



ROCKINGHAM COUNTY
New Hampshire

Personnel Policies and Procedures Manual



Effective January 1, 2023

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CHAPTER 1
PURPOSE OF THE PERSONNEL POLICIES AND PROCEDURES

1-1 PURPOSE.

The County of Rockingham (hereinafter called "the County") has established these Personnel Policies and Procedures to provide Employees general information concerning policies, procedures and work rules that will help them understand their relationship with the County. The County reserves the right to modify these Policies at any time. These Personnel Policies and Procedures do not constitute a contract between any individual and the County, or between any bargaining unit and the County.

1-2 APPLICABILITY OF THE PERSONNEL POLICIES AND PROCEDURES.

- A. These Personnel Policies and Procedures shall apply to all Employees of the County, with the following exceptions:
 - 1. Elected Officials;
 - 2. Contracted individuals;
 - 3. Employees under a specific agreement or covered by a collective bargaining agreement, except where that agreement does not govern the subject of a particular policy or procedure;
 - 4. Other exceptions that may be mandated by applicable law.
- B. While these policies shall serve as a guide, they are not all inclusive. While the views of Employees will be sought and considered in personnel policy matters, the administration, interpretation and modification of County Policies and Procedures shall rest with the Board of Commissioners.
- C. Should any provisions contained herein conflict with any existing federal or state laws, the applicable statute or law shall prevail.
- D. It shall be the responsibility of each Employee to acquaint themselves thoroughly with the provisions of these Personnel Policies and Procedures and subsequent revisions thereof. Employees are also encouraged to submit their suggestions for changes and improvements to the Employee Advisory Committee so that these Policies and Procedures may reflect the concerns and interests of the Employees they serve.
- E. A copy of this Personnel Policies and Procedures Manual and any rules and regulations affecting the Employees and managers shall be available for examination by any Employee, candidate for employment or any interested citizen at the Rockingham County Human Resources Department, on the County's website, and in each Elected Official's/Division Director's (O/DD) office.

1-3 EMPLOYEE ACKNOWLEDGMENT.

Each Employee shall be provided with a copy of the Policies and Procedures Manual summarizing the provisions of this manual and shall be required to sign an acknowledgment that the Manual has been received and read. For this purpose, the Senior Director of Human Resources shall prepare an acknowledgment form verifying that the Employee has read and understands the Manual. This form, when completed by the Employee, shall be filed in the Employee's personnel file.

CHAPTER 2 DEFINITIONS

- 2-1 ANNIVERSARY DATE.
(For Wage Increase purposes.) The date on which a person becomes an Employee and is placed on the payroll (also known as the Employment Date or Date of Hire).
- 2-2 APPOINTMENT.
Filling a job or position by placing, hiring, assigning or transferring a person by any proper method under these Policies and Procedures, except by the elective process.
- 2-3 CLASS.
A Position or group of Positions which are so similar with respect to complexity of duties, responsibilities and authority that they are designated in the same pay grade.
- 2-4 CLASSIFICATION.
The assignment of an individual Position to an appropriate class/pay grade on the basis of kind of work, duties, and the responsibilities of the Position.
- 2-5 CLASSIFICATION PLAN.
A plan outlining the systematic placing of each non-union Position into a class/pay grade on the basis of class specification.
- 2-6 CLIENT.
Any individual or entity with which an Elected Official or Employee has a professional, contractual relationship.
- 2-7 COMPENSATION.
Salary or wage earned by an Employee for work performed in a Position to which they have been Appointed, but does not include reimbursement allowed for expenses incurred in the course of employment.
- 2-8 COMPENSATORY TIME.
Time off work at the rate of time and one-half in lieu of pay for overtime as provided in the chapter on Pay Plan and Compensation.
- 2-9 CONTRACTED.
Personnel who are employed based on specific contracts or agreements with an outside agency to provide a specific service(s). Their employment rights and benefits are governed by the specific contract(s) or agreement(s) rather than the County's Personnel Policies and Procedures, unless otherwise denoted in the contract, agreement or these Policies and Procedures.
- 2-10 DEMOTION.
The voluntary or involuntary appointment of an Employee to a position in a lower class at a lower pay grade than the position held at the time of such Appointment.
- 2-11 DISCHARGE.
(Also known as Termination) The involuntary and permanent removal from employment for any reason contained in the section titled "Promotion, Demotion, End of Employment."
- 2-12 DISCIPLINARY ACTION.
Any of the penalties imposed pursuant to the chapter on Disciplinary Action.

- 2-13 DIVISION DIRECTOR.
(Also referred to as “DD”). An appointed executive, including but not limited to: Senior Director of Long Term Care Services, Senior Director of Facilities, Planning, and IT, Superintendent of Corrections, Senior Director of Human Resources and Senior Director of Finance.
- 2-14 ELIGIBLE.
Meets the minimum requirements and/or qualifications.
- 2-15 EMERGENCY APPOINTMENT.
A non-competitive appointment made for a period not to exceed 30 days to meet an emergency situation to prevent interruption of public business, hazard, or serious public inconvenience.
- 2-16 EMPLOYEE.
Any person who holds a classified Position or is on an authorized Leave of absence from such a Position.
- 2-17 EMPLOYEE, BENEFITS ELIGIBLE.
An Employee whose regularly scheduled work week is a minimum of 24 hours.
- 2-18 EMPLOYEE, EXEMPT.
A salaried Employee exempt from the Fair Labor Standards Act (“FLSA”) and applicable state law overtime requirements and paid without regard to the number of days or hours worked.
- 2-19 EMPLOYEE, FULL-TIME.
An Employee whose regularly scheduled work week is at least 40 hours.
- 2-20 EMPLOYEE, NON-EXEMPT.
An hourly Employee eligible under the Fair Labor Standards Act (“FLSA”) and applicable state law to receive overtime pay for hours worked in excess of 40 in one (1) work week.
- 2-21 EMPLOYEE, PART-TIME.
An Employee whose regularly scheduled work week is less than 40 hours.
- 2-22 EMPLOYEE, PER DIEM.
An Employee that covers shift vacancies for Full or Part Time Employees, works a varying number of hours, and does not have a set work schedule. Per Diem Employees are not eligible for benefits.
- 2-23 EMPLOYEE, TEMPORARY.
An Employee who has a temporary appointment not to exceed four (4) months. Temporary Employees are not eligible for benefits.
- 2-24 EMPLOYMENT DATE.
Also known as “Date of Hire” or “Anniversary Date”. The date on which a person becomes an Employee and is placed on the payroll.
- 2-25 EXAMINATION, PRE-EMPLOYMENT.
Any or all medical evaluations and tests, or other non-medical examinations or tests, that are given to determine the fitness of an applicant for any Position in any Class.

- 2-26 FURLOUGH.
A temporary leave of absence due to a lack of work or funds, and not related to fault, delinquency or misconduct of the Employee.
- 2-27 GRIEVANCE.
An objection which an Employee has to any job action of any Division Director, Elected Official, manager, supervisor, or other on-the-job superior concerning working conditions or their rights as an Employee under these Policies and Procedures, for which objection they seek redress under the Chapter titled "Disciplinary Action".
- 2-28 HEALTH CARE PROVIDER.
A person, as defined under Federal law, who is authorized to diagnose and treat physical or mental health conditions.
- 2-29 INCUMBENT.
The current holder of a Position.
- 2-30 INITIAL EVALUATION PERIOD.
A period of one year following Initial Appointment, Promotion, Lateral Transfer or reappointment during which an Employee is required to demonstrate by conduct and actual performance their fitness for the Position to which they have been Appointed.
- 2-31 INTEREST.
A direct, personal, and monetary interest, individually or on a client's behalf, in a matter which is under consideration by an Elected Official, Division Director, or Employee of Rockingham County.
- 2-32 INTERN.
An individual who is an advanced student gaining unpaid, supervised practical experience by participating in a NH Department of Labor approved program at the County.
- 2-33 LATERAL TRANSFER.
A transfer of an Employee from one Position to another Position in the same Class.
- 2-34 LAYOFF.
The Separation of an Employee because of lack of work or funds to continue the Position or other reason not related to fault, delinquency or misconduct of the Employee or the employer.
- 2-35 LEAVE.
Any approved absence from regularly scheduled work hours. Whether a Leave is paid or unpaid will vary depending on factors including the type of Leave and any benefits accrued by the Employee in question.
- 2-36 OFFICIAL (ELECTED OFFICIAL).
(Also referred to as "O"). Elected County Officials are as follows: County Commissioner, High Sheriff, County Attorney, Register of Deeds and Treasurer.
- 2-37 ORIGINAL APPOINTMENT.
An Appointment of a new Employee to a Position.
- 2-38 OVERTIME.
Hours a non-exempt Employee works in excess of 40 hours in a work week.

- 2-39 PERSONNEL CHANGE NOTICE.
(Also known as “PCN”.) Document used to make changes to an Employee’s personnel record; e.g., rate of pay change, title change, etc.
- 2-40 PAY PLAN.
The schedule of compensation for all Classes in the Classification Plan.
- 2-41 PERSONNEL ACTION.
A decision that affects any aspect of an Employee's status including, but not limited to, Appointment and change in Appointment, Transfer, Promotion, Demotion, change in working hours, reclassification, resignation, discipline, Suspension, Termination, Furlough, Layoff, involuntary Leave, Wage Increases, pay status, and evaluation.
- 2-42 PERSONNEL SYSTEM.
The procedure for administering Employees in accordance with these Policies and Procedures.
- 2-43 POSITION.
A job consisting of a group of written duties and responsibilities classified herein under a Class title.
- 2-44 PROMOTION.
The transfer of an Employee from a Position in one class to a Position in another Class having a higher maximum pay range.
- 2-45 PROMOTIONAL EXAMINATION.
An examination to test the minimum qualifications of an Employee for a promotion.
- 2-46 RECLASSIFICATION.
The reassignment by the Board of Commissioners of a Position in one Class to another Class having a different pay range.
- 2-47 SEPARATION.
The ending of employment for any reason.
- 2-48 SUSPENSION.
An involuntary absence, with or without compensation, imposed upon an Employee as a disciplinary action under the chapter on Disciplinary Action, or pending final outcome of a disciplinary action appeal in the Grievance Procedure chapter.
- 2-49 TERMINATION.
The involuntary and permanent removal from employment for any reason contained in the section titled “Promotion, Demotion, and End of Employment”.
- 2-50 UNSCHEDULED ABSENCE.
Any absence from a scheduled shift without advanced notice as defined herein.
- 2-51 VOLUNTEER.
An individual who freely offers their time, labor, and expertise to the County without expectation of payment. The County does not allow County Employees to volunteer, without compensation, additional time to do the same work for which they are employed.
- 2-52 WAGE INCREASE.
An increase in pay.

CHAPTER 3 EQUAL EMPLOYMENT OPPORTUNITY

3-1 PURPOSE.

This Policy sets forth the commitment of the County to equal employment opportunity and ensures compliance with federal and state laws and regulations in these areas.

3-2 POLICY OF EQUAL EMPLOYMENT OPPORTUNITY.

The Board of Commissioners and all members of management are committed to the spirit and letter of equal employment opportunity.

- A. The County accepts its obligation as a member of the community-at-large and as a government employer to exercise an active and positive system of non-discrimination in all areas of employment. To that end, the County shall assure that all persons receive equal employment opportunities and access based on qualifications and merit without regard to race, color, religion, sex, homosexual or transgender status, sexual orientation, gender identity, disability, marital status, pregnancy, age, national origin, genetic information, military or veterans' status, or any other status protected by applicable law. Equal employment opportunities include, but are not limited to: employment, recruitment, recruitment advertising, training, selection for training, Promotion, Demotion, Transfer, rate of pay, other compensation, benefits, Layoff, Termination and other terms and conditions of employment.
- B. Employment decisions have been and will continue to be based solely upon job-related criteria and requirements and an individual's related qualifications. In communicating employment opportunities to applicants, Employees, customers, vendors and others, the County will continue to emphasize that employment opportunities are made available in accordance with this Policy.
- C. Employees shall be free from coercion for any partisan political purposes. Employees are prohibited from using official authority or position for the purpose of seeking to interfere with or affect the result of an election or a nomination for public office.

3-3 AMERICANS WITH DISABILITIES ACT POLICY.

It is the policy and practice of the County to comply fully with the Americans with Disabilities Act Amendment Act (ADAAA) and ensure equal employment opportunity for all qualified individuals with disabilities. The County is committed to ensuring non-discrimination in all terms, conditions and privileges of employment. All employment practices and activities, whether provided or conducted by the County or any other entity on the County's behalf, will be conducted on a non-discriminatory basis.

- A. Recruiting, advertising and job application procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Upon request, applications are available in alternative, accessible formats, as is assistance in completing the application.
- B. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the Position, not any disabling condition. Pre-employment physical examinations are required for all Positions and are given to all persons only after conditional job offers. Medical records will be kept separate and confidential.
- C. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation or changes in compensation, as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression

and seniority lists. Leave of all types will be available to all Employees on an equal basis.

- D. All fringe benefits, whether provided or administered directly by the County or another entity on the County's behalf, must be accessible to persons with disabilities. Training, apprenticeship programs, conferences, professional meetings, as well as financial support and Leave time will be available to all Employees. Recreational and social activities sponsored by the County will be accessible to all Employees.
- E. The County is also committed to not discriminate against any qualified Employee or applicant because they are related to or associated with an individual with a disability. The County will follow any state or local law that provides individuals with disabilities greater protection than the Americans with Disabilities Act.
- F. This Policy is neither exhaustive nor exclusive. The County is committed to taking all other actions necessary to ensure equal employment opportunity for individuals with disabilities in accordance with the ADAAA and all other applicable federal, state and local laws.
- G. Complaints regarding administration of this Policy should be filed in accordance with the County Grievance Procedure.

CHAPTER 4 HARASSMENT/ANTI-DISCRIMINATION/ANTI-RETALITATION

4-1 HARASSMENT/EMPLOYMENT DISCRIMINATION PROHIBITED.

The County prohibits all forms of harassment and illegal employment discrimination in the workplace. Sexual harassment may include, but is not limited to, explicit sexual propositions; sexual innuendoes; suggestive comments, sexual teasing, or practical jokes; foul or obscene language; inappropriate emails, texts, pictures or gestures or other communications; and unwelcome physical contact. Both men and women can be victims of sexual harassment. Other forms of harassment or illegal discrimination may include, but are not limited to, inappropriate jokes; offensive behavior; inequitable treatment; retaliation; or unfair employment practices (e.g. hiring, advancement, discipline, or firing) on the basis of the victim's membership in a protected class (e.g. race, color, religion, sex, homosexual or transgender status, sexual orientation, gender identity, disability, marital status, pregnancy, age, national origin, genetic information, military or veterans' status, or any other status protected by applicable law). While the intent of the parties, the frequency, the severity and the impact of the conduct at issue are considered, the County strives to keep the workplace as free from such conduct as possible. In short, the County seeks to maintain a professional workplace, and conduct or behavior inconsistent with or in violation of this Policy and standard will result in appropriate discipline, including the possible termination of employment.

A. INDIVIDUALS AND CONDUCT COVERED.

All Employees of the County are covered by this policy and complaint procedure. Further, if the conduct or behavior involves a resident, client, vendor or any person dealing with Employees at the County, the O/DD or Human Resources should be promptly advised of the matter so the County can attempt to correct or remedy the situation.

B. ALL COMPLAINTS OR CONCERNS SHOULD BE REPORTED IMMEDIATELY.

The County wants to be aware of these matters as soon as they arise so they can be promptly and effectively addressed and resolved. Employees should be sure to bring these matters to the attention of the representatives listed below.

All incidents of possible sexual harassment or other forms of illegal discrimination, harassment and/or retaliation should be reported immediately to the O/DD or Senior Director of Human Resources, and the matter will be promptly investigated. When reporting the matter (either orally or in writing, including email), as much as possible, but without delay to reporting the matter, Employees should please state specific details of the alleged sexual harassment or other illegal discrimination or retaliation (e.g. who was involved, what happened and when it happened).

C. RETALIATION ALSO PROHIBITED.

The County prohibits retaliation against anyone who has reported sexual harassment or any form of illegal discrimination or retaliation, and against anyone who in good faith has participated in an investigation of these matters. Reports of suspected retaliation should likewise be promptly directed to the representatives listed here.

D. INVESTIGATION/FAIRNESS/CONFIDENTIALITY.

To the fullest extent possible, the County will try to keep complaints, the terms of their resolution, and information obtained during the course of its investigation confidential. Employees accused of sexual harassment or other illegal discrimination or retaliation shall be given sufficient information about the allegations to provide them a reasonable opportunity to respond before any corrective action or discipline is imposed.

E. APPROPRIATE ACTION WILL BE TAKEN.

There are absolutely no exceptions to the County's Harassment/Anti-Discrimination/Anti-Retaliation policy. The County will actively investigate all allegations of sexual harassment, illegal discrimination, and retaliation. If it is determined that sexual harassment, unlawful discrimination, or retaliation has occurred, Management will take appropriate disciplinary action(s), which may include the termination of employment of wrongdoers or the modification/termination of business relationships if the individual is not an Employee of the County.

F. CONTACT WITH ANY QUESTIONS.

Please contact the Senior Director of Human Resources at 603-679-9337 or email HumanResources@co.rockingham.nh.us with any questions.

**CHAPTER 5
ADMINISTRATION OF PERSONNEL**

5-1 COUNTY MANAGEMENT TEAM.

The County Management Team shall be composed of the Board of Commissioners, High Sheriff, County Attorney, Register of Deeds, County Treasurer, Senior Director of Long Term Care Services, Superintendent of Corrections, Senior Director of Facilities, Planning and IT, Senior Director of Finance, Senior Director of Human Resources, and a representative of the County Employees selected by the Employee Advisory Committee. The County Management Team shall recommend additions, modifications or deletions to personnel policies, regulations and procedures for action by the Board of Commissioners.

A. The County Management Team shall select its own Chair by a majority vote.

Members of the Board of Commissioners shall not be eligible to serve as Chair. The Board of Commissioners shall be responsible for the maintenance and enforcement of the Policies and Procedures governing Employee/employer relations and County personnel. The Senior Director of Human Resources will serve as the coordinator and facilitator for the County Management Team. The Senior Director of Human Resources will, however, continue to be supervised by and report to the Board of Commissioners.

- B. These provisions are not intended to diminish the authority granted to elected officials under New Hampshire Law.

5-2 SENIOR DIRECTOR OF HUMAN RESOURCES.

The Board of Commissioners may in its discretion delegate all or part of the operation and administration of the personnel system to the Senior Director of Human Resources.

5-3 OFFICIALS AND DIVISION DIRECTORS.

(Also referred to as "O/DDs"). O/DDs shall be responsible for the Appointment, retention, Transfer, Promotion, discipline and Termination of Employees in their respective departments in accordance with these Policies and Procedures. They are expected to supervise their Employees; to report on the efficiency and performance of their subordinates; to notify the Senior Director of Human Resources of changes in the duties and responsibilities of their Employees in order that the classification plan will be maintained; and to provide the Senior Director of Human Resources with all documentation relative to an Employee's Appointments, retention, Transfer, Promotion, discipline, evaluation, salary changes or any other records to be included in the Employee's personnel file.

- A. O/DDs shall, as indicated, recommend to the County Management Team desirable changes in the Personnel Policies and Procedures to improve the administration of the personnel system.
- B. O/DDs may establish such rules as are deemed necessary for the efficient and orderly administration of their respective departments. Such rules must be reviewed by and be on file with the Senior Director of Human Resources before becoming effective, and they must be consistent with these Personnel Policies and Procedures. Copies of department rules must be made available to the Employees in the office of the O/DDs responsible for them.
- C. O/DDs may delegate in writing any or all the above enumerated responsibilities to subordinates as the O/DDs may deem advisable. The O/DDs, however, ultimately remain accountable.

5-4 EMPLOYEE ADVISORY COMMITTEE.

It is the policy of the County to solicit the ideas, suggestions, views and concerns of Employees by providing the opportunity to speak at regular Employee Advisory Committee meetings. The purpose of this committee is to increase Employee morale, improve work quality, efficiency, productivity and quality of work life in general, and to improve and facilitate communications with Employees.

- A. Representatives to this Committee include only non-bargaining-unit Employees that must maintain good standing in their current Position. For purposes of this policy, "good standing" means no disciplinary action for the previous six (6) months.
- B. The following departments will elect benefits eligible Employee representative(s) as outlined below, who have completed the Initial Evaluation Period of employment, to the Employee Advisory Committee annually on or about September 1 for a term of one year. If an elected member cannot fill their term, the applicable departments will

hold special elections to fill the remaining time of said terms.

- Commissioners' Office/Finance/Human Resources/Delegation Office (1)
- Registry of Deeds Office (1)
- County Attorney's Office (1)
- Engineering and Maintenance Department (1)
- Sheriff's Office (1)
- Corrections Department (1)
- Long Term Care Services Department:
 - Administration Offices (Business Office, Nursing Office, Social Services) (1)
 - Activities (1)
 - Environmental Services (1)
 - Nursing Department (3)
 - Assisted Living (2)

- C. Representatives may ask questions, express their views and make suggestions in their capacities. The representatives have the responsibility of representing those who voted for them by presenting their concerns and comments and reporting back to said group following each meeting.
- D. County Employees may attend these meetings and, when properly recognized, address the Committee. Employees are encouraged to present their ideas, suggestions, views and concerns to management through their representative at these meetings. Management will also use these sessions as a forum for communicating information to Employees about County operations and so forth.
- E. Topics appropriate for discussion at these sessions generally include matters involving workplace efficiency, quality, productivity, operation problems, safety issues, general working conditions and other administrative issues. These meetings are not a forum for discussing grievances or labor disputes. These issues should be handled through the proper grievance procedures. In addition, certain topics (e.g., wages and work hours) should not be raised at such sessions. Employees may address these issues in individual discussions with their supervisors, O/DD or the Senior Director of Human Resources.
- F. To maximize the benefit of each session, attendance will be taken and any member missing two regularly scheduled sessions in a row will be replaced by special elections. Representatives will be compensated at the applicable rate of pay for the time spent participating in a session.
- G. A summary of the items discussed on the posted agenda and issues raised at each session will be prepared by the Chair of the Employee Advisory Committee for circulation to each of the representatives for posting in each department. Copies will be forwarded to appropriate O/DDs for their review and comments on the issues raised during the meetings. The County Management Team may take action on the basis of these issues, as it deems appropriate.
- H. The Chair of this Committee will be elected annually by the membership and they will be the Employees' representative to the County Management Team with voting privileges.

CHAPTER 6 CLASSIFICATION SYSTEM

6-1 PURPOSE.

The purpose of the Classification Plan shall be to establish qualification standards for recruitment and examination purposes; provide for a means of analyzing and establishing work distribution, areas of responsibility, lines of authority and promotion and other relationships between Positions; assist in determining budget requirements; provide a basis for developing standards for work performance; establish awareness of training needs; and provide uniform titles for Positions.

6-2 ADMINISTRATION OF THE CLASSIFICATION PLAN.

The proper Classification of all Positions is the responsibility of the Senior Director of Human Resources.

6-3 RECLASSIFICATION.

- A. When a Position has changed substantially as to kind or level of work or is no longer competitively classified, the O/DD may initiate a request for Reclassification by submitting a written request to the Senior Director of Human Resources, accompanied by a completed Position Analysis Questionnaire. The Senior Director of Human Resources will bring the request for Reclassification to the Board of Commissioners.
- B. In the event the Reclassification of the Position is to a lower grade, such recommendation shall be acted upon by the Board of Commissioners. If the Reclassification of the Position is to a higher grade, the Board of Commissioners' recommendation must be forwarded to the Executive Committee for action. If adopted by the Executive Committee, the Reclassification will be considered a change in the Position and the new Classification will apply. If funds are not available to affect the Reclassification, the Reclassification shall be deferred until such funds become available.

CHAPTER 7 PAY PLAN AND COMPENSATION

7-1 POLICY.

It is the policy of the County to have a uniform and equitable Pay Plan, which shall consist of minimum and maximum rates of pay for each Class of Positions. All Positions classified in the same Class will be paid according to the wage range established for that Class.

7-2 MAINTENANCE OF THE PLAN.

The Senior Director of Human Resources, with the approval of the Board of Commissioners, shall be responsible for the development and maintenance of the Pay Plan. Factors to be considered in setting a sound Pay Plan will include: ranges of pay in other Classes; cost of living; prevailing rates of pay for similar work in the community; other benefits received by Employees; and the ability of the County to recruit and retain competent personnel.

7-3 NEW APPOINTMENT RATES.

- A. The O/DD, in conjunction with the Senior Director of Human Resources, is responsible for assigning each Employee in their department a rate of pay. This rate shall be determined in advance of the rate assignment, taking the following into

consideration: equity with others in the Position, consistency with the Employee's experience and qualifications, as well as within the applicable approved salary budget. In no event shall a New Hire receive a rate/salary above the grade midpoint. In the event the internal equity of the current incumbents makes assignment of a comparable rate difficult, the O/DD shall bring forth the data to the Senior Director of Human Resources for purposes of a Job and Salary Classification analysis.

- B. When an Employee is assigned to a new Position with a different Classification, the effective date of the new Position will be the first day of a pay period and will become the Employee's new annual evaluation date. When determining rates of pay for current Employees, the Senior Director of Human Resources and the O/DD shall take into consideration when the Employee's annual evaluation date is scheduled to ensure the Employee is not negatively impacted as a result of the new Position.

7-4 WAGE INCREASES.

Wage increases within a pay range are not automatic but require the certification of the supervisor that an Employee is meeting or exceeding the expectations of their Position. The effective date shall be the annual evaluation date each year. To be eligible, the Employee must have actually worked at least 75% of their normally scheduled hours in the annual evaluation year excluding the factors listed below. For example: Full Time Employee 2080 hours, annually 75% = 1560 hours; Part Time Employee 32 hours per week 1664 hours, annually 75%= 1248 hours; Part Time Employee 24 hours per week, 1248 hours, annually 75% = 936 hours. In the event an Employee does not meet the minimum hours threshold, they will not be eligible for a wage increase until their next annual evaluation date.

- a. Exempt Employees will receive their wage increase effective the first day of the pay period that includes their annual evaluation date.

The following factors shall not affect Employee eligibility for wage increases:

- A. Pay adjustment resulting from a wage survey
- B. Lateral Transfer within a Class
- C. Workers' Compensation Leave
- D. Military Leave
- E. A pre-approved period of General Leave
- F. Leave taken under the Family Medical Leave Act (FMLA)

7-5 REHIRE RATE.

An Employee, reappointed to the same Position within a one-year period, shall be reappointed at the same wage held at their Separation. The Employee will have an Initial Evaluation Period upon rehire. The date of rehire will become their annual evaluation date.

7-6 TEMPORARY ASSIGNMENT OUTSIDE OF CLASS.

- A. Higher Minimum Rate. When an Employee is temporarily assigned to a Position in a class with a higher minimum rate of pay, the O/DD shall grant a 5% pay increase to the Employee's current rate/wage, for the duration of the temporary assignment. The duration of this temporary assignment must be at least one consecutive work week and cannot exceed a period of one year from the effective date without renewal. Provisions of this section shall not apply if the Employee's Position description stipulates that the Employee shall assume responsibility for the higher Classification.

- B. Same or Lower Minimum Rate. When an Employee is temporarily assigned to a Position in another class with the same or lower minimum rate of pay, their pay during the temporary assignment shall remain the same.
- C. Written notice from the O/DD requesting the temporary assignment and rate/wage change shall be submitted to the Senior Director of Human Resources no less than one pay period in advance of the effective date. This notice shall be filed in the Employee's personnel file to show experience in a different Class that may add significantly to the Employee's total qualifications.

7-7 LONGEVITY PAY.

Each Full-Time and Part-Time Employee who has completed the required number of years of employment by December 31 shall be entitled to a longevity payment in the first payroll period in December of each year according to the following schedule:

- A. Five years \$150
- B. Ten years \$300
- C. Fifteen years \$450
- D. Twenty years \$750
- E. Twenty-five years \$1,000
- F. Thirty years \$1,250
- G. Forty years \$1,500

7-8 LONGEVITY PAY AT RETIREMENT.

Each Full-Time and Part-Time Employee who has retired under Social Security and/or NH Retirement System (NHRS), and is leaving benefits eligible employment with the County, shall be eligible for Longevity Pay at the time of the Employee's Separation, provided written confirmation of the Social Security or NHRS retirement has been received. In no event shall a retiring Employee receive two Longevity payments for the same calendar year. Written confirmation of Social Security or NHRS retirement must be received prior to the payment being issued. This shall be calculated as of the Employee's most recent benefits eligible employment date.

7-9 LONGEVITY PAY AT TIME OF A LAYOFF.

Each Full-Time and Part-Time Employee who is laid off shall be eligible for a Longevity Payment at the time of the Employee's Layoff. This shall be calculated as of the Employee's most recent benefits eligible employment date. Payment shall be issued with the final check.

7-10 SHIFT DIFFERENTIAL.

The County employs individuals that work in Positions requiring 24-hour coverage, which is divided into multiple shifts. The shifts are defined for shift differential purposes as follows: first shift is 7 AM to 3 PM, second shift is 3 PM to 11 PM and third shift is 11 PM to 7 AM. Note: only second and third shifts and weekend shifts receive shift differential, as set forth in this section. An Employee shall be paid the applicable differential only if they work during time periods covered by shift differential(s). Further, Employees regularly receiving a shift differential shall be paid that same differential rate for mandatory trainings or in-service programs. Please Note: no differential will be paid for hours worked on weekday first shift (including hours worked by a second or third shift Employee during a 7am-3pm shift).

- A. Weekend Differential.

Positions that require 24-hour coverage shall be paid a differential for all weekend hours worked. The weekend hours are defined as 7:00 am Saturday to 7:00 am Monday.

7-11 OVERTIME.

Overtime may be paid out in compensation or accumulated as Compensatory Time for time worked in excess of 40 hours per week, as described in this Policy. This Policy applies only to Non-Exempt Employees.

- A. The O/DD or their designee must approve all Overtime before it is worked by a Non-Exempt Employee.
- B. Overtime will occur when an Employee's hours worked, plus holidays or accrued holiday time used, if applicable, exceed 40 hours in a work week. Earned time or other paid Leaves will not be counted as hours worked in the calculation of Overtime.
- C. In accordance with the Fair Labor Standards Act (FLSA), overtime pay is calculated at a rate of one and one-half (1.5) times the Employee's regular rate of pay. Most compensation, including shift differentials, longevity, and holiday premium pay, is included in the calculation of an Employee's regular rate of pay.
- D. In the event of an emergency, the O/DD may authorize Overtime for time worked in excess of eight (8) hours in a day. All emergency Overtime shall be reported to the Board of Commissioners on a bi-weekly basis, specifying the date(s) and nature of the emergency(s) and the number of Employees and Overtime hours worked. No Employee will be paid twice for the same Overtime. Employees working emergency Overtime will receive Overtime pay and will not be eligible for Compensatory Time.
- E. Compensatory Time may be granted by the O/DD in lieu of Overtime pay, as follows (except for the Long Term Care Services Department):
 1. Prior to the performance of any work for Compensatory Time, the employer and Employee must come to an agreement on the accrual and use of the Compensatory Time (Ref RSA 275:43).
 2. Compensatory Time is accrued at 1½ times the Overtime hours (E.g. Overtime Hours = 5 x 1.5 = 7.5 Hours Comp. Time). Compensatory Time used and incurred shall be reported after each pay period.
 3. Shift differential, as applicable, shall be paid on Compensatory Time granted in lieu of Overtime in the pay period in which the hours were worked. Differentials paid shall be at a 1.5 factor.
 4. The O/DD shall grant the Employee's request for use of authorized, accrued Compensatory Time within a reasonable period of time, unless to do so would disrupt the operations. Compensatory Time shall be requested in increments of the least amount that the time and attendance system can record.
 5. It is not the County's intention to allow anyone to reach the maximum levels. Anyone who accrues 80 hours of Compensatory Time shall not be allowed to accrue any additional Compensatory Time until approval is given by the Board of Commissioners.
 6. The maximum amount of accrued Compensatory Time is limited to 480 hours (1½ x 320) for public safety Employees (law enforcement or related duties) or emergency response Employees (dispatching or emergency vehicles and personnel and rescue work). The amount of accrued Compensatory Time is limited to 240 hours (1½ x 160) for all other Employees.
 7. Compensatory Time, when used, is paid at the Employee's current base rate of pay.

8. At the end of employment for any reason, when transferring from one department to another, or when changing status from Non-Exempt to Exempt, the Employee will be paid for unused Compensatory Time at the base rate received by said Employee immediately prior to the end of employment, transfer, or change in status. This payment shall be paid by the department in which the Compensatory Time was earned.

7-12 CALL-IN.

A. COVERAGE.

This Policy applies only to Hourly, Non-Exempt Employees.

B. PURPOSE.

This policy addresses the situation where O/DD's or supervisors may request that the County provide "Call-In" compensation to an Employee who responds to a Call-In during off-duty hours to come in to work to perform unforeseen or emergency tasks.

C. CALL-IN PAY.

A "Call-In" is defined as an unscheduled request made by an appropriate management official for a Non-Exempt, hourly Employee to return to the employment location to do unforeseen or emergency work after leaving the location at the end of the regular shift and before the beginning of the next regularly scheduled shift to be worked.

D. PROCEDURES.

1. The O/DDs will define the departments and job titles eligible for Call-In pay, based on operational needs.
2. The department head or supervisor of each designated department will decide specifically which Employee(s) in each job title will be assigned to Call-In time and receive the additional compensation. These decisions should be made fairly and equitably using work, skill related factors and in accordance with any applicable Collective Bargaining Agreements.
3. Call-In status may begin upon an Employee's response to a Call-In for work between the time an Employee has completed their regularly scheduled shift and begins their next regularly scheduled shift to be worked.
4. Employees must record their time worked in the usual manner.
5. The O/DDs or department heads will ensure the Employee is paid correctly for Call-In.

E. PAYMENT.

1. **No work available.** If an Employee accepts a Call-In and reports to work and no work is available, they will be paid a minimum of three hours at 1.5 times their first shift base rate and sent home. The three Call-In hours will not reduce the use of accrued time.
2. **Work is available.** If an Employee accepts work after properly reporting to a Call-In, the Employee is expected to work and should be paid for the time worked or a minimum of three (3) hours, whichever is greater. In the event the Call-In duty runs into the Employee's regularly scheduled shift, the Employee will be paid Call-In pay only for actual hours worked for the Call-In. Call-In hours worked will be paid at 1.5 times the rate for the hours worked. Call-In hours not worked will be paid at 1.5 times their base rate. Shift differentials will only apply to Call-In hours worked. Call-In hours will not reduce the use of accrued time. Call-In hours worked will be included in the calculation towards overtime pay.

3. **Shift Premiums.** Applicable shift premiums will be paid for all time worked during the Call-In shift.

7-13 CHANGES IN THE LAW.

If state or federal law mandates a higher minimum wage or a lower maximum work week, such law shall take precedence. The converse will not hold. Not all minimum wage laws are applicable to the County. The key word is "applicable." The United States Department of Labor and the New Hampshire State Department of Labor are the proper authorities for determining federal and state requirements.

CHAPTER 8 HOURS OF WORK

8-1 HOURS OF WORK.

O/DDs are responsible for establishing the hours of work for their respective departments. The County's work week is Sunday through Saturday.

- A. The County utilizes an electronic time and attendance system for tracking Employees' work hours, time off requests, and absences. Non-Exempt Employees must clock in and out each shift worked, as well as for any 30-minute paid meal break.
- B. Employees should review, approve, and submit their timecards at the end of each biweekly pay cycle for processing purposes and to ensure accuracy.

8-2 ATTENDANCE.

- A. O/DDs shall be responsible for ensuring Employees in their respective department record their attendance and absences in accordance with the procedures/format authorized by the County Commissioners. These records shall be reviewed at least bi-weekly. The records shall note all time scheduled and worked, time scheduled and absence from duty, including, but not limited to, the use of Earned Time, Holiday, Bereavement, Jury Duty, or Sick Pool for said scheduled duty. The record shall also indicate all scheduled or unscheduled Leave time.
- B. Attendance is an essential function of every Employee's job. All Employees are required to notify their O/DD, Department Head, supervisor and/or manager of any anticipated absence prior to the start of their workday. Failure to do so may result in denial of the use of Accrued Time. Individual departments may have specific absence notification requirements that must also be adhered to.
- C. Employees must work pursuant to their schedules established by the O/DD for the convenience of the County, not the Employee.
- D. Any Employee who fails to report for duty when scheduled on a weekend shall be required to make up that day the following weekend. Exceptions are granted to any Employee who returns to work with a note from a treating Health Care Provider, or if granted specifically by the O/DD. Individual departments may have different weekend scheduling requirements.
- E. Employees who are absent three (3) consecutive workdays or more due to illness must submit a note to the Human Resources Department and their supervisor from a treating Health Care Provider prior to the start of their shift, confirming that the Employee was medically incapacitated for work but is now medically fit to return to duty.

- F. Facts to show that Unscheduled Absence abuse has occurred shall be determined from all the circumstances of the case, including but not limited to:
 - 1. Use of Unscheduled Absences unsupported by a note from a treating Health Care Provider;
 - 2. A discernible pattern of Unscheduled Absences, such as the same day each week or each month;
 - 3. Occasions when the Employee, although claiming illness, is seen under circumstances that suggest good health;
 - 4. Any other circumstances that are suspicious or questionable.
 - 5. Unscheduled Absences for three (3) or more days over a three (3) month period, other than when the Employee is on an approved Leave.
- G. All discipline shall provide the opportunity for the Employee to correct the abuse of the Policy. The Employee shall be notified of any possible disciplinary action that may take place should the Employee fail to show immediate improvement. Should any Employee receive a warning they dispute, they may follow the grievance procedure. However, chronic abuse of Unscheduled Absences may be used as a basis for termination. Any exceptions to this Policy shall require the approval of the Board of Commissioners.
- H. No Employee shall be reprimanded for poor attendance due to time taken for a pre-approved, authorized absence. This time shall not be included in the aforementioned definition for Unscheduled Absences; however, it shall be recorded as noted above.
- I. Requests for assignment of overtime, including double shifts, may not be authorized for individuals who have Unscheduled Absences within that same pay period.

8-3 MEAL PERIODS.

A meal period shall be reserved for each Employee at times designated by the O/DD and in compliance with New Hampshire state law. It shall normally be one-half hour. The O/DD may include the meal period time in computing the total working hours of an Employee.

8-4 WEATHER EMERGENCIES.

The County has many departments that operate 24 hours per day/seven days per week with a responsibility to protect those in the County's care. In order for the facilities to operate efficiently, the Board of Commissioners may declare a weather emergency as necessary. Only the Board of Commissioners has the authority to determine closure of any one or more departments.

- A. Essential Personnel. Each O/DD shall identify each of the Positions in their department as being essential or non-essential. This list shall be provided to the Senior Director of Human Resources annually no later than October 1. Essential, non-exempt personnel shall report for duty as assigned. Essential personnel who do not report for duty shall not be paid for the day. If the Employee cannot report to work due to illness, a note will be required from a treating Health Care Provider in order to use accrued time. For each Weather Emergency, the Board of Commissioners will determine if any essential Employee who reports late for duty will be compensated without having to use accrued time. All applicable Employees will be informed of the Board's determination via email and an inter-office memorandum for department posting purposes.
- B. Non-essential personnel. If authorized by their O/DD, non-essential, non-exempt personnel who do not report for duty may use accrued time during a weather emergency in lieu of an unpaid day. This use of accrued time shall be considered

authorized Leave. O/DDs have discretion to allow their non-essential personnel to arrive late or depart early depending on weather conditions, with use of accrued time.

8-5 BREAKS FOR NURSING MOTHERS.

An Employee may take reasonable breaks for the purpose of expressing breast milk for her nursing child for one year after the child's birth each time such Employee has a need to express the milk. The County will provide a location that is not a restroom, is shielded from view and free from intrusion from coworkers and the public, which may be used by the Employee to express breast milk.

- A. The Employee may take a reasonable break each time she has the need to do so. Breaks that run concurrently with regularly scheduled paid breaks will be paid. Any additional breaks taken during the Employee's scheduled shift will be unpaid, unless required to be compensated by applicable wage and hour law, or require the use of accrued time. Employees are required to punch in and out for these additional breaks.

**CHAPTER 9
LEAVES**

9-1 GENERAL POLICY.

Leave is any absence from regularly scheduled work hours. All requests for Leave will be submitted to the Employee's O/DD or their designated representative to seek their approval for such Leave. Leave may be with or without pay and shall be granted in accordance with these rules, with applicable law, with the work requirements of the department and, whenever possible, with the personal desire of the Employee. Pay for Leave is calculated based on the base pay rate at the time of the absence, and it will not include any special forms of compensation such as incentives, commissions, bonuses, overtime, or shift differentials. Employees will not accrue any earned time or holidays after 30 calendar days of any Leave of absence. Accrued time usage may not be requested by an Employee upon notice of resignation for the purpose of extending an Employee's last day of employment.

9-2 EARNED TIME.

Part-Time and Full-Time Employees accrue earned time. Earned time is an alternative approach to the traditional manner of earning paid time off for vacation, personal and sick days. Instead of dividing benefits into a specific number of days for each category, earned time puts these days together into a single benefit. Earned time days can be used for a variety of purposes. Bereavement Leave, Holidays and Jury Duty are provided as separate benefits.

- A. Earned time accruals are credited on the last day of the month in which it is earned and are available for use on the first day of the following month.
- B. When an Employee is hired on or before the 15th of the month, the Employee will accrue for that month. If the Employee is hired after the 15th, the accruals will start the following month. When the Employee has an anniversary for a new accrual level, the same rule will apply. For those hired on or before the 15th of the month, the new accrual rate will start in that month. If the Employee is hired after the 15th of the month, the Employee's new accrual rate will start in the next month.
- C. Accruals are shut off on the thirtieth continuous calendar day of absence and will not be accrued for that month if the thirtieth day of Leave occurs before the fifteenth

(15th) day of the month and for any subsequent months while on continuous Leave. When the Employee returns from Leave of absence after being out 30 or more days, the accrual is turned back on depending on the date in which the Employee returns. If the Employee returns on or before the 15th of the month, the Employee will accrue for that month. If the Employee returns after the 15th, the Employee will not accrue for that month and accruals will resume in the next month. When the Employee returns from Leave in a reduced schedule status, the above will still apply. However, if the Employee is in the reduced schedule for a month or longer, when the Employee's accruals resume, the accruals will be at the pro-rated level of the hours the Employee is actually working. The Employee's accrual rate for both pro-ration and return to Full Time status will use the 15th of the month rule as described above.

D. The accrual rates for Full-Time Employees are set out below:

Years of Service	Hours Accrued per Month	Accrued Days per Year
0 to 4	14.65	21.98
After 4 to 9	18.00	27.00
After 9	21.36	32.04

- E. The accrual rate for Part-Time Employees is on a prorated basis. Part-time Employees accrue Earned Time based on regularly scheduled biweekly hours worked, or in pay status up to those hours budgeted for the Position (other non-status hours worked and supplemental compensation, such as Overtime, are excluded) and on years of service, as referenced above, to the County.
- F. Years of service will be calculated from the employment date in a benefits-eligible Position and in accordance with applicable law. However, Employees that change to non-benefits eligible status for a period of less than one (1) year, work an average of 24 hours per week while per diem, and later return to benefits eligible status will have their service bridged for purposes of computing Earned Time accrual, payout at end of employment, and accrual hours cap. This bridging of service will only occur the first time an Employee changes status, and not for any subsequent changes.
- G. 1. As of December 31, 2007 Employees who were hired on or prior to December 31, 2004 may accrue up to 10 pay periods of earned time based on their regularly scheduled biweekly work hours. Earned time will not accrue over ten (10) pay periods in any Employee's regular account from December 31, 2007 forward.
2. As of December 31, 2007, Employees who are hired on or after January 1, 2005 may accrue up to 6 pay periods of earned time based on their regularly scheduled biweekly work hours.

Earned Time Chart 1 Illustrative Example

Hired on or before 12/31/04

Hours worked biweekly	Days	Hours Cap	Pay periods
80	100	800	10
72		720	10
68		680	10
64		640	10
56		560	10
48		480	10

Earned Time Chart 2 Illustrative Example

Hired on or after 1/1/05

Hours worked biweekly	Days	Hours Cap	Pay periods
80	60	480	6
72		432	6
68		408	6
64		384	6
56		336	6
48		288	6

* Please note that any other benefit eligible schedules not defined in the previous chart will be calculated by taking an Employee's number of regularly scheduled biweekly hours and multiplying by ten (10) pay periods (for those hired on or before 12/31/2004) or six (6) pay periods (for those hired on or after 1/1/2005).

3. Employees with years of service bridged in accordance with 9-2 F. will also have their service bridged for purposes of calculating their accrual cap. This bridging of service will only occur the first time an Employee changes status, and not for any subsequent changes in status.
4. It is the Employee's responsibility to monitor their regular earned time account and comply with the requirements of this policy. However, O/DD/Department Heads are responsible for tracking the balance to ensure that no Employee is being approved for earned time that they do not currently have in their accrued balance. No Employees will be allowed to go into a negative earned time balance.

H. USAGE.

1. Earned time may be used after being earned, including during an Employee's Initial Evaluation Period.
2. Planned absences shall be defined as day(s) of absence when an Employee has the ability to control the day they requested or has advance notice of the need to take time off. Planned absences require advance notice of a minimum of two (2) weeks or from the earliest date possible if less than two (2) weeks. It is expected that all planned absences will be mutually agreed upon by the Employee and their supervisor prior to the date of absence and recorded in the County's time and attendance system. Supervisors must approve or deny requests for planned absences within 72 hours. Examples include vacation, personal recreation, physician appointments of a non-emergency nature, attendance at events that provide for advance planning and scheduled or elective surgery. Typical situations, which normally would prohibit advance notice, include accidents, sudden illness and household disasters.
3. Failure to provide adequate notice may result in denial of the use of earned time.
4. Non-Exempt Employees may use earned time in the smallest increment allowed by the time and attendance system.

5. Exempt Employees are required to utilize earned time in whole day increments only, regardless of the number of hours or days worked in the same work week. This also applies to whole day unscheduled absences.
 - a. If the Exempt Employee *does not work* on the day of a pre-planned absence, then the accrual bank (e.g. earned time, holiday time) *will still be deducted* for the pre-planned absence without regard to the number of days or hours worked under RSA 275:43-b. There will be no “flexing” or backing down of pre-planned accrual use except in the situation explained in the immediately following paragraph.
 - b. If, for whatever reason, an Exempt Employee performs substantial work (per the discretion of the O/DD) on a day that was previously designated as a pre-planned absence, then they can request of their supervisor to have the accrual bank usage removed, with explanatory comments added in the time and attendance system.
 - c. Schedules will still be maintained in the time and attendance system, but utilized primarily for accrual purposes and Leave tracking.
6. If a Non-Exempt Employee takes paid Leave for five (5) days in a work week and then works the sixth day, the O/DD will decide whether to pay the Employee for 48 hours at their base hourly rate or for 40 hours at their base hourly rate with a credit of one day of paid Leave.

I. OVERTIME.

Earned Time may not be requested by an Employee to cover normally scheduled duty shifts in order to gain opportunities for added Overtime.

J. END OF EMPLOYMENT.

1. Earned time for all Employees hired on or before December 31, 2004, up to a maximum of ten (10) pay periods based on their regularly scheduled biweekly work hours, will be paid at the end of employment. Earned time for all Employees hired on or after January 1, 2005 will be paid out in accordance with the following schedule, up to a maximum of six (6) pay periods, based on their regularly scheduled biweekly work hours. Employees laid off are exempt from this section of the Policy and will be paid out at 100% regardless of their hire date.
2.

<u>Years of Service</u>	<u>Percentage of ET Accruals to be paid out</u>
0 through 4 th anniversary	50%
After 4 th through 10 th anniversary	75%
After 10 th anniversary	100%

(Example: An Employee hired 10/10/2015 that resigns effective 02/28/20 is eligible to be paid out at 75%.)
3. No unused earned time will be paid if the Employee is either involuntarily Terminated for cause as described in the “Promotion, Demotion, and End of Employment” chapter, or during the Initial Evaluation Period.
4. Employees with years of service bridged in accordance with 9-2 F. will also have their service bridged for purposes of calculating their payout percentage at the end of employment. This bridging of service will only occur the first time an Employee changes status, and not for any subsequent changes in status.

K. LAYOFF.

Layoff is considered the end of employment. Employees that are laid off will not be subject to the above schedule and will be paid 100% of their accrued Earned Time.

9-3 SICK POOL LEAVE.

The Sick Pool program was discontinued effective January 4, 2013 for all non-union and Sheriff Deputy Employees without existing Sick Pool accounts. No further conversions will be allowed for any non-union or Sheriff's Deputy Employee; however, any Employee with remaining balances may apply to utilize Sick Pool Time.

Qualified Sick Pool Leave is for the Employee's extended illness, ADAAA qualified disability, or to care for an ill parent, spouse or child that would meet the criteria for serious health condition under the FMLA, even if the Employee is not eligible for FMLA Leave.

- A. A request to use Sick Pool Leave may be placed through the O/DD only under the conditions listed below, and Sick Pool Leave balances are not paid out at the end of employment. A balance of Sick Pool Time does not guarantee employment continuation.
 1. Use of Sick Pool Leave may begin on the fifth workday absence of Qualified Sick Pool Leave. An exception to the "fifth-day rule" may be granted by the Senior Director of Human Resources in the case of recurrence and/or therapy regarding a Qualified Sick Pool Leave for which the threshold requirement has previously been met, or as a reasonable accommodation under the ADAAA or applicable state law.
 2. A treating Health Care Provider's report indicating condition and duration must accompany the request to use Sick Pool Leave. Periodic reports may be required.
 3. Usage of Sick Pool Leave is subject to review by the County. In the event the County deems the time away for a specific medical condition to be irregular, the County may require the Employee to be evaluated by a second Health Care Provider at the County's expense as permitted under applicable law.
 4. It is not necessary to use up all earned time before using Sick Pool Leave.
 5. The Employee may continue using their balance of Sick Pool Leave until the Employee no longer meets the definition of Qualified Sick Pool Leave.

9-4 HOLIDAYS.

- A. The following days are typically recognized as the County's designated holidays. The County designated holidays may be amended from year to year at the Board of Commissioners' discretion. The holidays are considered to begin at 11:00 p.m. on the day preceding the holiday.

- New Year's Day
- Martin Luther King Jr Civil Rights Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Biennial Election Day
- Columbus Day
- Veterans' Day
- Thanksgiving

Friday After Thanksgiving
Christmas Day

- B. Holiday time is accrued (or paid) to a maximum of 8 hours per holiday.
1. Non-Exempt Employees may use holiday time in the smallest increment allowed by the time and attendance system.
 2. Exempt Employees are required to utilize holiday time in whole day increments only, regardless of the number of hours or days worked in the same work week.
 - a. If the Exempt Employee *does not work* on the day of a pre-planned absence, then the accrual bank (e.g. earned time, holiday time) *will still be deducted* for the pre-planned absence without regard to the number of days or hours worked under RSA 275:43-b. There will be no “flexing” or backing down of pre-planned accrual use except in the situation explained in the immediately following paragraph.
 - b. Exempt Employees that perform any work on a County holiday should record their time worked in the time and attendance system for accrual purposes. Holiday time usage on holidays shall be reduced by the lesser of the time worked or a full day.
 - c. If, for whatever reason, an Exempt Employee performs substantial work (per the discretion of the O/DD) on a non-holiday that was previously designated as a pre-planned absence utilizing accrued Holiday time, then they can request of their supervisor to have the accrual bank usage removed, with explanatory comments added in the time and attendance system.
 - d. Schedules will still be maintained in the time and attendance system, but utilized primarily for accrual purposes and Leave tracking.
- C. Upon return to work from any Leave of absence, holiday Leave will be accrued based upon a percentage of Full Time hours directly proportional to hours regularly worked. In the case of forty (40)-hour-per-week Employees, if they return to work for twenty (20) hours per week they will accrue 50% benefits. Should Employees work thirty (30) hours per week, they would accrue 75% benefits.
- D. To be eligible for Holiday Leave pay, a non-exempt Employee must work the last scheduled day preceding and the first scheduled day following a holiday, unless on authorized Leave.
- D. Employees requesting to take a scheduled workday off that is also a holiday are required to utilize holiday accrual hours. In the event that an Employee does not have available holiday accrual hours, they are permitted to utilize Earned Time accrual hours. This does not apply when a holiday occurs during an approved Leave for FMLA, ADAAA, or other approved Sick Pool qualifying Leave, and an Employee is utilizing Sick Pool Leave.
- F. Whenever a holiday falls on a Saturday, the preceding Friday will be observed as the holiday. When the holiday falls on a Sunday, the following Monday shall be observed as the holiday.
- G. Non-essential Personnel. Employees shall be excused from all duty on these holidays unless their O/DD determines that an emergency requires them to work. Part Time Administrative Employees will accrue holidays based upon a percentage of their regularly scheduled hours that are directly proportional to a Full Time Position.

- H. Essential Personnel. Departments that require round-the-clock, round-the-calendar service will make every effort to equally distribute the need for working holidays. When an Employee is required to work a holiday, the following shall apply:
1. Employees shall be entitled to an alternate day off.
 2. Any Employee who is scheduled for duty on a holiday and fails to report for duty on that day shall forfeit that holiday, unless the Employee has a written treating Health Care Provider's certification which confirms the Employee was unable to report for duty.
 3. Part-time Employees must work the holiday to earn a day off, equivalent to the number of hours worked on that holiday to a maximum of eight (8) hours.
 4. Temporary and Per Diem Employees receive no day off in lieu of the holiday whether they work on a holiday or not.
 5. Holidays will be observed on the legal holiday regardless of the County's holiday schedule.
 6. End of Employment. Employees will receive 100% of accrued holiday time at the end of employment.

9-5 BEREAVEMENT LEAVE.

The purpose of Bereavement Leave is to enable an Employee to take care of personal arrangements and/or attend services due to the death of a family member, as Immediate and Extended family are defined in this Policy.

- A. Immediate family is defined as the Employee's spouse, parent, children, grandparent, brother, sister, mother-in-law, father-in-law, grandchildren, step-parent, step-children, step-brother, step-sister, legal guardian, daughter-in-law, son-in-law, sister-in-law, brother-in-law, foster child or other relative living in the Employee's immediate household. It does not include friends or neighbors.
- B. Extended family is defined as aunt, uncle, niece, or nephew.
- C. A Full-Time or Part-Time Employee may have up to three (3) paid working days (up to 8 hours per day or 8.25 hours per day as applicable) of Bereavement Leave for Immediate Family member as defined in A, and up to one (1) paid working day for Extended family as defined in B.
- D. Employees may request the use of additional accrued time beyond the allowed amount of Bereavement Leave from their O/DD.
- E. Bereavement Leave qualifies as an approved Leave.

9-6 JURY DUTY/WITNESS LEAVE.

Jury duty and being a witness at a trial/hearing is recognized as an important civic responsibility. An Employee may be granted Leave without loss of pay when on jury duty or when subpoenaed to appear before court, a public body or a public commission. In each instance the Employee shall submit a written request in advance to their O/DD, except in an unusual situation where advance notice may be impossible. In such instance the Employee shall notify the O/DD of the need for Leave as soon as possible.

During such Leave, the County will pay the difference between any compensation received for such service and the regular net pay of the Employee. In no case will any Employee receive earned time payments while on jury duty.

9-7 MILITARY LEAVE.

Employees will be granted Military Leave consistent with applicable Federal and State laws.

- A. Upon request, any Employee entering active duty may receive pay for all or part of their accrued earned time. The Employee should give their O/DD as much notice as possible of their enlistment or summons for active duty and provide a copy of written orders.
- B. No benefits that an Employee had accrued prior to Military Leave shall be lost because of going on Military Leave. The Employee will not accrue other benefits during Military Leave, except Leave for Reserve or National Guard training and as required by applicable law. The Senior Director of Human Resources has additional information on this subject.
- C. During Military Leave for Reserve or National Guard training, the County will pay the Employee in one of the two following methods:
 1. The Employee may turn in their federal check to the Finance Department as soon as possible to receive a regular County paycheck for regular hours due; or
 2. The Employee may notify the O/DD of their desire to take earned time for the reserve duty period. This will be paid by the County in accordance with regular payroll procedures.
- D. It is the County's intent to provide support to any Employee called to serve our country during times of war. During Military Leave for active duty, the Board of Commissioners will evaluate each occurrence and determine whether supplemental payments and/or benefits in excess of those provided through federal and state laws and regulations will be provided. In accordance with applicable federal law and if the opportunity arises, the Employee called to active duty must provide a letter from their commanding officer that allows them to work for the County while on active duty.

9-8 FAMILY AND MEDICAL LEAVES OF ABSENCE (Referred to as FMLA).

This Leave of absence is available to eligible Employees to provide time off for their own medical reasons or to provide certain family care, in accordance with the Family and Medical Leave Act of 1993 (FMLA) as amended from time to time.

A. EMPLOYEE ELIGIBILITY REQUIREMENTS.

To be eligible for this Leave of absence, an Employee must:

1. Have been employed for at least twelve months; and
2. Have worked at least 1,250 hours during the twelve months preceding the commencement of the Leave; and
3. Work at a work site where 50 or more Employees are employed within 75 miles of the work site.

B. REASONS FOR LEAVE.

Eligible Employees may be entitled to take a Leave of absence for the following reasons:

1. The birth of a child or the placement in the Employee's home of a child for adoption or for foster care (NEW CHILD LEAVE);
2. The need to care for the Employee's spouse, son, daughter or parent who has a serious health condition (FAMILY LEAVE described herein);
3. A serious health condition that prohibits the Employee from performing essential functions of their job (EMPLOYEE LEAVE described herein);

4. A covered family member's active duty or call to active duty in the Armed Forces as defined under the FMLA (FAMILY MEMBER LEAVE described herein);
5. The need to care for an injured or ill servicemember (CAREGIVER LEAVE described herein).

C. DEFINITION OF SERIOUS HEALTH CONDITION.

A serious health condition is an illness, injury, impairment or physical or mental condition which involves the following:

1. Inpatient care; or
2. A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that involves treatment two or more times by a health-care provider, by a nurse or physician's assistant under direct supervision of a health-care provider or by a health-care service under orders of or on referral by a health-care provider; or
3. A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that involves treatment by a health-care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health-care provider; or
4. A chronic condition which requires periodic visits for treatment by a health-care provider or by a nurse or physician's assistant under direct supervision of a health-care provider *and* continues over an extended period of time (including recurring episodes of a single underlying condition) *and* may cause episodic rather than a continuing period of incapacity (e.g., diabetes, epilepsy); or
5. A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective—the Employee or family member must be under the continuing supervision of, but need not be receiving active treatment by a health-care provider (e.g., Alzheimer's, a severe stroke); or
6. A period of absence to receive multiple treatments (including any period of recovery therefrom) by a health-care provider or by a provider of health-care services under orders of or on referral by a health-care provider, either for restorative surgery after an accident or other injury or for a condition which would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., chemotherapy, radiation, dialysis); or
7. Any period of incapacity due to pregnancy or for prenatal care.

D. CALL OR ORDER TO ACTIVE MILITARY DUTY.

An Employee whose spouse, son, daughter, parent or next of kin either has been notified of an impending call or order to active military duty as defined under the FMLA or who is already on active duty may take up to 12 weeks of Leave for reasons related to or affected by the family member's call-up or service. Reasons related to the call-up or service include helping the family member prepare for the departure or caring for children of the servicemember. The Leave may commence as soon as the individual receives the call-up notice. (Son or daughter for FAMILY MEMBER LEAVE is defined the same as for child for other types of FMLA Leave, except that the person does not have to be a minor.)

E. AMOUNT OF LEAVE AVAILABLE.

An eligible Employee may take up to 12 weeks (or up to 26 weeks for CAREGIVER LEAVE) of Leave in a 12-month period. The amount of Leave available is a rolling

twelve-month period measured back to the date an Employee uses any Leave under this policy. Each time an Employee takes Leave, the County will compute the amount of Leave the Employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for CAREGIVER LEAVE) of available Leave, with the balance remaining being the amount the Employee is entitled to take at that time.

1. New Child Leave under B.1. must be taken in consecutive weeks within twelve months after the child's birth or placement of the child by adoption or foster care.
2. Caregiver Leave may extend to up to 26 weeks in a 12-month period for an Employee whose spouse, son, daughter, parent or next-of-kin is injured or recovering from an injury suffered while on active military duty and who is unable to perform the duties of the servicemember's office, grade, rank or rating. Next-of-kin is defined as the closest blood relative of the injured or recovering servicemember. An Employee is also eligible for this type of Leave when the family servicemember is receiving medical treatment, recuperation or therapy, even if the servicemember is on temporary disability retired list. This is the only type of FMLA Leave that may extend an Employee's Leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA Leave are included with this type of Leave totaling the 26 weeks.

F. NOTIFICATION BY EMPLOYEE

1. REASONS FOR LEAVE B. (1.), (2) AND (3)
 - a. Foreseeable Events. The Employee must notify their O/DD and Human Resources at least 30 days in advance of foreseeable Leaves, such as Leaves for planned medical treatment or for the birth of the Employee's child.
 - b. Unforeseeable Events. For events such as accidental injury causing a serious health condition or a premature birth, the Employee should notify their O/DD and Human Resources of the need for Leave within one day of when they find out when Leave is needed.
 - c. Failure to Give Notice. Failure to give notice as required may result in delay or denial of FMLA LEAVE. In the case of foreseeable Leaves, the County may delay the Leave for up to 30 days from the date the Employee notified it of the need to take the FMLA LEAVE.
2. REASONS FOR LEAVE B. (4) AND (5)
 - a. Foreseeable Events. The Employee must provide a written request for Leave and reason(s) to their O/DD and the HR department.
 - b. Unforeseeable Events. The Employee must provide verbal notice with an explanation of the reason(s) for the needed Leave to their O/DD and the HR department. Leave may commence as soon as the individual receives the call-up notice.

G. NOTIFICATION BY THE COUNTY.

The County will notify an Employee when it designates absences as FMLA LEAVE generally within two workdays or when the County reasonably knows of the absence. In appropriate cases, the County will designate Leave as FMLA LEAVE even if not requested by the Employee. The County has the right to designate as FMLA LEAVE all time missed by an Employee that would qualify under this policy.

H. MEDICAL CERTIFICATION.

The Employee must submit a Certification of Health-care Provider no later than 15 days following their request for EMPLOYEE LEAVE or FAMILY LEAVE. The

Certification of Health-care Provider must be completed by a qualified health-care provider.

1. The County retains the right to have the Employee examined by another health-care provider (and possibly a third, if the first two medical opinions are inconsistent) at its expense.
2. The County reserves the right to request periodic additional medical certification during the term of a Leave of absence.

I. MILITARY DUTY CERTIFICATION.

The Employee requesting this type of FMLA Leave must provide proof of the qualifying family member's call-up or active military service no later than 15 days following their request for this type of Leave. This documentation may be a copy of the military orders or other official Armed Forces communication.

J. INJURED OR ILL SERVICE MEMBER CERTIFICATION.

The Employee requesting this type of FMLA Leave must provide certification of the family member or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the servicemember's injury or illness incurred on active military duty that renders the member medically unfit to perform their military duties. This certification is not tied to a serious health condition as for other types of FMLA Leave.

K. INTERMITTENT OR REDUCED SCHEDULE.

If and only if it is medically necessary, FAMILY LEAVE, EMPLOYEE LEAVE, FAMILY MEMBER LEAVE or CAREGIVER LEAVE may be taken on an intermittent or reduced schedule basis.

1. Intermittent or reduced schedule Leave will be counted on a quarter-hour basis.
2. The Employee must submit the required certification as outlined in this policy to support their need for an intermittent or reduced schedule Leave.
3. The Employee must inform the County of the anticipated treatment schedule and the reasons for the proposed schedule.
4. The County may require the Employee to work in a different Position or on a different schedule during the period of an intermittent or reduced schedule Leave that will better accommodate the necessities of their schedule. The alternative Position will have the same pay and benefits as the Position held prior to commencement of the Leave.
5. For all Leaves involving planned medical treatments, including intermittent and reduced schedule Leaves, the Employee is obligated to plan for treatments so they will cause the least disruption to the County.
6. The County retains the right to deny an intermittent or reduced schedule Leave for NEW CHILD LEAVE (B. 1.).

L. PAY AND BENEFITS.

The FMLA Leave is unpaid. However, the Employee may use earned time, accrued holidays, or when qualified, Sick Pool, during this Leave, unless the Leave is running concurrently with Workers' Compensation Leave or Short-Term disability.

1. Regardless of whether the Employee receives pay during the Leave, the full amount of Leave will be counted toward maximum Leave available.

2. Any missed time for designated FMLA Leave during an Employee's scheduled workday will be counted towards their FMLA entitlement hours, regardless of the total number of hours worked during the same day or work week for purposes of pay.
3. The Employee will not accrue any earned time or holidays after 30 calendar days of FMLA Leave.
4. The Employee will continue to be covered by the County's group health insurance plan during the FMLA Leave if they pay their portion of the premium. Coverage of all insurance may stop if the County learns the Employee does not intend to return to employment or does not return to employment. In these cases, the County may request the Employee to reimburse it for any premiums it has paid on their behalf during the Leave unless they did not return because of a continued serious health condition or for other reasons beyond their control.

M. CLEARANCE TO RETURN TO WORK.

The Employee must contact the Human Resources Department to submit the medical clearance to return to work and their O/DD to determine when to report for duty prior to returning from EMPLOYEE LEAVE. Failure to follow these procedures may delay when they can come back to work. The County may require the Employee to submit to a fitness-for-duty exam at its cost.

N. EMPLOYMENT RESTORATION.

The Employee will be returned to the same or an equivalent Position, provided the Employee's employment would not have been terminated had they been continuously employed during the FMLA Leave.

1. An equivalent Position has equivalent benefits, pay and other terms and conditions of employment.
2. An exception to the employment restoration provision of this policy will be made if the Employee is a Key Employee. A Key Employee is an Employee who is exempt and among the highest paid 10 percent of the County's Employees within seventy-five miles of their worksite. A decision not to restore employment arises when restoration would result in substantial economic injury to the County. In this situation, however, the Employee will be notified of the County's intent to deny restoration and will be given an opportunity to return to work immediately.
3. Failure to return to work at the end of the FMLA LEAVE may be considered a resignation. The County will try to contact the Employee and determine why the Employee has not returned to work.

O. FAILURE TO COMPLY WITH THIS POLICY.

If an Employee fails to follow the guidelines in the policy or falsifies any information related to the medical certification, their Leave may be delayed or denied, and discipline up to and including Termination may result.

P. PROCEDURES.

Employees must follow specific procedures to request FMLA Leave. These procedures are as follows:

1. Complete the request form, sign it, make a copy of it and return the original to the Human Resources Department.
2. Complete an authorization form, which acknowledges the County's legal right to recover the cost of any premium paid by the County to maintain the Employee's coverage in group benefits during the period of unpaid Leave except under the following conditions:

- a. The continuation, recurrence, or onset of a serious health condition that entitles the Employee to Leave to care for a child, parent or spouse with a serious health condition, or if the Employee is unable to perform the functions of the Position due to their serious health condition; or,
 - b. Other conditions beyond the Employee's control that prevent them from returning to work.
3. Return a completed "Certification of Health-Care Provider" form within 15 days of the request for Leave requests meeting the criteria of B. (1), (2) and (3) or copies of military orders or military medical information for Leave requests meeting the criteria of B. (4) and (5).

Q. EFFECT OF LABOR AGREEMENT.

All provisions of this policy will prevail, except as modified by any applicable labor agreement.

9-9 PREGNANCY LEAVE.

A. EMPLOYEE ELIGIBILITY REQUIREMENTS.

Female Employees are eligible for Pregnancy Leave.

B. REASONS FOR LEAVE.

An employer shall permit a female Employee to take Leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions.

C. AMOUNT OF LEAVE AVAILABLE.

The Leave duration will be based on the period the Employee is disabled as determined by her treating health care provider. If the Employee is eligible for FMLA Leave, the full amount of Leave will be counted concurrently toward the 12-week maximum Leave available in a 12-month period.

D. PAY AND BENEFITS.

Pregnancy Leave is unpaid. However, the Employee may use earned time, accrued holidays or qualified Sick Pool time during this Leave.

- 1. The Employee will not accrue any earned time or holidays after 30 calendar days during Pregnancy Leave.
- 2. The Employee will continue to be covered by the County's group insurance plans during the Pregnancy Leave if she pays her portion of the premium. Coverage of all insurance may stop if the County learns the Employee does not intend to return to employment or does not return to employment. In these cases, the County may request the Employee to reimburse it for any premiums it has paid on her behalf during the Leave unless she did not return because of a continued serious health condition or for other reasons beyond her control.

E. NOTIFICATION BY EMPLOYEE.

The Employee must notify their O/DD and Human Resources at least 30 days in advance of the Leave, or as soon as reasonably possible.

F. CLEARANCE TO RETURN TO WORK.

The Employee must contact the Human Resources Department to submit the medical clearance to return to work and their O/DD to determine when to report for duty prior to returning from pregnancy Leave. Failure to follow these procedures may

delay when they can come back to work. The County may require the Employee to submit to a fitness-for-duty exam at its cost.

G. EMPLOYMENT RESTORATION.

When the Employee is physically able to return to work, her original job or comparable position shall be made available to her by the County unless business necessity makes this impossible or unreasonable. Failure to return to work at the end of the Pregnancy Leave may be considered a resignation.

H. EFFECT OF COLLECTIVE BARGAINING AGREEMENT.

All provisions of this Policy will govern, except as modified by any applicable Collective Bargaining Agreement.

9-10 GENERAL LEAVE.

An Employee, who is not eligible for FMLA and/or Pregnancy Leave, has exhausted that Leave or who has a personal need not covered by those policies, may request in writing a General Leave. Employees taking a General Leave must exhaust their accrued time and/or Sick Pool Time before entering into an unpaid status.

A. Reasons for General Leave.

1. General Leave (for medical reasons) shall be supported by a treating Health Care Provider's note indicating that the Employee is unable to perform the essential functions of their job and the expected duration of the Leave.
2. Requests for General Leave shall be outlined by the Employee and will include the reason and requested duration of the Leave.

B. All requests for up to fifteen (15) workdays shall be submitted on the Leave of Absence request form to Human Resources for approval in coordination with the O/DD. A notation in the time and attendance system indicating General Leave and approval shall be sufficient documentation of the O/DD approval for payroll purposes.

C. All requests for Leaves of sixteen (16) workdays or greater shall be submitted on the Leave of Absence request form to Human Resources for approval in coordination with the O/DD. If recommended by the O/DD and the Senior Director of Human Resources, such requests shall be submitted by the Senior Director of Human Resources to the Board of Commissioners for approval.

D. The terms and conditions of a General Leave including duration and benefit coverages shall be determined on a case-by-case basis.

E. Application for extension of such Leaves must be filed at least two (2) weeks prior to expiration, when possible.

F. While on General Leave, the Employee must keep the O/DD and Human Resources advised as to their status, condition, and/or intent to return to work.

G. Failure to return from General Leave as scheduled may be considered a resignation.

9-11 WORKERS' COMPENSATION LEAVE.

Employees are required by law to report an on-the-job injury or disease promptly to their supervisor, even if it is deemed to be minor.

A. An "Incident Report" must be completed by the Employee immediately, or as soon as reasonably possible (not to exceed 24 hours), to inform their supervisor and the County of the on-the-job related injury or disease. The supervisor will complete an

“Accident Investigation Form” and submit both forms to the Human Resources Department for filing.

- B. The County shall coordinate through its applicable coverage carriers that all reasonable medical and hospital services, remedial care or vocational rehabilitation and various types of disability compensation are provided to an Employee who suffers an approved on-the-job injury or disease.
- C. Pursuant to applicable law, the Employee may not sue the County as a result of an on-the-job injury or disease.
- D. Upon a report of a work-related injury or disease, the County will file an Employee's First Report of Injury or Occupational Disease form with the NH Department of Labor (DOL) and the insurance carrier that is administrating the County's Workers' Compensation funds. All occupational injuries or diseases resulting in one visit, as a minimum requirement, to a Health Care Provider other than a house physician, will be filed with the NH DOL as soon as possible, but no later than five (5) days after the date of knowledge thereof. If the injury or disease results in lost time, FMLA or other applicable Leave may also be designated and run concurrently.
- E. The County will report to the NH DOL and the insurance carrier any occupational disability, whether total or partial, of four (4) or more days as a Supplemental Report of Injury as soon as possible, but no later than ten (10) days, after the date of knowledge thereof.
- F. Employees may use accrued time (i.e. earned time, holiday time, vacation time) only for the first three (3) days of Workers' Compensation Leave or while awaiting approval of a Workers' Compensation claim. If the Workers' Compensation claim is approved, the Employee will be required to reimburse the County for accrued time used and also paid by the Workers' Compensation carrier. Reimbursed accrued time will be returned to the Employee's accrued time bank(s).
- G. TEMPORARY ALTERNATIVE DUTY (TAD).

In accordance with NH RSA 281-A:23-b, it is the policy of the County to provide temporary alternative duty to Employees who have sustained injuries which qualify them for Workers' Compensation and who can return to work on restricted duty; the ultimate objective is to return those Employees to their original jobs as soon as medically possible. By definition, TAD is not applicable to an Employee who has permanent restrictions that preclude them from performing the essential functions of their job or where the Employee's treating Health Care Provider has indicated that they will not be able to return to their previous type of employment due to a work-related injury.

1. The Workers' Compensation Coordinator (WCC) for the County shall be in contact with the O/DD of Employees who are out of work due to work-related injuries.
2. The primary goal, once an Employee is able to return to work in an alternative duty capacity, is to return her/him to duty in the Position and department where s/he worked at the time of the injury.
3. The O/DD will work with the WCC to develop TAD opportunities in accordance with RSA 281-A. If placement in the Employee's home department is deemed by the O/DD and WCC not to be possible, the WCC will work with other O/DDs to find placement for the Employee within the County. The WCC and O/DD will develop an outline of tasks, review those tasks against the Employee's release to return to work, and prepare a proposal for return to work that can be reviewed by the Employee's treating

Health Care Provider.

4. If an O/DD is unable to provide such TAD, the O/DD shall provide written documentation as to the reason.
5. If an agreement cannot be reached by all parties (O/DDs and WCC), the Senior Director of Human Resources will request that the Board of Commissioners act as the party responsible for a final decision.
6. The WCC will reassess all TAD placements every thirty days, or sooner as the situation dictates, with input from the respective O/DDs. In all cases of TAD placements, it is the objective of the County to return the Employee to their original Position in the County as soon as medically possible.

9-12 ADMINISTRATIVE LEAVE.

An Employee may be placed on Administrative Leave by their O/DD, with or without pay, for a period of ten (10) days or less. Leave can be given for an Employee to leave the worksite, or to remain absent from the worksite for a specified period of time, when it is in the best interest of the County. Although Administrative Leave may be used in conjunction with Disciplinary Action and/or an investigation involving the Employee, it is not, in itself, a form of Disciplinary Action.

- A. An O/DD may place an Employee on Administrative Leave with or without pay for the following:
 1. When it is perceived to be of an urgent or serious nature that an Employee be immediately removed from the worksite; and/or
 2. When it is in the best interest of the County to remove an Employee from the worksite during the investigation of an alleged violation of law or of County policy, rules or regulations.
- B. The O/DD shall notify the Senior Director of Human Resources as soon as possible after placing an Employee on Administrative Leave. A Personnel Change Notice will be completed by either the department or Human Resources documenting the effective date of Administrative Leave.
- C. The Senior Director of Human Resources will apprise the Board of Commissioners of any Administrative Leaves, with or without pay, of ten (10) days or less as soon as practicable. A Personnel Change Notice must be presented to the Board at their next regularly scheduled meeting, or at a time designated by the Board, to approve Administrative Leaves greater than ten (10) days.
- D. If the Employee is subject to the provisions of RSA 28:10-a, the O/DD must comply with RSA 28:10-a when an Employee is on Administrative Leave for any period of time greater than ten (10) calendar days.
- E. Time designated as Administrative Leave with pay will not be charged to the Employee's accrued time balances.
- F. Each department is responsible for keeping records of Administrative Leave used by its Employees. Administrative Leave must be reported on payroll time reports.
- G. Written notification to the Employee is required when an Employee is placed on Administrative Leave, with or without pay, for periods of time greater than the remainder of the workday. This written notification shall include instructions regarding when to return to work, if appropriate. A copy of the notification shall be submitted to the Human Resources Department.

- H. Employees placed on Administrative Leave must remain available and responsive to communication with the County during the Leave. A current and valid phone number and email address needs to be confirmed with Human Resources.
- I. To the extent an Employee is subject to a collective bargaining agreement which contains a different Administrative Leave procedure, the collective bargaining agreement language shall govern.

9-13 FITNESS FOR DUTY EXAMINATIONS.

The County requires an Employee who is returning from Leave due to illness or injury to have a release to work from their treating Health Care Provider, setting out any limitations on the Employee's ability to work. The County also may require an Employee to have a fitness for duty examination by a Health Care Provider appointed by the County at the County's cost, if there are issues related to their ability to perform the essential functions of the Employee's job or the Employee has requested accommodations or may constitute a threat of harm to the Employee or others while doing their job. The purpose of this policy is to assure that the Employee can perform the essential functions of their job or any limitations on that ability. See the return to work requirements for Employee Leave under the Family and Medical Leave Policy.

- A. The County may require an Employee who is absent three (3) days or more to provide a note from their health care provider that they may return to work.
- B. The Employee's supervisor and/or Human Resources shall inform the Employee who is returning to work with restrictions of what procedures are necessary. The Employee and Employee's supervisor are responsible for assuring that restrictions and limitations on the Employee's activities are adhered to and enforced.

9-14 EMERGENCY TRANSPORTATION PROCEDURE.

All County Employees are held accountable for their job performance and are expected to work in a physical and mental condition appropriate to performing their duties in a safe and effective manner. In the event of a physical or mental emergency or life-threatening situation (i.e., chest pains, shortness of breath, seizures, suicidal thoughts or behavior, excessive bleeding) the affected Employee shall be transported immediately via emergency vehicle to the appropriate facility for evaluation or referred to the Sheriff's Office and/or other emergency services for further assistance. In the event the impairment appears to not be life threatening, but where a concern remains about the Employee's fitness to operate a motor vehicle, no Employee may transport the Employee who is the subject of concern. Rather, a family member or the emergency contact as designated in the Employee's personnel file may be called to transport the Employee. Employee Health Services, Human Resources and the Employee's supervisor/O/DD shall be notified as soon as possible about any incident.

9-15 CRIME VICTIM LEAVE.

In accordance with the New Hampshire Crime Victim Leave Act, the County will permit Employees who are victims of a crime, as defined below, to leave work in order to attend court or other legal or investigative proceedings associated with the prosecution of the crime.

- A. The following definitions will be used when considering a request for Leave:
 - "Immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, grandparent, or legal guardian of the victim; or any person involved in an intimate relationship and residing in the same household with the victim.
 - "Victim" means any person who suffers direct or threatened physical, emotional,

psychological, or financial harm as a result of the commission or the attempted commission of a crime. "Victim" also includes the immediate family of any victim who is a minor or who is incompetent, or the immediate family of a homicide victim.

- B. Eligibility: To be eligible for this Leave, and before commencing Leave, the Employee must provide to the Employee's supervisor a copy of the notice of each scheduled hearing, conference, or meeting that the Employee has received from the court or agency responsible for providing notice. Employees will be granted time away from work for the appointed time of hearings, conferences, and other relevant meetings as documented.
- C. Privacy: The County will maintain the confidentiality of any written documents or records submitted by an Employee relative to the Employee's request to Leave work under this policy.
- D. Use of Paid and Unpaid Leave: An Employee who is taking Leave pursuant to this law may elect to use accrued time to cover time away from scheduled work hours. Unpaid time may also be requested by completing a General Leave request form.
- E. Employee Status: Employees who take Leave under this policy will not lose seniority while absent from work, nor will they be discharged because they exercised their right under this law.

9-16 FURLOUGH.

Furloughs must be approved by the Board of Commissioners. Employees may or may not be eligible to utilize accrued time during a Furlough, as determined by the Board of Commissioners. The County's portion of any applicable elected benefits will continue during a Furlough; the Employee is responsible for continuing to pay their portion of benefit premiums. Employees on Furlough must remain available to return to work if notified to do so. There is an expectation that the Employee will return to work at the conclusion of the Furlough period. Employees that do not intend to return to work or find alternate employment must notify Human Resources immediately in writing. Failure to return at the conclusion of the Furlough period will be considered a voluntary resignation.

9-17 STATE OF EMERGENCY LEAVE.

The County provides State of Emergency Leave in compliance with RSA 275:66. When the Governor or the New Hampshire Legislature declares a state of emergency under RSA 4:45, a County employee who is a member of a fire department, rescue squad, or emergency medical service agency who is called into service of the State of New Hampshire or a political subdivision shall have the right to take leave without pay from the County to respond to the emergency.

1. For purpose of this State of Emergency Leave Policy, a firefighter, rescue squad member, or emergency medical services member shall be called into service of the State of New Hampshire or a political subdivision when their services are requested in writing by the director of emergency services, communications, and management or by the head of a local organization for emergency management established under RSA 21-P:39. The request shall be directed to the chief of the member's fire department, rescue squad, or emergency medical services agency and a copy shall be provided to the County, as the member's employer.
2. The County shall not require the Employee to use or exhaust their accrued leave for the period of emergency service. However, the Employee may choose to take accrued leave for the period of emergency service.
3. The County may certify to the director of emergency services, communications, and

management or to the head of the local emergency management agency that the Employee is essential to the County's own emergency or disaster relief activities. If the County provides such a certification, then the County shall be exempt from the provisions of RSA 275:66.

CHAPTER 10 RECRUITMENT, SELECTION AND APPOINTMENT OF EMPLOYEES

10-1 POLICY.

To assure a high quality of service to the public, Appointments will be made on a merit basis from among the most qualified individuals available. Recruitment efforts and publicity will be directed to all appropriate sources of applicants in whatever geographic area is necessary to assure reaching the most qualified individuals.

10-2 REEMPLOYMENT.

- A. Layoff. Full-time or part-time Employees who are laid off and who had at least a rating of satisfactory performance on their last evaluation may be eligible for reinstatement within two (2) years from the date of the layoff. The Human Resources Department will keep a list of all Employees who are laid off and are eligible for recall. The former Employee may submit an Employment Application to the Senior Director of Human Resources when a Position becomes available within this time period. If the Employee is reinstated, the new employment date will be the date of reinstatement. The Employee may be recalled to their same grade and wage at the time of layoff, if the Position is in the same Class. An Initial Evaluation Period will be imposed on any returning Employee.
- B. Resignation. Full-Time or Part-Time Employees who resign may submit an Employment Application requesting rehire when a position becomes available. If the former Employee is rehired within a year to the Position they left, they may start at the same grade and wage as at the time of their resignation; otherwise, the New Hire policy will apply. The Employee will not receive credit for former service with respect to benefit accruals or other forms of longevity entitlement that are normally associated with an Employee's continuous service. If an Employee is rehired, the employment date will be the date of rehire, and an Initial Evaluation Period will be imposed.

10-3 RECRUITMENT PROCEDURES.

- A. Defining the Position. When a vacancy occurs, the O/DD or their designee will review the functions, duties, responsibilities and minimum qualifications of the Position to ascertain whether the job description accurately reflects the Position. If the job description is to be changed, the recommended changes will be reported to the Senior Director of Human Resources, who will determine, on the basis of the minimum qualification requirements for the Position, the appropriate modifications and/or need for re-classification for the Position and bring forth a recommendation to the Board of Commissioners if warranted.
- B. Advertising the Vacancy. The Senior Director of Human Resources will be responsible for publicizing the vacancy to the public as follows:
 - 1. The Senior Director of Human Resources will publicize the vacancy by means best calculated to inform as many qualified individuals as possible;
 - 2. The publication of the vacancy will include the Position title, duties; responsibilities, special and minimum qualifications, the time, place and manner

of making application, and the County's equal employment opportunity.

3. The following methods of publicizing may be used as indicated by the Position being considered: posting on Internet-based employment search engines, posting on internal and public bulletin boards, advertising in newspapers and other appropriate publications, listing with the State Employment Service, and approaching community, educational institutions, and other organizations that may have special interest in the Position. Requests for "Internal Only" postings shall be presented by the Senior Director of Human Resources to the Board of Commissioners.
 4. To allow sufficient time for interested individuals to apply, recruitment and publication efforts will be conducted for a minimum of ten (10) calendar days.
- C. Filling Vacancies. Vacancies may be filled by the most qualified external or internal candidate for the Position.

10-4 APPLICATION FOR EMPLOYMENT.

All applicants for employment may apply through the Human Resources Department prior to the close of business on the date specified in the published posting of the Position. Internal candidates only need to submit a Letter of Interest to the Senior Director of Human Resources, detailing the position they are applying for and the internal candidate's qualifications.

10-5 FALSE STATEMENTS OR MATERIAL OMISSIONS.

Deliberately false or misleading statements or material omissions in the application or in any employment interview for the purpose of attempting to secure County employment will be grounds for rejecting an applicant or discharging an Employee who has been appointed to a Position on the basis of such false, misleading or deceptive information or material omission.

10-6 MEDICAL SCREENING.

After a conditional job offer has been made and prior to starting, the candidate will be required to undergo a medical screening, including drug testing, through Employee Health Services at the County. The O/DD shall not refuse to hire a disabled individual based on the results of a medical screening, unless the reason for rejection is because the candidate cannot perform the essential functions of the candidate's job even with reasonable accommodation and is, therefore, unqualified for the Position.

10-7 SELECTION PROCEDURES.

The O/DD shall determine which examining procedures will be employed to evaluate the qualifications of applicants for Positions.

- A. Such procedures will relate to the duties and responsibilities of the various Positions and may include but are not limited to the following: examination of each applicant's education, training, work experience, professional and character references. Use of appropriate tests of each applicant's ability to perform the tasks for which they are being considered and making comparative evaluations among applicants applying for the same Position may also be included.
- B. Based upon final review, the O/DD will consider the applicant(s), will interview and, thereafter, contact the Recruiter to coordinate the conditional offer of employment. If there are fewer than five qualified applicants, the O/DD may waive selection and continue with the search.
- C. Each applicant interviewed will be notified by the Recruiter or the O/DD of the final hiring decision in writing.

- D. The Senior Director of Human Resources shall be responsible for maintaining a record of the selection process employed each time an Appointment to a Position is made.

10-8 APPLICATION BY EMPLOYEES.

Full-Time and Part-Time Employees are eligible to apply for any vacancy announced for which they are qualified by following the procedures outlined in this policy. No O/DD or supervisor shall deny any subordinate Employee permission to apply for a vacancy or in any way discourage, punish or intimidate any Employee who wishes to apply for a vacancy.

10-9 EMPLOYMENT OF RELATIVES.

The purpose of the policy, which applies to all County Positions, is to continue to attract and recruit highly qualified candidates for employment who may be related to current Employees, while ensuring fair and equitable treatment to all candidates and Employees, so that no situations of conflict of interest or undue influence may arise.

- A. Management personnel, including but not limited to O/DDs, are not permitted to hire or employ any relatives for any Position in County government that is within their scope of control. The scope of control exists where the Employee would be under the management personnel's direct or indirect supervision, or where the management personnel would have influence over the Employee's employment, Promotion, salary administration and other related management or personnel considerations.
- B. For this Policy, a relative is a spouse, parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, grandchild, grandparent, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew or any other member of the Employee's household.
- C. Existing situations between appointing authorities or direct supervisors and subordinate Employees employed before July 13, 1993, the date of the original version of this Policy, shall not be affected.
- D. Questions or discussion shall be directed to the Senior Director of Human Resources.

**CHAPTER 11
INITIAL EVALUATION PERIOD**

11-1 OBJECTIVE.

The Initial Evaluation period allows the O/DD, manager, and/or supervisor to observe and evaluate an Employee's on-the-job work performance for the purpose of determining fitness and suitability for continued employment in the Position. An Initial Evaluation Period shall begin immediately upon Appointment to a new Position and shall continue for one year. Failure to successfully complete the Initial Evaluation Period shall result in Termination, unless RSA 28:10-a applies, and, if so, the provisions of RSA 28:10-a will be followed.

11-2 EXPIRATION OF INITIAL EVALUATION PERIOD.

Prior to completion of an Employee's Initial Evaluation Period, supervisors will notify the appropriate O/DD in writing that:

- A. The initial evaluation of the Employee's performance is satisfactory; or

- B. The initial evaluation of the Employee's performance or conduct is unsatisfactory, removal prior to the end of the Initial Evaluation Period is recommended, and the specific reasons for the removal; or
- C. An extension of the Initial Evaluation Period is recommended with the specific reasons outlined for the extension.

11-3 EXTENSION OF INITIAL EVALUATION PERIOD.

- A. Upon review by the O/DD and Senior Director of Human Resources, an Initial Evaluation Period may be extended for a period not to exceed three (3) months if the Employee's performance is not entirely satisfactory, and there is a reasonable expectation that it may become satisfactory during an extension of the Initial Evaluation Period. The County is under no obligation to extend an Initial Evaluation Period.
- B. Notice of extension of an Initial Evaluation Period will be given to the Employee in writing, and a copy placed in the Employee's personnel file. The O/DD or their designee shall discuss with the Employee the reason for the extension, and what is expected of the Employee to successfully complete the Initial Evaluation Period.
- C. Completion of the Initial Evaluation Period does not guarantee a job. Employees who have their Initial Evaluation Period extended will have the annual evaluation date (for purposes of pay rate increase and annual review) extended by the same amount of time as the extended evaluation. This change affects only the Employee's annual review date for the purpose of evaluation of performance, not the Employee's employment date.
- D. The Disciplinary Action and Ethics and Standards of Conduct chapters of this manual shall apply to Employees who are covered by RSA 28:10-a and do not pass their Initial Evaluation.

11-4 REMOVAL OF EMPLOYEE IN AN INITIAL EVALUATION PERIOD.

An Employee, excluding RSA 28:10-a applicable Employees, may be Terminated during the Initial Evaluation Period for any of the reasons set forth in the Disciplinary Action chapter of this manual.

11-5 RECORDS.

A record of all correspondence relating to an Employee's satisfactory or unsatisfactory completion of the Initial Evaluation Period shall be filed in the Employee's personnel file.

CHAPTER 12 PERFORMANCE EVALUATION

12-1 PURPOSE.

The County recognizes the need for an operating performance evaluation system to:

- A. Assess fairly and accurately an Employee's strengths, weaknesses, and potential for growth;
- B. Encourage and guide each Employee in development of special skills and interests;
- C. Assure recognition and compensation for special and exemplary accomplishment;
- D. Provide a means of improving performance in particular departments or operations;

- E. Identify training needs; and
- F. Aid in succession planning.

12-2 PROCEDURE.

The Senior Director of Human Resources shall be responsible for maintaining an Employee performance evaluation system. The responsibility for evaluating Employee performance rests with the supervisor, manager, and/or O/DD. The supervisor, manager, and/or O/DD shall make a written evaluation of the Employee's performance at least once annually. Employee evaluations may be accomplished by a group or an individual who has supervised the Employee during the evaluation period and shall be signed by all who participated in the evaluation.

12-3 REVIEW BY EMPLOYEE.

Each Employee will meet to review and discuss their Performance Evaluation with their supervisor, manager, and/or O/DD immediately following completion of the evaluation. Supervisor/manager/O/DD/Employee discussion prior to any written evaluation is encouraged. Performance evaluations are not grievable beyond the O/DD level.

- A. Each Employee has the opportunity to submit a written response to any part of the performance evaluation, to be attached and included in the Employee's personnel file.
- B. The Employee's signature on the performance evaluation may not constitute agreement with the evaluation, only confirmation of receipt and review of the evaluation.

12-4 RECORDS.

The completed and signed original evaluation shall be forwarded to Human Resources for inclusion in the Employee's personnel file.

**CHAPTER 13
PROMOTION, DEMOTION AND END OF EMPLOYMENT**

13-1 PROMOTION.

An Employee may be promoted to a vacant position in a higher class, providing such Employee is qualified. Employees are encouraged to develop new skills, expand their knowledge of their work, take more initiatives on the job, and demonstrate their qualifications for Promotion to positions of greater responsibility. The County promotes qualified Employees whenever possible. Written notice to Human Resources requires a minimum of two (2) weeks' advance notice prior to the effective date of the Promotion. The effective date of a Promotion shall be the first day of a pay period.

13-2 POSTING.

The Senior Director of Human Resources shall post any job vacancy in all departments of the County and for the general public for a minimum of ten (10) calendar days following the same procedure as in the Recruitment Procedures. Internal-only postings may be made in limited instances when internal interest has been identified and meets the qualifications for the position. Employees are encouraged to submit a Letter of Intent for a position that they meet the qualifications for.

13-3 DEMOTION.

An Employee may be Demoted to a vacant Position in a lower Class, providing such Employee is qualified, for any of the following reasons:

- A. The Employee would otherwise be laid off because their Position is being eliminated;
- B. The Employee's Position is reclassified to a lower Class;
- C. The Employee voluntarily requests a job in a lower Class;
- D. The Employee's performance of their duties is unsatisfactory.

Written notice to Human Resources requires a minimum of two (2) weeks' advance notice prior to the effective date of the Demotion. The effective date of a Demotion shall be the first day of a pay period.

13-4 LATERAL TRANSFER.

A Position may be filled by a Lateral Transfer of an Employee from another Position of the same or similar class having the same maximum pay rate, involving similar duties and requiring essentially the same basic qualifications. Interdepartmental Lateral Transfers require approval by each department's O/DD and written notification to Human Resources. Written notice to Human Resources requires a minimum of two (2) weeks' advance notice prior to the effective date of the Lateral Transfer. The effective date of the transfer shall be the first day of a pay period. Lateral Transfers, without an interruption in service, shall not cause loss of any benefits.

13-5 REDUCED WORK SCHEDULE.

Any Employee wishing to permanently work reduced hours in their current position must first put their request in writing to their O/DD and the Senior Director of Human Resources, who will consider the request. In order to approve such request, the O/DD shall demonstrate that:

- There is no detrimental effect on service delivery;
- There is a Part Time Position available for which the Employee is qualified, or a department recommends that a Full Time Position be reduced to a Part Time Position;
- The arrangement is fair and equitable to other Employees within the department;
- Such requested change is in the best interest of the County.

The Senior Director of Human Resources shall consider the Employee's request under the above criteria and the overall needs of the Division and County. Should the O/DD and Senior Director of Human Resources elect to deny the request, the matter shall not be referred to the Commissioners. Should the O/DD and/or Senior Director of Human Resources recommend that approval be given, then the request shall be referred to the Commissioners for final review and approval or denial. The O/DD shall be required, at the request of the Commissioners, to demonstrate that the above criteria are met.

The approval of a reduced work schedule hereunder shall not affect the Employee's continuation of benefits or evaluation date provided that such reduction does not result in an interruption in employment and the Employee remains within the requirements of benefits-eligible status (including regularly scheduled for 24 hours or more each week). This above described Policy shall not apply to requests for reduction in hours pursuant to the FMLA or ADAAA.

13-6 END OF EMPLOYMENT.

- A. Retirement. An Employee retires when they leave County service after qualifying as a retiree under the New Hampshire Retirement System or under Social Security.
- B. Resignation. An Employee may resign by submitting their resignation in writing to the O/DD or the supervisor setting out the reasons and last day worked no later than two (2) work weeks prior to the effective date. Employees filling positions in grade R21 and above are expected to provide 30 days' notice prior to the resignation effective date. Notice of resignation must be given exclusive of time off or any other Leave time not previously approved. A resignation will be accepted upon its receipt, unless the Employee is subject to disciplinary action and the Board of Commissioners determines that it is not in the interest of the County to allow the Employee to retain eligibility for rehire.
- C. Layoff. A Layoff will result when the County must reduce the number of Employees due to lack of work or due to lack of funding to do the work. The County does not recognize or endorse the practice of "bumping." When it is determined by the Senior Director of Human Resources, O/DD, and the Board of Commissioners that Layoff is necessary, the order of Layoff is determined by type of Appointment and is as follows:
 - First Emergency Appointees
 - Second Temporary Appointees
 - Third Full and Part-Time Employees who have been employed less than one (1) year
 - Fourth Part-Time Employees
 - Fifth Full-Time Employees

**CHAPTER 14
TRAINING**

14-1 POLICY.

The County intends to foster and promote Employee training programs for the purpose of improving the quality of services rendered to the residents of the County and for the purpose of helping County Employees to equip them for advancement in the County service.

14-2 ADMINISTRATION OF THE EMPLOYEE TRAINING PROGRAM.

The Senior Director of Human Resources, when so directed by the Board of Commissioners, shall be responsible for:

- A. Providing assistance to O/DDs in establishing standards for training programs;
- B. Providing assistance to O/DDs in developing and conducting training to meet the specific needs of their departments and in developing and utilizing other techniques for improving Employee efficiency;
- C. Developing supervisory and management training and other types of Employee training programs for all departments;
- D. Providing assistance to O/DDs in establishing standards of performance and procedures for evaluating Employee performance so as to identify training needs;
- E. Keeping records of all approved training courses and programs and a record of Employees who successfully complete such courses and programs;
- F. Providing assistance to O/DDs in evaluating the effectiveness of training programs.

14-3 IDENTIFYING TRAINING NEEDS.

O/DDs, supervisors and Employees will work together to determine the training needs of individual Employees. The O/DDs, supervisors, the Senior Director of Human Resources and the Board of Commissioners will explore the availability of appropriate training and, where possible, make such training available for County personnel. While training may be related to the Employee's personal career objectives, priority shall be given to County government needs.

14-4 CONFERENCES.

1. Pre-approval by the Board of Commissioners at a regularly scheduled meeting is required to attend any conference outside of the six (6) New England states (New Hampshire, Massachusetts, Maine, Vermont, Rhode Island, and Connecticut).
2. Attendance at any conference held within one of the six (6) New England states does not require Board of Commissioners approval provided that the following criteria are met:
 - A. The total cost per attendee does not exceed the amount determined by the Board of Commissioners by July 1 each year;
 - B. The cost has been budgeted/appropriated in the current fiscal year budget; and
 - C. Airfare is not required.

If all of the above criteria cannot be met, then the Board of Commissioners must pre-approve attendance at the requested conference.

3. Reimbursement for meals will be capped at a rate to be determined by the Board of Commissioners by July 1 each year. The determined cap includes a reasonable tip amount per day.
4. Original receipts for conference/training registrations, hotel accommodations, airfare, other transportation costs and meals must be submitted with payment requests within 30 days upon return from the conference/training, whether for a County credit card account or Employee reimbursement. Submission of the meal receipts must be the detailed original.
5. Alcoholic beverages are not eligible costs under this Policy and are not reimbursable to the Employee nor a permitted use of a County credit card.

CHAPTER 15 DISCIPLINARY ACTION

15-1 EMPLOYEE OBLIGATIONS.

Each Employee must observe the policies and regulations contained herein and conduct themselves on the job and otherwise so as to bring no discredit to the County. Employees shall meet and treat the public with the utmost courtesy and consideration. All Employees of the County must conduct themselves with standards that are appropriate to their rank/Position.

15-2 O/DD RESPONSIBILITY.

O/DDs are responsible for the proper and efficient operation of their respective departments and for enforcing all policies and regulations. With the approval of the O/DD, supervisors are authorized to impose such disciplinary measures permitted in this policy

as are appropriate and necessary for the orderly operation of the various departments of the County.

15-3 DISCIPLINARY ACTION PROCESS.

- A. All discipline shall be appropriate to the infraction for which the Disciplinary Action is being taken. The following Disciplinary Action may be taken:
 - 1. Verbal Warning
 - 2. Written warning
 - 3. Suspension with or without pay
 - 4. Demotion
 - 5. Termination
- B. The appropriate level of Disciplinary Action is determined by all the facts of the situation, including the severity of the conduct and the Employee's work history. The levels need not be followed in order, as some conduct merits immediate Termination, or greater discipline. At other times, conduct will merit progressively greater discipline up to and including Termination.
- C. All Disciplinary Action shall be in writing and shall identify the reason for the action and, provided the Employee is available, shall be signed by the Employee as an acknowledgment of receipt of the Disciplinary Action only. The Employee shall receive a copy of such actions. All Disciplinary Action shall become a part of the Employee's personnel file.
- D. Copies of all disciplinary documentation shall be forwarded to the Senior Director of Human Resources for inclusion in the Employee's personnel file.

15-4 TERMINATION.

- A. An Employee who has been employed for at least one (1) year from their employment date shall be Terminated, removed or suspended only for the following reasons. Some examples of these reasons are described in Section 15-4 (B) and 15-5.
 - 1. Dishonesty
 - 2. Intoxication
 - 3. Immoral behavior
 - 4. Other misconduct
 - 5. Neglect of duty
 - 6. Negligence
 - 7. Willful insubordination
 - 8. Lack of cooperation
 - 9. Inefficiency
 - 10. Incapacity or unfitness to perform their duties
 - 11. For the good of the institution to which the Employee is assigned
- B. Any Employee may be Terminated immediately for the conduct listed above and the following conduct:
 - 1. Dishonesty or immoral conduct by stealing or removing property without having a right to such property from the County, another Employee, resident, inmate or visitor of a County facility, anyone under the care and/or custody of the County, or otherwise unjustly acquiring money, property, or services from the County or at the County expense in violation of any provision contained herein

- or of any applicable federal law and/or law of the State of New Hampshire;
- 2. Misconduct, dishonesty or negligence of duty, willfully damaging any County property or the property of an Employee, visitor, resident, inmate, or anyone under the care and/or custody of the County or visitor of any County facility;
- 3. Misconduct, neglect or willful insubordination by willfully providing false information or making material omissions relative to any County business or any employment or personnel matter that materially and adversely affects some serious or substantial interest of the County or of any County Employee resident, inmate or visitor of a County facility, anyone under the care and/or custody of the County or of any person doing business with the County;
- 4. Insubordination to or lack of cooperation with an O/DD, a supervisor or any other superior;
- 5. Immoral behavior by indecent conduct on the job or on any County facility or such conduct under circumstances that reflect badly on the County government as the Board of Commissioners may after hearing and deliberation determine;
- 6. Intoxication by reporting for duty while under the influence of alcohol or any other drug; drinking alcohol or using drugs while on duty or while on any County property;
- 7. Neglect of duty or negligence in performing duties;
- 8. Dishonesty or willful insubordination by altering or falsifying any records or the willful making of misstatements of fact or material omissions of fact in any phase of County government;
- 9. Lack of cooperation, neglect of duty or inefficiency by failure to perform duties in accordance with these policies and procedures or failure to carry out the policies or instructions of the O/DD;
- 10. Dishonesty by misappropriation of County property and services; and
- 11. Any conduct not specifically listed above which reflects badly on the County government or amounts to wrongdoing and where the discharge or removal of the Employee would be for the good of the County.

15-5 MISCONDUCT SUBJECT TO DISCIPLINARY ACTION.

Any County Employee may be disciplined at the appropriate level for the conduct and situation, up to and including Termination, for any of the following reasons:

- A. Neglect of duty, negligence or misconduct by the physical or emotional abuse of anyone in the care and/or custody of the County;
- B. Neglect of duty, negligence or misconduct by violating the rights of anyone in the care and/or custody of the County;
- C. Neglect of duty, negligence or misconduct by the disclosure of privileged information pertaining to anyone in the care and/or custody of the County or anyone having business with the County; and
- D. Misconduct, immoral behavior or negligence by improper or unprofessional staff behavior: the use of coarse, profane, insolent, indecent, suggestive, sarcastic or insulting language, inappropriate gestures, expressions of prejudice concerning race, religion, politics, national origin, gender, lifestyle or personal characteristics is absolutely prohibited. They shall not engage in disrespectful, insubordinate or contemptuous behavior toward other Employees, residents or other members of the public, particularly those of superior rank or Position. Such behavior detracts from the respect due the authority and person of the senior in rank/Position and is contrary to

good order and discipline. The proscribed contemptuous behavior may consist of acts, behavior, language, insolence, impertinence, undue familiarity and rudeness, however expressed.

- E. Misuse, abuse or neglect of County property.
- F. Violation of any Policies contained in these Policies and Procedures or any department policies or standard operating procedures.

15-6 VERBAL WARNING.

Generally, a verbal warning is appropriate for minor or first-time problems. Documentation of verbal warnings shall be forwarded to the Human Resources Department for inclusion in the Employee's personnel file.

15-7 WRITTEN WARNING.

Employees found subject to discipline for any misconduct, or violations of these policies, may receive a written warning. All warnings will be reviewed by the O/DD prior to issuance to the Employee. Documentation of written warnings shall be forwarded to the Human Resources Department for inclusion in the Employee's personnel file.

15-8 SUSPENSION.

Section 15-10 sets forth the Suspension procedure for Employees who are covered by the provisions of RSA 28:10-a. For all other Employees, the Suspension procedure contained in this Section 15-8, or any applicable CBA, applies. Employees may be given a period of Suspension with or without pay for a period not to exceed ten (10) calendar days. A Suspension notice may be given without prior warning. A copy of the Suspension notice shall be immediately filed with the Senior Director of Human Resources.

15-9 DEMOTION.

Employees may be Demoted, if in the discretion of the O/DD the misconduct does not warrant Termination.

15-10 DISCHARGE, REMOVAL AND SUSPENSION PROCEDURE PURSUANT TO RSA 28:10- a.

A. Applicability of the Discharge, Removal and Suspension Procedure – This Discharge, Removal and Suspension Procedure applies to only those County Employees who are subject to the provisions of RSA 28:10-a. This Discharge, Removal and Suspension Procedure does not apply to:

- County Employees who are not subject to the provisions of RSA 28:10-a.
- Layoffs due to the elimination of a Position, Layoffs due to a change in work, or Layoffs due to a lack of work or insufficient funds.

B. Effect of Collective Bargaining Agreement – If an Employee is subject to a collective bargaining agreement ("CBA"), this Discharge, Removal and Suspension Procedure only applies to the extent it does not conflict with the CBA.

C. Steps in the Procedure for Discharge or Removal – The following is a general summary of the steps in this Procedure for discharge or removal.

Step 1: O/DD's Recommendation of Discharge or Removal – Prior to the discharge or removal of any Employee who has been employed by the County for at least one (1) year, and after the Employee has had the opportunity to meet with the O/DD and provide any feedback the Employee considers relevant, the O/DD shall give the Employee written notice of the O/DD's recommendation to the Commissioners of discharge or removal. The

O/DD's written notice to the Employee shall include:

- (a) A summary of the O/DD's reasons for recommending discharge or removal;
- (b) Citations to the applicable provisions of RSA 28:10-a, II, and citations to the County's applicable Personnel Policies and Procedures and any other applicable workplace standards upon which the O/DD bases their recommendation; and
- (c) A notification that the O/DD intends to address the recommendation at a Commissioners' meeting, including notification of the date of the meeting and that the Employee has the opportunity to be present and to be heard by the Commissioners concerning the O/DD's recommendation.

The Commissioners will send the Employee advance written notice confirming the Commissioners' receipt of the O/DD's recommendation, the date, time and location of the Commissioners' meeting at which the Commissioners will review the recommendation, and the fact that the Employee has the opportunity to be present at the meeting and to be heard concerning the recommendation.

Step 2: Commissioners' Meeting Concerning O/DD's Recommendation of Discharge or Removal – The Commissioners shall meet to address the O/DD's recommendation of discharge or removal. The Employee shall be provided with advance written notice confirming the date, time and location of the Commissioners' meeting and informing the Employee that they have the opportunity to be present at the meeting and to be heard by the Commissioners concerning the recommendation.

Pursuant to RSA 91-A, II (a) the Commissioners' meeting shall be in non-public session unless the Employee requests the meeting to be open to the public.

At the Commissioners' meeting, the Commissioners shall provide the O/DD and the Employee with the opportunity to present relevant information concerning the recommendation of discharge or removal and the Employee's response to the recommendation.

Step 3: Commissioners' Decision Concerning Discharge or Removal – Following the presentation of information at the Commissioners' meeting, the Commissioners shall reach a decision concerning the O/DD's recommendation of discharge or removal.

If a majority of the Commissioners decides not to discharge or remove the Employee, the Commissioners shall notify the Employee and the O/DD in writing of the Commissioners' decision.

If a majority of the Commissioners decides to discharge or remove the Employee, the Commissioners shall provide the Employee and the O/DD with the following information. Pursuant to RSA 28:10-a, II (a), the Commissioners shall provide the Employee with a written notice containing a statement of the grounds and reasons why the Commissioners are discharging or removing the Employee. A majority of the Commissioners shall sign this written notice or have this written notice signed on their behalf.

The Employee shall be given the written notice containing the statement of the grounds and reasons for discharge or removal not less than ten (10) days and not more than thirty (30) days before the effective date of such discharge or removal.

Step 4: Employee's Opportunity to Request a Hearing Concerning the Commissioners' Decision of Discharge or Removal - If an Employee is covered by a CBA, the Employee's hearing, discharge and removal proceedings under RSA 28:10-a, III shall be held pursuant to the terms of the CBA in question.

If an Employee is not covered by a CBA, as described below, the Employee may request a hearing before the County Personnel Committee.

Within thirty (30) calendar days of the Employee's receipt of written notice of the Commissioners' statement of the grounds and reasons for their decision for discharge or

removal, the Employee may request in writing a public hearing before the County Personnel Committee (consisting of the Chairman, Vice Chairman and Clerk of the County Convention) on whether the discharge or removal was for good cause. The Employee will be provided with advance written notice concerning the date, time and location of the County Personnel Committee hearing.

If, upon such hearing, the County Personnel Committee finds that the Commissioners had good cause for its decision to order or approve the discharge or removal of the Employee, the County Personnel Committee shall approve the Employee's discharge or removal.

Step 5 – Appeal of the County Personnel Committee Decision – If the Employee is dissatisfied with the County Personnel Committee's decision, the Employee has the right to a rehearing and/or an appeal pursuant to the provisions of RSA 541. NOTE: RSA 541 CONTAINS VARIOUS DEADLINES AND OTHER REQUIREMENTS. THE EMPLOYEE SHOULD PROMPTLY CONSULT RSA 541 IF THE EMPLOYEE BELIEVES THAT THEY MAY WISH TO ASK FOR A REHEARING OR SEEK AN APPEAL OF THE COUNTY PERSONNEL COMMITTEE'S DECISION.

D. Steps in the Procedure for Suspension – The following is a general summary of the steps in this Procedure for Suspension. Any Employee may be suspended at any time, without prior notice, for a period not to exceed ten (10) days.

If an Employee is covered by a CBA, the Employee's Suspension proceedings under RSA 28:10-a, III shall be held pursuant to the terms of the CBA in question.

If an Employee is not covered by a CBA, as described below, the Employee may request hearing before the Personnel Committee.

Step 1 - Hearing Before the County Personnel Committee – Within ten (10) calendar days of the Employee's first day of Suspension for a Suspension not to exceed ten (10) days, the Employee may request in writing a public hearing before the County Personnel Committee (consisting of the Chairman, Vice Chairman and Clerk of the County Convention) on whether the Suspension was for good cause.

The Employee will be provided with advance written notice concerning the date, time and location of the County Personnel Committee hearing.

If, upon such hearing, the County Personnel Committee finds that there was good cause for the Suspension of the Employee, the County Personnel Committee shall approve the Employee's Suspension.

Step 2 – Appeal of the County Personnel Committee Decision – If the Employee is dissatisfied with the County Personnel Committee's decision, the Employee has the right to a rehearing and/or an appeal pursuant to the provisions of RSA 541. NOTE: RSA 541 CONTAINS VARIOUS DEADLINES AND OTHER REQUIREMENTS. THE EMPLOYEE SHOULD PROMPTLY CONSULT RSA 541 IF THE EMPLOYEE BELIEVES THAT THEY MAY WISH TO ASK FOR A REHEARING OR SEEK AN APPEAL OF THE COUNTY PERSONNEL COMMITTEE'S DECISION.

15-10 APPEAL.

An Employee may appeal Disciplinary Action by following the Grievance policy contained in Chapter 15 if the Employee is not subject to either the "Discharge, Removal and Suspension Procedure pursuant to RSA 28:10-a" that is contained in Section 14-10 of a Grievance procedure or contained in an applicable collective bargaining agreement. Performance evaluations are not grievable beyond the O/DD level.

CHAPTER 16 ETHICS AND STANDARDS OF CONDUCT

16-1 ETHICS.

No Employee shall:

1. Participate in any hearing, debate, discussion, or vote, or in any manner attempt to influence the outcome of a matter in which they have an interest;
2. Utilize information obtained in such capacity for their own personal benefit or that of their clients or the clients of the organization with which the Employee is associated;
3. Appear on behalf of a client before any governmental body of which the Employee is a member or whose members have been appointed by the governmental body of which the Employee is a member;
4. Accept anything of value from any person or organization when the Employee knows or reasonably should know that the offer is for the purpose of influencing the Employee's actions or decisions;
5. Use their official position to influence or to attempt to influence any governmental body to act in favor of the Employee or the Employee's clients or clients of the organization with which the Employee is associated.

Other individuals in the organization with which the Employee is associated may not appear on behalf of clients before the governmental body of which the Employee is a member, or any governmental body whose members have been appointed by the body of which the Employee is a member, unless the Employee publicly disqualifies themselves and refrains from participation in the matter in accordance with (1.) of this policy, and otherwise conducts themselves with respect to the matter in accordance with the above.

16-2 RECEIPT OF GIFTS.

Employees are prohibited from soliciting or accepting any gift, gratuity, favor or entertainment, loan or other item or consideration of monetary value from any person who has or is seeking to transact business with the County or from any person within or outside County employment whose interest may be affected by the Employee's performance or non-performance of official duty, or from any person under the care and/or custody of the County. Employees are permitted to accept nominal gifts in keeping with special occasions such as marriage, retirement, or illness; food and refreshment in the ordinary course of business meetings; or unsolicited advertising or promotional material such as pens, notepads, calendars or other items of nominal value. These nominal gifts should be of sufficiently limited value, in a form that will not be construed as a bribe or payoff, not in violation of applicable law and generally accepted ethical standards, and such that public disclosure of the facts will not embarrass the County.

16-3 FLOWER FUNDS OR GIFTS AMONG EMPLOYEES.

Contributions made for flower funds for funerals, illness, or special gift collections are not prohibited. However, participation in such activities, including contributions for nominal gifts for supervisors, must be wholly voluntary on the part of each Employee. Gifts of this kind should be of nominal value.

16-4 SUPERVISORS.

No supervisor shall accept gifts or favors from subordinates other than those of nominal value for special occasions, and no supervisor shall borrow money from any subordinates.

16-5 BUSINESS ACTIVITIES AND SOLICITATION.

No Employee shall engage in any business other than their regular duties during working hours, including, but not limited to, such activities as selling goods to fellow Employees, lending money for profit, etc.

16-6 OUTSIDE EMPLOYMENT.

Outside employment shall not in any manner interfere with the performance of an Employee's County duties, result in, or even suggest, a conflict of interest or otherwise subject the County to public criticism or embarrassment. If the O/DD determines that such outside employment has an adverse effect on the County in any way, the O/DD shall notify the Employee in writing that the Employee must terminate either the outside employment or their County employment. Employees who are engaged in outside employment with working hours in conflict with the working hours of their County employment shall give preference to the County employment and not otherwise. The County shall not be liable for injury an Employee suffered while engaged in outside employment, nor any occupational illness attributed to the outside employment.

16-7 PRIVILEGED INFORMATION.

Employees may have access to important but privileged information of significant public interest, which they are prohibited from using for their own financial advantage, or to provide friends or acquaintances with financial advantages. If an Employee finds that they have a financial interest that could be advantageously affected by County plans or planned activities they must immediately report the situation to a supervisor. Misuse of privileged information either for personal gain or for the gain of friends or acquaintances is just cause for Termination of the Employee.

16-8 PRIVATE INFORMATION.

Employees are prohibited from discussing or in any way revealing to others any private information, which might be heard from any person or persons in the care and/or custody of the County concerning their personal and intimate affairs.

16-9 USE OF PROPERTY.

Employees should not, directly or indirectly, use or allow the use of County property of any kind other than for official purposes.

16-10 OFF-DUTY LOITERING OF EMPLOYEES.

Off-duty Employees, their family members and friends may wait for on-duty Employees only in designated areas as established by the O/DDs.

16-11 POLITICAL ACTIVITY.

The fact of County employment should not be construed to infringe in any way upon the rights of County Employees guaranteed to them by the Constitutions of the United States and the State of New Hampshire. However, Employees may not:

- A. Use official authority, influence, or Position for the purpose of interfering with or affecting the result of an election or nomination for public office;
- B. Use official authority or influence to coerce or attempt to coerce, command or advise a state or local officer or Employee to pay, lend, or contribute anything of value to

any political party, committee, organization, agency or person for political purposes;
and

- C. At no time shall any Employee act contrary to the Constitution and laws of the United States and/or the Constitution and laws of New Hampshire.

16-12 EMPLOYEE-MANAGEMENT RELATIONS.

The County recognizes the rights of public Employees to organize and join or refrain from joining an organization for purposes of representation. The matters on which they may negotiate or on which management agrees to meet and confer should be delineated, along with other Employee rights and obligations and management's rights and obligations.

16-13 COUNTY-ISSUED CREDIT CARD USAGE.

The County will issue County credit cards to certain Employees for use in their jobs. This Policy sets out the acceptable and unacceptable uses of such credit cards.

- A. The use of County-issued credit cards is a privilege that the County may withdraw at any time, with or without cause. Upon an Employee's end of employment at the County, all County-issued credit cards must be returned to the Senior Director of Finance.
- B. The Employee in possession of the County-issued credit card is solely responsible for all purchases on the card, and for ensuring that the card is not used by unauthorized personnel and/or in an unauthorized manner. It is strongly recommended that only one other individual within the department be assigned by the cardholder to be an authorized user. The Authorized User Designation Form must be completed, and the authorized user must sign the Authorized User Policy Acknowledgement. Signed Authorized User Designation and Policy Acknowledgement forms shall be included in the Employee's personnel file. Additionally, authorized users must be updated annually. The Senior Director of Finance will provide annual reminder notices.
- C. Any County-issued credit card must be used for business purposes only, and for purposes in conjunction with the Employee's job duties. Non-business purchases are considered any purchases that are not for the benefit of the County, and are prohibited.
- D. Business-related expenses, such as food and lodging while on County approved business travel, may be purchased on the County credit card, as long as these purchases are in compliance with the County's travel and expense reimbursement policies.
- E. Any purchases that would overspend a budget line are not permitted. Credit card purchases cannot be for fixed assets (a value of \$5,000 or more) unless in the case of emergency or with pre-approval by the Board of Commissioners.
- F. The Employee in possession of the County-issued credit card is responsible for receiving, printing and retaining all original receipts related to purchases made on the card. If an original receipt is lost, a written description of the items and cost of the purchase must be maintained and submitted in the same manner in which an original receipt would be maintained and submitted.
- G. Original receipts need to be turned in to the Finance Office at the time of Accounts Payable warrant submission. All original receipts should be labeled with a description of what the purchase was for, to ensure proper accounting of the purchase. All original receipts for meals and lodging must be attached to a paper that clearly indicates the names of all persons attending the meal or lodging and

the County business purpose of such event.

- H. Any misuse of the County-issued credit card or other violation of this Policy is a violation of the County's standard of conduct, and any such activity will result in cancellation of the card. The cardholder will be subject to appropriate disciplinary action up to and including termination of employment.
- I. If any Employee uses a County-issued credit card for a non-personal purchase that is not within the scope of their duties or of their authorization to make County business-related purchases, the cost of such purchase(s) will be the financial responsibility of that Employee unless otherwise expressed in writing by the Senior Director of Finance. The Employee will be expected to reimburse the County via authorized payroll deductions or other means until the unauthorized amount is fully repaid. At no time will deductions reduce the Employee's wages below minimum wage or in violation of applicable wage and hour law.
- J. Personal purchases are in violation of acceptable use of the County-issued credit card, and the Employee is responsible for reimbursing the County in the same manner detailed above with regards to non-personal unauthorized purchases.
- K. The County may review and investigate any charges or billings connected with County-issued credit cards; therefore, cardholders should have no expectation of privacy concerning what should be business expense charges and cardholders agree to cooperate with any such review or investigation.

16-14 TRAVEL REIMBURSEMENT.

- A. The County recognizes that Employees may be required to travel or incur expenses from time to time to conduct business on behalf of the County or to further its mission. The purpose of this Policy is to ensure that (a) adequate cost controls are in place; (b) travel and other expenditures are appropriate; and (c) to provide a uniform and consistent approach for the timely reimbursement of authorized expenses incurred by Employees. It is the policy of the County to reimburse only reasonable and necessary County business-related expenses actually incurred. All travel must be pre-approved by the O/DD or their designee in order to be reimbursed or paid for.

This policy is based on the honesty and integrity of the Employee. Employees are expected to exercise good judgement when incurring costs, regardless of funding source. Business travel expenses will be paid by the County if they are reasonable, properly authorized, appropriately documented, and within the guidelines of this policy. Costs should not be lavish or extravagant, but should be prudent, exercising the fiduciary responsibility entrusted in all County Employees.

- B. Expenses will not be reimbursed unless the department requesting reimbursement on behalf of the Employee submits an Accounts Payable warrant. The warrant shall be submitted within a month of the expenses being incurred if travel expense reimbursement is requested. The warrant must include:
 - 1. The Employee's name for whom expenses are claimed.
 - 2. Dates, origin, destination, and purpose of the trip.

The County will not pay or reimburse companion travel under any circumstances unless it is spent in order to conduct the County's business and approved by the Board of Commissioners prior to incurring

such expenses. Original support for all expenses for which reimbursement is required, with receipts as described below.

- C. Original receipts are required for all expenditures billed directly to the County (e.g., County-issued credit card charge).
- D. No expense will be reimbursed to Employees unless the department requesting reimbursement submits, with the warrant, an original receipt from each vendor. The original receipt must include the vendor's name, details of the services or items provided, the date, and the total expenses, including tips. Tips may not exceed reasonable and customary.
- E. Employees traveling on behalf of the County may incorporate personal travel or business with their the County trips; however, Employees shall not arrange travel at a time that is less advantageous to the County or involving any greater expense to the County incurred as a result of personal travel, including but not limited to extra hotel nights, additional stopovers, and meals or transportation for the personal travel, which are the sole responsibility of the individual and will not be reimbursed by the County. The County shall not reimburse expenses associated with the travel of an Employee's non-Employee traveling companion.
- F. Employees are encouraged to use their memberships in AAA, AARP, or other groups to obtain discounts which exceed those otherwise available.
- G. Air travel reservations should be made as far in advance as possible in order to take advantage of reduced airfares. The County will reimburse or pay only the cost of the lowest coach class fare actually available for direct, non-stop flights from the airport nearest the Employee's home or office to the airport nearest the destination.
 - 1. Employees traveling on behalf of the County may accept and retain frequent flyer miles and compensation for denied boarding for their personal use. Employees may not deliberately patronize a single airline to accumulate frequent flyer miles if less expensive comparable tickets are available on another airline.
- H. Employees traveling on behalf of the County may be reimbursed at the single room rate for the reasonable cost of hotel accommodations. Convenience, the cost of staying in the city in which the hotel is located, and proximity to other venues on the Employee's itinerary shall be considered in determining reasonableness. Employees shall make use of available corporate and discount rates for hotels.
- I. Employees traveling on behalf of the County are reimbursed for meals up to a daily cap to be determined by the Board of Commissioners by July 1 each year. The daily cap includes a reasonable tip per meal. If there are any meals provided by the conference/training host, then the Employee should avail themselves of such meals. If it is necessary for the Employee to purchase a meal that is not provided by the conference/training host, the meal cost should be a reasonable amount. On the first and last day of travel involving air travel, an Employee is entitled to 50% of the meal reimbursement rate set by the Board for that year, regardless of what time the Employee departs or returns. For non-overnight single day conferences/trainings, and employee is entitled to

reimbursement for one meal. If there are any meals provided by the conference/training host, then the Employee should avail themselves of such meals. The reimbursement rate will be set by the Board of Commissioners annually for that year.

- J. Employees will be compensated for use of their personal vehicles when used for business travel for the County. When Employees use their personal vehicles for such travel, including travel to and from the airport, mileage will be allowed at the currently approved IRS rate per mile. In the case of Employees using their personal cars to take a trip that would normally be made by air, mileage will be allowed at the currently approved rate; however, the total mileage reimbursement will not exceed the sum of the lowest available round-trip coach airfare.
- K. Parking and toll expenses incurred on behalf of the County for County business purposes will be reimbursed. The costs of parking tickets, fines, car washes, valet service, etc., are the responsibility of the Employee, and will not be reimbursed. Airport parking is permitted for short business trips. For extended trips, Employees should use off-airport facilities.
- L. Expenses that are not reimbursable include, but are not limited to:
 - First class tickets or upgrades, unless the upgrade is at no additional charge.
 - Any travel insurance.
 - Meals for conferences or training that do not involve an overnight stay.
 - When lodging accommodations have been arranged by the County and the individual elects to stay elsewhere, reimbursement is made at the amount no higher than the rate negotiated by the County for the lodging arranged by the County. Reimbursement shall not be made for transportation between alternate lodging and the meeting site.
 - Liquor or bar costs.
 - Spa, health club, or other social club charges.
 - Entertainment expenses.
 - Expenses for companion travel under any circumstances.
- M. The Employee is responsible for the cancellation of any reservations (hotel, airfare, ground transportation, etc.) if a trip is cancelled. The County is not responsible for any charges or penalties resulting from the Employee's failure to give proper notice of cancellation. The County will pay for costs resulting from cancellations including change fees due to circumstances beyond the control of the Employee, such as cancellation at the request of an O/DD, conference or meeting cancellation, or personal circumstances (i.e. Employee's hospitalization or loss of an immediate family member).

CHAPTER 17 SAFETY

17-1 SMOKE AND VAPE-FREE WORKPLACE POLICY.

The New Hampshire Indoor Smoking Act, RSA 155:64 *et seq.*, restricts and regulates smoking in enclosed workplaces, enclosed places accessible to the public and in enclosed publicly owned buildings.

The County is committed to providing a safe and healthy workplace and promoting the health and well-being of its Employees. As such, the following Policy has been adopted and applies to all Employees of the County: It is the policy of the County to prohibit smoking and vaping on all County premises to provide a safe and healthy work environment for all Employees. Smoking is defined as the “act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind.” Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarette, e-pipes, e-hookahs and e-cigars.

This policy applies to:

- All areas of County buildings occupied by Employees.
- All County leased properties.
- All County sponsored offsite conferences and meetings.
- All vehicles owned or leased by the County.
- All County Employees.
- All visitors, including vendors, guests, third-parties and others to County premises.
- All contractors and consultants and/or their Employees working on County premises.
- All Temporary Employees.
- All volunteers.
- All agency Employees.
- All student interns.

The above listed individuals are personally responsible for complying with this Policy.

The *only* designated smoking and vaping area/s at the County Complex are outdoors and will be identified by the O/DD's to the Senior Director of Human Resources and the Senior Director of Facilities, Planning and IT. Any changes to the location of outdoor smoking areas must be communicated in writing immediately.

Receptacles will be provided in or around the designated smoking areas for the disposal of smoking/vaping products. The presence of a receptacle near the entrances of any County building does not signify a designated smoking/vaping area or disposal of utilized products.

Guests and visitors will be directed to utilize the receptacles outside all County building entrances.

No one may smoke/vape along any parking lot, pathway or walkway leading to or from the designated smoking area, nor may Employees smoke/vape outdoors in any of the grassy areas or the parking lots.

Additionally, Employees may smoke in their personal vehicles, but the smoke, tobacco products and vaping products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking Employees are subjected to smoke or vaping that they must walk through to reach their vehicle or any other destination on County premises.

Breaks for smoking shall only be allowed during normally designated work break periods. Breaks will be monitored by Supervisory and Managerial staff and must not disrupt the day-to-day operational working of service, team or department.

The County will support reduction and cessation of smoking and vaping through education and information regarding the resources available to all Employees, as applicable.

Day-to-day responsibility for enforcement lies with the O/DD's, Directors, Department Heads, managers and supervisors. To ensure that everyone understands that smoking and vaping are only allowed in designated external areas, clear signs will be displayed.

Any staff member refusing to observe this Policy by smoking or vaping in unauthorized areas will be subject to disciplinary action in accordance with the Personnel Policies and Procedures up to and including termination.

All staff have a role to play in enforcing this Policy and are required to report any observed or reported breaches to an O/DD, Department Head, manager, supervisor and/or the Human Resources Department.

17-2 SAFETY POLICY.

The County recognizes the importance of safety and health and is committed to providing a workplace for our Employees, clients and the public in which recognized hazards are controlled or eliminated. Specific safety objectives and procedures are to be developed by the departments and shall be reviewed annually by the department head. The philosophies and goals behind this commitment are as follows:

- A. The safety and health of all Employees, clients and the public is a priority;
- B. All Employees will be required to make safety and the safety of their co-workers a priority; all O/DDs are responsible for insuring compliance including appropriate discipline with the Safety and Health program;
- C. As a condition of employment, each Employee will be expected to conduct their daily tasks in a manner that is consistent with the philosophy and goals of this Policy, as well as any safety rules or procedures that the County practices, including full cooperation with the designated Occupational Health Services professional.
- D. With these goals in mind, the County's Safety and Health Program will include:
 - 1. Establishing and administering a Joint Loss Management Committee program that allows and encourages injured Employees to return to work and programs for continuing education on the subject of workplace safety;
 - 2. Providing adequate safeguards to the maximum extent that it is possible;
 - 3. Conducting a program of health and safety inspections to identify and eliminate unsafe working conditions or practices, to control health hazards and to comply fully with all Safety and Health Standards affecting all Positions;
 - 4. Training all Employees in good health and safety practices;
 - 5. Providing necessary personal protective equipment and instruction for its use and care;
 - 6. Developing, updating and enforcing health and safety rules and requiring that all Employees cooperate with these regulations;
 - 7. Investigating, promptly and thoroughly, every accident or incident to determine the cause and take actions to prevent any reoccurrence of the problem.
- E. It is imperative that every Employee, regardless of their function in the County, does their part in supporting safety. No job or task is so important that each Employee cannot take the necessary time to perform it safely. Adherence to this policy and the County's comprehensive safety program will provide safe working conditions for everyone.

- F. To administer compliance with this policy, the County has established a Joint Loss Management Committee that meets a minimum of four (4) times per year. This Committee is made up of representatives from each County Department with both bargaining unit and non-bargaining unit representatives included. The committee will be appointed annually in accordance with RSA 281-A: 60 and Department of Labor Safety in Training Administration Rules, LAB 603:02. Each individual department may have its own active Committee, which meets on a regular basis and is represented at the County-wide Joint Loss Management Committee meetings.
- G. The County has an Alternative Work Program (see TEMPORARY ALTERNATIVE DUTY Policy). Each individual department is responsible for its own Employees. Each Position is modified according to the Health Care Provider's restrictions on each and every injured worker.

17-3 MOTOR VEHICLE POLICY.

This Policy is intended to protect County Employees operating or riding in motor vehicles from the hazards of motor vehicle accidents while conducting County business. Violation of this Policy will result in appropriate disciplinary action in accordance with applicable County disciplinary policies.

- A. It is mandatory for all County Employees operating or riding in motor vehicles to use seat belts. This includes all Employees operating County-owned vehicles, riding in County-owned vehicles, and operating personal vehicles while conducting County business.
 - 1. All County vehicles will be equipped with seat belts. This includes the vehicle's cab, passenger seating area and jump seats. Passengers will only be permitted to ride in areas of the vehicle designed for that purpose. Seatbelts shall be used by all Employees riding in the vehicle when the vehicle is in motion.
 - 2. Any vehicle not equipped with seat belts, or with seat belts that are not operational, should be reported immediately to the O/DD for repair or installation. The vehicle shall not be operated until equipped with operational seat belts.
- B. Employees who drive as part of their County work responsibilities must be mindful of the safety risk that cell phones and other personal electronic devices can cause while driving. County Employees are directed to avoid the use of cell phones and other devices while driving a vehicle. Employees are expected to pull over to the side of the road or to another safe area before accepting or placing any calls or messages. Employees are responsible for driving safely and adhering to traffic laws, including laws prohibiting texting while driving and prohibiting other forms of distracted driving.
- C. All Employees are expected to:
 - Obey all traffic signs, signals and rules, especially the posted speed limit.
 - Utilize turn signals and avoid sudden lane changes or turns, when possible.
 - Maintain an adequate, safe distance while driving and not tailgate.
 - Only use the vehicle's horn to prevent a collision, not to demonstrate anger or frustration at other drivers.
 - Be respectful and courteous to other drivers.
 - Exercise due care while operating a vehicle in inclement weather.

17-4 DRUG AND ALCOHOL POLICY.

The County is committed to promoting safety in the workplace and Employee health and well-being. This Drug and Alcohol Policy has been adopted in support of this commitment.

- A. The following list is not all-inclusive and is intended to be illustrative of the type of conduct that will not be tolerated.
1. Use, possession, storage, manufacture, distribution, dispensation, transfer or sale of illegal drugs, unauthorized prescription drugs, or drug paraphernalia at any time while on County property, on County business at any time or place, or otherwise during work hours, unless required and conducted in performance of official duties and responsibilities.
 2. Use, possession, manufacture, distribution, dispensation, or sale of alcohol while on County property, on County business, or otherwise during work hours. (Note: The County may sponsor an event where alcohol is served. The moderate consumption of alcohol is permitted during these events. Individuals attending such events must still adhere to reasonable and acceptable standards of conduct and at all times are responsible for their own conduct.)
 3. Reporting to work or otherwise working under the influence of illegal drugs or alcohol, or under the influence of prescription or over the counter drugs and other medications that may impair the Employee's ability to perform their job functions.
 4. Using a County vehicle or otherwise operating a vehicle on County business while under the influence of illegal drugs or alcohol, or under the influence of prescription or over the counter drugs and other medications that may impair the Employee's ability to perform their job functions and/or operate the vehicle.
 5. Refusing to submit to a required drug and/or alcohol test.
 6. Failing to agree to any requirements of a drug or alcohol treatment or counseling program in which the Employee is enrolled as a condition of continued employment.
 7. Failing to advise the O/DD, Department Head, manager, supervisor or the Senior Director of Human Resources of the use of any drug that could impair the Employee's ability to perform job functions.
 8. Failing to notify the Senior Director of Human Resources within 3 days of any arrest or criminal conviction (not annulled by a court) involving alcohol or drugs.

B. REPORTING.

Any Employee who is taking a drug or medication that may impair their ability to perform job functions must immediately inform their O/DD, Department Head, manager, supervisor or the Senior Director of Human Resources of this fact, and must not perform job functions until authorized to do so by their O/DD, Department Head, manager, supervisor or the Senior Director of Human Resources.

1. Any Employee who is arrested or convicted of any crime (not annulled by the court) involving alcohol or drugs must inform the Senior Director of Human Resources no later than 3 days of the arrest or conviction (as either occur).
2. If any Employee is involved in drug or alcohol misconduct (including the use or possession of alcohol, illegal drugs or unauthorized prescription drugs) on County property or while engaged in County business, the County reserves the right to report the incident to law enforcement authorities, and to cooperate in prosecuting any corresponding crime to the fullest extent of the law.

3. If any person observes an Employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, they should immediately report the behavior to the Employee's O/DD, Department Head, manager, supervisor and the Senior Director of Human Resources.
4. The County will appropriately respond to instances in which an Employee exhibits impairment due to drug or alcohol use in violation of this Policy.

C. AVAILABLE ASSISTANCE FOR SUBSTANCE ABUSE.

The County's Employee Assistance Program (EAP), is a confidential service available to Employees 24 hours a day, seven days a week. No referral is necessary. The Human Resources Department can provide Employees with contact information.

An Employee will not be disciplined or terminated for voluntarily seeking assistance for a drug or alcohol problem. However, Employees who undergo voluntary counseling or treatment and who continue to work must meet all established standards of conduct and job performance. The fact that an Employee is in treatment for alcohol or drug abuse does not preclude the County from taking appropriate disciplinary action for violation of its policies or standards of conduct. Likewise, an Employee who has violated this Drug and Alcohol Policy cannot escape appropriate disciplinary action, including Termination, by thereafter voluntarily requesting treatment for alcohol or drug abuse.

D. FOLLOW UP TESTING.

An Employee who is referred by the County for drug or alcohol treatment or who is voluntarily participating in a drug or alcohol treatment program may be requested or required to undergo drug or alcohol testing without prior notice during the treatment period and for a period of time, determined by the Senior Director of Human Resources, after the completion of the treatment. An Employee who tests positive (blood alcohol concentration of .02 or greater or a drug test result of other than non-dilute negative) during this period will be subject to Termination.

E. INSPECTIONS AND SEARCHES.

When there is reasonable cause to suspect that an Employee has violated this Policy, the County reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on County property or at locations where work-related activities are being conducted. The Employee has no reasonable expectation of privacy under these circumstances. Cause to inspect shall be solely in the judgment and discretion of the County based on the County's reasonable suspicion that an Employee has violated this Policy. The County may release any illegal drugs, paraphernalia, or other evidence to law enforcement authorities.

F. VIOLATIONS OF THIS POLICY.

Any violation of this Policy may lead to Disciplinary Action up to and including Termination of employment. Compliance with this Policy is a condition of employment. Nothing in this Policy is to be construed as a guarantee of employment for any period of time or a restriction of the County's ability to discipline or terminate Employees.

17-5 POLICY AGAINST WORKPLACE VIOLENCE.

The County has implemented a "Zero Tolerance Policy" concerning workplace violence. This Policy is intended to create an environment that is safe and comfortable for County residents, clients, visitors, vendors, contractors, and Employees and is free from all

forms of violence, hostility, retribution and intimidation. In this regard, acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect the County or take place on County property will not be tolerated.

- A. Acts or threats of violence include conduct that is sufficiently severe, offensive or intimidating to create a reasonable concern or fear for physical safety. Examples of workplace violence include, but are not limited to, the following:
 - 1. Threats or acts of violence occurring on County premises, regardless of the relationship between the parties involved.
 - 2. Threats or acts of violence occurring off County premises involving someone who is acting in the capacity of a representative of the County or threats or acts of violence involving an Employee that affect the legitimate interests of the County.
 - 3. Any acts or threats of violence resulting in the conviction of an Employee or agent of the County or of an individual performing services for the County on a contractual or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the interests and goals of the County.
 - 4. Specific examples of actions that may be considered threats or acts of violence include, but are not limited to, the following:
 - a. Hitting or shoving an individual
 - b. Threatening an individual or their family, friends, associates, or property with harm
 - c. The intentional destruction or threat of destruction of County or personal property
 - d. Harassing or threatening phone calls, texts, or other forms of communication, including but not limited to communications through social media
 - e. Harassing surveillance or stalking
 - f. The suggestion that violence is appropriate
 - g. Unauthorized possession or inappropriate use of firearms or weapons
- B. The County's prohibition against threats and acts of violence applies to all persons involved in the County's operation, including but not limited to County Employees, contract and temporary workers, and anyone else on County property.
- C. Any individual being threatened should be aware support is available. They should immediately contact the O/DD, Human Resources Department or Employee Health Services for assistance.
- D. Violations of this Policy by any individual on County property, by any individual acting as a representative of the County while off County property, or by an individual acting in violation off County property when their actions affect the County's interests, will lead to Disciplinary Action (up to and including Termination) and/or legal action as appropriate.
- E. Firearms/Weapons. Employees are prohibited from carrying firearms or weapons on County property unless so authorized by their O/DD or required by their jobs.
- F. Every Employee and person on County premises has a duty to warn the O/DD of any threats or acts of physical violence, aggressive behavior or similar offensive acts of which they reasonably believes is a threat against another individual and/or which they believes is a violation of this Policy. If circumstances prohibit this response, report the behavior to the Senior Director of Human Resources. All

suspicious individuals or activities should also be reported as soon as possible to a supervisor.

- G. Employees should not place themselves in peril if violence or threats are suspected to be taking place. If a commotion or disturbance is seen or heard near a work area, Employees should not try to intercede or see what is happening. The O/DD shall also transmit the details of the threat to the intended target as soon as possible.
- H. The County will promptly and thoroughly investigate all reports of threats of or actual violence and of suspicious individuals or activities. The reporting and the information disclosed in the internal investigation will remain confidential to the extent possible, but may be disclosed on a need to know basis in order to thoroughly investigate and effectively resolve the matter. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the County may suspend Employees or place Employees on Administrative Leave, either with or without pay, pending investigation. The County will not condone any form of retaliation against any Employee for making a report in good faith under this Policy.
- I. Anyone determined to be responsible for threats of or actual violence or other conduct that is in violation of this Policy will be subject to prompt, appropriate disciplinary action up to and including Termination. The County will support criminal prosecution of those who threaten or commit work-related violence against County Employees, individuals under the County's care and visitors.
- J. All individuals who apply for or obtain a protective or restraining order which lists County property locations as being protected areas must provide the Senior Director of Human Resources a copy of the petition and declarations used to seek the order, a copy of the temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
- K. The County encourages Employees to bring their disputes or differences with other Employees to the attention of their supervisors or Human Resources before the situation escalates into potential violence. The County is eager to assist in the resolution of Employee disputes and will not discipline Employees for raising such concerns.

17-6 E-MAIL, VOICE-MAIL AND INTERNET ACCESS.

The County provides computers, e-mail, voice mail, work phones, cell phones, fax equipment and internet access as essential tools to support County operations. It is the responsibility of each Employee to ensure that this technology is used solely for proper County purposes and in a manner that does not compromise the County or violate County Policy or applicable laws. Policies regarding social media and mobile device use are addressed in following sections.

- A. All e-mail correspondence is the property of the County, regardless of where it may have originated. Employee e-mail communications are not considered private despite any such designation either by the sender or the recipient. Employees should be aware that messages sent to recipients outside the County, if sent over the internet and not encrypted, are not secure. Accordingly, no County client, resident, or inmate confidential information should be sent over the internet except by County-approved means.
- B. The County reserves the right to monitor and examine the contents of all e-mail, voice mail, and text messages, including an Employee's mailbox, and internet

activity at the County's discretion and for any purpose. If an Employee wishes to communicate privately, the Employee should not use the County's systems and the Employee has no reasonable expectation of privacy in the use of the County's systems.

- C. The existence of passwords and "message delete" functions do not restrict or eliminate the County's ability or right to access electronic communications. Even deleted messages may be recovered and reviewed.
- D. Employees shall not share passwords or provide e-mail, voice mail, or cell phone access to an unauthorized user or access another user's e-mail, voice mailbox, or cell phone without authorization from the Employee's O/DD.
- E. Employees who use their own equipment to connect to the County from outside County premises or from home should know that any communications that are delivered to or sent through the County systems may leave copies behind on the County system, are not private and are subject to all of the terms and provisions of this Policy.
 - 1. Confidential information may not be transmitted to or received from outside County facilities by Employees without approval by their O/DD, and such transmissions must be encrypted where practical by a means that is approved by the County IT department (also known as "IT").
 - 2. Confidential information may not be maintained outside of County facilities without a valid business reason and prior approval by the Employee's O/DD, and such stored confidential information must be encrypted, where practical, by a means that is approved by IT.
 - 3. Computers used outside of County facilities by Employees to access, store, or transmit confidential information must be used solely by the Employee (not shared with other household members and not a public internet access point) and must be configured with up-to-date virus protection, security patches, and firewall software. Independent verification of configuration of computers used by Employees outside of County facilities may be requested by IT.
 - 4. Wireless networks outside of County facilities used by Employees for the transmission of any confidential information must be configured securely according to best practices so that any transmissions over the network are encrypted and access to the configuration of the network is protected. Independent verification of configuration of wireless networks used outside of County facilities may be requested by IT.
 - 5. IT may prohibit access of County systems from any computer or network deemed a threat to the security of confidential information.
- F. Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with the County's policies concerning equal employment opportunity and other unlawful discrimination, harassment and retaliation.
- G. Messages sent to "All Employees" and other broadcast messages should not be used by Employees without approval of the Employee's O/DD. No Employee shall send any voice or e-mail message anonymously or utilize any other Employee's phone or computer to send messages.

- H. The County's computer network, including its connection to the internet, is to be used primarily for County business and operations. Unauthorized use of the internet is strictly prohibited. Unauthorized use includes, but is not limited to:
 - 1. Unauthorized entry or attempted unauthorized entry into other computer systems or areas of the County's system which the Employee is not authorized to view;
 - 2. Attempting to disable or compromise the security of information contained on the County's computers;
 - 3. Intentionally introducing a virus or other mischievous software onto any the County's computer;
 - 4. Installing any software or program onto the County's system; and
 - 5. Downloading or posting of pornographic or sexually explicit material or inappropriate material relating to race, color, religion, sex, homosexual or transgender status, sexual orientation, gender identity, disability, marital status, pregnancy, age, national origin, genetic information, military or veterans' status, or any other status protected by applicable law.
- I. Internet and cell phone text messages should be treated as non-confidential. Anything sent through the internet passes through a number of different computer systems, all with different levels of security. The confidentiality of messages may be compromised at any point along the way, unless the messages are encrypted.
- J. Subscriptions to news groups and mailing lists are permitted when the subscription is for a work-related purpose and authorized in advance by the O/DD. Any other subscriptions are prohibited.
- K. Information posted or viewed on the internet may constitute material subject to copyright. Therefore, reproduction of information posted or otherwise available over the internet may be done only by express permission from the Employee's O/DD who shall have the responsibility to assure there is not copyright violation.
- L. Unless the prior approval of the Employee's O/DD has been obtained, users may not establish internet or other external network connections that could allow unauthorized persons to gain access to the County's systems and information. These connections include the establishment of hosts with public modem dial-ins, World Wide Web home pages, File Transfer Protocol (FTP) servers and/or other types of external network connections that may develop or evolve as technology advances.
- M. All files downloaded from the internet must be checked for possible computer viruses. If uncertain whether your virus-checking software is current, Employees must check with an authorized MIS/Telecommunications Manager before downloading.
- N. The County cannot control what outsiders send to a user. If an Employee has any questions about the appropriateness of a message, they should notify IT and not open the message.
- O. Any Employee who violates this policy shall be subject to discipline, up to and including Termination.

17-7 PERSONAL ELECTRONIC INFORMATION DEVICES.

When County Employees use their own personal electronic information devices (such as USB “thumb” drives, iPods, cell phones, smart phones, Blackberries, digital cameras, laptop computers, home computers, etc.) in the course of County business they must protect any County confidential information (such as protected health information or other private information under the law) that may pass through or reside on those devices or systems associated with those devices.

- A. Any personal electronic information device to be used by an Employee for the storage or transmission of County confidential information must be pre-approved by IT.
- B. County confidential information may not be stored on or transmitted by any personal electronic information device without a valid business purpose and prior approval from the Employee’s O/DD.
- C. Authentication (e.g. password protection) is required for access to any personal electronic device storing County confidential information.
- D. County confidential information stored on or transmitted by any portable personal electronic information device must be encrypted.
- E. Services providing support by storing remotely unencrypted County confidential information (messages, e-mail, other data) used by a personal electronic information device must be contracted under a County Business Associate Agreement.
- F. Personal electronic information devices may not be connected to any County computers, devices, or networks without prior approval from IT.

17-8 MOBILE DEVICE USE.

The purpose of this Policy is to define standards, procedures and restrictions for end users who are connecting a personally owned device or County issued mobile device to the County’s organization network for business purposes. This device Policy applies, but is not limited to, all devices and accompanying media (e.g. USB thumb and external hard drives) that fit, not limited to the following classifications:

- Mobile/cellular phones
- Tablet computers
- Laptop/notebook computers
- Any personally-owned devices capable of storing organizational data and connecting to a network

The Policy applies to any hardware and related software that could be used to access organizational resources.

The overriding goal of this Policy is to protect the integrity of the confidential client and business data that resides with the County’s technology infrastructure. This Policy intends to prevent this data from being deliberately or inadvertently stored insecurely on a device or carried over an insecure network where it could potentially be accessed by unsanctioned resources. A breach of this type could result in loss of information, damage to critical applications, loss of revenue, and damage to the County’s public image. Therefore, all users employing any device connected to the County’s organizational network, and/or capable of backing up, storing, or otherwise accessing organizational data of any type, must adhere to County-defined processes for doing so.

A. APPLICABILITY.

This Policy applies to all County Employees, including Full and Part-time staff, Per Diem, contractors, vendors, constituents, and other agents who use any device to access, store, back up, or relocate any organization or client-specific data. Such access to this confidential data is a privilege, not a right, and forms the basis of the trust the County has built. Consequently, employment at the County does not automatically guarantee the initial or ongoing ability to use devices to gain access to organizational networks of information.

This Policy addresses a range of threats to the County's data, or related to its uses:

Threat	Description
Device Loss	Devices used to transfer or transport work files could be lost or stolen.
Data Theft	Sensitive organizational data is deliberately stolen and sold by an Employee or unsanctioned third party.
Malware	Viruses, Trojans, worms, spyware, and other threats could be introduced via devices.
Compliance	Loss or theft of financial and/or personal and confidential data could expose the County to the risk of non-compliance with various identity theft and privacy laws.

Addition of new hardware, software, and/or related components to provide additional device connectivity will be managed at the sole discretion of the County's IT department. **Non-sanctioned use of personal devices to back up, store, and otherwise access any County-related data is strictly forbidden.**

B. RESPONSIBILITIES.

The Board of Commissioners has the overall responsibility for the confidentiality, integrity, and availability of organizational data. The Board of Commissioners has delegated the execution and maintenance of information technology and information systems to Senior Director of Facilities, Planning & IT. The Assistant Director of IT and other IT staff under the direction of the Senior Director of Facilities, Planning & IT are responsible for following the procedures and policies within information technology and information systems. All County Employees are responsible to act in accordance with County Policies and Procedures.

C. AFFECTED TECHNOLOGY.

Connectivity of all devices will be managed by the County's IT department, or the designated administrator within each department, and will use multi-factor authentication and strong encryption measures or alternative compensating controls to isolate and protect any organizational data accessed from or stored on the device where appropriate. Sanctioned end users are expected to adhere to the same security protocols when connected to non-organizational equipment. Failure to do so will result in immediate suspension of all network access privileges so as to protect the County's infrastructure.

D. STIPEND GUIDELINES.

The Board of Commissioners are eligible for either a stipend towards the monthly plan charges for their personal device, or a device supplied by the County.

E. POLICY AND APPROPRIATE USE.

It is the responsibility of any Employee of the County who uses a device to access business resources to ensure that all security protocols normally used in the management of data on conventional storage infrastructure are also applied here. It is

imperative that any mobile device that is used to conduct County business be utilized appropriately, responsibly, and ethically. Failure to do so will result in immediate suspension of that users' account. Based on this requirement, the following rules must be observed:

1. Access Control:
 - a. The County's IT department reserves the right to refuse, by physical and non-physical means, the ability to connect devices to organizational and organizational-connected infrastructure. IT will engage in such action if such equipment is being used in a way that puts the County's systems, data, users, and clients at risk.
 - b. Prior to initial use of the organizational network or related infrastructure, **all devices must be pre-approved by IT.**
 - c. End users who wish to connect devices to non-organizational network infrastructure to gain access to County data must employ, for their devices and related infrastructure, security measures deemed necessary by IT. County data is not to be stored on or accessed from any hardware that fails to meet the County's established IT security standards.
2. All devices attempting to connect to the organizational network through the Internet will be inspected using technology managed by the County's IT department or the designated administrator for each department. Devices that have not been previously approved by IT, are not in compliance with IT's security policies, or represent any threat to the organizational network or data will not be allowed to connect.

F. SECURITY.

Employees using devices and related software for network and data access will, without exception, use secure data management procedures. **All devices that are able to store data must be protected by a strong password or a PIN.** All data stored on the device must be encrypted using **strong encryption.** Employees agree never to disclose their passwords to anyone, including family members, or store passwords on personally owned devices if business work is conducted from home.

1. All sanctioned users of devices must employ reasonable physical security measures, and are expected to secure all such devices whether or not they are actually in use and/or being carried. This includes, but is not limited to, passwords, encryption, and physical control of such devices whenever they contain County data.
2. Passwords and other confidential data as defined by IT should not be stored on mobile devices.
3. Any device that is being used to store Rockingham County's data must adhere to the authentication requirements of the County's IT department. In addition, all hardware security configurations must be pre-approved by the County's IT department before any County data-carrying device can be connected to the organizational network.
4. Any attempt to contravene or bypass security implementation will be deemed an intrusion attempt and will be dealt with in accordance with this policy.

5. IT reserves the right, through policy enforcement and any other means it deems necessary, to limit the ability of end users to transfer data to and from specific resources on the County network.
6. Employees, contractors, vendors, constituents and other agents will follow all County-sanctioned data removal procedures to permanently erase company-specific data from such devices once its use is no longer required.
7. In the event of a lost or stolen device, it is incumbent on the user to report the incident to IT or the administrator for each department immediately. The device will be remotely wiped of all data and locked to prevent access by anyone other than IT. If the device is recovered, it can be submitted for re-provisioning. Appropriate steps will be taken to ensure that company data on or accessible from the device is secured – including remote wiping of the device where appropriate. The remote wipe will destroy all data on the device, whether it is related to company business or personal.

G. ORGANIZATIONAL PROTOCOL.

1. Audit trails will be established, which may be accessed, published, and used without notice. Such trails will be able to track the attachment of an external device to the organizational network, and the resulting reports may be used for investigation of possible breaches and/or misuse. The end user agrees to and accepts that their access and/or connection to the County's networks may be monitored to record dates, times, duration of access, etc., in order to identify unusual usage patterns or other suspicious activity. The Employee consents that there is no right to privacy related to use of organizational networks, resources, or data. This monitoring is necessary in order to identify accounts/computers that may have been compromised by external parties.
2. The end user agrees to immediately report to their O/DD, the County's IT department and/or the administrator for each department any incident or suspected incidents of unauthorized data access, data loss, and/or disclosure of County resources, databases, networks, etc.
3. Internal and external email, voicemail and text messages are considered business records and may be subject to discovery in the event of litigation.
4. Non-exempt Employees may only access network resources during regularly scheduled work hours unless pre-approved by the O/DD. This includes reviewing, sending and responding to email or text messages, responding to phone calls, or making phone calls. At no time does use of any mobile device qualify an Employee for Overtime compensation unless Overtime has been previously approved in accordance with the County's applicable Overtime Policy.
5. Employees may not use their devices for work purposes during periods of unpaid Leave without prior authorization from their O/DD.
6. Upon separation of employment from the County, the Employee shall return all County-issued equipment in fully functional working order.
7. A device user will not be granted access to organizational resources without accepting the terms and conditions of this Policy.
8. Any questions relating to this policy should be directed to the IT department at 603.679.9400 or support@co.rockingham.nh.us.

H. SAFETY.

1. Mobile device users are expected to follow applicable local, state and federal laws and regulations regarding the use of electronic devices at all times.
2. Mobile device users whose job responsibilities include regular or occasional driving are expected to refrain from using their devices while driving. Regardless of the circumstances, including slow or stopped traffic, mobile device users are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or texting. Special care should be taken in situations involving traffic, inclement weather or unfamiliar areas.
3. Mobile device users who are charged with traffic violations resulting from the use of their devices while driving will be solely responsible for all liabilities that result from such actions.
4. Mobile device users who work in hazardous areas must refrain from using devices while at work in those areas, as such use can potentially be a major safety hazard.

I. POLICY NON-COMPLIANCE.

Failure to comply with the Mobile Device Use Policy may, at the full discretion of the County, result in the suspension of any or all technology use and connectivity privileges, disciplinary action, possible termination of employment, as well as possible criminal charges.

17-9 SOCIAL MEDIA POLICY.

At the County, we understand that social media can be a fun and rewarding way for Employees to share their life and opinions with family, friends and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist Employees in making responsible decisions about their use of social media, we have established these guidelines for appropriate use of social media. This Policy applies to all Employees who work for the County.

A. GUIDELINES.

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to the Employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the County, as well as any other form of electronic communication. The same principles and guidelines found in the County Policies and three basic beliefs apply to Employee's activities online. Ultimately, Employees are solely responsible for what the Employee posts online. Before creating online content, an Employee should consider some of the risks and rewards that are involved. Keep in mind that any of the Employee's conduct that adversely affects the Employee's job performance, the performance of fellow co-workers or otherwise adversely affects residents/clients, customers, vendors, people who work on behalf of the County or the County's legitimate business interests may result in appropriate disciplinary action up to and including termination.

B. KNOW AND FOLLOW THE RULES.

An Employee must carefully read these guidelines, the County Statement of Ethics Policy, and the Rockingham County Harassment/Anti-Discrimination/Anti-Retaliation

Policy and ensure the Employee's postings are consistent with these Policies. Inappropriate posting that may include discriminatory remarks, harassment, retaliation and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject the Employee to appropriate disciplinary action up to and including termination.

C. BE RESPECTFUL.

Employees must always be fair and courteous to fellow co-workers, residents/clients, customers, vendors, and other individuals who work on behalf of the County. Also, Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers, supervisors/managers, O/DDs, or Human Resources than by posting complaints to social media outlets. Nevertheless, if Employees decide to post complaints or criticism, they must avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage residents/clients, co-workers, vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or County Policy.

D. BE HONEST AND ACCURATE.

An Employee should make sure the Employee is always honest and accurate when posting information or news, and if the Employee makes a mistake, corrects it quickly. An Employee should be open about any previous posts the Employee has altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. An Employee should never post information or rumors that the Employee knows to be false about the County, fellow co-workers, residents/clients, vendors, or individuals working on behalf of the County.

E. POST ONLY APPROPRIATE AND RESPECTFUL COMMENTS.

1. An Employee should maintain the confidentiality of the County's confidential information. An Employee must not post internal reports, policies, procedures or other internal business-related confidential communications.
2. An Employee must not create a link from the Employee's blog, website or other social networking site to a County website without identifying themselves as a County Employee.
3. An Employee must express only the Employee's personal opinions. The Employee must never represent themselves as a spokesperson for the County. If the County is a subject of the content the Employee is creating, the Employee must be clear and open about the fact that the Employee is an Employee and make it clear that the Employee's views do not represent those of the County, co-workers, residents/clients, vendors or people working on behalf of the County. If the Employee does publish a blog or post online related to the work the Employee does, or subjects associated with the County, the Employee must make it clear that the Employee is not speaking on behalf of the County. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Rockingham County."

F. USING SOCIAL MEDIA AT WORK.

Employees must refrain from using social media while on work time or on equipment the County provides, unless it is work related as authorized by the Employee's O/DD.

Employees must not use County email addresses to register on social networks, blogs or other online tools utilized for personal use.

G. RETALIATION IS PROHIBITED.

The County prohibits taking negative action against any Employee for reporting a possible deviation from this Policy or for cooperating in an investigation. Any Employee who retaliates against another Employee for reporting a possible deviation from this Policy or for cooperating in an investigation will be subject to appropriate disciplinary action up to and including termination.

**CHAPTER 18
GRIEVANCE POLICY**

18-1 APPLICABILITY OF GRIEVANCE POLICY.

This grievance policy does not apply if the Employee is subject to the “Discharge, Removal and Suspension Procedure Pursuant to RSA 28:10-a” or if the Employee is subject to a grievance procedure set forth in a collective bargaining agreement.

18-2 POLICY.

An Employee who believes that they received inequitable or unjust treatment or discipline under these Personnel Policies and Procedures or in violation of them, may appeal for relief to the County Commissioners in accordance with the procedures established in this Chapter. Failure of the Employee to proceed in accordance with the procedures established herein shall constitute automatic withdrawal of the appeal. Performance evaluations are not grievable beyond the O/DD level.

18-3 PROCEDURE.

Grievances shall be initiated within ten (10) calendar days of the incident from which the alleged grievance arose and shall be processed as provided in the following Steps and not otherwise:

Step 1. The Employee shall, in the first instance, discuss the grievance with the immediate supervisor within ten (10) calendar days to explore and possibly attempt to resolve the problem to the Employee's satisfaction. If the Employee is unable to resolve the grievance by discussing it with the immediate supervisor, they will discuss it with the next higher level superior until the next higher level superior is the O/DD.

Step 2. The grievance must be submitted to the O/DD by the Employee in writing within five (5) calendar days following the discussion in Step 1. The O/DD shall respond to the grievance within five (5) working days of receiving it. In the event the grievance is not resolved by the O/DD, the Employee may proceed to Step 3.

Step 3. The Employee may submit the grievance within five (5) calendar days after receipt of the Step 2 response to the Board of Commissioners in writing together with a letter stating that they have proceeded properly through Steps 1 and 2 along with any pertinent documentation. The Board of Commissioners shall hold a non-public hearing within ten (10) working days of receipt of the grievance and respond to the Employee by rendering a decision or by scheduling a hearing as soon as possible but no later than 30 calendar days from the receipt of the written grievance. The hearing shall be informal and the Employee shall be allowed to present as much evidence bearing on the issues involved in the

grievance as desired. The Board of Commissioners will render their decision within five (5) working days of the hearing.

18-4 DIVISION DIRECTOR GRIEVANCE POLICY.

A Division Director who believes that they have received inequitable or unjust treatment under these Policies and Procedures, or that the same have been violated or that they have been discriminated against on the basis of race, color, religion, sex, homosexual or transgender status, sexual orientation, gender identity, disability, marital status, pregnancy, age, national origin, genetic information, military or veterans' status, or any other status protected by applicable law may seek relief by utilizing the appeals process in accordance with the procedures established here. Failure of the Division Director to proceed in accordance with these procedures shall constitute automatic withdrawal of the appeal. Grievances shall be initiated within ten (10) calendar days of the incident from which the alleged grievance arose and shall be processed as provided in the following steps and not otherwise.

Step 1. The Division Director shall in the first instance discuss the grievance with the Chair of the Board of Commissioners to explore and attempt to resolve the problem to their mutual satisfaction. In the case that the complaint is about the Chair, the Vice-Chair shall be approached. If the Division Director is unable to resolve the grievance by discussing it, they will follow Step 2.

Step 2. The Division Director may appeal the Chair or Vice-Chair's decision before the Board of Commissioners by expressing his request in writing. The Division Director shall forward any pertinent documentation that might pertain to the issue in question. The Board of Commissioners will hold a non-public hearing, unless the Employee requests it to be public, within 30 calendar days of the receipt of said documentation. The Board of Commissioners will render their decision within five (5) working days of the hearings. This decision is final except in cases of termination.

18-5 RECORDS.

A record of all discussions and written documents pertaining to an Employee's grievance shall be kept in the Human Resources Department.

CHAPTER 19 RECORDS

19-1 PURPOSE.

The County respects each Employee's right to privacy and pledges to conduct its business in a manner that protects the rights and privacy of all Employees. To achieve this goal, the County adopts the following Policy, which is based upon three central objectives:

1. To assure that all personal information collected by the County is necessary and relevant, and to prohibit unnecessarily intrusive methods of collecting information;
2. To assure that the way records are used in making employment decisions is fair to individuals;
3. To assure that the County establishes and maintains clear standards for protecting the confidentiality of records about individuals.

19-2 POLICY.

The County:

1. Collects, uses, and retains only that personnel information which is required for business or legal reasons;
2. Provides each Employee with the opportunity to ensure the contents of their personnel record are correct;
3. Restricts the internal availability of personnel information to those with a valid business need-to-know;
4. Releases personnel information outside the County only with Employee approval, except to verify employment or to satisfy legitimate investigatory or legal needs. All records concerning an Employee's employment with the County are County property and will be maintained by the County. These records are an Employee's employment history and no document shall be removed without the approval of the Board of Commissioners.

19-3 CONFIDENTIALITY.

All information concerning Employees is treated as confidential, and breach of confidentiality concerning Employee information is cause for disciplinary action, up to and including termination.

19-4 PERSONNEL FILES.

1. The Senior Director of Human Resources is responsible for maintaining an official personnel file for each Employee. Personnel files shall contain original documentation including applications for employment, results of any qualification tests or examinations, employment history and current status, commendations, record of disciplinary actions, training records and any other personnel record pertaining to the Employee's performance, behavior and employment relationship with the County. The Senior Director of Human Resources will periodically review information in each Employee's file for the purpose of adding or updating required information.
2. O/DDs may maintain an employment file on each Employee in their charge that shall include performance evaluations, attendance records, notes, memos, letters, or other information relating to an Employee's job performance. The O/DD is responsible for providing such file materials to the Senior Director of Human Resources upon request so that the Senior Director of Human Resources may maintain an Employee's personnel file and respond to requests for copies of the personnel file. The O/DD is responsible for periodically reviewing Employee files in order to identify dated or inappropriate information and/or required information that should be added or updated. However, the Senior Director of Human Resources shall be notified immediately of any intention to add, remove or modify information in any employment record or file that is maintained on an Employee so that the County confirms ongoing compliance with applicable records retention requirements. O/DDs shall maintain Employee files in a confidential manner in a locked, secure location with restricted access. All requests for information about a current or former Employee, such as references or eligibility for rehire, shall be immediately referred to the Senior Director of Human Resources. Upon the end of employment, any and all documents pertaining to the Employee shall be forwarded to the Human Resources Department for scanning and retention purposes.

19-5 MEDICAL RECORDS.

All Employee medical records, health care provider notes, and New Hampshire Workers' Compensation forms will be maintained in the Human Resources Department in a locked, secure location separate from personnel files. Upon giving reasonable notice to the Senior Director of Human Resources, Employees may review medical information contained in their medical file. Employee medical information concerning work-related disability or work restrictions will be made available to O/DDs and supervisors on a need-to-know basis only. Medical information regarding an Employee will be released only with the Employee's consent or to meet appropriate legal requirements.

A. Employee Health Services maintains records of pre-employment medical physicals, tests, vaccinations, and provider notes (if Employees utilize Employee Health Services as a healthcare provider). If an Employee seeks treatment from Employee Health Services for a work-related injury or illness, those records are also maintained. These records are property of the County and are accessed in the limited circumstances by the Senior Director of Human Resources when the County is transitioning between Employee Health Services providers.

19-6 PAYROLL RECORDS.

The Senior Director of Finance is responsible for maintaining an official payroll file for each Employee. Payroll files may contain copies of documentation as required by the Senior Director of Finance including but not limited to personnel change notices and support, deduction authorizations, pay authorizations, disability pay acknowledgements, Leave authorizations, collection/billing agreements, pay and benefit exceptions approved by the Board of Commissioners, and any other financial matters that may arise concerning each individual Employee.

19-7 RETENTION OF RECORDS.

The Senior Director of Human Resources shall maintain guidelines concerning the retention of personnel records in compliance with record-keeping requirements under applicable law. The personnel file, any grievance records and corresponding written decisions, and medical records of former Employees shall be retained for the number of years required by NH RSA and/or applicable federal law following separation from County service.

19-8 EMPLOYEE ACCESS TO PERSONNEL FILES.

- A. Upon giving reasonable notice in writing to the Senior Director of Human Resources, an Employee may view the material in their personnel files in the presence of the Senior Director of Human Resources or designee at a mutually agreeable time during normal business hours, unless such material is exempt from disclosure under applicable NH statute or is otherwise privileged or confidential by applicable law. Employees may request copies, in writing, for which a nominal fee may be charged. Employees may request a photocopy of an individual document in their department file from their O/DD. No Employee may have access to the personnel file of another Employee. A supervisor, for good cause, may be allowed access to personnel files under the direct supervision of the Senior Director of Human Resources or designee, or the appropriate O/DD or designee.
- B. If an Employee disagrees with any of the information contained in their official personnel file, and the Employee and the County cannot agree upon removal or correction of such information, then the Employee may submit a written statement explaining their version of the information, along with any supporting evidence

which will be attached to the specific document in question. The Employee's statement shall become a part of their personnel file.

19-9 ATTENDANCE RECORDS.

The maintenance of daily attendance records on each Employee is the responsibility of the O/DD and will be recorded in the County's Time and Attendance system.

19-10 PERSONNEL ACTIONS INITIATED BY THE COUNTY.

Personnel actions or decisions initiated by the O/DD or an O/DD designee which are subject to documentation shall include, but are not limited to, Appointments, completion of Initial Evaluation Period, classification changes, wage increases, suspensions, Terminations, transfers, disciplinary actions, grievances, and any other actions or decisions initiated by the O/DD or an O/DD designee. The O/DD or O/DD designee shall inform the Senior Director of Human Resources of said actions in writing, along with any original documentation, prior to the effective date of the action or as soon as practicable.

19-11 DOCUMENTATION OF PERSONNEL ACTIONS.

All personnel decisions and actions shall be in writing and such written documents shall be maintained in the Employee's personnel file.

19-12 INFORMATION FROM THE EMPLOYEE.

Each Employee should notify Human Resources and their O/DD in writing of their resignation and any successfully completed training and educational programs. Changes in personal information such as name, address, telephone number, emergency contact and email address should be completed online via the Employee Self Service portal.

**CHAPTER 20
EMPLOYEE BENEFITS**

20-1 PURPOSE.

This Employee Benefits section is a summary of some of the plans offered by the County. The Benefits and premium arrangements described herein are subject to change at the sole discretion of the County. These summaries, in coordination with the Plan Documents, do not constitute contracts for continued benefits. In the event there is a discrepancy between the Plan Document and this chapter, the Plan Document shall govern. For a copy of a Plan Document, please contact the Human Resources Department.

20-2 HEALTH AND DENTAL INSURANCE.

A. ELIGIBILITY.

Part and Full Time Employees are eligible for health and dental insurance. Part Time Employees will pay prorated benefit premiums for health and dental insurance.

B. ENROLLMENT.

Employees must apply for health and dental insurance within thirty (30) days of the start of their employment. Failure to meet this deadline will require the Employee to wait to enroll until the annual open enrollment period, unless there is an intervening Qualifying Event. A change to County group insurance plan(s) may take place at any time when there is a Qualifying Event such as marriage, divorce, birth, and change in spouse or dependent coverage. Employees need to contact Human Resources for any information about insurance.

C. COBRA CONTINUATION RIGHTS.

The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to an Employee when the Employee would otherwise lose group coverage(s). It can also become available to other members of an Employee's family who are covered under the Plan(s) when they would otherwise lose their group coverage(s). For additional information about an Employee's rights and obligations under the Plan(s) and under Federal law, Employees should review the Plan's Summary Plan Description by contacting the carrier or the Human Resources Department.

D. PREMIUM CONTRIBUTIONS.

The County will make a contribution towards the cost of health and dental insurance premiums for eligible Employees as approved by the County Delegation under NH RSA 24:13-a annually. The County contributions shall begin on the date when the Employee's enrollment is effective and discontinue upon termination of enrollment in the group, separation from County employment, change to other than a Full Time or Part Time position or when on General Leave in an unpaid status for 30 days or more, unless on Family and Medical Leave or approved by the Board of Commissioners.

E. HEALTH INSURANCE BUYOUT.

Any Employee who is eligible for health insurance herein, but is covered under a non-County health insurance plan shall receive an amount established annually by the County Delegation in accordance with NH RSA sec. 24:13-a in addition to their regular compensation.

F. FLEXIBLE SPENDING ACCOUNTS.

The County has established Flexible Spending Accounts for Health and Dependent Care. These accounts must be approved annually by the County Delegation under NH RSA 24:13-a.

G. SHORT TERM DISABILITY.

The County will make a contribution towards the cost of Short Term Disability insurance as approved by the County Delegation under the NH RSA 24:13-a annually. The County contributions shall begin on the date when the Employee's enrollment is effective and discontinue upon termination of enrollment in the group, separation from County employment, or change to other than a Full Time or Part Time Position.

H. BASIC LIFE AND AD&D INSURANCE.

The County provides a Basic Life and AD&D insurance policy for all Full and Part Time Employees as approved by the County Delegation under the NH RSA 24:13-a annually. The County contributions shall begin on the date when the Employee's enrollment is effective and discontinue upon termination of enrollment in the group, separation from County employment, or change to other than a Full Time or Part Time Position.

I. NEW HAMPSHIRE RETIREMENT SYSTEM.

It is mandatory that all Employees regularly scheduled to work 35 hours each work week join the New Hampshire Retirement System (NHRS). A summary of the benefits of the NHRS will be provided to each Employee at the time of employment.

J. DEFERRED COMPENSATION PLAN.

Any Employee who is eligible under the Plan's terms may join and participate in a 457 Deferred Compensation plan approved by the Board of Commissioners. Employees need to contact Human Resources for more information about this option.

K. WORKERS' COMPENSATION.

Employees of the County are covered by state statutes providing for Workers' Compensation covering disability and death due to job-related injury or disease.

L. EMPLOYEE ASSISTANCE PROGRAM.

The County has instituted an Employee Assistance Program (EAP) to assist Employees with personal, financial, or legal issues. In some situations, an Employee's personal issues may result in workplace problems. The County recommends the Employee use the confidential EAP to manage these issues. The County may refer an Employee to the EAP if, for example, the Employee displays a tendency to engage in aggressive workplace behavior or who otherwise engages in behavior that the County, in its sole discretion, deems offensive or inappropriate.

M. VOLUNTARY BENEFITS.

The County also offers a variety of voluntary benefits. For more information on these benefit options, Employees should contact the Human Resources Department.

**CHAPTER 21
AMENDMENTS**

21-1 AMENDMENTS.

Amendments to the County Personnel Policies and Procedures may be made at any time by a majority vote of the members of the Board of Commissioners or based on recommendations from the County Management Team.

21-2 PETITIONS FOR AMENDMENT.

The County Management Team shall consider all petitions for amendment submitted by individual members of the Team, by a Division Director or by the Employee Advisory Committee. All petitions should be presented in a County Management Team meeting for discussion and approval before it is posted.

21-3 MANNER OF PETITIONING.

All petitions must be submitted on a form prepared and provided by the Senior Director of Human Resources for that purpose. The petition must state the paragraph and section numbers of the section to be amended, the exact wording of that section, the exact wording of the proposed amendment, and the exact wording of the section with the proposed amendment incorporated and the reason for the amendment setting forth the problem with the section as it now reads and what purpose is expected to be served by the amendment. All petitions must be submitted to the County Management Team to be voted upon for the fourteen (14) day posting. Petitions must be submitted to the Senior Director of Human Resources.

21-4 POSTING.

All petitions for amendments shall be posted in each department in a conspicuous place not less than fourteen (14) calendar days prior to any action by the County Management Team. In the event the County Management Team has decided to have a hearing on the amendment, the date, time, and place of the hearing will be included in the notice.

21-5 FINAL POSTING.

The recommendations of the County Management Team shall be referred to the Board of Commissioners for action. The Board of Commissioners will vote to accept or reject the amendment after it has been posted for the required fourteen (14) days.

21-6 HEARING AND DECISION.

The County Management Team may schedule a hearing on any petition for amendment if, in the Team's judgment, a petition for amendment may best be considered by a public exchange of ideas and presentation of a wide range of Employee opinions before a vote is taken.

21-7 TESTIMONY REVIEW.

The County Management Team shall review all the information and testimony whether submitted in writing or presented as testimony at a hearing prior to making a recommendation to the Board of Commissioners. Written testimony must be received by the Senior Director of Human Resources by the date of hearing.

21-8 APPROVAL.

Upon Board of Commissioners approval of the amendment, the Policies and Procedures Manual will be updated by the Senior Director of Human Resources to reflect the amendment. The policy revisions will be distributed to all Employees. A signed acknowledgement of receipt is required from the Employee.

PERSONNEL POLICIES AND PROCEDURES MANUAL REVISIONS

March 9, 1992: Revised and Adopted by the Rockingham County Personnel Commission. Includes all revisions and corrections through October 1993.

December 28, 1993: Rockingham County Commissioners Voted to Replace the Existing County Personnel Commission with the Board of County Commissioners.

February 14, 1994: Rockingham County Board of Commissioners voted to Create a Personnel Commission to be Composed of the County Commissioners, the Sheriff, the Register of Deeds, the County Attorney, the Treasurer, the Superintendent of the Nursing Home, the Superintendent of Corrections, the Superintendent of Maintenance and a Representative of Rockingham County Employees selected by the Employees Advisory Committee. The Human Resources Director will serve as Coordinator and Facilitator for the Rockingham County Personnel Commission.

December 11, 1995: Personnel Commission shall be composed of the County Commissioners, the Sheriff, the County Attorney, the Register of Deeds, County Treasurer, the Administrator of the Nursing Home, the Superintendent of Corrections, the Superintendent of Maintenance, Fiscal Officer, the Director of Human Services and a representative of the Rockingham County employees selected by the Employees Advisory Committee. The Personnel Commission shall select its own Chair by a majority vote. The Personnel Commission shall be responsible for the maintenance and enforcement of the Policies and Procedures governing employee/employer relations and Rockingham County personnel. The Director of Human Resources will serve as the coordinator and facilitator for the Rockingham County Personnel Commission. The Director of Human Resources will, however, continue to be supervised by and report to the

Board of County Commissioners (section revised 2/14/94 and 12/11/95).

December 10, 1996: The Rockingham County Board of Commissioners voted to dissolve the Personnel Commission in its' present makeup and authority; that the Personnel Policies be changed to read as approved by the Board of Commissioners, that only re-grades which have been approved by the Board of Commissioners be eligible for change in the 1997 budget, and that a new County Management Team be established with the membership being the same as the present Commission but with advisory authority only. Once the County Management Team has made a recommendation, the recommendation must be acted on by the Board of Commissioners and the vote of the majority of the Board, in a public meeting, will be the final authority.

January 21, 1997: The language used in this manual should not be construed as creating a contract, express or implied, between Rockingham County and any of its employees, or as a guarantee of employment for any special duration.

The Board of Commissioners voted to reinstate the final authority of the County Management Team as indicated in the grievance policy.

January 1, 1998: The Board of Commissioners voted to adopt a series of changes to the Manual, the most significant of which were: Safety policy, Smoking policy, ADA policy and the Division Director grievance policy. Includes all revisions through December, 1997.

January 1, 1999: The Board of Commissioners voted to adopt three (3) changes to the manual. They are as follows: 1. To allow an employee to join the Emergency Leave Bank after one year of employment. 2. To allow sick leave usage to care for a spouse only under circumstances where the employee would qualify for leave under the FMLA eligible criteria. 3. Removed an exception to the Emergency Leave Bank policy regarding maternity leave.

January 1, 2000: The Board of Commissioners voted to change the longevity pay policy.

March 21, 2000: The Board of Commissioners voted to adopt six (6) changes to the manual. They are as follows: 1. Reducing minimum meeting requirement of the Safety Committee from ten (10) to six (6) meetings per year. 2. To clarify that the EAC elections will be held annually on or about June 1st giving the representative a one year term. 3. Streamlined approval process of Leave Without Pay Requests and delegate authority for two (2) weeks or less LWOP to O/DD. 4. Requiring retiring employees to give two (2) weeks' notice in order to be considered in good standing. 5. and 6. Add language that performance evaluations are not grievable to Chapters 11 and 14. (This language was already listed in Chapter 13 but added to these other two (2) applicable Chapters)

February 16, 2001: The Board of Commissioners voted to expand the Policy For a Drug Free Workplace in Chapter 1-4 and to expand the definition of improper or unprofessional staff behavior located in Chapter 13-4 Misconduct Subject to Disciplinary Action.

April 6, 2001: The Board of Commissioners voted to adopt the Policy Against Workplace Violence.

April 2, 2002: The Board of Commissioners voted to adopt a series of changes to Chapter 7 including incorporating the Earned Time language into the policies and removing references to vacation, sick leave and personal days. The Safety, Employee Advisory Committee and Fitness for Duty and Return to Work Examinations Policies were revised also.

October 29, 2002: The Board of Commissioners voted to adopt a series of changes to more accurately describe exceptions to the policy and the duties of the County Management Team as well as revising the County Grievance Policies to include Federal Section 504 grievances.

September 30, 2003: The Board of Commissioners voted to adopt a fully reviewed and restructured Manual with a new Emergency Transportation Procedure and revised FMLA chapter.

December 4, 2003: The Board voted to expand the Military Leave Chapter adding Section D.

December 23, 2003: The Board approved two revisions to Chapter 6 as follows: the workweek definition in Section 15 B was revised to reflect current department titles and workweeks and the shift differential policy in Section 14 was revised to reflect current practice.

January 13, 2004: Chapter 6 Section 4 was revised by the Board of Commissioners to standardize the passing annual evaluation score County-wide, as well as clarify the length of time an employee must have worked in the anniversary year in order to be eligible for step increase consideration.

February 18, 2004: The Delegation approved funding for the Board of Commissioners' revision to Chapter 6 Section 11. This added the award of a \$1,000 longevity payment to employees with 25 years of service or more.

January 1, 2005: The Board added policy that allowed employees hired on or after January 1, 2005 to accrue up to 60 days of Earned Time with a payout schedule based on years of service. The day of observance for holidays for 24 hour operation personnel was clarified.

December 27, 2006: The Board voted to amend the initial evaluation period for all applicable County employees to a minimum of one year.

April 24, 2007: The Board revised the Employment of Relatives chapter 9-9

May 22, 2007: The Board revised the Earned Time policy to cap all Earned Time at 10 pay periods for those hired on or prior to 12/31/04. Allowing employees a one-time opportunity on 12/31/07 to transfer all time above that amount (with an additional option of 4 extra weeks) into excess Earned Time accounts; they also approved a 100% pay out in emergency situations of ET and allow pay out of three weeks of Earned Time on an annual basis under certain circumstances.

July 30, 2008: A Reduced Work Schedule policy was added which requires Board approval, and lists conditions which must be demonstrated, in order for an employee to permanently work reduced hours in their current position. Revisions to compliment the new policy were made to the definitions of Full time, Part time and Intermittent employee as well as Lateral Transfer. Clarifying revisions were also made to the Overtime, Hours of Work and Meal Periods policies.

July 15, 2009: Changes were made to the Fitness for Duty Exams Chapter 8-12 to comply with Federal law.

May 27, 2010: A new comprehensive Anti-Discrimination/Harassment policy replaced the previous Harassment policy.

September 1, 2010: Updates were made to the Disciplinary Action and Rules of Conduct chapter to address the RSA 28:10A employee's appeal rights. Discrimination categories were moved from the Grievance Chapter to the Harassment Policy and the Grievance procedure was ended with the appeal to the Board of Commissioners.

January 13, 2011: The Board of Commissioners voted to revise Section 6-14 Shift Differential to remove payment of shift differential on non-worked hours effective April 10, 2011, excluding Union Corrections Officers and Dispatchers.

March 9, 2011: Section 8-2 J (Emergency Earned Time Payout and Annual July Earned Time Payout) was removed.

April 7, 2011: The Board of Commissioners amended the effective date of Chapter 6-14 Shift Differential changes for Corrections Corporals and Sergeants.

May 4, 2011: The Board of Commissioners voted to amend Section 6-14 Shift Differential to clarify that differentials will be paid for actual hours worked during each shift, excluding first shift weekdays.

October 5, 2011: Chapter 7-6 was added to the Personnel Policies allowing breaks for Nursing Mothers.

January 11, 2012: Chapter 8-1 was revised to include all leaves of absence are subject to no further accrual of ET or holidays after 30 days of leave.

February 8, 2012: Chapters 8, Sections 9, 10 and 13 were revised to include policies regarding the following federal laws: FMLA Armed Forces Family Member Leave, FMLA Armed Forces Caregiver Leave, New Hampshire Maternity Leave and Crime Victim Leave.

January 4, 2013: Chapters 7 and 17 were revised to clarify duties and record keeping of various departments. The Chapter 8-3 Sick Pool program was revised.

April 5, 2016: The Board approved to replace all instances of "Martha Roy" in the Personnel Policies and Procedures with "Human Resources Director".

April 13, 2016: The Board of Commissioners voted to adopt the Call-In Policy and incorporate into the Personnel Policies and Procedures as Chapter 16-6, with the current policy *Change in the Law* renumbered to 6-17.

May 25, 2016: The Board of Commissioners voted to add Chapter 6-14 section A. Weekend Differential. The manual revision section was updated to include Board of Commissioners votes taken on January 13, April 7, and May 4, 2011.

February 22, 2017: The Board of Commissioners voted to amend Chapter 7-5 A to add an annual requirement for each department to provide a list of essential positions to Human Resources. Chapter 7-5 B and C were amended to change language referring to "Earned Time" to "accrued time". Additionally, language relating to O/DD's discretion for essential personnel to arrive late or depart early was removed.

Chapter 7-5 C was amended to clarify language.

February 22, 2017: The Board of Commissioners voted to amend Chapter 8-1 to clarify leave request submissions and to provide language related to the accrual of Earned Time when in any leave of absence status. Chapter 8-2 E2 was amended to provide language relating to planned absence request and approval. Chapter 8-2 H1 was amended to change "100 days" to "10 pay periods". Chapter 8-2 H2 was amended to clarify years of service for payout at end of employment with an example. Chapter 8-2 H3 was amended to clarify language. Chapter 8-2 I was amended to designate "layoff" as end of employment, and provide for payment of Earned Time at 100% at time of Layoff.

February 22, 2017: The Board of Commissioners voted to amend Chapter 11-6 B to clarify resignation notice requirements.

March 8, 2017: The Board of Commissioners voted to amend the previously approved revision of Chapter 8-2 H3 to remove the word "resigns". Further to amend the vote of February 22, 2017 in which Chapter 8-2 E was inadvertently presented as Chapter 8-2 A.

December 14, 2022: The Board of Commissioners voted to adopt the complete revision of the Personnel Policies and Procedures Manual.

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