Paid Holidays
- Paid Vacation
- Family Leave
- Medical Leave
- Military Leave
- Paid Sick Leave
- Jury Duty Leave
- Personal Emergency Leave
- Retirement Program
- Supplemental Life Insurance
- Supplemental Retirement Program
- Supplemental Medical Coverage
- Voting Time Off

4.1 Vacation Benefits

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classifications are eligible to earn and use vacation time as described in this policy:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES
You will be eligible to use the vacation leave you have accrued after 90 days of employment. You may not use vacation time that has not been earned yet; only accrued time may be taken.

The amount of paid vacation time regular full-time employees receive each year increases with the length of their employment as shown in the following schedule. Beginning with the 1st 2-week pay period that starts on October 20, 2019, the following accrual chart will apply:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Rate of Accumulation</th>
<th>Maximum to be accumulated</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4 yr. anniversary</td>
<td>3.077 hours/pay period</td>
<td>160 hours</td>
</tr>
<tr>
<td>4 to 15 yr. anniversary</td>
<td>4.62 hours/pay period</td>
<td>240 hours</td>
</tr>
<tr>
<td>15 and over</td>
<td>6.16 hours/pay period</td>
<td>320 hours</td>
</tr>
</tbody>
</table>

The new rate of accumulation becomes effective during the pay period following the employee’s anniversary date. Additional vacation hours will cease to accrue at the point the employee has reached the maximum accrual limit.

The amount of paid vacation time regular part-time employees receive will be on a pro-rata share of the vacation benefits available to regular full-time employees.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Rate of Accumulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4 yr. anniversary</td>
<td>Accrued to 2 weeks avg. hours per yr.</td>
</tr>
<tr>
<td>4 to 15 yr. anniversary</td>
<td>Accrued to 3 weeks avg. hours per yr.</td>
</tr>
<tr>
<td>15 and over</td>
<td>Accrued to 4 weeks avg. hours per yr.</td>
</tr>
</tbody>
</table>

On or about December 1st of each year, Department Heads/Elected Officials may circulate appropriate forms to the employees so they may list their choice of vacation periods. These forms must be returned to the Department Head/Elected Official by the time set forth in the individual department guidelines. The Department Head/Elected Official may post a schedule of vacations by January 1st.
Vacation normally will be granted at the time requested. However, if the nature of the work makes it necessary to limit the number of employees on vacation at any one time, the Department Head/Elected Official/Supervisor shall make a determination on how vacation time is approved. Vacation pay consists of pay at the regular straight time rate.

Upon termination of employment, employees who have completed at least 90 days of continuous benefited employment will be paid for unused vacation time for which they have become eligible, up to the maximum accrual limits. Employees under 55 who qualify for this benefit will not pay SDRS contributions on this payout. Employees 55 and over who qualify for this benefit will receive this payment as it is processed through the Special Pay Plan. In the event of your death the full vacation pay due will be remitted in accordance with South Dakota Statute.

You may not waive vacation and draw double pay by working the time allowed.

Part-time non-benefitted employees and seasonal/temporary non-benefitted employees do not accrue vacation time.

4.2 Holidays

Pennington County Administrative non 24-hour offices will be closed on the following days:

1. New Year’s Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Veterans’ Day
6. Thanksgiving Day
7. Friday after Thanksgiving Day
8. Christmas Day

As a full-time benefitted employee employed as of January 1st, you will be granted 80 hours of paid holiday leave per calendar year. These 80 hours represents eight hours of holiday pay for each of the following holidays:
1. New Year’s Day  
2. Martin Luther King Day (Administrative Offices Open)  
3. President’s Day (Administrative Offices Open)  
4. Memorial Day  
5. Independence Day  
6. Labor Day  
7. Native American Day (Administrative Offices Open)  
8. Veterans’ Day  
9. Thanksgiving Day  
10. Christmas Day

On the holidays the Administrative Offices are open for regular business, employees are allowed to either observe the holiday, with approval of their Department/Office, or use the awarded eight hours holiday leave on another preferred day within the calendar year. All holiday hours must be scheduled in advance and within your individual Department’s/Office’s leave policy. Full-time employees working in departments providing essential services (on a 24/7 or on-call schedule) will also be granted a total of 80 hours of paid holiday leave per year. Due to the requirement their services continue to be provided on days where the administrative office are closed, they will be permitted to scheduled their holiday leave hours as preferred during the course of the year with the approval of their supervisor.

If you are a full-time employee starting after January 1st of any year, you will be granted eight hours for each holiday listed above that would occur after your employment date. As a part-time benefitted employee you are entitled to receive a pro-rata number of paid Holiday hours. Non-benefited employees do not receive any paid Holiday leave.

Any closed holiday that falls on a Saturday will be observed on the preceding Friday and any holiday falling on a Sunday will be observed on that following Monday.

County offices will close at 12:00 noon on December 24th when Christmas Eve falls during the Monday through Friday work week. County Employees are to use annual leave, holiday hours, or leave without pay to cover any hours they would normally have been scheduled to work had County offices remained open.
Holiday hours are calculated at the employee’s straight time pay rate and cannot be worked in addition to drawing holiday pay.

Holiday hours may not be carried over from one calendar year to another unless approved by the Department Head and the County Commissioners. In the event you leave the employ of the County for any reason, your paid holiday hours will be reconciled to the number of holiday hours that occurred that calendar year up to the time of your last date of employment. This could result in extra compensation or a deduction to your last pay check depending upon the situation. Payment of this benefit must follow the SDRS special pay plan regulations.

4.3 Sick Leave Policy

Pennington County provides paid sick leave to all eligible employees for periods of temporary absence due to personal illness, pregnancy and related disabilities, exposure to contagious diseases, required eye and dental care, required medical examinations, in-house counseling or treatment and personal emergency leave. Eligible employee classifications:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

Beginning with the pay period that starts on October 20, 2019, eligible employees will accrue sick leave at the rate of 3.69 hours with each completed two-week pay period, up to a total of 96 hours per calendar year. If you are a part-time benefitted employee, you will be credited with a pro-rated share of sick leave benefits. Seasonal/temporary non-benefitted and part-time non-benefitted employees do not qualify for paid sick leave.

Employees can request use of paid sick leave under the following conditions:

1. After completing a waiting period of 90 calendar days from the date they become eligible to accrue sick leave benefits. Employees may not request or be paid for sick leave time that has not accrued.

2. Having reported to their Department Head, Elected Official or approved Supervisor no later than 30 minutes before their normal starting time, unless the circumstances make reporting impossible, or unless otherwise required. (Some departments have a longer
notice requirement due to the nature of their work). Notice of sick leave which is foreseeable must be given at least 30 days in advance.

3. When required by the Department Head or Elected Official, a medical certificate or other appropriate documentation evidencing the illness or accident has been provided. The use of Sick Leave hours does not excuse the time missed for attendance/performance purposes; it only ensures pay for the time missed.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence. Unused sick leave benefits will be allowed to accrue without limit.

When an employee quits or is discharged from employment, unused sick leave shall be paid in accordance with the Sick Leave Separation Benefits portion of this policy. If you do not qualify to receive such sick leave separation benefits, unused sick leave shall be cancelled.

**Emergency Personal Leave**

The Department Head or Elected Official has the discretion to grant Emergency Personal Leave up to a maximum of 80 hours per calendar year. All emergency leave hours taken by the employee are deducted from their own accumulated sick leave hours and can be used for 1) the illness of a close family member or 2) the death of a close family member. In the event of a death of a close family member, up to 24 hours of paid bereavement leave will be granted. (See Bereavement Leave Policy for details) Any additional hours needed must be approved by the Department Head or Elected Official; up to a maximum of 80 hours. If the employee has exhausted their Sick Leave and Vacation balances, any additional hours granted under this section would be unpaid personal leave time (LWOP).

*For purposes of Emergency Personal Leave, a close family member is defined as the employee’s parent, spouse, spouse’s parents, child, grandparent, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, step-child, step-parent, grandchild or significant other*. The Bereavement Leave Policy includes coverage in cases involving these members of the County Employee’s immediate family: spouse; daughter or son, and step-daughter or step-son; parents or step-parents; and siblings, to include sister,
brother, step-sister and step-brother.

For purposes of application of the Emergency Personal Leave provisions of this policy, Significant Other is defined as follows: Significant Other means a relationship exists between two (2) people, neither of whom is married, that is intended to remain indefinitely and where there is joint responsibility for each other’s common welfare, there are significant shared financial obligations and there is a shared primary residence.

Sick Leave Transfer Program

Employees who have suffered or face a catastrophic or crisis medical situation involving themselves or a qualifying family member as defined in this section, may qualify for the receipt of sick leave hours donated by other County employees through the Sick Leave Hours Transfer Program under the conditions set forth below:

The employee receiving donated sick leave hours must:

1. Have been a full-time benefitted or part-time benefitted employee of Pennington County for a period in excess of 12 consecutive months;
2. Have exhausted all of their available sick leave, vacation and holiday hours;
3. Have submitted a statement signed by their physician indicating the approximate amount of time that the employee will be required to be absent from work due to the catastrophic/crisis medical situation, as well as any other medical information requested by the County; and
4. Must qualify and apply for FMLA personal or family care leave to accept the donated sick leave hours. Under this section, donated sick leave hours would be available for use only under the following conditions:

   a. For conditions that meet the definition of a Catastrophic or Crisis illness or injury as shown here:
      i. Catastrophic/Crisis illness or injury: An unusually prolonged or complex illness or injury, especially one that causes severe organ dysfunction or threatens life.
Catastrophic illnesses or injuries may include trauma due to accident or illness; and may suddenly or unexpectedly worsen, and make exceptional demands on patients, caregivers, families, and health care resources. Catastrophic illnesses are usually life-threatening and may leave significant residual disabilities; such as AIDS, major burns, trauma with residual paralysis or coma, and cancer.

b. Donated hours may be used for the employee’s own serious health condition that makes the employee unable to perform the essential functions of their job; or
c. For the employee to care for a spouse, son, daughter, step-son, step-daughter, parent or step-parent who has a serious health condition and requires the assistance of the employee.

5. Not receive more than 480 hours of donated sick leave in any rolling 12 month period. The 12-month period for eligibility purposes, is looking backward from the date of the current requested leave.

The Department Head or Elected Official of the employee in need of donated sick leave, in conjunction with the County Human Resource Department, will be responsible to evaluate and determine eligibility regarding the employee’s situation as to:

1. The crisis or catastrophic nature of such;
2. Their qualification for donated sick leave under the above criteria; and
3. The likelihood of a prolonged absence from work.

If an employee is found to qualify for donated sick leave, a written request for such can be made by the employee to their Department Head or Elected Official, who will then partner with the County Human Resources Department to solicit the requested hours through donations from coworkers or other County employees.

If an employee desires to donate sick leave hours, the following conditions must be met:

1. Have available a minimum of 100 hours of accrued sick leave before donation;
2. Make the donation on a strictly voluntary basis;
3. Sign and deliver to their Department Head or Elected Official a completed Sick Leave Transfer Form. The Department Head or Elected Official will submit the completed form to the Auditors Office prior to the deadline for the current month payroll.

The following are additional conditions for donating or accepting sick leave transfers:

1. Any employee’s total donation of sick leave may not exceed 48 hours in any twelve month period.
2. Sick leave will be transferred based on the specific number of hours donated from one employee to the other.
3. Donated sick leave hours will be paid at receiving employee’s rate of pay from receiving employee’s departmental budget.
4. Donated sick leave may be used for a part-time return (qualifying intermittent FMLA leave) to work provided such return is under Doctor’s orders.
5. Donated sick leave hours cannot be used for routine treatments, medical visits, maternity/paternity leave or pregnancy; the donated time is to only be used for catastrophic or crisis qualifying FMLA conditions as defined in this section.

Sick Leave Separation Benefits – Effective January 2019
When you leave the employment of the County under voluntary/favorable terms and with notice as required, separation benefits will be payable based on your accumulated sick leave balance, up to the payout limits provided in the charts below.

Voluntary/favorable terms for the purposes of this policy are defined as an employee terminating employment with the County through one of the following:

- Voluntary termination
- Retirement
- Layoff for a continuous period of six months
- Qualification under the retirement disability provision
- Occupational or non-occupational illness or injury
- Diagnosed terminal illness necessitating retirement
- Death
If the reason for leaving County employment is voluntary termination or retirement, you must have provided the County written notice of such at least two weeks in advance. Failure to have provided such written notice may disqualify you from receiving separation benefits.

Benefits under this policy shall be calculated on your rate of pay upon retirement or resignation. Based on the number of continuous years you have been employed by the County, you will be entitled to a monetary payout of the sick leave hours accumulated to the date of retirement or termination in accordance with the following schedules. These schedules become effective beginning January 2019:

**Legacy Employees: Applies to employees hired prior to 1/1/2019**

<table>
<thead>
<tr>
<th>Years of Employment</th>
<th>Percentage (%) of Sick Leave Hours That May Be Paid Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10 years</td>
<td>0%</td>
</tr>
<tr>
<td>At 10 years or more</td>
<td>30% of all accrued hours</td>
</tr>
<tr>
<td>At 15 years or more</td>
<td>40% of all accrued hours</td>
</tr>
<tr>
<td>At 20 years or more</td>
<td>50% of all accrued hours</td>
</tr>
</tbody>
</table>

**Non-Legacy Employees: Applies to employees hired on or after 1/1/2019**

<table>
<thead>
<tr>
<th>Years of Employment</th>
<th>Percentage (%) of Sick Leave Hours That May Be Paid Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10 years</td>
<td>0%</td>
</tr>
<tr>
<td>At 10 years or more</td>
<td>30% of the first 960 accrued hours</td>
</tr>
<tr>
<td>At 15 years or more</td>
<td>40% of the first 960 accrued hours</td>
</tr>
<tr>
<td>At 20 years or more</td>
<td>50% of the first 960 accrued hours</td>
</tr>
</tbody>
</table>

If the termination is due to diagnosed terminal illness necessitating retirement, or death of the employee, and the employee has worked for the County at least 15 years, the employee will be entitled to a 100% payout of sick leave hours accumulated to date of termination.
Employees under 55 who qualify for this benefit will not pay SDRS contributions on this payout. Employees 55 and over who qualify for this benefit will receive this payment as it is processed through the Special Pay Plan. In the event of your death, payout will be remitted in accordance with state statute.

4.4 Bereavement Leave Policy
Full-time Benefited and Part-time Benefited County employees who have completed their initial 90-day probationary period would be able to request and be paid for up to 3 scheduled work shifts, not to exceed 24 hours, for time missed due to the passing of an immediate family member.
- Immediate family member for the purposes of this policy would include these members of the County Employee’s family: spouse; daughter or son, and step-daughter or step-son; parents or step-parents; and siblings, to include sister, brother, step-sister and step-brother.
  - Other County employee relationships would still be eligible for consideration under the County Emergency Personal Leave policy.
- Maximum hours to be paid for a single funeral under this policy would be 24 hours for a FTB County employee, and a prorated number of hours for a PTB County employee.
- This benefit would be available for use one (1) time per calendar year.

Department Heads and Elected Officials would at their discretion, be able to grant additional emergency leave time off if needed, up to a total of 80 hours. Those additional hours would come from the Sick Leave account of the associate, or be granted in an unpaid leave status if all vacation and leave hours have been exhausted.

4.5 Special Pay Plan
Employees 55 and older who are eligible for sick/vacation/holiday payout upon termination of their employment with Pennington County will be required to have their payout processed through the Special Pay Plan administered by SDRS if the payout exceeds $600.00 or more. This allows employees to defer the taxable income on their payout until the time of withdrawal from the Special Pay Plan. There is no calculation of retirement contributions or FICA tax on this income as well. The withdrawal time is selected by the employee in accordance with SDRS administration rules of the Special Pay Plan.
4.6 Pennington County Healthcare Long-Term Employment Benefit Plan

Effective January 1, 2014 Pennington County Healthcare Plan shall permit long-term employees who have initiated a full retirement benefit and their eligible dependents to remain on the County group insurance under the following conditions:

Eligibility
The long-term employee who has been employed 15 years and is a minimum age of 50 years old as of January 1\textsuperscript{st}, 2014, will be eligible under the provisions of the previous long-term employee benefit. They must have been a benefited employee of Pennington County for 15 cumulative years immediately prior to leaving employment and an active member of the County Healthcare Plan for 10 years immediately prior to leaving and meet the required minimum age of 50 years old. All three of these requirements must have been met as of January 1\textsuperscript{st}, 2014.

For all employees hired after January 1, 2014: They must have been a benefited employee of Pennington County for a minimum of 20 cumulative years immediately prior to leaving employment and an active member of the County Healthcare Plan for the 10 years immediately prior to leaving and be eligible for a full retirement benefit under the provisions of SDRS. Such continuation must terminate at the time the participating former employee becomes entitled to Medicare. The employee has 30 days subsequent to the last day of employment to elect to remain on the plan. The benefits will be the same for retirees and active employees.

The dependent of a former employee eligible under this benefit may continue coverage with the former employee equal to the length of time the dependent was covered by the County Healthcare plan or is entitled to Medicare. A dependent that loses coverage under this provision due to death of the former employee, divorce or former employee’s Medicare entitlement, will have Cobra rights starting on the date of loss of coverage.

Duration
If the former employee or dependent is a participant under another group healthcare plan, this benefit will be secondary. If medical coverage is terminated, later application for enrollment shall not occur.
Cost
A retired employee will pay the established premium by the Healthcare Trust Board which is currently 60% of the Healthcare cost. The spouse or their dependents will be responsible for 60% of the additional cost. Premium payments must be submitted to the County Auditor’s Office no later than the 20th of each month preceding the month of coverage. Non-payment of premiums shall result in immediate loss of coverage. Multiple-month advance payments will be accepted throughout each calendar year.

Life Coverage
Retirees who are eligible for the Pennington County Healthcare Long-Term Employment Benefit Plan as long term employees will have the same basic life insurance benefits as an active employee.

4.7 Workers’ Compensation Insurance
Pennington County provides a comprehensive workers’ compensation insurance program at no cost to employees. This program covers any injury or illness arising out of the course of employment that requires medical, surgical or hospital treatment. County employees have a right to benefits if injured on the job. In return, the employee forfeits the right to sue Pennington County for job-related injuries.

If you are injured, no matter how slightly, or contract a disease as a result of your employment; you must immediately report the incident to your supervisor. Per South Dakota law, an injury must be reported immediately or as soon as practical. A written report must be submitted to the appropriate Human Resource Department within three days.

The following steps should be taken if an employee is injured:

- Supervisor is notified. (If the injury is an emergency - please call 911 or get the employee to a hospital before continuing with these instructions)

- Supervisor and Employee contact SDML Workers Compensation fund at 877-899-9112

- Supervisor notifies the appropriate Human Resource Department
• Supervisor and Employee fill out First Report of Injury and Release of Information Form and send to the appropriate Human Resource Department

County volunteers will be covered only when: (1) Requested to perform County work by a duly authorized County Official, (2) Notification is given to the appropriate Human Resource Department and (3) Coverage has been approved in the official County Commission minutes.

Neither Pennington County nor the insurance carrier will be liable for the payment of workers’ compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by Pennington County.

4.8 Time Off to Vote
If your work schedule on a state-wide election day does not allow you two consecutive hours in which to vote during the time the polls are open, you will be permitted to take such time away from work for that purpose with pay. Your supervisor will specify the time during which you may be absent.

4.9 Jury Duty
Pennington County encourages employees to fulfill their civic responsibilities by serving on jury duty when required. Employee classifications that qualify for paid jury duty leave are:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

Employees must show the jury duty summons to their Department Head/Supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. You will be paid by the courts for jury attendance and mileage. You must furnish the County with a certified statement from the court setting forth the dates of jury service and the payment received. You should then turn in to your Department Head/Supervisor the amount of the check less the mileage, and then the County will pay you your regular pay for the hours of work or work shift missed due to jury duty service.
Pennington County will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave and holiday benefits will continue to accrue during jury duty leave.

Seasonal/temporary NON-BENEFITTED EMPLOYEES or part-time NON-BENEFITTED EMPLOYEES are not eligible for jury duty pay. However, you are eligible for the time off to perform jury duty.

4.10 Health Insurance
Pennington County's healthcare plan provides employees and their dependents access to medical, dental and prescription benefits. Employees in the following employment classifications are eligible to participate in the healthcare plan:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

Eligible employees may participate in the healthcare plan subject to all terms and conditions of the agreement between Pennington County and the insurance carrier. A change in employment classification that would result in loss of eligibility to participate in the healthcare plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

You are eligible to obtain coverage on the first of the month following one complete month of employment. Your first premium will be deducted from your paycheck issued on the last day of the month preceding the first of the month in which you become eligible for benefits.

Currently Pennington County pays seventy-five (75%) of the employee premium. You are responsible for paying the balance of the healthcare premium amount. For your eligible dependents, the premium paid by the employee is fifty percent (50%) and matched fifty percent (50%) by the County.
Details of the healthcare plan are described in the Summary Plan Description ( SPD). A SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Department Head or the appropriate Human Resource Department for more information about healthcare benefits.

4.11 Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Pennington County health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Pennington County's group rates plus an administration fee. Pennington County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Pennington County's Health Insurance Plan. The notice contains important information about the employee's rights and obligations.

4.12 Life Insurance

Life insurance offers you and your family important financial protection. Pennington County provides a basic life insurance plan for eligible employees. Additional supplemental life insurance coverage may also be purchased.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Pennington County and the insurance carrier.
Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Department Head or the appropriate Human Resource Department for more information about life insurance benefits.

4.13 Employee Assistance Program

Pennington County cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), Pennington County provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no initial cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The employee may incur some cost through an outside referral. Costs that are not covered are the responsibility of the employee. Based on eligibility requirements some services may be covered under the health insurance plan.
Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it. Contact the Department Head or the appropriate Human Resource Department for more information about Employee Assistance Program benefits.

4.14 Pension Plan
If you are a regular full-time benefitted or a regular part-time benefitted employee, you are covered under the retirement plan known as the South Dakota Public Employees Retirement System. Your participation begins on the first day of your employment.

You and the County share the cost of your retirement benefits by contributing a percentage of your annual salary to the system. Each year the total contribution will equal a percentage of your gross annual wages – matched by the County. Retirement benefits are funded by employee contributions and matched by equal contributions from the County. Contributions are 6% of gross pay for Class A (non-law enforcement) and 8% of gross pay for Class B employees (law enforcement), unless changed by applicable state law. Your contributions are deducted from your paycheck each pay period.

A complete manual outlining the retirement system is provided to you upon employment. All decisions relating to the retirement system will be in full compliance with South Dakota Codified Law and the provisions of the South Dakota Retirement System. If you have any questions regarding your retirement contribution, contact the South Dakota Retirement System office in Pierre.

Your retirement is supplemented by any social security benefits and can be further enhanced through voluntary participation in various tax-sheltered compensation options available through the South Dakota Retirement System Supplemental Retirement Plan.

Seasonal/temporary non-benefitted and part-time non-benefitted employees do not qualify for participation in the retirement plan.

4.15 Other Benefits
Pennington County makes additional benefits available through payroll
deduction such as County Employee Funds, YMCA dues, Peace Officer Association dues, United Way contributions and other approved programs. Contact the Department Head/Elected Official or the appropriate Human Resource Department for more information about these programs.

4.16 Employee Referral Program
Pennington County values and encourages employees to refer quality candidates for position vacancies. If an employee successfully refers a candidate, they will be compensated at a set rate during the candidates’ employment life cycle.

- Upon hire - $100
- Upon completion of 6-months of continued employment - $100
- Upon completion of 12-months of continued employment - $300

Department Heads are ineligible to receive the incentive for candidates referred to their own departments, but are eligible for successful referrals to other departments.

Each department is responsible for tracking and submitting the incentive amounts during the appropriate pay periods.

5.0 LEAVES OF ABSENCE
5.1 Family and Medical Leave Act

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee’s job.
Eligible employees may take a leave of absence for one or more of the above reasons for up to a total of 12 weeks in a 12-month period. The 12-month period is determined on a "rolling" basis, measured backward from the date an employee uses any FMLA leave.

**Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter or parent on "covered active duty", as that term is defined in the Family and Medical Leave Act, may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, providing parental care for a military member’s parent who is incapable of self-care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. Qualifying exigencies may also include up to 15 days of leave for periods of rest and recuperation for the service member, leave of up to seven days as a result of short-notice deployment, or leave for other activities arising out of the service member's covered active duty and agreed upon by the County and the employee. This leave may be taken for up to 12 weeks in a 12-month period. The 12-month period is determined on a "rolling" basis, measured backward from the date an employee uses any FMLA leave.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness. Service member also includes veterans who are undergoing medical treatment, recuperation or therapy for a serious injury or illness if the veteran was a member of the Armed Forces and was discharged or released under conditions other than dishonorable at any time during the five years preceding the first date an employee takes FMLA leave to care for the covered veteran. Please keep in mind that the FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.” The single 12-month period is measured forward beginning from the date an employee’s first FMLA leave to care for the
covered service member begins. While a total of 26 weeks of leave may be allowed, please keep in mind that leave to care for the ill or injured service member and leave for any of the other reasons discussed in this policy cannot exceed a total of 26 weeks in a single 12-month period.

**Benefits and Protections**

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. The County may recover from an employee its portion of the premiums paid to maintain an employee’s health insurance coverage during leave if the employee fails to return to work after the employee’s leave entitlement has expired, unless such failure to return to work is due to (1) the continuation, recurrence or onset of a serious health condition or (2) other circumstances beyond the employee’s control. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave. Seniority and benefits such as vacation will not accrue during the period of any unpaid FMLA leave.

**Eligibility Requirements**

Employees are eligible if they have worked for the County for at least 12 months in the last seven years; and they have worked at least 1,250 hours during the 12 months immediately preceding the commencement of the leave.

**Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three full consecutive calendar days combined with at least two visits within 30 days of the first day of
incapacity to a healthcare provider or one visit and a regimen of continuing
treatment, or incapacity due to pregnancy, or incapacity due to a chronic
condition. The first treatment visit must take place within seven days of the
commencement of the incapacity. Other conditions may also meet the
definition of continuing treatment.

Definition of Family members for the purposes of FMLA

Spouse: Means a husband or wife as defined or recognized in the state where
the individual was married, and includes individuals in a same-sex marriage
or common law marriage. Spouse also includes a husband or wife in a
marriage that was validly entered into outside of the United States if the
marriage could have been entered into in at least one state of the United
States.

Child: Son or Daughter means a biological, adopted or foster child, a
stepchild, a legal ward or a child of a person standing in loco parentis, who is
either under age 18, or age 18 and older and incapable of self-care due to a
mental or physical disability at the time the FMLA leave is to commence.

Parent: Parent means a biological, adoptive, step or foster father or mother,
or any other individual who stood in loco parentis to the employee when the
employee was a child. This term does not include parents “in law”.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave
can be taken intermittently or on a reduced work-hours leave schedule when
medically necessary. However, leave for birth or placement of a child for
adoption or foster care must be taken in one block of time (as opposed to
intermittently or on a reduced work-hours leave schedule) and must be
concluded within 12 months of the birth or placement.

Employees must make reasonable efforts to schedule leave for planned
medical treatment so as not to unduly disrupt County operations. Leave due
to qualifying exigencies may also be taken on an intermittent basis.

Leave Taken by Spouses

Spouses who are both employed by the County are limited during any 12-
month period to a combined total of 12 weeks of: (1) family leave which is
taken for the birth or placement of a child for adoption or foster care; or (2) leave taken to care for a sick parent who has a serious health condition.

Substitution of Paid Leave for Unpaid Leave
Employees are required to use accrued paid leave while taking FMLA leave. The paid time and FMLA leave run concurrently until which time the FMLA leave has ended or the paid time has been exhausted. At the point the employee’s paid time has been exhausted, the FMLA leave can continue in an unpaid status up to the limits of FMLA leave eligibility.

Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When a 30-day notice is not possible, the employee must provide notice as soon as practicable and must generally comply with the normal County call-in procedures. When taking leave on an intermittent basis or leave for an indefinite or unknown duration, employees must also comply with the normal County daily call-in requirements to report their absence.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform essential job functions, that a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees will be required to provide a medical certification and periodic recertification supporting the need for leave.

Employees who fail to return a requested certification within 15 days, absent circumstances beyond their control, may jeopardize their rights and benefits under the Family and Medical Leave Act, and they may be subject to discipline, up to and including discharge, for being absent without being on approved leave.

The first time an employee requests leave for a qualifying exigency arising out of covered active duty, the employee must provide the County with a
copy of the active duty orders or other documentation issued by the military which indicates that the covered military member is on covered active duty and the dates of the covered military member’s covered active duty. The County may require copies of new active duty orders or other documentation issued by the military if the need for leave because of a qualifying exigency arises out of a different covered active duty of the same or a different covered military member. Completion of a certification form provided by the County will also be required.

Employees returning from a leave due to their own serious health condition must provide a note from their doctor releasing them to work and addressing their ability to perform the essential functions of their job.

**Employer Responsibilities**
The County will inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice will specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the County will provide a reason for the ineligibility.

The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

**FMLA Leave and Work-Related Injuries or Illnesses**
Employees who suffer a work-related injury or illness that constitutes a serious health condition under the FMLA will be granted FMLA leave, if otherwise eligible for FMLA leave. Workers’ Compensation leave and FMLA leave will run concurrently.

**Failure to Return to Work**
Employees who are unable to return to work at the expiration of their FMLA leave must contact the Human Resources Department to determine if the County has other forms of leave that the employee can use. Employees who do not report for work at the conclusion of their FMLA leave and who have not contacted the County requesting an extension of leave will be deemed to have resigned employment.
Employees who are unable to return to work after 12 weeks of leave may request additional leave under the Personal Leave of Absence policy. In that case, the provisions of the Personal Leave of Absence policy will apply, not the provisions of this Family and Medical Leave policy. Employees who wish to request leave time for medical reasons who are not eligible for leave under this policy are subject to the terms of the Personal Leave of Absence policy.

Other Employment While on FMLA Leave
Employees are prohibited from working for another employer while on FMLA leave. Employees doing so will be terminated.

Unlawful Acts by Employers and Enforcement
FMLA makes it unlawful for an employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

The County fully complies with the FMLA and prohibits any employee from engaging in these unlawful acts. Employees, who believe any of the County’s employees have engaged in these unlawful acts, should report the complaint to their supervisor or Department Head. Employees who are uncomfortable making a complaint to the Department Head should report their concerns to the Human Resource Department or the Office of the County Commissioners. Retaliation against an individual for bringing a complaint to the County’s attention is strictly prohibited.

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.
Questions
It is impossible to cover all aspects of family and medical leave in this policy. Therefore, when you determine that you will need to take leave under this policy, please contact the appropriate Human Resource Department for additional details.

5.2 Personal Leave of Absence
Pennington County provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- FULL-TIME BENEFITTED EMPLOYEES
- PART-TIME BENEFITTED EMPLOYEES

Other employees may be eligible for such leave if needed for medical reasons. The County will review requests on case-by-case basis.

As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their Department Head/Elected Official/Supervisor. Leaves of absence for non-medical reasons are not encouraged and will be considered only in unusual or emergency situations. Personal leaves of absence are unpaid.

Personal leave may be granted for a period of up to six months. If the leave is due to a medical condition, an extension of the six-month period may be granted. With the Department Head’s/Elected Official’s/Supervisor’s approval, an employee may take vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including reason for the leave, anticipated work load requirements, the employee’s attendance and job performance record and staffing considerations during the proposed period of absence. Employees requesting a medical leave will need to provide documentation from their physician regarding the need for leave. Subject to the terms, conditions and limitations of the applicable plans, Pennington County will continue to provide
healthcare benefits for the full period of the approved personal leave; however, the employee will be responsible for the employee’s share of the payment of premiums, and must make arrangements for premium payments. An eligible employee taking an authorized leave of absence with pay will continue to earn sick/vacation/holiday time during that time. If leave is without pay, such benefits do not accrue during the term of the leave.

An employee taking an authorized leave of absence may continue to receive credited service with the South Dakota Retirement System during such leave if both the employee and the employer contributions are made to the retirement system. In the event the employee is on authorized leave of absence without pay and wishes to maintain active status, the South Dakota Retirement System should be contacted.

When personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Pennington County cannot guarantee reinstatement.

Requests for leave and requests for extensions of leave will be considered on a case-by-case basis. All questions concerning leave should be directed to your Department Head/Elected Official/Supervisor or the appropriate Human Resource Department.

If an employee fails to report to work promptly at the expiration of the approved leave period, Pennington County will assume the employee has resigned.

5.3 Military Leave
A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base
compensation and the pay (excluding expense pay) received while on military duty. The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Benefit accruals, such as vacation, sick leave or holiday benefits, will be suspended during the unpaid leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time plus eight hours. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Department Head or the appropriate Human Resource Department for more information or questions about military leave.

6.0 MISCELLANEOUS

6.1 Bulletin Boards
Pennington County maintains several bulletin boards as an effective avenue for communicating with employees. The bulletin boards are used to communicate official government information on topics such as equal employment opportunity, health and safety information and other topics. The bulletin boards are also used to communicate information regarding Pennington County policy and business.

Employees are not allowed to post information on the Pennington County bulletin boards. All postings are made by designated supervisors who are responsible for keeping the bulletin boards up-to-date.
6.2 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by Pennington County normally may not solicit or distribute literature in the workplace at any time for any purpose.

Pennington County recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.) Employees who are not on working time (e.g., those on lunch hour, breaks or prior to or after their shift) may not solicit employees who are on working time for any cause or distribute literature of any kind to them. Furthermore, employees may not distribute literature or printed material of any kind in working areas at any time.

In addition, the posting of written solicitations on County bulletin boards is prohibited. Bulletin boards are reserved for official County communications.

6.3 Break Time for Nursing Mothers

Pennington County supports breastfeeding mothers by providing appropriate and reasonable arrangements for women wishing to express breast milk after they return to work. Pennington County will provide appropriate space and a reasonable break time for an employee to express breast milk for her nursing child for up to one year after the child’s birth. Anytime outside the employee’s normal break time will be unpaid. Employees who need assistance in identifying an appropriate space should speak with their supervisor in conjunction with the appropriate Human Resource Department who are available to assist in identifying accommodations when needed.

6.4 Burning of Open Flame Products

Candles, incense, or any other product which produces an open flame is prohibited in any facility owned or operated by Pennington County. Candles and open flames not only create a serious fire hazard, but also create a serious personal injury hazard. It is for these reasons that this policy has been established.
6.5 Animals in the Workplace Policy

This policy is intended to protect the health and safety of the Pennington County customers, employees, vendors and visitors; to maintain a professional and clean environment in which to work, conduct business and visit; and to promote the welfare and safety of animals.

For reasons of liability, safety, health and sanitation, no animals of any type are allowed in any Pennington County owned or leased buildings, or in County owned or leased vehicles with the following exceptions:

- Service animals as defined by the Americans with Disabilities Act of 1990, for use by customers, employees, vendors and visitors. Pennington County recognizes the ability of persons with documented disabilities to utilize service animals as defined by the Americans with Disabilities Act 1990 (ADA). Customers, employees, vendors and visitors who require a service animal should consult with the Pennington County Commission Office or the Human Resources Departments.

- Emotional support animals where the owner has medical certification from a qualified medical or psychiatric practitioner, and that have been approved by the Human Resources Department(s) as a reasonable accommodation.

- Animals professionally trained for search and rescue activities or law enforcement.

- Livestock, rodeo animals, and other animals for showing will be allowed as required for the fair and other approved events at the County Fairgrounds and in associated buildings. Animals professionally trained for theatrical purposes and directly supervised by show personnel within a controlled environment for training purposes.

- Aquariums, containing aquatic fish only, may be permitted in County buildings with approval of the Commission Office and the Department Head or Administrative Supervisor of the County employee requesting approval. Any damage caused by having aquariums will be repaired at the expense of the aquarium owner.

Animals on County grounds (not buildings) must be in the control of their owners. Under no circumstances should animals be allowed to run loose. Animals may not be tethered to buildings, handrails, trees, bicycle racks or
other objects. Any animal found tethered to County property or wandering loose on campus may be impounded at the owner’s expense. Animals left in an unattended motor vehicle are subject to the same rules and regulations if they become a nuisance, or if the welfare of the animal is threatened. Any infractions or complaints should be directed to the Pennington County Sheriff or the City Animal Control Office.

Animals walked on County property must be kept on a leash; and all animal fecal matter should be removed to a proper disposal container by the animal’s owner to protect the health and safety of others.

Feral and/or stray animals (such as dogs, cats, raccoons, possums) sometimes appear on campus. If such an animal is noticed, please alert the Sheriff’s Office or the City Animal Control Office. Although it may be tempting to feed or offer care for such animals, it is in the best interest of the animals to allow an animal-related professional to find proper environments for them.

Individuals having permission as listed in the exceptions must assume the responsibility of their animal. Individuals should:

- Carefully consider the needs of their animals and the sensitivities of other members of the work areas or community.
- Remain with their animal at all times.
- Clean up after their animal.
- Be responsible for any costs or consequences of damage caused.

This policy will be enforced by the Department Head or Administrative Supervisor to ensure a safe and healthy work environment is maintained. Abuse of this policy will be reviewed for disciplinary action.

This policy is effective 24 hours per day including holidays and weekends.

Additional exception Requests: The Pennington County Commission Office, or appropriate HR Offices, must approve any additional exceptions to this policy.

If the exception request is denied, the employee may initiate an appeal to the denial by seeking and receiving written approval from their Department Head or Administrative Supervisor. The Department Head or
Administrative Supervisor will then submit a written appeal to the Commission Office or HR Office for secondary review. If the appeal is denied, the request will no longer be considered.
7 EMPLOYEE ACKNOWLEDGEMENT FORM

EMPLOYEE ACKNOWLEDGEMENT FORM

I have received a copy of the Pennington County Employee Handbook and have either read it or have had it read to me. I understand all of its rules, policies, terms and conditions and agree to abide by them, realizing that failure to do so may result in disciplinary action and/or termination.

I understand that I should consult the Department Head or the appropriate Human Resource Department regarding any questions not answered in the handbook. I have entered into my employment relationship with Pennington County voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or Pennington County can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described in the handbook are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Pennington County’s policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of County Commissioners of Pennington County has the ability to adopt any revisions to the policies in this handbook.

I understand that the County will monitor my computer files, Internet activity, e-mail messages and voice mail messages for various reasons. The County will disclose such activity and messages to a third party without my consent when it deems such action necessary. I consent to the County’s monitoring of my computer files, e-mail transmissions, voice mail messages and Internet activity.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document and that it supersedes all previous written and unwritten policies, including any previous handbooks.

EMPLOYEE’S NAME (printed): ________________________________
EMPLOYEE’S SIGNATURE: ________________________________
DATE: ________________________________