

Webster County, MO

Employee Handbook



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Webster County, MO EMPLOYEE MANUAL

Introduction

Welcome to Webster County, MO we are pleased that you have chosen our County as your employer. We hope to create an environment that is conducive to productivity and to your personal job satisfaction.

Webster County's mission is to provide the citizens of Webster County with the finest services, in a manner that is both efficient and economically competitive. This can be accomplished with your commitment to promote quality service.

This manual briefly describes our policies, benefits, and work rules and is intended to serve as written employment guidelines and expectations of our employees. Webster County may update, amend or discontinue any part or parts of the policies in this manual as deemed appropriate in its sole and absolute discretion. Any such action shall apply to existing as well as future employees. Any questions should be immediately directed to your Elected Official/department head or the County Clerk. These policies are available to you through your own Webster County personnel policy manual, Elected Official/department head or the County Clerk. Should any provision in this Employee Manual be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Manual, but only the subject provision. This manual is not intended to be all-inclusive but an overview of our policies and procedures. Federal and State law may supersede any policy listed in this manual. Amendment of these rules and regulations shall be approved by a majority vote of the County Commission. Copies of such amendments shall be distributed to all Elected Officials/department heads and such other officials as the County deems appropriate.

This manual is not a contract guaranteeing employment for any specific duration. County employees are employed on an at will basis which means that either the employer (Webster County) or the employee may terminate employment at any time without restriction. This does not infer, however, that a review cannot be made of a termination through the appeal process. Such a review will be non-public in nature and handled through "personnel protected" statutes of Missouri's open meetings/records laws.

We wish you the best of luck and success in your position, and we hope your employment relationship with Webster County will be a rewarding experience.

Authority

The authority of the County Commission is found, in the main, in Chapter 49 and 50 of the Missouri Revised Statutes (RSMo). RSMo49.278; RSMo 49.273; RSMo49.275; RSMo 49.275; RSMo 49.265; RSMo 50.525; RSMo 50.330 and RSMo 50.550, all give broad powers to the County Commission in establishing working conditions, salaries/wages and benefits for the

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County employees.

The Missouri Revised Statutes; the existing rules and regulations of the Webster County Commission; and the United States Department of Labor Wage and Hour Division, Employment Standards Administration (U.S. Department of Labor 29 CFR Part 553) are the applicable authorities for these personnel policies. For immediate reference a researcher should review the Federal Register of Friday, January 23, 1987. In addition, these policies are written to reflect what is generally known as the “Garcia Decision” (Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005, 1007, 1021 (1985). That the Supreme Court Decision has the effect of bringing Webster County employees under the Fair Labor Standards Act. See also WH Publication 1459 (May 1985) “State and Local Government Employees Under the Fair Labor Standards Act.”

These principles are designed to avoid conflict with existing State statutes as well as with applicable federal regulations. Adherence to the United States Department of Labor Wage and Hour Division is reflected. In the case of the National League of Cities v. Usery 426 U.S. 833(1976) the Supreme Court held that the minimum wage and overtime pay provisions of the Fair Labor Standards act (FLSA) could not be applied to state and local government employees engaged in traditional activities. This decision, used for some time as a benchmark for excluding county employees was set aside, however, by the Garcia decision (105 S. Ct. 1005, 1007, 1021)(1985) issued on February 19, 1985. Good policies are, by nature, not static. They will continue to evolve over time. Secondly, good policies require the application of reasoned judgment. The omission of Webster County recognizes the need for general policies of personnel employment but also recognizes the appropriate authority of individual office holders.

Intent to Make Facilities Handicapped Accessible

It is the intent of the Webster County Commission to make the Webster County Courthouse and all County Facilities accessible to the physically disabled as soon as practical and economically feasible.

Purpose of the Manual

This manual contains statements of policy and procedures that have been developed for Webster County. It is designed as a guide to provide general information to all employees regarding how the County operates, what the County provides to its employees, and what is expected in return. *While broad in scope, it is not expected that it will completely cover every employment situation that could arise.* These procedures will be reviewed and revised as required on a regular basis. All revisions will be given to employees at the time of implementation.

The procedures and practices in this manual are subject to modifications and further development in the light of experience, legal requirements, and changing business conditions. To meet these challenges, Webster County reserves the right with or without notice to change, add to, or delete any of the policies and procedures, terms, conditions, and language presented in this manual.

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These rules shall not be construed as limiting in any way the power and authority of any Elected Official/department head to make operating departmental rules and regulations governing the conduct and performance of employees. Departmental rules and regulations shall not conflict with provisions of these rules. Such rules and regulations, when approved, published, and distributed as herein provided, shall have the force and effect of rules of that department, and disciplinary action may be based upon breach of any such rules and regulations.

Definition of Terms

The following words and phrases shall have the meanings indicated throughout these rules except where the context clearly indicates otherwise.

Anniversary date: Date of appointment or promotion to a position in the County service or date of transfer to a different position in the County service for current period of continuous service. A thirty (30) day break in service will result in a new anniversary date.

Appointing authority: The County Commission or a designee of the County Commission, or any person having the power by virtue of state law or other lawfully delegated authority to make appointment to positions in the County service.

Appointment: The designation to a position in the County service of a person who has qualified for the appointment through an appropriate selection process.

County Commission: The duly elected County Commission of the County or a designee when appropriate.

Covered employees: An employee who is covered by the provisions of the Fair Labor Standards Act (FLSA), particularly as related to overtime.

Date of employment (Date of Hire): The date an employee starts work as a new hire or rehire.

Date of termination: The date an employee separates from employment.

Demotion: The movement of an employee from a position to another position having a lower maximum salary rate.

Department: Any of the departments under the jurisdiction of the County Commission, now or as hereafter established.

Elected Official/Department head: The chief operating manager of any department.

Eligible: A person whose name is on a current eligible list and who may under these rules be certified for appointment to a position in the County service.

Emergency: A sudden and unforeseen happening that requires the unscheduled services of an employee to protect the health, welfare, and safety of the community.

Exempt employee: An employee who is exempted from the provisions of the Fair Labor Standards Act (FLSA) by the Act or who is not covered by the Act, particularly as it relates to overtime.

Full-time employee: An employee occupying a position included in the adopted annual budget that is neither specified part-time nor temporary employment, nor limited for a period of less than the budget year. Also any employee occupying such a position established during a given budget year unless the appointing authority certifies that such position will not be continued in the succeeding year's budget. The hours of work are approximately 2080 per year.

Grievance: A complaint relating to employment, the application of personnel rules and regulations, working conditions, or relationships between an employee and a supervisor, Elected Official/department head.

Immediate family: Current husband, current wife, son, son-in-law, step-son, daughter, daughter-in-law, step-daughter, mother, mother-in-law, step-mother, father, father-in-law, step-father, brother, brother-in-law, step-brother, sister, sister-in-law, step-sister, grandparents, step-grandparents, grandchildren, and step-grandchildren, of the employee or the employee's current spouse.

Introductory employee: A full-time or part-time employee serving a thirty (30) day introductory working test period.

Introductory period: A thirty (30) day working introductory period (six month, reoccurring introductory period for Road department employees) during which a newly appointed full-time or part-time employee is required to demonstrate fitness by actual performance of the duties of the position to which the employee is hired.

Job description: A written statement of the characteristic duties, responsibilities, and qualification requirements that distinguish a position from other positions.

Layoff: Employment separation made necessary by lack of work or funds or other reasons not related to fault, delinquency, or misconduct on the part of an employee.

Part-time employee: Part-time employee in these rules shall mean both part-time employee with benefits and part-time employee without benefits.

Part-time employee with benefits: employees averaging 30 or more hours per week within a 12-month period will receive benefits: sick time, holiday pay and vacation.

Part-time employee without benefits: employees working an average of less than 30 hours per week in a rolling 12 month period.

Part-time employee with C.E.R.F.: An employee in a position scheduled to work less than full-time (2080 hours), but at least 1000 hours (including hours of work and compensatory time) in any continuous twelve (12) month period.

Part-time employee without C.E.R.F.: An employee hired into a position scheduled for no more than 999 hours (including hours of work and compensatory time) in any continuous twelve (12) month period.

Position: A group of current duties and responsibilities assigned or delegated by competent authority, requiring the full-time, part-time, or temporary employment of one person.

Promotion: The movement of any employee from a position to another position having a higher maximum salary rate.

Resident: All full time employees must have residency, or establish residency within ninety (90) days of hire, in Webster County or an adjoining County.

Temporary/seasonal employee: Terms used interchangeably to describe a position comprising duties which occur, terminate, and recur seasonally, intermittently or according to the needs of the department. Such position shall not require more than 999 hours of pay in any continuous twelve (12) month period. The appointing authority shall assign a projected date of termination of less than one (1) year from date of hire and shall have such date made a part of the employee's personnel file.

Transfer: The movement of an employee from one department, division, or unit of the County government to another, from one position to another position, or to another position having the same maximum salary rate involving the performance of similar or dissimilar duties and requiring essentially the same basic qualifications.

Vacancy: A duly created position which is not occupied and for which funds have been provided.

Year: A calendar year unless otherwise specified in a particular section.

Employment Selection Process

Candidates for job openings will be selected on the basis of, competence, experience and satisfactory character and employment references.

In no event shall the hiring of an individual be considered as creating a contractual relationship between the employee and the County; and, unless otherwise defined in writing, such relationship

shall be defined, as "employment at will", where either party is free at any time to dissolve the relationship.

Applicants may be screened and subject to thorough background checks upon being extended an offer of employment. Items, which may be reviewed during the screening process, include:

- The employment application form
- Education and work experience
- Prior work history
- References
- Applicant's proof of ability to lawfully work in the United States
- (Applicants may be subjected to):
 - Verification of Driving License/Driving Record
 - Pre-employment drug testing
 - Workers Compensation Records Check
 - Criminal History Records Check
 - Post-Offer Physical Ability Exam

All new employees of the road department and sheriff's department, with the exception of administrative personnel, will be required to have a medical examination at County expense to determine fitness for the position. The County retains the right to have current employees examined for fitness if the County has reason to believe the employee is no longer capable of performing the essential functions of the position.

Notice of employment opportunities in the County service may be published by posting announcements on official bulletin boards and in such other places as the County Commission deems advisable including, as appropriate, a newspaper in general circulation in the area or region.

All applications may be made on forms prescribed by the County Commission and shall be filed on or prior to the closing date specified in the announcement. Applications may require information concerning personal characteristics, education, experience, references, and other pertinent information. All applications shall be signed and the truth of the statements contained therein certified by signature. The Elected Official may require such proof of education, experience, and other claims as may be appropriate.

Applications, whether accepted or rejected, shall not be returned and shall remain on file for three (3) years unless hired.

Equal Employment Opportunity Policy

It is the policy of Webster County that employment decisions shall be based on merit, qualifications, and competence. Employment practices shall not be influenced or unlawfully affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, age,

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disability, pregnancy, military status, or any other characteristic protected by law. This policy governs all aspects of recruitment, employment, training, promotion, transfer, demotion, compensation, assignment, discharge, and other terms and conditions of employment.

Webster County complies with applicable state and federal laws in reference to opportunity requirements. Webster County has a non-tolerance of discrimination in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, pregnancy, military including veteran status, or any other characteristic protected by law. Webster County will make reasonable accommodations for qualified individuals with perceived disabilities unless doing so would result in undue hardship to Webster County. Our County strictly prohibits unlawful discrimination and harassment by its employees, agents, and non-employees, including visitors who have contact with Webster County employees during work hours.

Affirmative Action Employer

The County Commission shall be responsible for the development and administration of a voluntary affirmative action plan to aid in achieving full realization of equal employment opportunity (EEO). The plan shall include:

- (a) A policy statement.
- (b) Assurances of compliance with applicable EEO laws.
- (c) A utilization analysis.
- (d) Affirmative action objectives

General Employment Policies

Dress Standards

The professional atmosphere of Webster County is maintained, in part, by the image that employees present to customers, clients, and visitors. Employees should therefore utilize good judgment in determining their dress and appearance. Employees are expected to come to work dressed in clean, neat attire appropriate to their position and their job activities. Therefore, employees should avoid wearing clothing that is distracting or might make our visitors, clients or customers feel uncomfortable or offended. The Elected Official or department head may establish a reasonable dress code for employees under his/her direction at his/her discretion.

Employees who are inappropriately dressed will be sent home without pay and directed to return to work in proper attire.

Immigration Law Compliance

Federal Law requires all employers maintain a completed Immigration and Naturalization Service (INS) eligibility verification statement (form I-9) for every employee. This form confirms that the individual being hired is legally eligible to work in the United States and is the same person whose name appears on the papers of documentation.

Webster County is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986.

As a condition precedent of employment, each new employee must present identification as indicated by INS, properly complete, sign and date the first section of the Immigration and Naturalization service form I-9. Failure to do so will prevent the employee from working until the documentation is completed.

Employment of Relatives

Webster County is committed to hiring and retaining highly qualified individuals and recognizes that, despite their qualifications, hiring and retaining close relatives of present employees might raise serious questions regarding objectivity, and fairness of performance evaluations. Our employment policies are based on balancing these concerns.

According to Article VII, Section 6 of the Missouri State Constitution, public officers or employees of Webster County are prohibited against hiring any relative within the fourth degree by consanguinity or affinity.

Employment of relatives will be at the sole discretion of the County Commission. However, any Commissioner who is related within the fourth degree to the candidate is not permitted to

participate in the hiring process or hiring decision.

It is the responsibility of management to ensure that complete objectivity is maintained with relation to hiring, promotions, transfers, performance evaluations, and firing of said employees. In all cases, the authority of individual Elected Official/department head to hire, fire, and evaluate employees shall not be compromised.

Performance Reviews

The performance of employees is evaluated on an ongoing basis. Elected Official/department heads and employees are encouraged to discuss job performance on an informal day-to-day basis. In addition, written performance reviews will generally be conducted at the end of the thirty (30) day introductory/orientation period and upon the employee's anniversary date thereafter. Performance Reviews provide an opportunity to discuss job performance, identify and correct weaknesses, and provide your Elected Official/department head with an opportunity to recognize and encourage your strengths. Pay increases with the performance review are not guaranteed and may change at the County's discretion at any time.

The County Commission shall develop and maintain procedures to ensure timely completion of employee performance appraisal forms, periodically review the evaluations of employees within department and work units so as to ensure the equitable administration of the system, and make such studies and recommend such modifications or revisions as may be necessary to improve the system or process.

Each Elected Official/department head or supervisor who reviews or conducts an evaluation shall be responsible for its quality, consistency, equity, and timeliness.

No public disclosure of an employee's performance appraisal record shall be made without the permission of the employee and the County Commission. Such record shall be made available upon request to the employee; to an appointing authority when needed in connection with a potential action for promotion, transfer, demotion, or dismissal of the employee; or other appropriate officer when needed in connection with an adverse action, grievance, or other relevant matter requiring such information; and to official investigatory agencies after a determination by the County Commission that such disclosure is in the public interest.

Personnel Record

When you were selected for employment at Webster County, a personnel file was established for you. The date your employment began is your official hire date. (Employees who move from part time to full time positions may have a different anniversary date than their original hire date.) Information regarding your taxes and other important matters should be kept up to date to avoid discrepancies. The record also contains each employee's position, departmental assignment, salary rate, dates of employment, employment history, and such other data as appropriate. For your protection, we ask that you notify your Elected Official/department head and/or the County Clerk

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immediately of any changes in your address, telephone number, the person to be notified in case of accident or illness, marital status, and dependent status.

The following information is required by Part 516, FLSA, to be maintained within each employee's personnel file:

1. Name of employee, in full.
2. Home address including zip code.
3. Date of birth, if under 19.
4. Sex.
5. Occupation (job classification).
6. Time of day and day of week on which the employee's workweek begins.
7. Daily and weekly hours of work.
8. Regular hourly rate of pay in any workweek (used as base rate to calculate overtime pay or compensatory time). (See Part 553, FLSA).
9. Total daily or weekly straight time earnings.
10. Total overtime compensation for any workweek.
11. Total additions to or deductions from wages paid.
12. Total wages paid each pay period.
13. Date of payment and the pay period covered by the payment.

The following must also be maintained and filed in each employee's personnel file:

1. Employee's anniversary date (day, month and year employee reported to work).
2. Employee's attendance record.
3. Records of accumulated vacation time and sick leave.
4. Records of benefits accruing to the employee.
5. Documentation regarding the employee's status - commendations, legal actions, resignations, and such other documentation that is relevant.
6. An Employee Eligibility Verification Form.

Every appointment, transfer, promotion, demotion, dismissal, sick leave, vacation leave and other changes in the status of employees in the County service shall be reported in writing and kept in the personnel file.

With notice, an employee may review material in his or her file, but only in the County Clerk's office and in the presence of the individual(s) appointed to maintain the file.

Except for disciplinary action, records involving investigations, correspondence and data related to applicants for employment or employees of the County; files, statements, reports, correspondence, and other data in connection with and related to investigations of violations of these rules and regulations; examination materials, questions, data, and examinations and tests conducted by the County; and such other confidential papers as specified in these rules or by action of the County, personnel records shall be public records. Such records shall be open to

inspection by the public during regular office hours, at reasonable times, and in accordance with such procedures as the County may provide.

Rehire Policy

Webster County encourages previous employees who have resigned in good-standing and followed the County's Separation from Employment Policy (see below) to re-apply for employment. Once hired, the former employee is considered a new hire, (regardless of length of absence from employment) and the eligibility requirements for County benefits start all over. On a case by case basis, the County Commission reserves the right to bridge hours of service for the purpose of vacation and/or pay.

Separation from Employment

Employment is for no definite period of time and may be terminated by either party at any time. If you should decide that you want to terminate your employment, we ask that you inform your Elected Official/department head and present a minimum two (2) weeks written notice. Such resignation may be withdrawn by the employee at any time prior to the effective date with the approval of the County Commission and Elected Official/department head.

Any employee who fails to provide, and work through, the complete notice as stated in the above paragraph shall be deemed to have relinquished all accrued vacation time and shall no longer be eligible for any benefits related to payment for hours not worked including holiday pay.

All employees separating from the County service for any reason shall, prior to separation, return all County-owned property and equipment issued to the employee. Failure to do so may result in the withholding of benefits otherwise due the employee.

References

When asked to provide a reference, the County's Elected Officials may provide dates of employment, position and if the former employee is eligible for rehire or not. Release of information is mandated by state law for certain employment transactions. In such cases, the County will comply with state law and forward the information to the requesting agency/organization.

Employee Conduct and Work Rules

Regular Working Hours

The official hours of the Courthouse are from 8:00 a.m. to 5:00 p.m. The County Commission has control over the hours of the outside doors.

Regular working hours for all full-time employees shall be forty (40) hours in any five (5) consecutive eight (8) hour days, except as noted below, provided approved prior to implementation by the County Commission:

- Elected Official/department heads shall arrange work schedules to meet the needs of the County service and may allow variable or flexible work schedules, providing that all work schedules for fulltime employees shall not be less than sixty (60) hours in each bi-weekly pay period.
- The law enforcement department may establish work schedules that take full advantage of the FLSA hours requirements.

The work schedules for employees shall be determined by the Elected Official/department head. Elected Official/department heads shall maintain work schedules for all employees under their supervision on a current basis and give reasonable notice of changes in work schedules.

Attendance

Webster County relies on each employee's attendance and expects regular attendance during work hours. Poor attendance and/or tardiness disrupt productivity and are a disturbance to other employees. When an employee is not at work, someone else must perform his/her job. Consequently, employees are expected to keep regular attendance, be here on time, to begin work promptly at the beginning of their scheduled shift, and to continue until their scheduled quitting time. Failure to observe attendance requirements and recording procedures for attendance will not be tolerated. Three (3) unexcused absences will result in termination. Three (3) tardies within a calendar year will equal 1 unexcused absence. Employees who do not meet these requirements will be subject to disciplinary action, which may include termination of employment.

Absenteeism & Tardiness

Absence is any time an employee is scheduled to work and is unable to report. This does not include approved time off for vacation, holiday, death in the family, jury duty, leave of absence or County-initiated time off. Unapproved absences may not be paid.

On occasions where employees have a valid reason for an unscheduled absence, (for example: due to a personal or dependent illness, or an emergency) employees are expected to contact their supervisor or Elected Official/department head either before or with thirty (30) minutes of their starting time on the first day and on EACH subsequent day they are out.

When reporting an absence, employees are expected to indicate the reason and probable duration of the absence. Any employee who is on an excused absence for three (3) or more days due to illness or injury may be required to submit a written doctor's release in order to return to work.

If an employee is absent without notifying his/her supervisor or Elected Official/department head for three (3) complete work shift, they will be considered to have abandoned his/her job and voluntarily terminated their employment.

Tardiness

Tardiness is any time when an employee arrives late to the office, or the work site. Accordingly, arriving late or leaving early in connection with scheduled work times, or meal periods is not allowed. Excessive tardiness is when an employee is late or leaves early more than three (3) times within any thirty-day (30) period, and is documented as unexcused, although fewer than three times tardy may be excessive depending on the workload at the time of the tardy. Unsatisfactory attendance, reporting late or quitting early will result in disciplinary action, up to and including discharge.

Inclement Weather Closing

The Webster County Commission or Elected Officials shall be the only authority to release any employees earlier than the regular closing hours of the Courthouse and its departments or to delay the regular time to report to work due to inclement weather conditions. The County Commission has sole authority in closing the entire Courthouse due to inclement weather or other severe conditions. It is the duty of the dispatcher to inform the Presiding Commissioner of inclement weather occurring during nighttime hours.

If the Courthouse closes due to inclement weather, courthouse employees must use accrued compensatory time, accrued vacation time or up to two days sick leave in order to be paid for time closed. Alternatively, employees may choose to not receive compensation for time closed.

An Elected Official can choose to close his/her office even if the Courthouse opens during inclement weather. Employees in that office may choose to use compensatory time, up to two days sick leave, vacation time, or to go without pay for the time their office is closed.

Authority for Closing Due to Unusual Circumstances

The Webster County Commission shall be the sole authority in determining the closing of the Courthouse and its departments for any reason or circumstance deemed appropriate or necessary.

Political Activities

County employees shall not be appointed or retained on the basis of their political activity.

County employees shall not be coerced to take part in political campaigns, to solicit votes, to levy, or contribute or solicit funds or support for the purpose of supporting or opposing the appointment or election of candidates for any County office.

Employees are prohibited from bringing their political affiliations to bear on their official duties. Specifically, the following political activities of employees are prohibited:

- Campaign fund raising, or other partisan political activities, on County premises while in the performance of duties and responsibilities as an employee of the County.
- Abusing official position for political ends.
- Use of official working time or unauthorized use of County resources for political activity.
- Promising any employment, position, work, compensation, or other benefits as consideration, favor or reward for political activity.
- Performing political activities at the direction of a supervisor, Elected Official/department head, or other County official.

No County employee shall actively advocate or oppose the candidacy of any individual for nomination or election to any County office, but an employee may participate in political affairs at other levels of government , provided such participation does not adversely affect his/her performance as a County employee. Employees are encouraged to exercise their right to vote in elections, and/or be Election Workers, but shall not engage in or participate in any other way in County elections.

Employees who violate this policy may be subject to disciplinary action up to, and including, termination of employment.

Outside Employment

No full time employee of the County shall accept outside employment, whether part-time, temporary or permanent, without prior approval from the Elected Official/department head. Each change in outside employment shall require separate approval. Approval shall not be granted when such outside employment conflicts or interferes, or is likely to conflict or interfere, with the employee's County service. Such approval, however, shall not be arbitrarily withheld. Employees may not engage in any private business or activity while on duty. No employee shall engage in or accept private employment or render any services for private interest when such employment or service is incompatible or creates a conflict of interest with his/her official duties.

County Credit Cards

Purchase Cards

Elected officials and other department heads are eligible to receive a purchase card with which they may draw upon the County's line of credit for training, supplies, and other expenses. Other

employees may be issued such a card as necessary, if requested by their qualified supervisor.

Original receipts must be submitted for each purchase prior to payment from County funds. Any person failing to submit the required documentation becomes personally responsible for payment of the charges concerned (including late fees or service charges, if any). Failure to provide documentation or payment will result in the charges being deducted from the person's next paycheck and the immediate loss of credit privileges.

Fuel Cards

Unless precluded by circumstance, all fuel purchased by county funds must be purchased from the supplier who submitted the lowest and best bid (determined on an annual basis). Fuel cards will be issued as deemed necessary by each department head, and may be used only to fuel county vehicles. A charge for fuel from other suppliers is allowed only when absolutely necessary, and is limited to five gallons per purchase unless involving out-of-county travel.

Lactation/Breastfeeding Policy

As part of our family-friendly policies and benefits, the County supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. The provisions of this Lactation Policy meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn. The County has a designated location at each job site for this purpose. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting their Elected Official/department head or the County Clerk. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

Computers and County Equipment

Computers, computer files, the e-mail system, and software furnished to employees are Webster County property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

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

For example, the display 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 harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

Webster County purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Webster County does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. Webster County prohibits the illegal duplication of software and its related documentation.

Internet access to global electronic information resources on the World Wide Web is provided by Webster 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. While Internet usage is intended for job-related activities, personal use may be permitted with prior authorization.

All Internet data that is composed, transmitted, or received, via our computer communications systems is considered to be part of the official records of Webster 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 Internet 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 Webster County. As such, Webster 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.

Data that is composed, transmitted, or accessed, via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive 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, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by 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.

Abuse of the Internet access provided by Webster County in violation of law or Webster 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, harassing, or threatening messages or images
- Using the County's time and resources for personal gain
- Stealing, using or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material outside of the County
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the County or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the County's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander another individual
- Attempting to break into the computer system of another; County, 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 religious activities, or any sort of gambling
- Jeopardizing the security of the County's electronic communications systems
- Sending or posting messages which disparage another County's products or services
- Passing off personal views as representing those of the County
- Sending anonymous e-mail messages
- Engaging in any illegal activities

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

Webster County has the additional burden of complying with Chapter 610 of the Revised Statutes of Missouri – commonly known as the “Sunshine Law”. Depending upon circumstance and interpretation, messages sent by electronic means (including e-mail) could be subject to public review. Therefore, such messages should be retained in a way that would allow the employee to provide them upon request.

To assist elected officials, supervisors, and employees to meet their obligations under the Sunshine Law, Webster County has made an e-mail system available which includes a permanent archive of all e-mail messages sent and/or received. Elected officials, supervisors, and employees who opt not to use the e-mail system provided by Webster County are responsible for finding their own means of retaining e-mail messages and otherwise complying with the sunshine law.

Workplace Monitoring

Workplace monitoring may be conducted by Webster County to ensure quality control, employee safety, security, and customer satisfaction.

Employees who regularly communicate with customers may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our customer's image of Webster County as well as their satisfaction with our service.

Computers furnished to employees are the property of Webster County. As such, computer usage and files may be monitored or accessed. Webster County may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because Webster 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.

Solicitation and Distribution Policy

This policy applies to all Webster County employees as well as non-employee visitors. Webster County limits the solicitation of our employees and distribution of non-work related materials to our employees by non-employees on our premises due to the possible interference with normal operations, reduced efficiency, annoyance to customers and staff and pose a threat to security.

Individuals not employed by the County are prohibited from entering our property and soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except pre-approved, authorized representatives of suppliers who are properly identified), or engaging in any other solicitation, distribution, or similar activity on our property.

The County Commission or Elected Official may consider, on a case by case basis, allowing an isolated solicitation by employees for a charitable purpose or cause (e.g., United Way, etc.). No charitable solicitations or distributions, however, may be made without prior Management written approval. The following are examples of restrictions that may apply. They include but are not limited to the scenarios below:

- The sale of business or commercial services to be provided by the employee, a member of the employee's family, or a friend of the employee, is not allowed on County property.
- The solicitation of employees to make contributions, circulate or sign letters and to do other non-work activities during the working time of either the employee making the solicitation or the targeted employee is not allowed.
- Distribution of literature, brochures, materials, hats, buttons, including circulation of petitions/letters, is prohibited during working time and in work areas at all times.
- The sale of merchandise by employees for commercial profit is not allowed on our property. This does not prohibit the sale of items for charitable purposes during non-work hours, so long as it occurs in non-work areas.

This policy does not prohibit one employee from asking another employee to donate money on behalf of a fellow employee or the employee's family member for an isolated occasion (e.g., flowers upon a death, wedding, or shower gift, etc.).

The County utilizes various systems to communicate County information to employees and to disseminate or post notices required by law. These communication systems (which include but are not limited to bulletin boards, electronic mail, voice mail, facsimile machines, and personal computers, newsletters, etc.) are for County use only. Except as otherwise permitted by our written policies, they may not be used for solicitation or distribution of materials that are not related to work. If employees are receiving materials through our communication systems, whether through e-mail, faxes, or otherwise, they should notify Management to seek assistance in ending the non-work related solicitations.

Social Media (i.e. Blogging, Texting, Twitter)

The County takes no position on an employee's decision to start or maintain a personal blog, text, or twitter outside of the workplace. However, it is the right and duty of the County to protect itself from unauthorized disclosure of confidential proprietary information or trade secrets. The County's policy on such material includes rules and guidelines for County -authorized blogging, texting, twittering and personal communication and applies to all employees including, but not limited to; County Commissioners, Elected Officials, Management and Non-Management

employees.

General Provisions

Unless specifically authorized by the County to do so as part of an employee's position, employees are not permitted to blog, post, or use other forms of social media by naming an employer that could be reasonably attributed to employer communication during scheduled working hours. Blogging, texting, twittering or other forms of social media or technology include but are not limited to video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the County.

The personal use of social networking web sites such as Twitter, Facebook, MySpace, etc. must not interfere with work time. Written approval by a member of the County's management is required for authors who use electronic resources of the County to send "tweets", "blogs", "posts" or other public messages on behalf of the County. This includes; any identification of the author, including usernames, pictures/logos, or "profile" web pages, County logos, trademarks, or other intellectual property. If he or she is not providing an official message from the County, an employee who comments on any aspect of the County's business must include a disclaimer in his or her "profile" or "bio" that the views are his or her own and not those of the County.

Messages and postings should not be defamatory (i.e. including libel and slander) in nature or disclose any confidential, proprietary, attorney privileged information of the County. In addition, must not contain discriminatory remarks that may be regarded as "malicious, obscene, threatening, intimidating, harassing, or bullying".

Finally, any remarks that are meant to intentionally harm someone's reputation and could contribute to a hostile work environment and be subject to inappropriate or unlawful conduct will be subject the employee(s) "author" to disciplinary action including termination of employment.

Please keep in mind all employees who may have a workplace issue or complaint are encouraged to communicate with his/her department head/Elected Official or the County Clerk.

Employees are expected to protect the privacy and reputation of the County and its employees. Violation of the policy will be subject to disciplinary action up to and including termination of employment.

Disciplinary Procedures

To ensure orderly operations, the best possible work environment, and the highest standard of customer care and services, Webster County expects its employees to maintain certain standards of conduct. Employees are expected to use their best efforts while at work, and to comply with the policies set forth in this manual and with all other policies, procedures, rules, and guidelines prescribed by Webster County.

Employees are expected to treat everyone with whom they come into contact while at work with courtesy and respect and to treat all County property with respect.

Therefore, disciplinary actions are determined by an employee's Elected Official/department head and monitored by management to prevent abuse. Discipline is based on severity of the violation. Employees who fail to maintain the required standards of conduct will be subject to discipline. Webster County may use a progressive discipline policy that is designed to encourage growth and improvement, although the severity of an offense may result in suspension or dismissal without any prior warning. Where progressive discipline is utilized, the disciplinary steps generally are; verbal counseling, written notice, demotion, suspension, or final written warning, and termination. Employees may be suspended, with or without pay, or transferred, pending investigation of an alleged offense.

Three-Day Suspension

Any Elected Official, department head, or supervisor may suspend, without pay, any employee of Webster County under his/her authority for a maximum of three (3) working days.

Ten-Day Suspension

A more serious and lengthy suspension, without pay, may be imposed on an employee by the sole authority of the Webster County Commission for a maximum of ten (10) working days for disciplinary purposes.

Road Department Employees: Striking a power line with the bed of a dump truck will result in an automatic 10-day suspension without pay. The employee involved will also be required to undergo a drug and alcohol test (as required by the U.S. Dept. of Transportation). A second incident with a power line within a five year period will result in immediate termination of employment.

Dismissals

An Elected Official or department head may dismiss any employee without statement of reason or notice so long as the employee's constitutional rights are not violated. A written statement of the effective date of a dismissal will be immediately filed with the Webster County Commission and the employee is at liberty to file an appeal as provided. Webster County is an at-will employer.

Confidentiality

The above actions shall be in keeping with all Missouri Statutes including RSMo 610.025 and Federal Labor regulations regarding personnel record keeping, personnel actions, and confidentiality of such actions.

If an employee receives more than one written notice and/or suspension during employment regardless of the amount of time that lapses between each, the employee may be subject to termination.

Discharge

Webster County may skip any and all steps of the disciplinary process as mentioned above at its discretion. This type of discharge is due to the infraction/misconduct being so severe that one incident of “misconduct” will result in immediate dismissal without prior use of progressive discipline. Factors that may affect discipline include, but are not limited to, the nature and severity of the offense, whether client relations is compromised, whether the offense is a violation of the law or subject to Webster County liability, whether the conduct was intentional or negligent, the number of prior infractions, and the current employee status with Webster County. Outside of misconduct, employees may be disciplined up to and including discharged for any of the following infractions (including, but not limited to):

- Any dishonest act; including entering false information on the employment application or other personnel records
- Refusal to perform the work as directed
- Interfering with another employee's efforts to meet County work standards
- Willful or negligent destruction of County property, customer property, or property belonging to others in the County
- Sleeping during work time
- Falsifying time-cards
- Reporting for work or working under the influence of, or having detectable levels of, alcohol or drugs
- Possession of or selling of drugs, or other intoxicating substance while working for the County
- Striking, fighting or attempting to strike or otherwise injure another employee, vendor, or customer
- Rude, insolent or threatening conduct towards a customer or another employee
- Absenteeism and tardiness abuse
- Theft, willful destruction, inappropriate removal, or unauthorized possession of County property or the property of fellow employees
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Failure to adhere to safety rules and regulations
- Any threats of violence, terrorism, or abusive behavior and language in the workplace
- Intentional cover-up or misrepresentation of information that could result in litigation and/or monetary loss to Webster County
- Sexual harassment or other unlawful or unwelcome harassment
- Relay of confidential information or technology to outside sources without the express written authorization of management
- Unauthorized disclosure of County confidential information

- Violation of the County's prohibitions against discrimination and harassment
- Inducing or attempting to induce any officer or employee in the County service to commit an illegal act, to act in violation of any lawful order and reasonable departmental or official regulation or order, or to participate therein
- Solicitation or receipt in whole or in part from any person of any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment, influence, or bribery to secure advantage in any County activity or circumstances
- Failure to pay just debts due or owing, including taxes, licenses, or fines due the County, or failure to make reasonable provision for the future payment of such debts
- Unauthorized use of County vehicles, tools, equipment, manpower, or materials for personal benefit. Any authorized use must be clearly approved by the appropriate Elected Official
- Failure to report wrongdoings of other County employees
- Use or attempted use of political influence to obtain special treatment for an examination, promotion, or wage increase
- Failure to maintain any license or certification if possession of such a license or certification is a condition of employment
- Failure to follow traffic regulations while operating a County vehicle, or while operating a private vehicle on County business

Layoffs

The Webster County Commission shall retain the right to call for employee layoffs if the action is deemed necessary due to lack of work or fiscal constraints in the development of or adherence to a budget for a given fiscal year.

Method

Any employee layoffs deemed necessary by the Webster County Commission will be accomplished first by natural attrition over an established, reasonable period of time and then by the release of employees beginning with the employee with the least seniority and movement upward until the necessary number of employees are released. In no case, however, shall any department be rendered dysfunctional due to a layoff of employees with least seniority.

Reimbursement, Etc., for Accrued Benefits and Leave Time

In the event of a major layoff of County employees, the Webster County Commission shall retain the right to distribute incentive funds, if any are available, on a pro-rata basis for earned accrued leave time for which the employee would otherwise be eligible.

Ethics Policy / Reporting Compliance Concerns

Webster County will comply with all applicable laws and regulations and expects its directors, officers, employees and volunteers to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct. Employees shall, during both working and nonworking hours, act in a manner which will inspire public trust in their integrity, impartiality and devotion to the best interests of the County, its customers and citizens.

To ensure ethical and impartial business, it is prohibited for Webster County employees to:

1. Offer, accept or solicit money, property, service or other items of value by way of gift, favor, inducement or loan with the intent that the offer would influence or the recipient would be influenced by such conduct in the discharge of public duties.
2. Use their official position, uniform or badge to secure special advantage in business, personal gain or other benefit derived from such relationship.
3. Use any County-owned facility, building, equipment, materials or vehicle for their personal use or benefit, or for the personal use or benefit of any other individual. No employee shall have unauthorized possession of County property. (Must have authorization from appropriate County Elected Official)
4. Invest or hold a financial interest, directly or indirectly, in any business entity, transaction or business endeavor that would create a conflict between the County employee's duty to uphold the public trust and the individual's private interest.

No employee in the County service shall hold a financial interest in a firm, institution, corporation, or other establishment supplying goods or services to the County. No employee shall be employed in any capacity with a firm, institution, corporation, or other establishment supplying goods or services to the County when that capacity means the possession, direct or indirect, of the powers to direct or cause the direction of the management and policies of that organization. No employee shall receive any payment, gifts, favors, or other consideration from any person, firm, institution, corporation, or other establishment supplying goods or services to the County.

County employees may be offered honorariums. If the employee is being paid by the County for the time for which the honorarium will be received, the honorarium will be rejected.

In general, the use of good judgment, based on high ethical principles, will be the guide with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the immediate supervisor and/or the Elected Official/Department Director. The Elected Official/Department Director shall immediately inform the County Clerk for the purpose of precluding any real or apparent conflict of interest.

Any employee who becomes aware of a violation of the Ethics Policy must report the violation to his/her manager, member of management, or the County Clerk. Any employee who has a question regarding whether conduct violates a standard in the Ethics Policy should contact the County Clerk. Employees who violate of this policy shall be subject to any disciplinary action up to and including termination of employment as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the laws of the County and the State of Missouri.

Problem Resolution Policy

It shall be the policy of the County to give individual employees an opportunity to discuss their grievances with their Elected Official/department head in order to find mutually satisfactory solutions as rapidly as possible. In the preparation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination, or reprisal.

Any discussion, report, filing of a grievance or other personnel matter involving hiring, firing or promotion of personnel should be closed to the public and to the media under the Revised Statutes of Missouri 610.025 (paragraph 4). Final results and the vote shall be made public as required by law.

Anti -Harassment

All employees of Webster County have a right to work in an environment free from harassment based on race, color, sex, religion, national origin, age disability, pregnancy, military status including veterans or any other status protected by law. Therefore, Webster County is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive or disruptive, including sexual harassment.

The above includes any form of Sexual harassment that is defined as:

- Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.
- Submission to such conduct is stated either explicitly or implicitly as a condition of an individual's employment or career advancement
- Submission to or rejection of such conduct is used as a basis for employment or promotional decisions affecting an individual or;
- Such conduct has the purpose of or effect of unreasonably interfering with work performance or creating an otherwise offensive working environment.

Sexual harassment may include dirty jokes, inquiries into personal matters, touching, persistent advances, mental or physical intimidation, and explicit sexual contact.

Harassment based on membership in a protected class includes:

- Name calling or derogatory comments based upon a person's status as a member of a protected class:
- Displaying posters or cartoons which demean or offend a particular protected class:
- Explicitly racist remarks or: Threatening, abusive or assaultive behavior directed against someone because of his/her protected class.

Webster County will not tolerate harassment. Engaging in any act of harassment may result in discipline up to and including termination. Furthermore, anyone who engages in conduct which is found to constitute harassment in violation of this policy may be held personally liable for any damages, including attorneys' fees and costs, suffered or incurred by the County as a result of such activities.

If you believe that you or some other employee of the Webster County is a victim of illegal harassment, you should discuss the questionable activities with your supervisor, Elected Official/department head, or the County Clerk.

All reports of harassment will be kept in confidence, except as is necessary to investigate the complaint, to take appropriate corrective action, or to respond to any legal and/or administrative proceedings arising out of or relating to the harassment report. All concerns will be addressed as promptly as feasible either by investigation or other means appropriate under the circumstances.

The resolution of a complaint and any disciplinary action to be taken up to and including termination of employment will be determined from the facts and circumstances and on a case-by-case basis. If a party to a complaint does not agree with its resolution, he/she may file written comments with the person responsible for handling and resolving the complaint.

Retaliating against an employee for making a report of harassment is prohibited.

Personal Relationships Policy

An employee who is involved in a personal relationship with another employee may not occupy a position in the same department as, work directly for or supervise the employee with whom he/she is involved. *Personal relationship* is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

Webster County reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions. Supervisors and Department Heads are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

When a conflict or the potential for conflict arises because of a personal 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. If such personal relationship is established after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Elected Official /department head or manager. When a conflict or a potential for conflict arises because of the relationship affecting employment, the individuals concerned will be given the opportunity to decide who is to be transferred to another position or terminated if no position is available. If the decision is not made within 30 calendar days, the Department Head or Elected Official will decide who is to be transferred or, if necessary, terminated from employment.

Personal Business/Personal Telephone Calls

We recognize that employees must sometimes place or receive personal calls on County telephones. However, the County Communication system (i.e. telephone, cell phone, e-mail, internet, etc.) are intended primarily to serve the needs of the County; it is essential that employees limit personal business to emergencies or essential personal business and keep them as brief as possible. All long distance calls shall be carefully logged by each Department and be subject to review by the Commission. No long distance telephone calls of a personal nature shall be made by any County employee at County expense. If in the event of an emergency an employee must make a long distance call, the employee will be expected to reimburse the County for the expense of the call.

When an employee is scheduled to work, he/she is requested to devote the hours to the County. Should an employee need additional time off, it will need to be approved prior to the time off. Abuse of this policy will subject employees to disciplinary action up to and including termination.

Cellular Telephones

Cellular phone calls during working hours distract employees from their job responsibilities and may be disruptive to customers and co-workers. Employees are therefore asked to limit the use of personal cell phones at the work place. This includes, but is not limited to, personal cell phone use for calls, texting, and social media.

County-owned cellular phones are provided to certain employees as an essential tool to perform their job duties. Webster County owns the equipment and pays for the airtime for these employees. Any employee who uses the phone for personal business, makes unauthorized toll calls, excessively calls directory assistance or exceeds the limit of minutes during a billing period shall be subject to paying the unauthorized charges.

Sunshine Law

Chapter 610 of the Revised Statutes of Missouri – often called the Sunshine Law – provides rules regarding public records. The following is our best understanding of how these rules affect cellular telephones.

Invoices for cellular telephones (including lists of calls received/made) are public record IF the account is paid by the County (see definition of “Public Accounts” later in this Policy). Unless explicitly closed for some legal purpose pursuant to Chapter 610 of the Revised Statutes of Missouri, these records must be kept together with other expenditure documentation in the office of the Elected Official making payment (i.e. County Clerk or County Treasurer). There, the statements (including documentation of call activity) are subject to public review upon receipt of a written Sunshine Law request.

Therefore, if any part of a county-paid invoice should be a closed record, it is the responsibility of the individual user to redact the information before the invoice is submitted for payment. If the entire bill is considered closed, the individual should present a substitute statement for payment, and secure the invoice with the other closed records under their control.

It is the opinion of Webster County that private invoices and/or statements (see definition of “Reimbursed Accounts” later in this policy) are not public record.

A strict interpretation of the Sunshine Law may indicate that any text message or e-mail sent/received on a cellular telephone provided by County funds (regardless of content) is a public record. Given the difficulty of creating a system to retain and archive all such digital communication, it is the policy of Webster County not to provide texting and/or e-mail capability on any cellular telephone account provided by County funds. Anyone deviating from this policy is responsible for providing a method of retaining these records (for example, regular transfers to other media).

Texts and/or e-mails sent/received on private cellular telephones *generally* are not public record.

We believe this is true even for private accounts for which an official or employee receives partial reimbursement (stipend). However, there are exceptions. For instance, a text message sent between two County Commissioners (which constitute a quorum of the County’s governing body) – regardless of content or even who owns the phone – can be construed to be a public record. Officials or employees involved in such digital communication are responsible for retaining these messages pursuant to Chapter 610. If there is any doubt whether a given text message falls under the Sunshine Law, it should be retained.

Payments

In general, the policy is based on the distinction between:

Category One: Reimbursed Accounts

- a) Cellular telephone accounts where the contract for service is issued in the name of the individual Elected Official, Department Head or Employee; and

- b) For which a person receives a regular stipend to offset private expenses incurred in their public duties; and
- c) Where the phone device itself was purchased by private funds.

Category Two: Public Accounts

- a) Cellular telephone accounts where the contract for service is issued in the County's name; or
- b) Where the phone device itself was purchased with public funds; or
- c) Cellular telephone accounts where payments are paid directly from public funds to the company providing service.

These categories were determined for the purposes of this policy only. It is not intended to infer that these distinctions were established by statute or have more legal standing than any other county policy.

Eligibility

It is deemed acceptable that any Elected Official, Department Heads, and Deputy Sheriffs are eligible to establish either a Reimbursed Account or Public Account for cellular telephone service – subject to appropriations. However, no contract for cellular telephone or any other service may be executed in the County's name (or under an Elected Official's 'veil of authority'; i.e. *John Doe, County Clerk*) without approval of the County Commission.

It may also serve a public purpose to provide certain employees with a Reimbursed Account for cellular telephone service. The criteria for determining which employees are eligible are:

- Frequent Travel for Public Benefit
- Employees who are often "On-Call"

For all such employees, the reimbursement must be a reasonable use of public funds, and the amount of reimbursement should be roughly proportional to the amount of expense incurred for public benefit.

The determination of eligibility is to be made by the Elected Official or Department Head who acts as their supervisor – subject to appropriations.

Reimbursed Accounts

Payment of cellular telephone stipends will be made as part of the regular bi-weekly payroll cycle. Therefore, all such reimbursements must be paid through the General Revenue, Assessment, or Road & Bridge funds. By federal law, stipend payments are considered taxable income *unless* documentation is provided that: a) personal cellular telephone service exists; b) the business use of that personal account is greater or equal to the amount of the stipend.

The dollar amount of reimbursement should be determined annually by the responsible Elected Official or Department Head, as part of the County Budget. Elected Officials who wish to provide reimbursement from discretionary "Side Funds" may accomplish this by arranging with the County Treasurer for periodic transfers to the General Revenue Fund.

To comply with IRS guidelines, officials and/or employees should provide one complete invoice for personal cellular telephone service (demonstrating the service exists and the business use is equal to or greater than the stipend). Then, once every year, individuals receiving a stipend must provide the front page of their personal cellular telephone bill to document that such services continues (and the amount paid for that service). If this is not done, the total annual amount of reimbursement received will be reported as taxable income on the individual's W-2.

Public Accounts

Payments made by public funds directly to the cellular telephone service provider may be made from any Fund (including discretionary 'side funds'), subject to the normal invoice-approval procedures of that Fund.

The question of private use of a public cellular telephone account is somewhat complicated. Cellular telephones are a basic tool in contemporary society. It is not practical to restrict use of cellular telephones paid by public funds solely to public use, as the result would require individuals to carry two devices and somehow segregate calls by their content. Therefore, a large degree of latitude is given to eligible individuals – as long as such usage does not represent a significant additional financial burden to Webster County.

In general, options purchased (i.e. amount of monthly airtime and features such as internet access) should reflect the public use of that device. If personal use results in repeated additional costs not covered by the normal charges under the Public Account, the Elected Official or Department Head with oversight should consider making the individual reimburse the County for those expenses.

Disclosure Form

Any eligible person must complete and return the form on page 66 (with required attachments) prior to receiving a stipend (reimbursable account) or being issued a county-paid cellular phone (public account).

Upon termination, for whatever reason, employees must immediately turn in County-owned cell phones. Failure to turn in and/or cease use of the cellular phone the employee will be subject to all charges incurred for airtime and for the cost of the phone.

Cellular Telephones While Driving

Use of a cellular telephone (including texting & e-mail) for any purpose (public or private) while operating any motor vehicle on County business is strictly forbidden. This applies to all county officials and all categories of employees, whether full-time, part-time or temporary. Violations of this policy will be grounds for appropriate discipline.

If the use of a cellular telephone is required to conduct County business while operating any motor vehicle, the official or employee should pull the vehicle to the side of the road or any safe location. If it is not possible to do so, cellular telephones should not be used.

Exceptions may be made for use via a 'hands-free' device, or for emergencies where the belief exists that use of a cell-phone is necessary to save a life or property.

Travel Expenses

Elected Officials/department heads, County officials, and employees shall be reimbursed for official travel and related expenses while carrying out official duties or attending professional conferences and training courses that will benefit both the employee and the County.

All persons authorized to travel shall be reimbursed for actual air, bus, taxi or train fare to and from the travel destination, actual room cost for overnight lodging, taxi fares, tips, and other travel-related expenses upon proper presentation of appropriate itemized receipts on a County travel expense voucher.

The time required to get to and from a meeting is counted as time worked. Statutory minimum is for driver only and must be approved by the County Commission. In the event of an overnight meeting, work time will end at the end of the first day's scheduled meeting time. Work time will start the next day at the beginning of the scheduled meetings. Morning and evening meals will only count as time worked if there is business conducted during the meal. The meeting agenda may be required as proof of hours worked.

All efforts shall be made to keep travel expenses to a minimum. The following expenses for approved travel shall be reimbursed according to established allowances or actual cost when accompanied by receipts or other documentation as required and appropriate:

- Direct travel including air, bus, taxi, and train fares
- Direct travel by personal vehicle at the established rate per mile or at an amount equal to common carrier fare, whichever is less, if approved by the Elected Official/department head
- Meals (maximum of \$35 per day) and tips, when applicable
- Other reasonable and related expenses

The following travel expenses shall not be reimbursable:

- Costs incurred by a spouse or other relative accompanying an employee
- Personal expenditures such as valet service, laundry and cleaning, intoxicating beverages, entertainment, or side trips
- Traffic tickets or fines incurred by the employee

Any employee using their personal vehicle for the travel shall be a licensed and fully qualified driver and have insurance as per State requirements. Records for mileage driven by either odometer reading or MapQuest or Google Maps must be provided for reimbursement.

An employee wishing to combine a vacation by private vehicle with a business or convention trip must have the Elected Official/department head's approval, or where appropriate, the County Commission's approval. The employee will be reimbursed for travel to the destination based upon the common carrier fare or the established rate per mile for personal vehicles, whichever is less.

A travel expense voucher must be completed within ten (10) days after returning from a trip.

All travel expense vouchers must be approved by the Elected Official before being processed for payment. In the event of an overnight meeting, work time will end at the end of the first day's scheduled meeting time. Work time will start the next day at the beginning of the scheduled meetings. Morning and evening meals will only count as work time if there is business conducted during the meal. Meeting agendas can be presented for proof of hours.

Use of Personal Vehicle for Official Business

Employees required to use their personal vehicles for official County business shall be compensated at the rate set by the County Commission. All departments are encouraged to promote the use of County vehicles whenever possible in lieu of use of personal vehicles for County travel purposes. Use of a personal vehicle must have prior informal approval and show proof of insurance to the department head if reimbursement is expected. Records of mileage driven (by odometer) and reimbursement requested shall be submitted by the employee to the department head on a monthly basis.

Use of County Vehicles and Equipment

Employees who are assigned take-home vehicles from the County fleet are prohibited from using the vehicle for any use outside of County business. Employees shall report to the appropriate law enforcement department any accidents involving a County vehicle and the property or vehicle of another party. Employees shall report any accident involving damage to a County vehicle to their Elected Officials/department head and the County Clerk. Failure to report damage of County vehicles as prescribed may result in disciplinary action up to, and including, termination of employment.

Substance Abuse Policy

Webster County is committed to a concerted effort to maintain a drug-free and alcohol-free work environment. The use, influence, sale, or possession of an illegal drug, alcohol, or controlled substance while on County property, operating County equipment, or while performing County business is cause for immediate termination. Use of intoxicants in any manner while on duty or

within 8 hours prior to scheduled duty is not permitted. Employees must inform their Elected Official/department head within five (5) calendar days if they are charged with or convicted of a drug or alcohol related offense.

Prescriptions are to be carried and used only by the individual for whom they are prescribed. Such drugs must be used only in the manner, combination, and quantity prescribed. Failure to adhere to these policies may result in immediate termination.

Drug Testing/Job Related Accidents and Injuries

It is the policy of the County to provide safe, dependable, and economical services to its citizens and to provide safe working conditions for its employees, and to comply with the requirements of federal law and regulations related to the Drug Free Work Place Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991. It is also the policy of the County to provide healthy, satisfying working environments for its employees.

To meet these goals, it is the policy of the County to ensure that its employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; to create a workplace environment free from the adverse effects of alcohol and controlled substance abuse or misuse; to prohibit the unlawful manufacture, distribution, dispensing, possession or use of alcohol and controlled substances; and to encourage employees to seek professional assistance when personal problems, including alcohol and controlled substance dependency, adversely affect their ability to perform assigned duties.

The purpose of this policy is to assure worker fitness for duty and to protect employees and the public from the risks posed by the use of alcohol and controlled substances. It is also the purpose of this policy to comply with all applicable federal and state regulations governing workplace alcohol and controlled substance abuse programs mandated under the above-noted acts. These acts mandate urine drug testing and Breathalyzer alcohol tests for safety-sensitive positions and prevent performance of safety-sensitive functions when there is a positive test result.

The federal law has also established standards for the collection and testing of urine and breath specimens, for the reporting of certain drug-related offenses, for protective measures for certain employees tested, for the preservation of confidentiality, and for certain reporting.

(a) Applicability

This policy applies to all safety-sensitive employees who perform safety-sensitive functions as these persons and activities are defined in the Omnibus Transportation Employee Testing Act and its implementing regulations, including but not limited to persons who are required to possess a CDL license for the operation of a commercial vehicle and all law enforcement and emergency services personnel, as well as others in safety-sensitive positions in the jurisdiction.

(b) Definitions

(1) Administrator - designated by the County Commission.

(2) Commercial vehicle - as defined in the Missouri statutes requiring commercial drivers' licenses.

(3) Delay - any failure to immediately report to the test site to participate in the required testing under this policy.

(4) Policy Administrator - Unless otherwise designated by the County Commission, the designated policy administrator for the County is the County Clerk or County Sheriff, who shall be designated as the controlled substance and alcohol policy administrator. Any inquiries concerning this policy, its application, its administration, or its interpretation shall be made to the policy administrator. Individuals who are applying for positions with the County and affected employees shall be notified of the positions that are covered by this policy. The policy administrator shall develop all forms necessary to carry out the provisions of this policy, unless the forms are provided under the federal regulations. The forms shall be provided to appropriate persons who are responsible for the implementation and management of this policy.

(c) Alcohol & Controlled Substances Prohibitions

An employee is prohibited from the operation of a commercial motor vehicle and/or from engaging in any work-related functions for alcohol-related conduct: (1) while consuming alcohol; (2) while having a blood alcohol concentration of 0.02 or greater; (3) within four (4) hours of consuming alcohol; (4) after refusing to submit to an alcohol test; and (5) from consuming alcohol within eight (8) hours after an accident as specified in this policy.

An employee is prohibited from the unauthorized possession of alcohol while on duty and of controlled substances at any time, whether on or off duty.

Any employee convicted of illegal conduct related to controlled substances or alcohol or who fails to report such a conviction to the policy administrator shall be subject to immediate termination from service.

Any employee whose job performance requires the possession of a valid CDL and who loses the CDL for a violation of or as a consequence of the law shall be subject to disciplinary action up to and including termination from service. The employee shall notify the policy administrator and the employee's immediate supervisor or Elected Official/department head of the loss of the CDL. Failure to notify the policy administrator of the loss of the CDL shall result in immediate termination from service.

Any employee who is consuming a prescribed or authorized controlled substance or other substance of any kind whose side effects may inhibit or impair the employee's performance shall provide written notice to the policy administrator of such consumption upon reporting to work and prior to engaging in any work-related activity, or earlier if possible. Failure to report shall be cause for disciplinary action up to and including termination from service.

(d) Controlled Substance & Alcohol Testing Provisions

Employees subject to this policy shall be subject to controlled substances and alcohol testing including the following types of tests: pre-employment testing; random testing (except as

provided herein); reasonable suspicion testing; post-accident testing; return-to-work testing; and follow-up tests to rehabilitation programs.

Pre-Employment Testing

Pre-employment urine drug testing shall be required of all applicants for positions covered by this policy as a condition of the application procedure. Future employment as defined shall be considered as if the application was for original entry into service for purposes of this policy. Receipt of satisfactory test results is required prior to commencement of employment and/or engaging in safety-sensitive functions, and the failure of a controlled substance or alcohol test disqualifies an applicant from appointment to employment for a period of at least 120 days. Evidence of the absence of controlled substances or alcohol dependency from a Substance Abuse Professional (SAP) and negative controlled substance and alcohol tests shall be required prior to further consideration for any employment, including reports from prior employers upon an employee's written authorization.

Reasonable Suspicion Testing

Reasonable suspicion testing shall be used to determine fitness for duty evaluations, including appropriate urine and/or breath testing when there are objective observable reasons to believe that a controlled substance or alcohol use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing shall be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance use. Reasonable suspicion observations and reports can only be made by a department head or Elected Official who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of the controlled substance or alcohol. The observing supervisor or Elected Official/department head, whether or not the person is the employee's immediate supervisor or Elected Official/department head, is required to complete the appropriate required documentation concurrently with the observation and consideration to impose reasonable suspicion testing.

Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case no later than before eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing.

Post-Accident Testing

Post-accident testing shall be required to test employees after a vehicular accident has occurred in which a fatality has occurred, or when a traffic citation is issued to a County employee after an accident, or testing may be required where injury to a person requires transport to a medical treatment facility, or disabling damage to one or more vehicles requires towing from the accident site to occur. Testing shall include both breath alcohol and urine drug testing of the employee(s).

Post-accident testing shall be required and completed whenever possible within two (2) hours of the reported accident occurrence, but in any case no later than eight (8) hours after the accident for breath alcohol testing and thirty-two (32) hours for controlled substance testing. An employee involved in an accident shall refrain from alcohol consumption for eight (8) hours

following the accident. If the injury occurred as the result of a vehicular accident, the employee will be sent home until results of the test are received.

Employees may use certain benefits ('comp time' or vacation, but not sick pay) to receive compensation while waiting for results of drug test if the results are negative. If the test results are positive, there will be disciplinary action in the form of unpaid administrative leave or termination, at the direction of the employee's supervisor.

Random Testing

Random testing shall be conducted on all persons covered by this policy. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically based selection method. Testing shall be conducted and ordered by appropriate supervisory personnel, but no less frequently than required by federal law and regulations, and in such numbers as is minimally determined under the regulations.

Return-to-Work Testing

Return-to-work urine drug and alcohol testing for all employees covered by this policy shall be required for all employees who previously tested positive on a controlled substance or alcohol test. The employee must test negative and be evaluated and released to return to work by an SAP before being permitted to return to work.

Follow-up Testing

Follow-up testing of employees returning to work shall be required. Employees shall submit to frequent, unannounced random urine drug and breath alcohol testing at least six (6) times in the following twelve (12) months after returning to work. Random testing may be continued for a period of up to sixty (60) months from the employee's return to work date.

Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be conducted on a split sample that was provided at the same time as the original sample and the test analysis shall be conducted at a different qualified laboratory than where the original test was conducted. All costs for employee requested testing shall be paid by the employee unless the second test invalidates the original test. An employee's request for a re-test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of the notice to the employee of the initial test result. Requests made after the seventy-two (72) hour limit will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

The method of collecting, storing, and testing the split sample required under this policy shall be consistent with the procedures established in 49 CFR Part 40.

Failure to test

Any employee who fails to submit to the required testing under this policy is considered to have tested positive and shall be subject to all of the consequences that flow related to positive testing.

Any employee ordered to test shall report immediately to the test site upon being ordered to submit to testing. No delay of any type may be granted or taken. Delay in reporting by the employee shall be treated as a refusal to test and shall subject the employee to all of the consequences that flow related to positive testing. Failure to provide a sufficient sample or for providing an adulterated sample shall be considered as a refusal to test and shall subject the employee to all of the consequences that flow.

(e) Testing Controls

ALCOHOL: Federal regulations require breath testing to be done on Evidential Breath Testing devices approved by the National Highway Safety Administration. An initial screening test is conducted first. Any result that is less than 0.02 blood alcohol concentration is considered negative. If the blood alcohol concentration is 0.02 or greater, a second confirmatory test must be conducted. Any employee who tests with a blood alcohol concentration of 0.02 or greater shall be removed from service for at least twenty-four (24) hours.

Any employee who is found to have engaged in prohibited alcohol conduct under this policy shall be immediately removed from work-related activity; and the employee shall not be permitted to resume work until the employee is (1) evaluated by an SAP, (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in a follow-up test.

CONTROLLED SUBSTANCES: Controlled substance testing is conducted by analyzing an employee's urine (or hair) specimen performed at a laboratory certified and monitored by the U.S. Department of Health & Human Services. The list below is some of the controlled substances that may be tested for (this may not be a complete list):

- (1) Marijuana (THC metabolite)
- (2) Cocaine
- (3) Amphetamines
- (4) Opiates (including heroin)
- (5) Phencyclidine (PCP)

The testing for controlled substances is a two-stage process. First a screening test is conducted. If the test is positive for one or more of the controlled substances, a confirmatory test is conducted for each identified controlled substance. The confirmatory test is a gas chromatography/mass spectrometry (GC/MS) analysis.

Any employee who tests positive on the confirmatory test shall be interviewed by the County's Medical Review Officer (MRO). The employee shall be immediately removed from work related activity; and the employee shall not be permitted to resume work until the employee is (1) evaluated by an SAP, (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in a follow-up test.

(f) Employment Assessment

An employee who tests positive for the presence of controlled substances or alcohol above the minimum thresholds set forth in the federal regulations shall be evaluated by an SAP. The SAP

shall evaluate each employee who tests positive to determine what assistance, if any, the employee needs in resolving problems associated with the controlled substance or alcohol.

Assessment by an SAP does not protect an employee from disciplinary action or guarantee continued employment or reinstatement by the County. The County's disciplinary policy provides guidance to the discipline that may be imposed, unless otherwise stated in this policy.

(g) Rehabilitation Effort

Any employee who is determined to be in need of assistance for a controlled substance or alcohol-related problem under this policy by the SAP may be permitted to enter into a rehabilitation plan approved by the County, provided the employee agrees to adhere to the terms of the rehabilitation contract with the County. Rehabilitation assistance may only be granted to an employee once while employed by the County. Failure to complete the rehabilitation assistance plan or to adhere to the rehabilitation contract shall be considered a resignation by the employee from employment with the County.

The rehabilitation contract shall include the following terms and conditions to be adhered to by the employee who is granted rehabilitation assistance:

1. The employee shall agree to undertake and successfully complete the rehabilitation assistance plan established for the employee by the SAP or by a rehabilitation professional accepted by the County; and
2. The employee agrees to refrain from any violation of this policy and the use of controlled substances and alcohol consistent with the plan of rehabilitation and this policy; and
3. The employee provides a release of all medical records for use and review by the County relating to the rehabilitation assistance plan for the assistance undertaken and compliance; and
4. The employee agrees to unannounced random testing for County-determined periods of time subsequent to the employee's return to work consistent with this policy; and
5. The employee agrees to submit to return-to-work testing demonstrating that the employee is negative under controlled substance and/or alcohol test standards; and
6. The employee agrees that any future controlled substance or alcohol violations shall be considered as a resignation of the employee from County service without recourse.

(h) Contractual Support Professionals

The County shall secure a contract with an appropriately certified testing laboratory to conduct the controlled substance testing analysis and reporting required under this policy and under the federal regulations in conformity with the standards established under the federal regulations. The County may contract for the required alcohol testing or may perform the testing using qualified County personnel who utilize appropriate testing equipment.

The County shall engage the services of an independent contractor to serve the County as the MRO properly credentialed and trained in compliance with the federal regulations, who shall not be an employee of the County. The MRO shall, as a part of the engagement contract, maintain all relevant records and provide the required reports that the County needs to comply with the federal reporting requirements.

The County shall appoint an SAP for the providing of services under this policy and in compliance with the federal regulations.

(i) Confidentiality

All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the County, the testing laboratory, the MRO, and the SAP, when and as applicable. The records shall be maintained separately from other personnel records kept by the County and shall be kept in a secured location with other medical records. Materials shall not be released to others without the written consent of the affected employee, except under provisions provided in the federal regulations, as needed with regard to the rehabilitation contract, in litigation or quasi-judicial and administrative proceedings related to positive test results and/or to matters initiated by an employee.

(j) Disciplinary Issues

Unless otherwise specified in this policy, the County's policies related to disciplinary action shall be followed when imposing discipline for violation of this policy.

The acceptance by an employee of the rehabilitation assistance plan and contract does not serve as a bar to imposing disciplinary action related to violations of this policy.

Any supervisor or department head who knowingly permits an employee to violate this policy or engage in work activity while consuming alcohol or a controlled substance or fails to enforce this policy shall be subject to immediate termination from employment.

This policy does not displace any other penalties that may be imposed or be incurred as a result of violation of County policy or state and federal laws, or as provided in the workers' compensation laws.

(k) Amendments

This policy is subject to amendment by the County from time to time. Amendments that are made shall be provided to employees upon adoption and shall become effective as provided by the policy administrator.

Smoking

In consideration of our employees' health and for the safety of our work environment, Webster County prohibits the use of smoking, tobacco chewing, or dipping (of any product) outside of the designated areas and while on duty. Smoking in County-owned vehicles is not permitted. We ask employees to be considerate when dealing with the public and not to smoke, chew tobacco, or dip in their presence.

This policy applies equally to all employees, clients and visitors. Employees who smoke will not be allowed more work breaks or longer work breaks than nonsmoking employees.

Benefits

Holidays

All full-time employees shall receive compensation for the following holidays (Part-time employees with benefits will receive up to eight (8) hours holiday pay only if the holiday falls on their scheduled work day):

New Year's Day	Martin Luther King, Jr. Day
Washington's Birthday	Lincoln Day
Truman Day	Memorial Day
Independence Day	Labor Day
Columbus Day	Veteran's Day
Thanksgiving Day	Christmas Day

To receive pay for the holiday, employees must work the full scheduled shift prior to the holiday and the full scheduled shift following the holiday. Those employees using paid vacation time or compensatory time the shift before and/or after the holiday will receive holiday pay. Vacation or compensatory time **must** be used for any time not worked during the shift prior to or immediately following to the holiday to receive holiday pay. Sick time may only be used if no comp or vacation time is available the County reserves the right to require documentation from a physician.

Eligible part-time employees (those working an average of 30 hours or more per week in a 12 month period) have the additional requirement that they will receive allowances for holiday pay only if the holiday falls on a day they are normally scheduled to work. Also, eligible part-time employees will receive a pro-rated benefit, calculated by dividing the average number of hours worked by forty, and multiplying that percentage by eight. For example, an employee who normally works 32 hours per week will receive 6.4 hours of the holiday pay, as compared to the 8 hours earned by an employee working 40 hours per week ($32 / 40 = 80\%$; $80\% \text{ of } 8 \text{ hours} = 6.4$).

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. Full time emergency personnel, who are required to work holidays, will be given an eight-hour "floating holiday" to be added to an Emergency Holiday accrual bank that may be taken at any time. Emergency personnel may accumulate up to 24 hours.

The County Commission shall be the only person authorized to declare special holidays or days off as an unusual need or circumstance may occur. The Commission reserves the right to change observed holidays to better accommodate the needs of the County.

Vacation Time

Webster County encourages its employees to have a good work-life balance. To better enable

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employees to have that balance, full-time employees are eligible for vacation on the following schedule:

- 1 - 2 years of employment – 1 week (40 hours)
- 3 - 6 years of employment – 2 weeks (80 hours)
- 7 - 11 years of employment – 3 weeks (120 hours)
- 12 or more years of employment – 4 weeks (160 hours)

Vacation time will be granted to the employee on their anniversary date with the County.

Eligible part-time employees earn paid vacation. The number of hours received will be pro-rated, comparing the average number of hours worked by the employee to those worked by full-time employees. (i.e., an average of 30 hours per week = 75%, or 3/4s. of the chart above). Vacation hours earned will also be reduced, or pro-rated, for any employee who works less than 70% of their regular schedule during a given work-year (based on anniversary date).

All vacations will be approved in advance by the department head. Vacation leave shall be used in its entirety within the year earned. Unused vacation will be forfeited at the end of the anniversary-date year. Vacation leave must be taken as time off -- no pay will be issued in lieu of vacation leave.

The Supervisor or Elected Official retains the right to deny vacation requests due to staffing or other needs.

Any legal holiday, as listed in this manual or as declared by the County Commission, occurring during an employee's scheduled vacation leave shall be paid as holiday time and shall not be counted as a day of vacation.

If an employee is confirmed ill or injured and needs and desires to use accrued vacation time along with sick leave time, he or she may do so with the understanding that accrued vacation time cannot be used in excess of what is remaining and due given the employee's tenure and the afore-referenced schedule.

Upon termination of employment from the County, employees will be compensated for any unused, earned vacation.

Sick Time

Regular full-time employees shall earn 1.85 hours of sick leave for each complete pay period and be allowed to accumulate up to 45 days.

While earning sick time from date of hire, employees are only able to use sick time after the successful completion of the thirty (30) day introductory period. Employees may earn a maximum of 360 hours. Sick time carries over from one calendar year to the next. Sick time can

be used for the employee's own illness or the illness of an immediate family member as defined in this handbook.

Eligible part-time employees will receive sick pay. The number of hours earned will be pro-rated, comparing the average number of hours worked by the employee to those worked by full-time employees. For example, an employee working 30 hours per week will earn sick pay at $\frac{3}{4}$ of the rate earned by an employee working 40 hours per week. Currently, full-time employees earn 48 hours per year (1.85 hours every two week pay period). Therefore, the employee in this example will earn 36 hours of sick pay every year.

Employees must call in when using sick time according to their department call-in procedure. Sick time may be used in less than full or half day increments. Sick time may be used for a short-term illness or extended illnesses and may be used in conjunction with FMLA at the County's discretion.

An employee shall not be granted sick leave pay nor in effect receive a refund of vacation for illness or injury incurred while on vacation time.

Upon termination of employment from the County accumulated, unused sick leave is payable at the rate of 25% of 360 total accumulated hours upon termination of employment with Webster County provided the employee provides two weeks' written notice and works all scheduled shifts during those two weeks. Upon involuntary termination, employees may not be eligible to receive compensation for any unused, earned sick time.

Bereavement Leave

In the event of a death in the immediate family of a full-time regular employee who has completed their orientation period, he or she may be allowed up to three (3) consecutive days paid leave. This is defined as spouse, child, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, grandchildren, grandparent or steps of any of the previously listed, ie. step-mother, step-father, etc.

An employee who is requesting bereavement leave is required to discuss with his/her Elected Official/department head; the amount of time off he/she will actually need and date of expected return. An employee may use his/her accrued personal time to attend the funeral of an individual that is not included in the list above.

Should a regularly scheduled holiday fall within these three days, the employee may receive compensation for a total of up to 3 funeral days and holiday pay.

Health and Other Insurance

Health, dental, vision and other insurance is available for eligible employees and their dependents. See the Employee Benefit Booklet for more information about available coverage.

Employee Benefit Booklets are available in the County Clerk office.

After completion of the ninety (90) day orientation period, the County Employee Retirement Fund provides a life insurance policy for all eligible employees. Employees may purchase more life insurance at their own expense. Employees are encouraged to review the beneficiary information to ensure it is correct.

Continuation of Coverage (COBRA)

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with Webster County, the employee is entitled to continue participating in the County's group health plan for a prescribed period of time, usually 18 months. (In certain circumstances, such as an employee's divorce or death, the length of coverage period may be longer for qualified dependents.) COBRA coverage is not extended to employees terminated for gross misconduct. Former employees selecting continuation of benefits under COBRA must pay the total applicable premium plus a 2% administrative fee. Coverage will cease if the former employee fails to make premium payments as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions or become eligible for Medicare. For detailed information or questions on COBRA, employees are requested to check with the County Clerk or County Commission.

Retirement Plan

Participation in the CERF (County Employees Retirement Fund) is mandatory for eligible employees hired on or after January 1, 2000 and working at least 1000 hours during the year. To be vested in CERF, employees must have eight (8) years of continuous service with the County. See CERF plan for details located in the County Clerk's office.

If you are an eligible employee who is scheduled to work at least 1000 hours during the year, you will participate automatically upon hire. If you are hired into an eligible part-time position, but work at least 1000 hours in a calendar year, you will enroll immediately upon hire as well. If you are hired on a part-time basis to work less than 1000 hours during the year, you will not be enrolled in CERF at the time of hire. However, if you reach 1000 during the calendar year, you will become eligible for CERF and will enroll as follows:

- If you reach 1000 hours on or before June 30, you will enroll on July 1 of the current year.
- If you reach 1000 hours after June 30, you will enroll on January 1 of the following year.
- If you are hired in a full-time position, then change to a part-time status you will remain in CERF and continue to make the required contributions regardless of the number of hours you work. This part-time service will be calculated using the 91-hour rule.

As a participant, whether full-time or part-time, you will remain in CERF until you terminate your employment with the County for a period greater than thirty (30) days. Please keep your address updated with CERF in order to continue to receive important information regarding your benefits.

For more information about CERF, contact the County Clerk's office.

Deferred Compensation

Full-time employees, and part-time employees enrolled in CERF working more than 999 hours in the calendar year, may elect to participate in a deferred compensation program offered by the County. The County does not participate monetarily in this program.

Jury Duty

Full-time and part-time employees subpoenaed as a witness in a civil or criminal case or selected to serve on a jury shall be granted paid leave during their absence. Part-time employees will be paid only for hours scheduled to work. All payments provided by a court for jury service shall be turned over to the employee's Elected Official/department head and transmitted to the County Treasurer for deposit as miscellaneous revenue. Employees may keep monies received for mileage reimbursement.

Essential personnel such as law enforcement employees and Elected Official/department heads may be required to request to be excused from jury duty by the court.

Introductory employees are not eligible to receive paid court leave.

Unemployment Insurance

Unemployment compensation is for the benefit of persons who become unemployed through no fault of their own and provides economic security for displaced employees in the event of layoff becomes necessary due to the lack of work. As a legitimate employer, Unemployment Insurance Tax is paid as directed by Federal and State law.

Worker's Compensation Insurance

All employees are covered by workers' compensation insurance, which compensates an employee for lost time, medical expenses, and loss of life or dismemberment from an injury arising out of or in the course of work. Employees must report any accident or injury immediately to his/her supervisor, Elected Official/department head and the County Clerk so the necessary paperwork may be completed. See page 71 for step-by-step instructions for if you are injured on the job.

Leave of Absence

Maternity and Paternity Leave

Webster County allows employees to take time off due to 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. Requirements for the leave are described below in the FMLA policy. If you have questions regarding the leave, contact your Elected Official/department head or the County Clerk's office.

Family Medical Leave Act (FMLA)

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles. The County uses a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave within the calendar year.

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

- (1) 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;
- (2) To care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- (3) For a serious health condition that makes the employee unable to perform the employee's job.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- A. Either an overnight stay in a medical care facility, or
- B. Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job. **Note:** Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment; or
- C. Prevents the qualified family member from participating in school or other daily activities.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

- A. Attending certain military events,
- B. Arranging for alternative childcare,
- C. Addressing certain financial and legal arrangements,
- D. Attending certain counseling sessions; and
- E. Attending post-deployment reintegration briefings.

Note: 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:

- (1) 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*; or
- (2) A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*Note: The FMLA definitions of a serious “injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”. For further clarification go to <http://www.dol.gov/whd/fmla/2013rule/fs-military.htm>

Benefits and Protections

During FMLA leave, the employer will maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. 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. * However, employees that have normal deductions (i.e. benefits, garnishments, etc.) must make prior arrangements with the payroll/accounting department to ensure the all normal payments continue during their leave. If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Use of Leave (Intermittent Leave)

An employee does not need to use this leave entitlement in one block (i.e. full 12 weeks at one time). Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Vacation, Sick Time, and Holiday Usage during Leave

During an employee's Leave of Absence, they may use up any vacation and sick time. Should an approved leave of absence occur over a holiday, holiday pay will be paid only if the employee has remaining vacation time. Subject to any limitations imposed by the FMLA, the County may require that accrued paid leave be used simultaneous with the employee's FMLA leave.

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. Payment arrangements should be made with the County Clerk's office.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave.

While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

If you obtain a leave of absence by false pretense, accept other employment while on a leave of absence or fail to return to work at the end of the leave of absence, you are considered to have resigned your employment.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The

County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

Leave for Employees Not Eligible for FMLA

Our medical leave policy follows the same time off allowed as the Family Medical Leave Act, (FMLA), however not all employees will be eligible for FMLA, but will still qualify for medical leave. To comply with the medical leave policy, if you are unable to report to work, you must call your immediate supervisor as soon as possible notifying them of your absence, the reason for the absence and your expected date to return to work. For absences of three consecutive work days or longer to be considered excused absences, you must provide a written Doctors excuse. For elected officials, the County Clerk's office should be contacted with the same information, so that the Commission can be notified of the absence and plans made to deal with the absence, so that the public's business can be conducted with as little impact as possible.

Military Leave

It is the policy of the County to permit military leaves of absence as stated in RSMo 105.270. All officers and employees of this county, or of any department or agency thereof who are or may become members of the National Guard or of any reserve component of the Armed Forces of the United States, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, or of any other rights or benefits, to which otherwise entitled, for all periods of military services during which they are engaged in the performance of duty or training in the service of this state at the call of the governor and as ordered by the adjutant general without regard to length of time, and for all periods of military services during which they are engaged in the performance of duty in the service of the United States under competent orders for a period not to exceed a total of one hundred twenty hours in any federal fiscal year (October 1 – September 30).

Before any payment of salary is made covering the period of the leave the officer or the employee shall file with the appointing authority or supervising agency an official order from the appropriate military authority as evidence of such duty for which military leave pay is granted which order shall contain the certification of the officer or employee's commanding officer of performance of duty in accordance with the terms of such order. The employee must give the official order to the County Clerk's Office and a copy to his or her Elected Official/department head.

County-paid benefits will continue during this time. Benefits will continue till the end of the month leave begins, as if the employee were not on leave. The employee may elect to continue their existing County insurance, for themselves and their dependents, for up to 24 months, while in the military. If an employee's military leave of absence is longer than 30 days, employee payment of the coverage must be pre-arranged in the office of the County Clerk, prior to the beginning of their military leave. In accordance with the Uniformed Services Employment and

Reemployment Rights Act (USERRA), if an employee's military leave of absence is longer than 30 days, the employee is eligible for COBRA-like benefits, for which the employee pays. Employees will receive information in the mail, which explains COBRA rights and responsibilities. Military employees may also elect to seek military health and life insurance benefits, and should make those arrangements with the military, and notify the office of the County Clerk.

Leave beyond the 30 day paid leave may qualify under the Family and Medical Leave Act.

Eligibility

Employees who are called into active duty with the United States Armed Forces during a national emergency, drafted into service or subject to compulsory service and voluntarily enlist, will be granted a military leave of absence without pay in accordance with applicable state and federal laws.

Reinstatement

County employees, on active military duty leave of absence, may apply for reinstatement in accordance with all applicable state and federal laws. Unless circumstances, at the County, change so drastically while the employee is on annual or active military duty, that reinstatement is impossible or impractical, employees returning from military leave will be entitled to restoration to the former position held prior to the leave, or to another position of the same class. The employee's job will not be in jeopardy if a military leave of absence is requested or taken, and if the following conditions are met:

- Proof of honorable discharge;
- Proof of ability to resume the position; and,
- Notice of intent to return to position is given.

Benefit accrual, such as vacation, which would have occurred had the employee not been on military leave of absence, will be reinstated to the employee upon returning to the County after the military leave is over. Employees on active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

No member of the organized militia shall be discharged from employment by the County because of being a member of the organized militia, nor shall he be hindered or prevented from performing any militia service he may be called upon to perform by proper authority nor otherwise be discriminated against or dissuaded from enlisting or continuing his service in the militia by threat or injury to him in respect to his employment.

Leave Without Pay

An employee may request in writing at least 5 working days prior to the expected time of a departure a desire to be granted, by the department head (Elected Official) and the Commission,

a leave without pay. Eligible employees include those who have met their introductory time, who are regular full-time employees of the County.

Return

An employee who has been granted a leave without pay may return with the same rate of pay and with the same or different position so long as that position is consistent with good employment practice. The designation of the position to which the employee returns is at the discretion of the department head and the Commission. It shall be understood that an employee's right to return to the same or a comparable position shall not extend beyond one year.

Reason

The reason need only consist of a "good and sufficient" reason made jointly by the Commission and the department head. This may include leave time for furthering one's education or leave time for some other personal reason where it is in the best interest of the County and the employee to consider eventual return.

Voting

Webster County believes that it is the responsibility and duty of employees to exercise the privilege of voting in elections. All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, managers are authorized to grant a reasonable period of unpaid time during the work day, up to three (3) hours to vote. The County Clerk's Office serves as a Central Polling Place on election days.

Safety

Anti-Violence Policy

Our policy is to strive to maintain a work environment free from intimidation, threats or violent acts. This included, but is not limited to, intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons of any kind, carrying weapons of any kind on County property or job site, except as permitted by County Commission or any other act. Law Enforcement Officers may carry weapons while on duty as allowed by their position. "Any other act" is defined by the County Commission as the Commission's opinion of any other act that is inappropriate in the workplace. In addition, jokes or offensive comments regarding violent events will not be tolerated.

Employees who feel that they have been subjected to any of these behaviors are requested to immediately report the incident to his/her supervisor, Elected Official/department head, or the County Clerk. All complaints will be investigated. Based upon the results of the investigation, disciplinary action will be taken against the offender, if appropriate.

Employees who observe, or have knowledge of, any violation of this policy should immediately report it to management. The failure to bring a violation to management's attention may result in discipline. Employees are empowered to contact the proper law enforcement authorities without first informing management if they believe there is a threat to the safety of others.

Work-Related Accidents

The County is vitally interested in your safety. We expect all employees to work safely at all times and to comply with all safety rules. Employees must report all accidents or injuries immediately (the same day) to the appropriate supervisor or Elected Official/department head.

Employees should report any dangerous work practices immediately to the appropriate Elected Official/department head. Employees should also report any defects or problems with County equipment immediately to the appropriate Elected Official/department head.

Striking a power line with the bed of a dump truck will result in an automatic 10-day suspension without pay. The employee involved will also be required to undergo the same testing requirements as work-related injuries.

To maximize safety in the office or work site areas, employees should keep all work areas neat, clean and orderly.

Report the injury or illness to management and complete an Employee Incident Report.

If medical care is required, go to the designated Emergency Room or Medical Facility.

- Note: Post Accident Drug Screens are performed upon the receipt of medical care.

Failure to report such an infraction may result in employee disciplinary action, including termination of employment in addition to loss of certain benefits such as Workers' Compensation

Non-Work Related Accidents

Employees, who are involved in a non-work related accident and are required to take time off from work, must notify their Elected Official/department head immediately following the treatment of injuries sustained from the accident. A written disability note, and release to return to work note must be obtained from the attending physician and provided to the employee's Elected Official/department head prior to returning to work. If a doctor's release is not provided, the employee will not be allowed to return to work.

Illness/Hospitalization

In order for the County to prevent employees from taking time off of work under a false pretense of an illness or injury, the County reserves the right to require any employee missing three (3) days or more of work due to illness or injury to provide a written doctors release before returning to work. Upon the request of an Elected Official/department head, an employee without a written release will not be allowed to return to work.

Should an employee need to be hospitalized, we ask that the employee the proper Elected Official/department head or if unavailable the County Clerk as to the length of estimated stay in the hospital and/or period of required recuperation from the illness. (A verbal statement will be permitted as long as the written physician statement is provided upon return to work).

Temporary Transitional Work Assignment Policy

Any employee, who sustains a work related injury, may be required to return to work in temporary transitional work assignment under the direction of our designated physician. Our designated physician will determine the employee's physical restrictions that result from a work related injury and notify our County of those physical restrictions. Our County will meet the needs of those physical restrictions and place the employee in a temporary transitional work assignment that is within the physical restrictions set by the physician. This temporary transitional work assignment may be outside the employee's regular duties and may also include work donated to charitable organizations.

The temporary transitional work assignment may also be at a lower wage than the employee's regular wage. If the temporary transitional work assignment wage is lower than the employee's regular wage, the employee will then be eligible for Temporary Partial Disability (TPD) benefits from workers' compensation insurance. An employee who refuses to return to a temporary transitional work assignment position will not be entitled to any lost wages. All positions and job duties in the County's temporary transitional work assignment program are temporary in nature

and may be changed or terminated at the County's discretion. These positions are not permanent accommodations as defined by the Americans with Disabilities Act.

If you have any questions or need further explanation of this policy you should consult your Elected Official/department head or call the Missouri Division of Workers' Compensation at 1-800-775-2667. This toll-free number will connect you with an Information Specialist provided by the Missouri Division of Workers' compensation.

Health and Safety

All employees shall be responsible for performing work assignments in a safe manner. Prime consideration shall be given to safety in all work situations.

All employees shall:

- Be thoroughly familiar with safety requirements and practices applicable to their respective work assignments;
- Actively observe safety practices, and report unsafe or potentially dangerous conditions and accidents or injuries to their Elected Official/department head immediately;
- Refrain from engaging in horseplay, wrestling, hazing of co-workers, and any other unsafe practice under penalty of disciplinary action up to and including dismissal;
- wear protective equipment, use protective devices and wear safety belts in all County vehicles so equipped;
- Report to Elected officials/department heads any suspension, revocation or other loss or potential loss of the right to legally drive a motor vehicle if driving a County vehicle is a responsibility or privilege of the job;
- be properly licensed at the time of employment or assignment to a vehicle (if they are responsible for driving County vehicles).

Safety eye glasses shall be provided for all employees whose jobs warrant such protection as designated by the Elected Official/department head.

Commercial Drivers' License (CDL)

The law requires employers to make certain that drivers of "commercial vehicles," including certain County vehicles, have the required class of commercial drivers' license for the size and type of vehicle they are required to drive. Depending on the particular job requirements, County employees may be required to possess a special class of license. The State may require a written test covering the class of vehicle operated and the applicable endorsements and restrictions.

Endorsements for hazardous materials, passenger, tank vehicle, double/triple trailer and restrictions for air brakes may also be required. Written testing varies with the class of license and the endorsements and restrictions. The actual driving test must be taken in a vehicle falling in the class applied for.

Employees shall be required to have and maintain the necessary class of drivers' licenses at their expense.

Weapon-Free Workplace Policy

To ensure that Webster County maintains a workplace safe and free of violence for all employees, the County prohibits the possession or use of perilous weapons on County property. A license to carry the weapon on County property does not supersede County policy except as permitted by the County Commission. Law Enforcement Officers may carry weapons as required by their positions. Any employee in violation of this policy will be subject to prompt disciplinary action, up to and including termination. All County employees are subject to this provision, including contract and temporary employees, visitors and customers on County property.

" County property" is defined as all County-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the County 's ownership or control. This policy applies to all County-owned or leased vehicles and all vehicles that come onto County property.

"Dangerous weapons" include, but are not limited to, firearms, explosives, knives (other than pocket knives) and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

Webster County reserves the right at any time and at its discretion to search all County -owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including a termination.

Anyone with questions or concerns specific to this policy should contact the County Clerk.

Right to Search

When the County has reason to believe an employee is violating any policy regarding contraband or controlled substances or other rules, the employee may be asked by the County to submit immediately at any time (including breaks and the meal period) to a search of the person and/or to make the employee's locker, lunch box, briefcase, purse, pockets, wallet, personal belongings, desk, vehicles, or any other receptacle the employee uses or has access to, available for inspection. Entry on to County premises constitutes consent to searches and inspections.

Refusal to consent to a search or inspection when requested by the County constitutes insubordination and a violation of County policy which will subject the employee to disciplinary action up to, and including, termination of employment.

Right to Know

As an employee, you have the right to know about any hazardous substances you might use or encounter on the job. We maintain Material Safety Data Sheets (MSDS), which can be found in each facility for each potentially hazardous chemical used in our workplace. Should you be unable to locate the MSDS for a particular substance, please contact your Elected Official/department head.

Security

It is the responsibility of each employee that all tasks be conducted in a safe and efficient manner complying with all local, state and federal safety and health regulations, programmatic standards, and with any special safety concerns identified by Webster County for use in a particular area or with a customer/client.

Although most safety regulations are consistent throughout each department and program, it is the responsibility of the employee to identify and familiarize himself with the Emergency Plan for his working area. Each facility shall have posted an Emergency Plan detailing procedures in dealing with emergencies such as (Fire, Weather, Medical emergency, etc.). Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety.

Failure to follow Webster County safety and health guidelines or conduct which places the employee, volunteer, customer/client or agency property at risk can lead to employee disciplinary action up to and including termination.

Wage and Salary

Webster County compensates employees based on:

- Relative value of their jobs within the County
- Available budget dollars

Pay Period

Webster County work week begins at 12:00am on Sunday morning and ends at 11:59pm on the following Saturday evening except for the Sheriff's Department. The work period for the Sheriff's Department is based on 171 hours in 28 consecutive days.

Webster county employees will receive a compensation payment on a bi-weekly basis. If you have questions about your paycheck, contact your Elected Official/department head or the County Clerk.

Webster County does not give advances in earnings or personal loans.

Employment Categories

In order to determine eligibility for various benefits, the following categories have been established:

Orientation Employee

Each newly hired employee begins on a trial basis as called "Introductory Period" or "Orientation Period". The Introductory Period is for a period of thirty (30) days for the purpose of assessing the newly hired employee's ability to perform assigned tasks. Road department employees are subject to a six month mandatory introductory period, which reoccurs every six months. Such employment may be terminated at any time and for any reasons during the thirty (30) day period (ninety day period for Road Department employees) if the employee or the County deems such action appropriate. In addition, an Elected Official/department head may extend the orientation period if deemed necessary due to poor performance, attendance, or conduct. An employee terminated during the introductory period shall not have access to grievance or appeal processes. The Elected Official/department head shall fill out the appropriate personnel action forms when a decision on termination has been made, and such termination will be official when such forms are signed by the County Commission. With the approval of the County Commission or of an Elected Official/department head, the original introductory period may be extended to a maximum of one-hundred twenty (120) days if circumstances warrant an extension. If an extension of the Introductory Period is warranted, the employee will be notified in writing.

Regular Employee

Employees who successfully complete their orientation period are called "regular" employees. Such employees are hired for an indefinite and unspecified duration. At any time either the employee or the County may terminate the employment relationship.

Non-Exempt Employee (hourly)

Non-exempt employees include all employees who are covered by the overtime provision of the Federal Fair Labor Standards Act (FLSA) or any applicable state law. Employees in this category are entitled to overtime pay or compensatory time for work in excess of 40 hours in a workweek at the discretion of the County Commission. Travel time to and from the work is not considered work time except as noted.

Exempt Employees (Salaried)

This category includes all employees who are classified by the County as exempt, from the overtime provisions of the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. Such employees include employees who qualify as exempt, executives, administrative, professional employees, outside salespersons, or any other categories covered by the Federal Fair Labor Standards Act (FLSA).

Elected Officials

Elected Officials are exempt employees who have been elected as office holders by the voters of Webster County or appointed by the Governor of Missouri to serve for a predetermined term and salary. Elected Officials are eligible for voluntary benefits and county retirement plans, but not the following County paid and/or accrued benefits: Holidays, Vacation, Sick Time and Bereavement Leave. Elected Officials also do not accumulate comp time.

Garnishments

Webster County is required by law to recognize certain court orders, liens and wage garnishments. When the County receives a notice of a pending garnishment or wage assignment the employee will be notified by the County Clerk that deductions will be made from the employee's paycheck in accordance with the garnishment notice and forwarded to the proper authorities.

Overtime and Compensatory Time

Elected Officials/department heads shall develop methods and procedures to maximize productivity and reduce or avoid the need for overtime. It is the responsibility of each employee to work as efficiently as possible to accomplish job tasks during regularly scheduled work hours. All overtime or arrangements for overtime work shall be approved by the Elected Official/department head in advance. A determining factor in the approval of overtime work is whether the work could be accomplished through rescheduling of employee work hours and

allowance of time off in the same work period. These factors reduce the burden of overtime on employees and avoid accrual of comp time and excessive overtime payments.

Compensatory straight time off may be awarded for overtime worked within the work week. For example, if a maintenance employee is called in at 4:00 a.m. on a Monday morning to handle a waste water flooding problem, he or she may be eligible to receive straight time off for four and one-half (4.5) hours on Friday afternoon of the same week. (This example's application is based on the assumption that the maintenance worker's workday is normally set to begin at 8:30 a.m.) A paid holiday within the week is not considered a day worked.

"Averaging" of two or more weeks for purposes of figuring overtime compensation across two or more weeks is not allowed under the provisions of FLSA. In other words averaging of overtime worked for the purposes of reducing compensation in either pay or compensatory time earned is not allowed.

Overtime compensation for time worked in excess of 40 hours within the work week is computed at the rate of 1.5 times the number of hours worked in excess of 40 hours. ***Overtime is figured only on actual hours worked (holiday, sick time, vacation and or comp time, do not count towards the 40 hrs.)*** The department head may elect, at his or her discretion, to allow straight time off for overtime worked if this is awarded within the regular work week for which the excess time was used. Calculations for emergency service personnel in the Sheriff's Department are different. The work period for the Sheriff's Department is based on 171 hours in 28 consecutive days. The County Commission of Webster County reserves the right to determine whether overtime will be paid or granted as compensatory time only.

Exempt employees shall not accrue compensatory time nor be paid for overtime worked except for those who have approved compensatory hours recorded prior to January 1, 1996, and they shall be allowed to take comp time off in eight (8) hour increments only. Exempt employees who leave County employment shall be paid for the compensatory balance the same as covered employees.

The County Clerk and the Sheriff's Department shall maintain records in a form and manner approved by the County Commission on compensatory time earned by employees under their jurisdiction. No employee shall be permitted to accumulate and retain more than 160 hours of compensatory time, except law enforcement employees. Whether an employee is a law enforcement employee shall be determined by reference to the FLSA.

Upon termination of employment, any employee who has accumulated compensatory time off shall be paid for unused time at their current rate of pay.

Any overtime work which will result in an employee covered under the provisions of the FLSA accumulating compensatory time above the limits set out above, shall be compensated by payment at one and one half times (1-1/2) the straight hourly equivalent rate for the employee's classification.

All departments are encouraged to utilize compensatory time in lieu of paying overtime. The departments shall make every effort to avoid either by the proper scheduling of the employees.

The period of work which will be used for ascertaining whether or not time worked is overtime will be determined by reference to the FLSA.

Elected Officials/department heads may require, out of necessity for the expeditious conduct of public business or for the protection of the public business or for protection of the public health, safety, or welfare that an employee work overtime. Failure to comply with such requests shall constitute a violation of these rules and regulations and provide grounds for disciplinary action.

Emergency Alert Duty Status

An Elected Official/department head or duly authorized supervisor may designate an emergency alert duty status whereby employees would be immediately contacted by telephone or other acceptable means of communication. This duty status shall normally be limited to off-duty hours between regularly scheduled shifts or weekends.

Employees shall not receive pay for this duty status unless they are required to report for duty. Compensation upon reporting for service shall be in accord with FLSA and department rules and regulations.

Time Keeping (Time Cards / Sheets)

Employees are required to complete a daily/weekly time sheet to record the actual hours worked. Employees are expected to be physically present at work at the assigned times depending upon their assigned duties. Clocking in or out for another employee is strictly prohibited. If an employee misses clocking in or out they are to notify their Elected Official/department head so the error can be immediately corrected. Employees found falsifying time cards or 'stealing time' will be subject to disciplinary action up to, and including, termination of employment.

The Elected Official/department head must approve all time cards prior to being submitted for payroll purposes.

Concluding remarks

This manual is not intended to be definitive. Various changes in policy may take place, and additional clarifications and memoranda may be issued from time to time. Should new directives be issued, they will be distributed in writing to all employees so that employees may retain an updated copy of all policy matters affecting them and Webster County.

As we value all of our employee's opinions and suggestions, we encourage you to inform us with your ideas and comments. You may do this in writing or make an appointment to meet with your immediate supervisor, Elected Official/department head, or the County Clerk. All suggestions will be reviewed and considered.



2015 Wage Scale

Courthouse Personnel

Administrative Assistant

starting pay	\$9.50
6 months + successful eval.	\$10.50
2 years + successful eval.	\$12.15

Specialist

starting pay	\$10.25
6 months + successful eval.	\$11.25
2 years + successful eval.	\$12.90

Deputy (Clerical)

starting pay	\$13.10
1 year + successful eval.	\$13.65

Maintenance Supervisor

starting pay	\$12.00
6 months + successful eval.	\$12.75
2 yrs + eval.	\$14.00

Custodian

starting pay	\$9.50
6 months + successful eval.	\$10.50
2 yrs + eval.	\$12.15

Eligibility for increases in compensation are based upon each employee's anniversary date. However, increases are not automatic. Employees must receive a positive evaluation from their elected official / department head. The wage increase will take effect at the onset of the pay period following submission of the Evaluation Form to the County Clerk's office.

Wages are intended to correspond to the work performed. Part-time employees, therefore, receive the same wage as full-time employees performing the same function.

At the discretion of the elected official / department head, exceptions can be made for new hires with previous employment with Webster County.



2015 Wage Scale

Sheriff's Office

Deputy Sheriff

starting pay	\$ 10.50
6 months + successful eval.	\$ 12.75
2 years + successful eval.	\$ 15.71

Road Corporal

same as above, + \$.25

Road Sgt.

same as above, + \$.50

+ \$13.50 uniform allowance per pay period

+ \$15.00 cellphone allowance per pay period

Bailiff Supervisor (1)

starting pay	\$ 10.00
6 months + eval. (top pay)	\$ 11.50

Bailiff (on call - at Sheriff's discretion)

starting pay	\$ 9.50
6 months + eval. (top pay)	\$ 10.75

Administrative Assistant

same as for Courthouse Administrative Assistant

Eligibility for increases in compensation are based upon each employee's anniversary date. However, increases are not automatic. Employees must receive a positive evaluation from their elected official / department head. The wage increase will take effect at the onset of the pay period following submission of the Evaluation Form to the County Clerk's office.

Wages are intended to correspond to the work performed. Part-time employees, therefore, receive the same wage as full-time employees performing the same function.

At the discretion of the elected official / department head, exceptions can be made for new hires with previous employment with Webster County.



2015 Wage Scale

Sheriff - Jail

Jailer & Full-Time Transport	
starting pay	\$10.00
6 months + successful eval.	\$11.10
2 years + successful eval.	\$12.45

Jail Day/Night Supervisor (above schedule + \$1.00)
 Jail Administrator (same as road deputy schedule)

Road Department

Operator	
starting pay	\$ 10.00
6 months + successful eval.	\$ 11.50
1 year + eval. (top pay)	\$ 13.85
Asst. Supervisor	\$ 15.35
Road Supervisor	\$ 16.50

Road Dept. - Clerical
 same as for Courthouse Administrative Assistant.

Eligibility for increases in compensation are based upon each employee's anniversary date. However, increases are not automatic. Employees must receive a positive evaluation from their elected official / department head. The wage increase will take effect at the onset of the pay period following submission of the Evaluation Form to the County Clerk's office.

Wages are intended to correspond to the work performed. Part-time employees, therefore, receive the same wage as full-time employees performing the same function.

At the discretion of the elected official / department head, exceptions can be made for new hires with previous employment with Webster County.

What do you do if you are injured?

1. Notify your supervisor immediately. Your supervisor will determine if medical treatment is required and, if necessary, direct you to First Nurse or an emergency medical facility.
2. You must submit to a drug and alcohol screening during initial medical treatment. An employee who tests positive for drugs and/or alcohol will be subject to disciplinary action up to and including termination. Workers' compensation benefits may be reduced or denied if you test positive for drugs or alcohol. Under Missouri law, the refusal to submit to a drug and alcohol test will result in forfeiture of ALL workers' compensation benefits.
3. Complete the accident investigation form. The employee, employee's supervisor, and any witnesses to the accident are required to complete and sign the accident investigation form. This form must be completed the same day the injury is reported to your supervisor.
4. Injured employees are required to return to work in a transitional duty position as directed by our designated County physician. Employees will not be paid for lost wages if they refuse transitional work. Employees on transitional duty are still required to follow all County procedures and are still subject to County disciplinary procedures for "post-injury misconduct" in accordance with Section 287.170.4 of the Missouri Workers' Compensation Statutes.

Safe Driver Policy

Statement of Driver

I, _____, reviewed Webster County's policies regarding the safe use of county vehicles and personal vehicles being used for County business, and agree to the terms described therein, to wit:

- Vehicles used in the course of business conducted on behalf of Webster County should be driven at a **Safe Speed**;
- Individuals driving on behalf of Webster County should focus on the road, resist the temptation to 'multi-task', and avoid **Distracted Driving**;
- Everyone riding in a vehicle used in the course of business conducted on behalf of Webster County must wear **Seat Belts**;
- Individuals, while driving on behalf of Webster County, should refrain from using **Cell Phones**;
- Under no circumstances should anyone engage in **Driving under the Influence of Alcohol or other Drugs**;

Signed this the _____ day of _____, 201____.

Employee Signature

This page is intentionally left blank.

Cell Phone Policy Disclosure Form

I, _____, affirm that I was given a copy of Webster County's Policy regarding use of cellular telephones. I read the policy and understand the policy.

The number of the cellular telephone concerned is: _____ .

For purposes of this policy, my usage falls under the definition and guidelines of a:

_____ Reimbursable Account*
_____ Public Account

Position / Department: _____

Signed this the _____ day of _____, _____ .

Signature

* For Reimbursable Accounts, please attach a copy of one complete invoice of your personal cellular telephone service. Periodically, you will be required to provide a copy of the front page of a current invoice documenting you are maintaining the service for which you are being reimbursed.

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Temporary Transitional Work Assignment Policy

Any employee, who sustains a work related injury, may be required to return to work in a temporary transitional work assignment under the direction of our worker's comp designated physician. The physician will determine the employee's physical restrictions that result from a work related injury and notify the County of those physical restrictions. The County will meet the needs of those physical restrictions and place the employee in a temporary assignment that is within the physical restrictions determined by the physician.

This temporary assignment may be outside the employee's regular duties and may also include time donated to charitable organizations. The temporary assignment may also be at a lower wage than the employee's regular wage. If the transitional assignment wage is lower than the employee's regular wage, the employee will then be eligible for Temporary Partial Disability (TPD) benefits from workers' compensation insurance.

An employee who refuses to return to a temporary transitional work assignment will not be entitled to any lost wage benefits from workers' compensation. All positions and duties in the County's transitional program are temporary in nature and may be changed or terminated at the County's discretion. These positions are not permanent accommodations as defined by the Americans with Disabilities Act.

If you have any questions or need further explanation of this policy you should consult your Elected Official/department head or call the Missouri Division of Workers' Compensation at 1-800-775-2667. This toll-free number will connect you with an Information Specialist provided by the Missouri Division of Workers' compensation.

My signature below indicates I have read and understand this policy:

Employee Signature

Today's Date

Employee Printed Name

(Each Employee Must Sign this Statement and return to County Clerk's Office)

Webster County, MO
Employee Handbook
Revised: 2015

Drug - Free Workplace Policy

Any employee who sustains a workplace accident, injury, or illness must submit to a drug and alcohol screening during initial medical treatment. At the Elected Official/department head's discretion, any employee involved in a preventable workplace accident must also submit to a drug and alcohol screening. This applies even if the employee involved was not injured.

Any employee who tests positive for drugs and/or alcohol will be subject to disciplinary action including termination. Workers' compensation benefits may be reduced or denied if you test positive for drugs or alcohol. In accordance with Missouri Workers' Compensation Statutes Section 287.120.6, the refusal to submit to a drug and alcohol test will result in forfeiture of all workers' compensation benefits. Under County policy, the refusal to submit to a drug and alcohol test will result in termination.

If you have any questions or need further explanation of this policy you should consult your Elected Official/department head or call the Missouri Division of Workers' Compensation at 1-800-775-2667. This toll-free number will connect you with an Information Specialist provided by the Missouri Division of Workers' compensation.

My signature below indicates I have read and understand this policy:

Employee Signature

Today's Date

Employee Printed Name

(Each Employee Must Sign this Statement and return to County Clerk's Office)

Safety Devices and Safety Training Policy

In accordance with Missouri's Workers' Compensation Statutes Section 287.120.5, if an employee sustains an injury resulting from the employee's failure to use safety devices provided by the employer or failure to obey a reasonable safety rule of the employer, the compensation and death benefits are reduced by at least twenty-five percent (25%), but not more than fifty percent (50%).

Webster County is committed to providing all employees a safe and healthy workplace. Employees are required, as a condition of employment, to utilize County required safety devices, obey safety rules, and work in a safe and healthy manner as instructed in County training. Employees are required to follow and abide by all traffic regulations including the required use of seat belts. Employees are required to notify their supervisor immediately if he or she feels they have not been provided necessary safety devices or the necessary instruction and training to perform their job safely.

If you have questions or need further explanation of this policy please contact your supervisor. If you wish to receive official information regarding Missouri's workers' compensation system you should contact the Missouri Division of Workers' Compensation at 1-800-775-2667. This toll-free number will connect you with an Information Specialist who works for the Missouri Division of Workers' compensation.

Employee Signature and Date

(Each Employee Must Sign this Statement)

Acknowledgment by Employee

I understand that the employment application, the employee manual, or any other related material is not to be considered as a binding contract in any way between the employer and the employee. Accordingly, either I or Webster County can terminate the relationship at any time. In addition, Webster County reserves the right to terminate an employee “with or without cause, for lack of work, or for any other reason at any time.”

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with Webster County. By distributing this manual, the County expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

By signing below, I hereby state, I have received, read/or it has been read to me, and understand the Webster County Policy Manual. I understand that it is my responsibility to comply with the policies contained in this manual and any revisions made to it.

Employee Signature

Today's Date

Employee Printed Name

* Page to be signed and returned to the County Clerk for placement in personnel file.

NOTE: This manual is the property of Webster County and must be turned in upon separation from the County.